

Erika Shook

From: Bill Watson
Sent: Tuesday, March 6, 2018 9:42 AM
To: Erika Shook
Subject: FW: Comments regarding proposed Vacation Rental Ordinance

VR Comments for the record.
Bill

From: Ingrid Gabriel
Sent: Monday, March 5, 2018 2:42 PM
To: DL - Council <Council@sanjuanco.com>
Subject: FW: Comments regarding proposed Vacation Rental Ordinance

For your consideration.

Ingrid R. Gabriel, CMC

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From: joe symons [<mailto:joesymons@me.com>]
Sent: Tuesday, February 27, 2018 12:20 PM
To: Comp Plan Update <compplancomments@sanjuanco.com>; Ingrid Gabriel <ingridg@sanjuanco.com>; Lynda Guernsey <LyndaG@sanjuanco.com>
Subject: Comments regarding proposed Vacation Rental Ordinance

I reference the draft vacation rental ordinance as available online on 27 Feb 2018 at

<http://www.sanjuanco.com/documentcenter/view/14360>

I am commenting on a few sentences in the draft ordinance. I submit these comments to both the PC and the CC.

The draft ordinance, on its face, appears to correct or at least mitigate some of the abuses and challenges, as noted in the paragraph cited (F).

page 1 lines 34-36

"F. The proposed amendments, additions and replacements to the UDC are intended to address safe visitor accommodations; environmental health; and community concerns about neighborhood impacts including noise, speeding, garbage, parking, privacy/trespassing."

While this is a positive step toward managing the accelerating challenges of visitor impacts, there is zero reference in this paragraph, which summarizes the intention of the proposed amendments, to compliance with, or even recognition of, the Vision Statement. That is, there is no implication that the number of vacation rental permits could/should be restricted to an annual quota nor is there any reference to a maximum total number of vacation rental permits that would be consistent with the Vision Statement, carrying capacity considerations, or sustainability.

This is a classic case of “what you don’t see is what you don’t get”, or “out of sight, out of mind”; I compare it to the difference between “what is wrong with this picture” and “what is *missing* from this picture”

I attended the first public presentation of the “Visitor Survey” Study offered by consultants, at the Orcas Senior Services Center, last evening (Monday 26 Feb 2018). One takeaway from this presentation was that visitor impacts would not “automatically” be controlled by limitations due to WSF. In fact, the theoretical maximum capacity of the ferry service to the county is several times the current visitor summer maximums (based on 2017 data). In short, it would be wrong both technically and morally to imagine that the ferry system will appropriately and properly restrict visitor impacts. This issue must be faced straight on and not swept under someone else’s rug.

There is a very soft opening on page 3 which talks about revisiting issues re location of vacation rentals and whether additional standards are warranted:

page 3, lines 16-18

"2. The Planning Commission should revisit issues regarding where Vacation Rentals are to be allowed (zoning) and whether additional standards for approval of Vacation Rental applications by the Hearing Examiner are warranted as part of the Comprehensive Plan update."

The language here suggests the PC discuss “where” vacation rentals are to be allowed but does not address or reference “how many” such transient rental permits (aka vacation rental permits) are consistent with resident wishes as expressed by the Vision Statement and clearly echoed in the “visitor survey” information, carrying capacity and sustainability objectives.

Finally, under the CC findings, (#6), the CC has found that these amendments “are consistent with the CP and GMA”.

page 4, lines 7-8

"6. The proposed amendments are consistent with the comprehensive plan, development regulations and the requirements of the GMA"

I believe this is boilerplate, but this “consistency” finding could be challenged if the Vision Statement is in fact considered the foundation of the CP, which, currently it is, as expressed on page one (1) of the Introduction to the CP.

All this by way of saying that the time for bringing attention to this issue of 1) annual quotas, 2) location (by island and by land use—rural v activity center) and 3) maximum impact (total number of vacation rental permits), is now.

GMA has no bearing on this topic; visitor impacts are not considered by any of the 14 principles of GMA. The bottom line is that while the impact of visitor rules are being tightened, the *unstated foundation* for the ordinance is the **private market and not the public plan**.

Given that this ordinance has not been adopted, I request that the ordinance be restructured to include language that specifically sets:

1. An annual quota or number of Vacation Rental Permits (VRP’s) to be issued in the county;
2. Such quota to specifically identify how many VRP’s may be issued per ferry served island AND how those VRP’s are to be distributed between rural lands and activity center / UGA’s on each island;
3. A maximum total number of existing and henceforth issued VRP’s.

These language additions would be designed around and be consistent with best available science regarding carrying capacity (water, transportation and other factors) AND sustainability goals AND consistency with the Vision Statement’s intention to ensure preservation of the many values (previously cited in my emails re Vision Statement suggestions to the Planning Commission) along with identified visitor aspirations (per the survey referenced) that directly correlate increase in visitor crowding with degraded visitor (and resident) experience. The language additions would specifically cross reference/connect the number of VRP’s with the number of visitors typically associated with each type of VRP, so that the population impact was clearly stated.

The concluding sentence on the final power point slide offered by the consultants effectively states “These are your islands: you have control whether the impacts of visitors are by design or by default”.

It is legally and morally unacceptable to emasculate the Vision Statement and resident as well as visitor aspirations and experiences by allowing the “default” (i.e, market driven) process to dominate and/or trump the “design” (i.e., the Comp Plan) goals, policies and associated UDC regulations.

As soon as the visitor study is made publicly available, I will supplement this request with information from the presentation.

Thank you for accepting the challenging task of ensuring that the Vision Statement and other relevant and impactful considerations are honored.

Joe Symons
Olga WA

—

carpe diem

