

Erika Shook

From: joe symons <joesymons@me.com>
Sent: Monday, March 12, 2018 3:58 PM
To: Ingrid Gabriel; Lynda Guernsey; Erika Shook
Subject: Further observations about the proposed Vacation Rental and enforcement ordinances

I notice that there is no provision for termination of a vacation rental permit. It appears there is no requirement that a vacation rental permit, once issued, is terminated upon the sale or transfer of the property. There appears to be no means to enforce monetary penalties imposed, such as adding those fees to mandatory tax payments or liens.

Given that there are no restrictions on the number of vacation rental permits issued to any single entity, nor any requirement that a permit holder be a full time resident in the county, it is not hard to imagine that any entity or individual would or could:

1. buy or rent any number of residential structures in SJC and get vacation rental permits for all of them. The implication of the ordinances is that the county will not exercise control on the number and proliferation of “micro hotels” via online services like airbnb and vrbo, irrespective of impacts on neighbors, water supply, traffic, community values, crowding, etc. There is no accountability to locals as would occur if the ordinance required that no more than one vacation rental permit could be issued to any entity unless that entity/individual were a full time resident. Word of mouth information suggests that homes are being built in SJC exclusively for use as vacation rentals by out-of-county residents. There is no limitation on this behavior in the proposed ordinances. There is no limitation on the number of permits issuable to an entity, nor to “shell” companies that are controlled by a single entity, whether or not the owner is a full time resident of SJC.

2. refuse to pay penalties, appeal penalties, and generally act in an adversarial capacity, a characteristic frequently associated with non-residents of means. An example of similar behavior was published in the LA Times less than a week ago:

<http://www.latimes.com/local/lanow/la-me-martins-beach-supreme-court-20180306-story.html>

Since SJC experiences a huge income inequality in its demographic, there is a reasonable likelihood that personal monetary resources will be used for private gain rather than public benefit. This pattern has occurred and continues to occur everywhere. We are no exception. Only proactive steps by CC can bring appropriate balance to this growing problem.

3. As there is no language in the ordinances for termination of permits, it appears that continual infractions could exist without any relief to neighbors or the community at large.

There is no partnership policy with online booking resources like airbnb and/or VRBO that would require them to no longer issue/permit use of their services for proposed new “hosts” in SJC, nor would require them to remove an existing “host” per county request or requirement, or to “work with” SJC in limiting the number of “guest spaces” seasonally or annually or totally, by island, or location within island (e.g., rural lands v activity centers).

The underlying message of the ordinances is “tighten up” but “don’t stop or even think about big picture issues”. The message is that market forces dominate over local (and even visitor) preferences.

The ordinances need more work. I do not oppose passing the ordinances to get these new restrictions in place, to manage both visitor, “host”, and neighborhood/community expectations as quickly as possible, but **I do oppose presuming that the ordinances are adequate to deal with larger and more significant impacts.**

Further work consistent with the points made above needs be undertaken and put on the scope of work assignments for DCD and PC.

Joe Symons
Olga WA

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carpe diem