Adam Zack

From: Leslie Quenell <mossknitter@gmail.com>
Sent: Sunday, August 15, 2021 5:37 PM
To: Vacation Rental Comments
Subject: RE: Proposed Use of "Caps" for Regulation of VRs in San Juan County

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Members of the San Juan County Planning Commission
PO Box 947
Friday Harbor, WA 98250

Re: Proposed Use of “Caps” for Regulation of Vacation Rentals in San Juan County

Dear Members of the San Juan County Planning Commission,

Thank you for your prior support for a county-wide moratorium and the need to place limits on this commercial activity in mostly residential land use areas. Today we face a critical need to address the proliferation of vacation rental permits (VRs) in the County through the use of hard numerical caps.

The fundamental purpose of a VR Cap is to help protect and preserve the nature of our county’s residential neighborhoods, including our rural character, our fragile environment, and our cherished island culture.

We propose the following Cap structure.

The VR Cap should be simple and, above all, enforceable. Caps should be island-specific and equal to the number of active and compliant VR permits as of December 31, 2020. Definitions of the terms “Active” and “Compliant” are appended.

There may be permit holders who were not active and compliant on December 31, 2020. These permit holders could become active and compliant by December 31, 2021 and still continue operation. However, that would not change the number of the Cap. Instead, the number of VR permits would exceed the cap for a period of time until attrition brought the number back into line with the Cap requirement.

There will be no new vacation rental permits issued for a particular island until that island is below their island’s designated Cap. Any vacation rental permit holders who are not active and compliant by December 31, 2021 will surrender their permit until such time as they are eligible to reapply. Once each island is below their designated Cap, a permit may be granted to the next vacation rental on the waiting list on that specific island.

A current list of active and compliant vacation rental permit holders and a waiting list of individuals seeking to gain a vacation rental permit, including a total for each island, will be published on the San Juan County website. This website shall be active and available by January 15, 2022.

Definitions.

“ACTIVE" – A VR permit is deemed Active if the operator/owner of a Vacation Rental has, at any time within the prior 90 days, either: (1) advertised and accepted reservations for vacation rental bookings; or (2) provided lodging to overnight guest(s) at the property for which they are currently permitted by the County to operate a vacation rental.
 “INACTIVE" - An owner/operator is deemed Inactive if they cannot establish by independent documentary proof that they have met the above requirements of being an “Active” owner/operator of a County permitted Vacation Rental. All Inactive permit holders will be granted a period of 90 days from the enactment of the New VR Ordinance within which to become Active or they will forfeit their VR permit.
 “COMPLIANT” - an owner operator who, as of the effective date the New VR Ordinance, has: (1) paid all applicable State, County and local taxes, fees, and/or other related assessments associated with their activity as an owner/operator of a Vacation Rental permit for the current calendar year, and all prior calendar years since the date they first obtained their Vacation Rental permit; and (2) filed with the County all documents required as a condition of holding a valid Vacation Rental permit; and (3) had no complaints filed against their Vacation Rental permit with the County of San Juan’s zoning enforcement division which have been resolved against their permit during the prior 3 years; and (4) have not received more than 3 complaints against their Vacation Rental permit(s) within the prior 5 years.
 "NON-COMPLIANT" - any owner/operator who does not qualify as a “Compliant” owner/operator of a vacation rental.

We urge the Planning Commission to act expediently on this matter.

Respectfully,

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Name/Island