



SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

135 Rhone Street, PO Box 947, Friday Harbor, WA 98250

(360) 378-2354 | (360) 378-2116

dcd@sanjuanco.com | www.sanjuanco.com

MEMO

MEMO DATE: November 5, 2020
TO: San Juan County Planning Commission
CC: Erika Shook, AICP, DCD Director
FROM: Sophia Cassam, Planner I *SC*
SUBJECT: San Juan County Comprehensive Plan
Element B.2 Land Use and Rural: Rural Residential Cluster Development
ATTACHMENTS: A. Public Comments on Cluster Developments

PURPOSE: To get Planning Commission's input on the remaining Rural Residential Cluster Development (cluster development) issues, and to answer Planning Commission's questions brought up at the October 16, 2020 meeting.

FEEDBACK REQUESTED: Staff requests Planning Commission's recommendations on the following issues:

- Issue 2: Limits to the size of cluster development structures, regarding accessory structures;
- Issue 3: Cluster development ownership requirements; and
- Issue 4: Assurance of affordability requirements.

BACKGROUND: Planning Commission discussed cluster developments at the meetings on September 18 and October 16, 2020. The discussions centered around four potential changes to the cluster development code. Issues 1, 2, and 4 are requests made by Homes for Islanders in the 2020 Annual Docket. The following provides an overview of the current status of each issue:

Issue 1: Limits to the number of units allowed in a cluster development

Status: PC recommendation made.

Planning Commission recommended Option A, increasing the allowed number of units in a cluster development from 8 to 12. Option B was "no change." This recommendation was made under the condition that the square footage limit remain at 1,500 square feet per dwelling unit (Issue 2, Option C).

Issue 2: Limits to the size of cluster development structures

Status: PC recommendation partially made. Needs recommendation on accessory structures.

Planning Commission decided to recommend Issue 2, Option C, no change. This maintains the maximum square footage per unit at 1,500 square feet. Planning Commission decided to recommend that square footage per unit be counted as an average across the development, and that no individual dwelling unit should exceed 2,000 square feet. It was decided that they would discuss limits to the size of accessory structures at the November meeting.

The development code currently counts accessory structures with the per-unit size limit. Staff recommends continuing by this method. The following scenario in Table 1 is an example of how the Planning Commission's recommendations for issues 1 and 2 could be implemented at if accessory structures are counted with the per-unit size limit.

Table 1: Example Cluster Development Square Footage Allotment

Unit Type	Quantity	Sq. ft. of Unit Type in Cluster
1,600 sq. ft. dwelling unit with 400 sq. ft. garage	2	4,000
1,200 sq. ft. dwelling unit with 400 sq. ft. garage	3	4,800
1,200 sq. ft. dwelling unit	7	8,400
800 sq. ft. community kitchen and lounge/meeting space	1	800
Total Dwelling Units	12	18,000
Average sq. ft. per dwelling unit		1,500

The scenario in Table 1 above includes 12 dwelling units (Issue 1, Option A). The average square footage per dwelling across the cluster development is 1,500 square feet (Issue 2, Option C), and no dwellings including associated accessory structures exceed 2,000 square feet. This scenario shows an example of what could be allowed at maximum build-out. It is unlikely that clusters would be developed with both the maximum allowed units and maximum allowed square footage due to development costs. The existing two cluster developments on San Juan Island are comprised of 1,200 square-foot dwelling units without accessory structures, despite the 1,500 square-feet-per-unit limit. The binding site plans of the existing cluster developments also prohibit additions or expansions of the existing units during the 50-year affordable housing restrictive use easement.

Issue 3: Cluster development ownership requirements

Status: Needs PC recommendation.

The development code currently requires cluster developers to be a public agency, or a business or nonprofit corporation in the business of providing affordable housing. The question at hand is, "should the code be changed to allow *anyone* to build cluster developments as long as they meet the cluster development and affordable housing standards?"

Option A: Change the cluster development code to allow any developer to build cluster developments.

Option B: No change.

Planning Commission decided to discuss Issue 3 at the November and requested that staff provide information about deed restriction stewardship (see Follow-Up Topics section on page 4 of this staff memo).

Issue 4: Assurance of affordability requirements.

Status: Needs PC recommendation.

Staff requests a Planning Commission recommendation on this issue at the November meeting.

Option A: Amend the cluster development code to require developers to demonstrate assurance of affordability by some but not all the options listed in the affordable housing code.

Option B: No change.

In their 2020 docket application, Homes for Islanders requested that the County remove the requirement for a restrictive use easement for cluster developments and to allow clusters to be built using any of the assurance of affordability requirements listed in the affordable housing code.

Homes for Islanders proposed to remove San Juan County Code (SJCC) 18.60.230(C)(3)(b), which requires that for cluster developments:

b. Prior to issuance of any building permit for the project, the applicant shall grant a restrictive use easement for the site to San Juan County for the purpose of affordable housing development, subject to such conditions and limitations as the County may require.

Rather than requiring a restrictive use easement, Homes for Islanders requested that cluster developers would be allowed to show assurance of long-term or permanent affordability by one or more of the requirements in SJCC 18.60.260(D) & (E) Affordable housing:

D. Long-Term Affordability. In order to qualify as affordable housing, housing must provide assurance of affordability to applicable income groups for at least 50 years for ownership housing and 20 years for rental housing by one or more of the following methods:

1. Ownership of land or land and structures by a public agency or nonprofit housing provider;
2. Granting of a restrictive use easement in a form specified by the County for the portions of the site encompassing the affordable units to San Juan County for the purpose of affordable housing development;
3. In the case of rental housing only, the units are subject to a contract with a housing provider which assures their affordability for a minimum of 20 years; or
4. Housing which because of its size, location, amenities, restrictions on development or use, or other characteristics, has been specifically determined by resolution of the board of County commissioners to be affordable.

E. Permanently Affordable Housing. In order to qualify as permanently affordable housing, housing must provide assurance of affordability to applicable income groups for at least 99 years by one or more of the following methods:

1. Ownership of land or land and structures by a public agency or nonprofit housing provider with assurance of affordability for at least 99 years;
2. Granting of a restrictive use easement in a form specified by the County for the portions of the site encompassing the affordable units to San Juan County for the purpose of affordable housing development;
3. Housing which because of its size, location, amenities, restrictions on development or use, or other characteristics, has been specifically determined by resolution of the board of County commissioners to be permanently affordable.

Recommendation: If the Planning Commission decided to recommend the change requested by Homes for Islanders, staff recommends excluding SJCC 18.60.260(D)(4) & (E)(3) from being options for cluster developments. Staff finds that SJCC 18.60.260(D)(4) & (E)(3) do not provide strong enough of a guarantee of long-term or permanent affordability for the affordable housing density bonus in rural areas that cluster developments allow. These two methods of assuring affordability state that some housing units have characteristics that lead them to be inherently affordable, and that the County Council can determine what the characteristics are and when they apply.

FOLLOW-UP TOPICS: At the October meeting, Planning Commission asked staff to address questions about the following topics.

Deed Restriction Stewardship

Issue 3, Option A would allow any developer to build cluster developments according to the cluster code. There is concern about how people navigate buying and selling homes with deed restrictions for affordability. OPAL and Lopez Community Land Trust have helped guide their homeowners and prospective buyers through the buying and selling process. OPAL has also helped in a similar capacity with transactions of Homes for Islanders homes. If private developers without affordable housing experience were allowed to develop clusters, it is unclear what resources would be available to help residents and prospective buyers navigate the affordable housing restrictions.

At the October 16 Planning Commission meeting, the guests from the affordable housing non-profits suggested that the County should ensure there is a stewardship mechanism for the affordable housing component of cluster developments. It has been expressed that people need a resource guiding them through the buying and selling process for properties with affordability requirements such as deed restrictions.

The Department of Community Development (DCD) could create a webpage to help steward cluster developments and their affordability requirements. The page would include resources about cluster developments and information for navigating affordable housing deed restrictions. There would be answers to Frequently Asked Questions (FAQs) and a staff contact person would be listed. DCD could work with the affordable housing non-profits to develop FAQs and to determine what information would be

most useful to the public on the webpage. The webpage would be a resource for both potential buyers and sellers, and other interested parties such as real estate agents.

Projected Need for Affordable Housing

Planning Commission asked staff to explain the quantity of affordable housing needed to meet the County population’s needs during the planning period. Table 2, below, estimates the number of new households there may be in each income category by 2036, as compared to 2016. The table is based on the 2036 population projections made in 2016 and the 2014 Area Median Income (AMI) Distribution in the *Plan* Appendix 5, Housing Needs Assessment. These estimates can help illustrate the future housing needs for new households in the County’s various income brackets.

Table 2. Estimated Number of 2036 New Households by Income Category and by Island.

Islands	Total 2036 New Households	Extremely Low	Very Low	Low	Moderate	total below AMI	AMI and Higher
% of total Households	100%	10.8%	11%	17.2%	10.6%	49.7%	50.3%
San Juan	729	79	80	126	77	362	367
Orcas	504	55	56	87	53	250	254
Lopez	230	25	25	40	24	114	116
Shaw	23	2	3	4	2	11	12
Total Ferry Served Islands	1486	161	164	257	157	738	748
Non-Ferry Served	38	4	4	7	4	19	19
Total	1524	165	168	263	161	757	767

Notes:

Extremely Low: <30% AMI, Very Low: 30-50% AMI, Low: 50-80% AMI, Moderate: 80-100% AMI, Middle and Higher: >100% AMI.
 San Juan County 2017 AMI for a family of 4: \$67,600

Sources: Housing Needs Assessment; HUD Comprehensive Housing Affordability Strategy Data 2010-2014; U.S. Census, OFM annual estimate.

The numbers in Table 2 are based on several assumptions. The table assumes that the income distribution is uniform throughout the County. That is, the percent of households in each income category is the same on each island. It also assumes that the income distribution in 2036 will be similar to the 2014 income distribution. The estimates are based on the 2016 County average household size of 2.04 people per household.

Affordable housing serves people in the extremely low to moderate income categories. According to Table 2, there will be about 757 more extremely low to moderate income households in the County in 2036 than there were in 2016. By island, San Juan may have about 362, Orcas may have 250, Lopez may have 114, and Shaw may have 11 more households below the AMI than there were in 2016. Since 2016, affordable housing non-profits have developed units to serve households in this income range, fulfilling some of the need. However, there is still a need for several hundred more affordable units by 2036.

There is such a need for affordable housing in San Juan County because the median income is misaligned with the median home value. The median resale price of a house in San Juan County in the first quarter of 2017 was \$453,100 and the 2017 Area Median Income (AMI) for a family of four according to the Department of Housing and Urban Development (HUD) was \$67,600. The maximum mortgage including taxes and homeowners insurance that would be affordable to a median income family of four with no other debts and no down payment would be \$285,060. That means there is a gap of nearly \$170,000 between what the average house in San Juan County sells for and what the average San Juan County family can afford. People with the median income cannot afford the median-priced home; therefore, there is especially a need for new housing units serving households at about 150% of the AMI and below.

The cluster development code places limits on the number of clusters and units allowed per year and per decade. On San Juan, Orcas, Lopez and Shaw Islands combined, there may be no more than 3 clusters per year and 100 dwelling units per decade. No more than 50 dwelling units are allowed on any one ferry-served island per decade. On the other islands, no more than 10 dwelling units are allowed per decade. It is unlikely that these limits will be met, due to factors such as the lack of available land meeting the cluster code criteria. In the last 14 years, 2 cluster developments including 16 units have been constructed. Cluster developments are not *the* solution to fulfilling the County's affordable housing needs, but they can provide some affordable units to help alleviate the need.

PUBLIC COMMENTS: DCD received public comments on cluster developments from Justin Roche of Homes for Islanders, Friends of the San Juans, and Kathi Ciskowski. To review these public comments, please see Attachment A.



640 Mullis Street, Suite 102b
PO Box 545, Friday Harbor, WA 98250
ph 360.370.5944 | fax 360.370.5945
info@homesforislanders.org
www.homesforislanders.org

October 15, 2020
San Juan County Department of Community Development
135 Rhone Street
P.O. Box 947
Friday Harbor, WA 98250

Attention: San Juan County Planning Commission

Subject: Q & A Responses for Planning Commission Meeting 10-16-2020

To whom it may concern,

Homes for Islanders (HFI) has received an invitation to participate as guests at the upcoming San Juan County Planning Commission meeting on Friday, October 16th. We have read the staff report and presentation on the subject of Rural Residential Clusters, which included several additional questions outlined near the end of the October 1st staff report that HFI and other local affordable housing non-profits will be asked to address. We thought it may help to provide responses to the listed questions ahead of the meeting in hopes of facilitating the question and answer process.

Before addressing the questions listed in the memo, HFI has noticed that one of the four changes we proposed has not been mentioned. We proposed to eliminate the limitation of 18.60.260(G). This will help expand availability of all affordable homes (not only in RRCs) to families whose household incomes are in the 81%-120% AMI region. This is a particularly underserved group in our area because most affordable housing products and programs target 80% AMI or below, 50% AMI or below, or 30% AMI or below. HFI’s program is limited to families earning 80% AMI or below. Fortunately, upon resale these modest homes do tend to be purchased by households earning in the 81% AMI to 120% AMI range.

- What are the benefits of developing in rural areas as opposed to UGAs?

Availability. Lower monthly water and sewer utility costs. Given the option, we prefer developing in UGAs. Unfortunately, on San Juan Island in particular, there isn’t any land in UGAs for sale large enough to support group builds of 8 or more homes at a time.



HFI Board of Directors:
Dean Riley *President* Robert Bulloch
Colin Huntmer *Vice President* John Campbell
Sharon Kivisto *Secretary* Tim Dwyer
Jim Miles, CPA *Treasurer* Veronica Romey

HFI Staff:
Justin Roche *Executive Director*
Bill Gendron *Program Director*
Brad Muth *Construction Supervisor*

HFI has considered many possibilities within UGAs and reached out to many property owners in search of land on which to build future mutual self-help groups, including ten potentially suitable properties within the past six months. Each of these efforts toward locating and securing future build sites were found to be unfeasible by one party or the other.

HFI also considered several possibilities outside of UGAs on which Rural Residential Clusters could be built, including five potentially suitable properties within the past six months. Each of these potential sites located outside of UGAs were also found to be unfeasible by one party or the other. It is important to note that the feasibility of these sites (or lack thereof), from HFI's perspective, was determined based on an eight-unit Rural Residential Cluster. We did not consider the feasibility of a 12-unit RRC due to the uncertain outcome of these future discussions. It is possible that some of these sites could have been feasible if 12 units had been used in the cost projections and calculations instead of eight units.

- If SJCC 18.60.230(C)(2)(a) were changed to allow anyone to develop clusters, how might the affordable housing non-profits be affected? Are there concerns about competition for developable sites and/or for the limited number of clusters allowed?

To some degree, this concern feels misplaced. The broader, underlying concern should be towards the provision of affordable homes for those in need of affordable homes. The County needs more affordable housing by more providers through more avenues in more variations than are currently available. Presently there is no concern about competition for developable sites. On the other hand, there is great concern about the present lack of affordable housing and the ability to produce sufficient additional affordable housing to meet the growing need going forward.

- In what ways does the limitation of 8 units per cluster affect the development of cluster developments? Planning Commission would like clarification on how raising limit to the number of units would increase non-profit developers' ability to build cluster developments.

The limitation of 8 units per cluster restricts the price a developer can pay for a raw parcel. It ultimately restricts the range of available lots at which a Rural Residential Cluster development will be financially viable or feasible. There is a fairly small window of feasibility for Rural Residential Clusters that are limited to 8 units per cluster. 10-acre properties are typically too pricey for just eight units. 5-acre properties can be a tight squeeze to fit all necessary infrastructure on the property, particularly if the buildable areas of the property are limited in any way (e.g.; rocky, heavily sloped, wet, etc.).

Raising the limit to 12 units per cluster will have the effect of making more parcels financially feasible. More of the larger parcels will become financially feasible. More properties become feasible because there remains sufficient buildable area on the property that is sufficiently distant from areas that are not buildable.

Raising the limit to 12 units per cluster lowers the land cost per-acre. This in turn lowers the developed land cost per unit. This leads to greater economies of scale. This leads to lower costs per home for materials and subcontracts. This allows more parcels, including larger parcels to become financially feasible. It ultimately functionally expands land availability.

- In what ways does the 1,500 square feet per unit limit inhibit the development of cluster developments? Planning Commission would like clarification on whether the square footage limit prevents non-profit developers from being able to serve certain groups within the community.

The 1,500 square feet per unit limit inhibits service to larger size households, specifically those households needing four or more bedrooms. For example, households of this size have typically represented three families in a ten-member HFI building group.

- In what ways do the assurance of affordability requirements inhibit the development of cluster developments? Planning Commission would like clarification on why it has been proposed to eliminate the requirement for a restrictive use easement and to allow clusters to be developed with any of the methods of assurance of affordability.

In the (recent) past, there was a major impairment to the utilization of cluster developments for Homes for Islanders because the primary mortgage lender, USDA Rural Development, was unwilling to lend on property that was subject to the resale restriction if the land was not owned by a CLT. Our understanding is that the CLTs were exempt from this lending restriction due to their position and involvement in the occurrence of a foreclosure. Outside of this condition, the post-foreclosure resale process becomes more complicated and difficult for the lender. This issue was resolved with USDA, but could become an issue with other mortgage lenders upon resale. In the natural course of business, the CLT model imposes the conditions necessary to meet the requirements of the resale restriction without any County requirement, so the easement requirement poses no additional burden in the CLT model. It does pose a significant additional burden in the sweat-equity model and likely for potential private developers as well.

Furthermore, the requirement of an easement may be hurting the people and families it is intended to help. First, the requirement of an easement is a disincentive to the development of Rural Residential Clusters. It serves as the proverbial “pound of flesh,” the price to be paid in exchange for the opportunity to build eight homes on a property whose zoning would otherwise allow just one. It is just one of four available avenues to assure long-term affordability (UDC 18.60.260(D)(1-4)).

Limiting the income range of the owners also has the effect of limiting the ability of those owners to afford the significant costs involved with undertaking repairs or renovations that would keep the homes and the clusters themselves in good condition. This is why HFI has also proposed removing the 25% cap on participation by families

with incomes up to 120% AMI (as we understand it, the current code requires 75% of the homes to be limited to 95% AMI). At HFI, as we reviewed the code back in 2004-2005, we forecast a race to sell in order to be one of the first 25% of homes that would be allowed to sell to families with incomes up to 120% AMI. We therefore accepted a restrictive use easement with resale restrictions that restricted buyer's incomes to 95% AMI for 100% of the homes instead of just 75%.

Finally, the extremely long time span of the easement period also predicts deleterious effects on the structures themselves. Homes more than 20 years old typically begin to experience the need for significant repairs (such as roofs, windows, fences, outdoor railings, etc.) or renovations (such as bathrooms, kitchens, flooring, landscaping, etc.). Although we did not offer a formal proposal along these lines, we also believe a reduction in the 50-year period of the easement down to the 20-30 year range would be helpful to address concerns surrounding the long-term structural health of the homes themselves.

- What other hurdles do the affordable housing non-profits face when considering cluster developments?

Other hurdles would include:

- **Land parcel with proper characteristics:**
 - **Proper zoning**
 - **Appropriately sized**
 - **Reasonably sloped**
 - **On a County road**
 - **Adequate water (both for domestic use and fire protection)**
 - **Space and permeability for a well circle**
 - **Space for a septic drain field and drain field repair**
 - **Space for storm water disposal areas.**
- **Distance from schools, markets, ferry, employment, etc.**

Thank you for the opportunity to address these questions. I hope these responses provide some insight into HFI's perspective on the subject of Rural Residential Clusters specifically, and on the topic of affordable housing in San Juan County more generally. If you have any questions or need clarification on any of these subjects, please feel free to reach out to us.

Sincerely,

Justin Roche
Executive Director
Homes for Islanders



Friends *of the* San Juans

360.378.2319
www.sanjuans.org

P.O. Box 1344
Friday Harbor, WA 98250

To: SJC Planning Commissioners and Council Members
From: Lovel Pratt, Marine Protection and Policy Director
Date: October 13, 2020

Subject: Comments on SJC's Comprehensive Plan Update, September 30, 2020 version of the Preliminary Draft: Element B.2 Land Use and Rural – Strikeout/Underline section and the August 7, 2020 Staff Briefings on Accessory Dwelling Unit (ADU) Policy and Regulations and Rural Residential Cluster Development

Submitted via email: compplancomments@sanjuanco.com

Comments on UGA goals and policies:

2.3.A Urban Growth Areas:

New Goal 1 Policy 3 does not appear to address [WAC 365-196-310](#) Urban growth areas:

(4)(c)(vi) Consideration of critical areas issues. Although critical areas exist within urban areas, counties and cities should avoid expanding the urban growth areas into areas with known critical areas extending over a large area.

Goal 1 Policy ~~45~~, retain the sentence (currently in strike-out): “Critical Areas within growth areas should be preserved and enhanced.”

Both the Lopez and Eastsound UGAs include critical areas with significant nearshore and wetland resources including freshwater and estuarine wetlands, feeder bluffs, eelgrass and surf smelt, sand lance and pacific herring forage fish spawning habitats. As requested in our August 18, 2020 comments (attached), please direct staff to address [WAC 365-196-485](#) (1)(c):

(1)(c) Counties and cities are required to identify open space corridors within and between urban growth areas for multiple purposes, including those areas needed as critical habitat by wildlife.

Please also direct staff to also address these sections of WAC 365-196-485:

(3)(c) Critical areas should be designated and protected wherever the applicable environmental conditions exist, whether within or outside of urban growth areas. Critical areas may overlap each other, and requirements to protect critical areas apply in addition to the requirements of the underlying zoning.

(4)(b) When considering expanding the urban growth area, counties and cities should avoid including lands that contain large amounts of mapped critical areas. Counties and cities should not designate new urban areas within the one hundred-year flood plain unless no other alternatives exist, and if included, impacts on the flood plain must be mitigated. RCW 36.70.110(8) prohibits expansion of the urban growth area into the one hundred-year flood plain in some cases. See WAC 365-196-310.

(4)(c) If critical areas are included in urban growth areas, they still must be designated and protected.

Comments on Rural Residential Clusters:

FSJ supports the staff recommendation to strike SJCC 18.60.260(D) 4 which allows affordable housing development to occur without a binding legal agreement. FSJ does not support the other staff recommendations which would provide a 50% increase in the allowable density of each rural residential cluster coupled with reduced affordable housing requirements. Under these staff recommended changes, the negative impact of increased density on rural character would no longer be outweighed by the positive benefit of affordable housing. Any increased density in rural areas through Rural Residential Cluster developments should be linked to permanently affordable housing benefits.

- Issue 1 - Limits to the number of units and developments allowed: FSJ does not support the staff recommendation to update SJCC 18.60.230(C)(5)(b) to allow a maximum of twelve dwelling units in a rural residential cluster. This would be a 50% increase to the allowable density of each rural cluster and would further exacerbate the patterns of sprawl within rural areas, impacting open space, scenic and cultural resources.
- Issue 2 - Limits to the size of cluster development structures: While option B (change SJCC 18.60.230(C)(6) to increase the maximum allowed square footage for dwellings and accessory structures to 2,000 square feet) might be simple for DCD to implement, it would be very difficult for DCD to enforce given that SJC code allows accessory structures that do not require permits.
- Issue 3 - Cluster development ownership requirements -- and Issue 4 - Assurance of Affordability Requirements: FSJ does not support the staff recommendation to remove the requirement that a public agency or a business or nonprofit corporation in the business of providing affordable housing own the property where a Rural Residential Cluster is to be constructed. In addition, FSJ does not support the staff recommendation to remove SJCC 18.60.230(C)(3)(b):

Prior to issuance of any building permit for the project, the applicant shall grant a restrictive use easement for the site to San Juan County for the purpose of affordable housing development, subject to such conditions and limitations as the County may require.

Affordable housing agencies, businesses and nonprofits ensure that affordable housing is the mission of a Rural Residential Cluster. SJC should maintain its authority to oversee the appropriate affordable housing requirements that warrant Rural Residential Cluster developments.

The cumulative impacts of the multiple changes recommended by staff are significant and must be given adequate consideration and review in relation to their effect on both rural character and their ability to provide permanently affordable housing.



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360.378.2319
www.sanjuans.org

P.O. Box 1344
Friday Harbor, WA 98250

To: SJC Planning Commissioners and Council Members

From: Lovel Pratt, Marine Protection and Policy Director

Date: August 18, 2020

Subject: Comments on SJC's Comprehensive Plan Update, July 2, 2020 version of the Preliminary Draft: Element B.2 Land Use and Rural – Strikeout/Underline section and the August 7, 2020 Staff Briefings on Accessory Dwelling Unit (ADU) Policy and Regulations and Rural Residential Cluster Development

Submitted via email: compplancomments@sanjuanco.com

San Juan County (SJC) has an opportunity to prioritize the protection and recovery of our rural character and natural resources in this update of the Land Use and Rural Element. SJC's ability to maintain its rural character has been further challenged since the last update to the Land Use Element. Several changes have occurred that raise questions about the effectiveness of these goals and policies and the ability of current regulations and voluntary measures to maintain the rural character of SJC's rural lands including:

1. Prior to a lawsuit in 2010, the Subdivision Design Standards and Conservation Design Requirements for land divisions in resource land, conservancy, and rural designations (in 18.70.060(B)(10)(a)) required all subdivisions to set aside 60% of the land as open space. Now, a 30% minimum required open space or landscaped area is all that is required for development in all rural land use designations and there are no set aside requirements for resource and special land use designations (see 18.60.050 Table 6.2. Density, Dimension, and Open Space Standards for Rural, Resource, and Special Land Use Districts).
2. One of the largest trends impacting the rural character of San Juan County in recent years has been the proliferation of vacation rentals. There are currently no limitations on the number of vacation rental permits issued by San Juan County. In addition to the erosion of rural character, the unregulated growth of vacation rentals has negatively impacted the quality of neighborhood and community life and further exacerbated a long-term, affordable housing shortage. Adequately regulating vacation rentals will be paramount to preserving rural character and quality of life in San Juan County in the coming years.
3. The recent Critical Areas Ordinance update clearly allows for reasonable use exceptions where it was previously assumed that the presence of critical areas would preclude development. In addition, the land capacity analysis excluded critical areas wholesale, an assumption of protection that is not supported by the associated code.
4. Economic and social changes have influenced development and re-development patterns. More recreational infrastructure, guest accommodations, and vacation rental-related amenities are included with single-family residential development and re-development. These changes are establishing patterns of sprawl within rural areas and

do not preserve and protect open space, scenic, and cultural resources.

5. There is insufficient housing capacity to accommodate the forecasted increase of 4,180 dwelling units over 2016 levels if housing units continue to grow at an average annual rate of 209 per year (the average annual rate from 1980 to 2016).
6. According to the [Economic Analysis of Resource Lands](#), there is the potential that 57% of SJC's Agricultural Resource Lands and 55% of Forest Resource Lands do not meet the criteria for Resource Land designation. Note that vacation (transient) rentals are prohibited in Resource Land designations (see https://www.sanjuanco.com/DocumentCenter/View/2426/06-2001_Prohibit-Transient-Rental-of-Guest-Houses-and-Single-Family-in-Designated-Resource-Lands-PD). One consequence of the de-designation of Agricultural and Forest Resource Lands could be the further proliferation of vacation rentals and associated impacts.

As a result of the significant new challenges facing the preservation of rural character in San Juan County since the last comprehensive plan update, which would be further compounded by staff recommendations regarding Rural Residential Clusters, FSJ urges the county to include additional language and tools in this update to protect rural character consistent with the objectives of the community. Specific recommendations and recommended sections of the code that would strengthen rural character protections, include:

1. Expand the criteria for Resource Land designation to ensure forest and agricultural land acreages remain comparable to current;
2. Revise 18.60.050 Density, dimension, and open space standards Table 6.2. Density, Dimension, and Open Space Standards for Rural, Resource, and Special Land Use Districts:
 - a. Consider increasing the minimum required open space or landscaped area to rural land use designations
 - b. Consider increasing the Minimum Front or Road Setbacks and the Minimum Rear and Side Setbacks
 - c. Consider requiring the Design Standards and Conservation Design Requirements that were formerly required for land divisions in resource land, conservancy, and rural designations in 18.70.060(B)(10)(a) for all development in resource land, conservancy, and rural designations.
3. Re-evaluate what types of rural residential accessory structures are appropriate in rural, resource and conservancy lands and the permitting that should be required

FSJ supports the staff recommendation to not make the proposed changes to the Accessory Dwelling Unit (ADU) code during the Comprehensive Plan update. However, FSJ would support a provision where the owner of property within a UGA could build an ADU (subject to local permitting requirements) for the purpose of affordable rental housing, with deed restrictions or other means to assure permanent affordability.

Regarding Rural Residential Clusters, FSJ supports the staff recommendation to strike SJCC 18.60.260(D) 4 which allows affordable housing development to occur without a binding legal

agreement. FSJ does not support the other staff recommendations which would provide a 50% increase in the allowable density of each rural residential cluster coupled with reduced affordable housing requirements. Under these staff recommended changes, the negative impact of increased density on rural character would no longer be outweighed by the positive benefit of affordable housing. Any increased density in rural areas through Rural Residential Cluster developments should be linked to permanently affordable housing benefits.

- Issue 1 - Limits to the number of units and developments allowed: FSJ does not support the staff recommendation to update SJCC 18.60.230(C)(5)(b) to allow a maximum of twelve dwelling units in a rural residential cluster. This would be a 50% increase to the allowable density of each rural cluster and would further exacerbate the patterns of sprawl within rural areas, impacting open space, scenic and cultural resources.
- Issue 2 - Limits to the size of cluster development structures: While option B (change SJCC 18.60.230(C)(6) to increase the maximum allowed square footage for dwellings and accessory structures to 2,000 square feet) might be simple for DCD to implement, it would be very difficult for DCD to enforce given that SJC code allows accessory structures that do not require permits.
- Issue 3 - Cluster development ownership requirements -- and Issue 4 - Assurance of Affordability Requirements: FSJ does not support the staff recommendation to remove the requirement that a public agency or a business or nonprofit corporation in the business of providing affordable housing own the property where a Rural Residential Cluster is to be constructed. In addition, FSJ does not support the staff recommendation to remove SJCC 18.60.230(C)(3)(b):

Prior to issuance of any building permit for the project, the applicant shall grant a restrictive use easement for the site to San Juan County for the purpose of affordable housing development, subject to such conditions and limitations as the County may require.

Affordable housing agencies, businesses and nonprofits ensure that affordable housing is the mission of a Rural Residential Cluster. SJC should maintain its authority to oversee the appropriate affordable housing requirements that warrant Rural Residential Cluster developments.

In addition, please direct staff to address the following:

1. [WAC 365-196-485](#) Critical areas (1)(c) which does not appear to be addressed, as required, in the current draft of this element. Note that Resource Lands also play a role in providing critical habitat for wildlife.
WAC 365-196-485 Critical areas (1)(c) Counties and cities are required to identify open space corridors within and between urban growth areas for multiple purposes, including those areas needed as critical habitat by wildlife.
2. Updates to this element reference that staff have removed sections and relocated them to the water resources element. However, see [WAC 365-196-485](#) Critical areas (1)(d): RCW 36.70A.070 (1) requires counties and cities to provide for protection of the quality and quantity of ground water used for public water supplies in the land use element. Where applicable, the land use element must review drainage,

flooding, and stormwater runoff in the area and in nearby jurisdictions, and provide guidance to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound.

Please address the requirements of WAC 365-196-485(1)(d) in this element. In addition to drinking water quality and stormwater planning, it is important that the appropriate element of SJC's Comprehensive Plan also address marine water quality and fresh water quality for other values beyond drinking water.

3. Please evaluate the analyses in the Economic Analysis of Resource Lands report. It is concerning that the report found that of the 13,884.2 acres currently designated as Agricultural Resource Lands, 7,879.7 acres potentially do not meet the current criteria; and of the 18,877.3 acres of currently designated as Forest Resource Lands, 10,304.0 acres potentially do not meet the current criteria. Please identify options for maintaining the rural character and other benefits that Resource Lands provide in addition to local commercial forestry and agriculture..
4. Please update the Land Capacity Analysis to address the facts that
 - a. There is insufficient housing capacity to accommodate the forecasted increase of 4,180 dwelling units over 2016 levels if housing units continue to grow at an average annual rate of 209 per year (the average annual rate from 1980 to 2016); and
 - b. The land capacity analysis excluded critical areas wholesale which is an assumption of critical area protections that are not supported by SJC's Critical Areas Ordinance.
5. Please provide consistency in the evaluations of the proposed changes to the Accessory Dwelling Unit (ADU) code and the proposed changes to Rural Residential Cluster development code.

Specific recommended changes to the July 2, 2020 version of the Preliminary Draft: Element B.2 Land Use and Rural – Strikeout/Underline section:

Page 2, lines 7-11

Retain language from former 2.1.A Purpose section (underlined – and embedded below FYI), underlined):

2.1.A Land Use Concept

San Juan County is faced with a number of critical land use issues, perhaps the most critical being protection of the primarily rural character and natural environment of the islands while allowing for growth and development that maintains these characteristics and a healthy, diverse economy and populace. This Element establishes the concepts for how San Juan County should grow and develop while protecting its exceptional quality of life and natural environment, and equitably sharing the public and private costs and benefits of growth. The concept establishes the overall direction for guiding residential, commercial, and industrial growth in a manner that protects public health and safety and private property rights while preserving rural character and the County's unique island atmosphere. The goals and policies in this element direct future decisions on land

use regulations, actions, procedures, and programs that will further implement the intent and purpose of the overall Plan.

FYI - FORMER VERSION (Page 8 (pdf page 16)):

2.1.A Purpose

San Juan County is faced with a number of critical land use issues, perhaps the most critical being protection of the primarily rural character and natural environment of the islands while allowing for growth and development that maintains these characteristics and a healthy, diverse economy and populace. The Land Use Element of the Comprehensive Plan (Plan), guided by the county-wide Vision Statement, establishes the desired character, quality, and pattern of development for the physical environment of the county. It represents the policy plan for growth over the next twenty years. The goals and policies in this element direct future decisions on land use regulations, actions, procedures, and programs that will further implement the intent and purpose of the overall Plan.]

Page 3 (pdf page 11), lines 20-21

Suggested changes (in underline/strike-out) more accurately describe SJC's marine waters and nearshore environments:

2.1.B Existing Land Use Pattern

San Juan County is located north of Puget Sound and ~~the Strait of Juan de Fuca, west of Rosario Strait, east of Haro Strait, and~~ south of the US-Canadian border and includes portions of the Strait of Juan de Fuca, Haro Strait, Boundary Pass, Georgia Strait and Rosario Strait. San Juan County has 410 miles of marine shoreline and 72% of the county's 621 square mile area is the marine environment.

Page 3 (pdf page 11), lines 28-35

Is the following statement (from the section below) still accurate? "Industrial development in the County is generally limited to small-scale manufacturing of locally-sourced consumer goods such as soaps and food products."

The County's three UGAs are the primary social and economic centers of San Juan, Lopez and Orcas islands. Existing residential development in Friday Harbor, an incorporated UGA, Eastsound and Lopez Village is comprised of single-family residences interspersed with multifamily development. Commercial development in the UGAs includes a mix of retail, food service, and visitor accommodations. The types of existing commercial development serve the needs of both the resident population and the seasonal visitor population; reflecting the significant effect of the tourist economy. Industrial development in the County is generally limited to small-scale manufacturing of locally-sourced consumer goods such as soaps and food products.

Page 5 (pdf page 13), lines 10-11

Additional language (underlined) is needed to show that the current housing development rates will exceed available housing capacity:

There is sufficient housing capacity to accommodate the forecasted 3,109 new residents or 1,524 new households. There is insufficient housing capacity to accommodate the forecasted increase of 4,180 dwelling units over 2016 levels if housing units continue to grow at an average annual rate of 209 per year (the average annual rate from 1980 to 2016).

Page 9 (pdf page 17), lines 37-39

Retain this section that staff has deleted. It is important to recognize the inherent challenges in retaining SJC's rural character. This language was added in response to the GMHB finding that the 1999 Comprehensive Plan was invalid. See [ordinance 11-2000](#).

Some of the residential densities that were established in the 1979 Comprehensive Plan exceeded the density that is considered consistent with rural character by the Growth Management Hearings Boards established under Washington's Growth Management Act.

Page 10 (pdf page 18), lines 18-22

Additional language is needed (underlined) and the language that has been struck needs to be retained (italicized) in order to address the importance of SJC's marine resources.

2.2.A General Goal and Policies

Goal: To provide for the orderly use of San Juan County land, shorelines and water areas and to respect, protect, recover and maintain the natural beauty and land and marine and near-shore resources of the islands, maintain the rural, residential, agricultural atmosphere, *respect the natural environment and processes, recognize the marine orientation of the County*, and to regulate development in a manner which will protect the rights of private landowners and interests of the public.

Page 10 (pdf page 18), lines 26-28

Additional language is needed to emphasize the need for and challenge of retaining rural character:

2.2.A General Goal and Policies

Policies:

1. Manage community growth and its associated impacts, while protecting rural character, natural environments and individual property rights through adoption of a coordinated set of goals, policies and regulations to guide future development in the County.

Page 10, lines 30-31

Additional language (underlined) is needed to identify the importance of protecting natural resources.

2. Recognize and support the right of property owners to maintain and replace legal, non-conforming uses and structures while avoiding environmental impacts.

Page 10, lines 47-51

The additional language (underlined) is needed to address the fact that preserving rural character and natural resources will not be achieved by voluntary measures alone:

6. Implement the Vision of preserving rural character and limited natural resources by means of regulations and voluntary, incentive-based programs, and other strategies, to reduce the maximum number of residential structures in rural areas in a manner that is fair and equitable for property owners including encouraging property owners to keep parcels whole and to preserve open space.

Page 11 (pdf page 19), lines 28-31

The following underlined additions address recommended changes to SJC's vacation rental regulations:

11. Vacation rental (short-term, i.e., of less than thirty days) of a principal, single-family residential unit or an accessory dwelling unit should be subject to standards similar to those for hospitality commercial establishments but should be classified as a residential use for purposes of land use regulation, per state law.

The path to regulating vacation rentals (VRs) in a manner consistent with hospitality standards would include measures such as: requiring each VR to have a water meter and then to provide annual data to San Juan County on water usage; preventing VRs from occupancy that is in excess of allowed septic system design; and including sign-off by homeowners' associations, water users' associations, and road associations prior to the award of a permit.

Beyond creating consistency between the regulation of hospitality commercial establishments, there are a number of other regulatory options related to VRs that will be necessary to protect and preserve the quality of life in San Juan County. These measures include, most importantly, placing a cap on the total number of VR permits allowed within the County at a given time. This cap would ensure that VRs will not become a dominant use in residential neighborhoods, threatening the rural character.

In addition to a total cap, other methods that the County could utilize to manage impacts of VRs include:

- **Distinguishing between Home Shares (owner in residence with one room for rent under the same roof) and Vacation Rentals (whole house).** This would support people who need additional income to stay on island and allow residents who share their homes to serve as ambassadors for visitors—thus limiting the potential for negative impacts on neighbors.
- **Converting the land use permit system to a business license system, with an annual renewal process.** This policy would help to reduce speculation on the transfer of properties that hold VR permits and allow for attrition of permits when properties are sold (based on a system of

phasing out existing permits upon sale of property).

- Limit the location of future vacation rentals based on distance from one another, thus enabling neighborhoods to retain a majority of residences as owner-occupied or year-round rentals.

2.3.B Resource Lands

The recommended additional (underlined) language below identifies the broader economic benefits and ecological services provided by agricultural and forest resource lands. The suggested additions are based on recommendations in the Economic Analysis of Resource Lands report (pages 31 and 52). Without this or similar additional language there is the potential that 57% of all Agricultural Resource Lands and 55% of all Forest Resource Lands could be removed from Resource Land designation, according to the Economic Analysis of Resource Lands report. Of the 13,884.2 acres currently designated as Agricultural Resource Lands, 7,879.7 acres potentially do not meet the current criteria. Of the 18,877.3 acres of currently designated as Forest Resource Lands, 10,304.0 acres potentially do not meet the current criteria. This situation poses a serious threat to both rural character and the feasibility of forestry and agricultural operations.

Page 29 (pdf page 37), line 10-27

Policies:

2. Apply site planning standards for land division activities on resource lands to ensure that agricultural and forest resource lands are conserved for long-term farm and forest uses and benefits.

3. ~~Strengthen~~ ~~Implement~~ [Note: retain “strengthen”] Right-to-Farm and Right-to-Forestry provisions which establish the high priority and favored use of Resource Lands for farming and forestry operations and assure that such uses will not be considered a nuisance or inconvenience to adjacent non-farm uses.

5. Establish clearly defined Resource Lands designations which protect and conserve long-term commercially significant and/or otherwise beneficial agricultural and forest lands and associated uses. The designations are:

a. Agricultural Resource Lands

Goal: To ensure the conservation of agricultural resource lands of long-term commercial significance and/or economic benefits and/or ecosystem services benefits and/or areas needed as critical habitat by wildlife for existing and future generations, and protect these lands from interference by adjacent uses which may affect the continued use of these lands for production of food and agricultural products.

Page 29 (pdf page 37), lines 31-41

Policies:

(1) Lands in current or historical agricultural use which are characterized by the following criteria may be designated as Agricultural Resource Lands:

i. Areas in parcels of ten acres or larger with soils capable of supporting long

- term commercial agricultural production described in the 2009 Soil Survey of San Juan County, Washington; or
- ii. Areas currently designated as Agricultural Resource Lands which provide wider economic benefits engendered by their rural character (e.g., aesthetic qualities, pastoral appearance) and/or ecosystem services (e.g., soil quality, water quality and critical aquifer recharge, carbon sequestration, and areas needed as critical habitat by wildlife); or
- iii. Lands which meet the criteria in (1)(i) or (1)(ii) above which are under conservation easement for agricultural use or which are enrolled in the Open Space-Agriculture taxation program.

Page 30 (pdf page 38), lines 11-32

Forest Resource Lands

Goal: To protect and conserve forest lands of long-term commercial significance for sustainable forest productivity and/or economic benefits and/or ecosystem services benefits and/or areas needed as critical habitat by wildlife and provide for uses which are compatible with forestry activities while maintaining water quality, water quantity, and fish and wildlife habitat.

Policies:

(1) Lands which are characterized by the following criteria may be designated Forest Resource Lands:

- i. are currently designated as Forest Resource Land providing wider economic benefits engendered by their rural character (e.g., aesthetic qualities) and/or ecosystem services (e.g., soil quality, water quality and critical aquifer recharge, carbon sequestration, and areas needed as critical habitat by wildlife);
- ~~ii.~~ are in Forest Land Grades 1-5 on the Department of Natural Resources Private Forest Land Grades map;
- ~~iii.~~ parcels are twenty acres or larger, or of a size meeting the Washington State requirements for timber open space designation;
- ~~iv.~~ are in a tax deferred status of Designated Forest Land or Open Space-Timber, or are state trust lands under forest management; and
- ~~v.~~ are being managed for the long-term production of forest products with few non-forest related uses present.

2.4.B Critical Areas

Page 32 (pdf page 40), lines 46-47

Additional language (underlined) is needed to better define the importance of protecting and recovering SJC's critical areas:

Critical areas are areas within the County that are important to the healthy function of natural ecosystems, are those areas needed as critical habitat by wildlife, as well as areas that can be hazardous to people and their property.

Page 33 (pdf page 41), lines 4-53

Do these goals and policies need updating to be consistent with the current Critical Areas Ordinance? See also WAC 365-196-485 (1)(e) Because the critical areas regulations must be consistent with the comprehensive plan, each comprehensive plan should set forth the underlying policies for the jurisdiction's critical areas program.

Goals:

1. Protect the functions and values of Critical Areas, giving special consideration to anadromous (migratory) fish.
2. Allow for use of property to the greatest extent possible while protecting Critical Area functions and values.
3. Establish Critical Area requirements that are balanced and related to impacts.
4. Establish funding mechanisms to support Critical Area protection programs including funding for voluntary measures such as education, technical assistance, and cost share programs

Policies

1. In conformance with the GMA, in designating and protecting critical areas establish regulations that protect critical areas, based on consideration of the best available science.
2. Adopt policies and regulations to protect functions and values of critical areas.
3. Develop voluntary and incentive-based programs to protect the overall functions and values of critical areas and other natural resources. Voluntary actions may include education, technical assistance, water conservation, stewardship programs, implementation of best management practices, and restoration activities. [NOTE - this language was removed from the previous version. Retain? "One purpose of these programs is to mitigate impacts resulting from authorized exemptions and exceptions."]
4. Manage and mitigate the impacts of land use and development on site.
5. Consider the positive effect of all State, Federal and local environmental protection programs when developing Critical Area regulations.
6. Adopt protection standards that vary based on site characteristics to the extent possible.
7. Implement the provisions of adopted Salmon Recovery and Marine Area Stewardship Plans, giving special consideration to anadromous fish.
8. Monitor and enforce permit requirements and Best Management Practices designed to protect critical areas
9. Control or eradicate invasive and/or noxious weeds in conformance with RCW 17.10.
10. Allow reasonable use exceptions and nonconforming uses.

Page 37 (pdf page 45), lines 1-18

Additional underlined language is needed to address all of SJC watershed management components:

2.4.E Watershed Management

Goal: To protect surface and ground water quality and quantity used for drinking water

and necessary to support freshwater ecosystems and the shoreline habitats and marine areas sensitive to land use and development activities.

Policies

1. Identify surface water bodies and groundwater recharge areas used for public drinking water supplies which include the forests and fields designated as Resource Lands, and, if appropriate, establish a watershed management overlay designed to address the particular water quality and quantity needs for the selected areas.
2. Identify critical freshwater and marine habitat areas, including but not limited to fish bearing streams, commercial and recreational shellfish areas, forage fish spawning sites, eelgrass, and kelps, and establish watershed management overlays for them that, in addition to shoreline management provide sufficient protection from the impacts of upland uses and developments to maintain their habitat quality.
3. Use a watershed or basin planning, and geomorphic shoreforms based approach for managing water, aquatic ecosystems and other natural resources when feasible.

Page 42 (pdf page 50), lines 31-47

Please run a parcel size analysis (minimum, maximum, mean, mode) for rural residential densities outside of LAMIRDs, activity centers, and master planned resorts. Is the following statement (from “Existing Rural Development” below) accurate? “Rural residential densities outside of LAMIRDs, activity centers, and master planned resorts ranges between one dwelling per five acres to one dwelling per fifteen acres.”

Existing Rural Development

Much of the rural land in the County is either undeveloped or developed with residential uses. Rural lands are interspersed with natural resource uses including farms and forestlands. Rural residential densities outside of LAMIRDs, activity centers, and master planned resorts ranges between one dwelling per five acres to one dwelling per fifteen acres. The predominant development pattern in rural areas has led to many of the scenic areas, robust natural environment, and lifestyle that characterize much of the County.

Additional underlined language inserts stronger goal oriented language and more accurately depicts residential development:

Residential Development

Residential development in the rural areas ~~is~~ shall be integrated into the visual and natural landscape because it is typically by requiring setbacks from the roadways and separation ~~see~~ from adjacent development by open spaces and landscaped areas. There are some existing neighborhoods that were platted prior to the establishment of maximum densities by this Plan. These neighborhoods are characterized by smaller parcel sizes than many other rural areas ~~but~~ and some retain vegetative buffers and open spaces where possible thanks to the ‘cabin-in-the-woods’ aesthetic preferred by many property owners ~~even~~ before the County adopted development regulations. The goal of the Rural Element is that ~~the~~ the natural environment predominates over the built

environment in ~~most residential~~ all rural areas outside of LAMIRDs, activity centers, and master planned resorts.

Page 43 (pdf page 51), lines 1-2

Is the following statement true given the allowable use of desalination as a water source? This language appears to date back to when proving water availability excluded the use of desalination.

The primary factor that limits residential density in these areas is the availability of water and septic services.

Page 43 (pdf page 51), line 22

Suggested goal for the Rural Element:

3.2 GENERAL RURAL GOALS AND POLICIES

Goal: To protect the rural character of the County, development regulations require the natural environment to predominate over the built environment in most residential rural areas.

Sophia Cassam

From: Kathi C <ciskokid@rockisland.com>
Sent: Thursday, January 16, 2020 4:30 PM
To: Comp Plan Update
Subject: housing

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 Mr. Page and Community Development members,

Over the past few weeks we have been spending far more time than we should trying to understand the housing element one document. We have followed land use issues on Orcas Island since about 1990 when we purchased a piece of property and promptly found out that the man who owned the property next door to us was going through the steps to try to get it rezoned. We wanted to learn what it would mean if he were successful so that entailed lots of document studying and meeting attending for the past 30 or so years!

We understand the desperate need people are feeling to provide affordable housing for everyone. Housing problems have been an issue on Orcas for a long time. When we arrived in 1985 to start a good job, we found that we had to spend time living in our van at the park; more time in a completely unfurnished apt. while everything we had was in storage and a couple of months in a glorious house that was available to rent only until mid-June. That was the challenge then. People often could rent houses in the winter but had to leave so the owners could come back for the summer. Eventually we did find permanent housing.

We are impressed with the tremendous amount of work that has gone into this housing issue and Sophia Cassam is to be commended for all of her help. This included good instructions in helping us navigate the Polaris program. I realize that this is the beginning of this process so we know more questions will surface but here are a few things that popped out:

Question 1:

In reading the first paragraph of the following we wonder if there is a mistake? Should it be a minimum density of two units per acre and a maximum of eight dwelling units?

18.60.230 Rural residential cluster development.

b. A rural residential cluster development shall have a maximum density of two units per acre and a maximum of eight dwelling units.

Question 2: When our neighbor's property was rezoned from R to RR, I was told that it wouldn't affect the current 1 residence per 5 acre zoning, but unless I am missing something here, it would indeed change the possibilities for land use options:

Refer to 18.60.230

'5b. A rural residential cluster shall not be located in an urban growth area nor in any of the following land use districts: rural general use, island center, master planned resort, agricultural resource, forest resource, conservancy, natural, or any industrial or commercial district. The developed portion of a rural residential cluster shall not be in lands subject to the Shoreline Management Act.'

How many RR clusters can actually be put into an acre, 5 acres, 10 acres, 30 acres?

Draft housing goal 7, policy 3. This was written as a goal:

"Allow nonprofits and private developers to develop small-scale rural residential clusters with long term affordability restrictions and no more than twelve dwelling units each, within rural residential, rural farm forest, and Village, Hamlet and Residential Activity Centers."

Again, perhaps we have missed something, but it seems like there are some conflicting descriptions of how many units can be put into Rural Residential clusters. This needs to be made very clear.

Question 3 and 4: We see that the RR clusters are currently available to be facilitated by nonprofits or state agencies but there is an addition to the wording that would also include private developers in the opportunity to participate. What are the implications of that change? Also, how would the designated funds be distributed to a private developer?

It seems reasonable that until we have a better understanding of the implications of including private developers into this process, we should not add them into Draft Housing Goal 7, Policy 3.

Affordable housing has become a huge issue everywhere, Orcas is not unique with this situation. We appreciated that you mentioned that the current Vision Statement stresses the importance of maintaining the rural character of the island as we try to solve the problem of providing homes for more and more people. It is interesting to read that we have enough houses in the San Juan Islands to house everyone (seeing all of the housing that has been built in the Eastsound UGA in the past two years is stunning) and some of it addresses affordable housing and some does not. No matter how much we build we will not solve this problem, but we understand that we feel we must try. It seems strange that we are looking into going into our rural lands to house more people. As more tourists arrive to enjoy the San Juan Islands beauty and amenities, we need more people to serve them and then the community needs more resources to support the people who have come. We must be very clear as to how much infrastructure an island can truly provide. In the past we were told that North Beach Road has already reached its vehicle carrying capacity. I am looking forward to following the next phase of this project.

Sincerely,

Kathi and Joe Ciskowski

Sent from [Mail](#) for Windows 10