



San Juan County Community Development & Planning

135 Rhone Street P.O. Box 947 Friday Harbor, WA 98250
(360) 378-2354 (360) 378-2116 Fax (360) 378-3922
www.sanjuanco.com

Vacation Rental Permit Application Packet

This information packet contains the material to help you make application for a Vacation Rental Permit, whether it be a Provisional (administrative) Permit or Conditional Use Permit.

Vacation Rental Permit Application Checklist

Required documentation:

- ◆ A completed project permit application form;
- ◆ A legal description (copy of the title and deed) of the site and any other property description required by the applicable development regulations;
- ◆ Applicable fee of \$_____;
- ◆ A site plan containing the following information:
 - ◆ All site plans should be printed on 8 ½" by 14" (or smaller) paper;
 - ◆ All site plans should contain compass direction and be to graphic scale (1" = 40' for parcels over one acre in area and 1" = 20' for parcels under 1 acre);
 - ◆ Existing structures and significant features on the subject property and on adjacent properties;
 - ◆ Property lines, adjoining streets, and immediately adjoining properties and their ownership;
 - ◆ Parking spaces and driveways;
 - ◆ Wetlands and other Environmentally Sensitive areas;
 - ◆ Title block with the project name and address, drawing title, tax parcel number, and the name/address/phone of the person preparing drawing; and
 - ◆ Floor plans showing all rooms in the structure.

All the above documentation is required for a complete application. If any of the above is missing, Community Development & Planning will not be able to begin the review process, although we will work with you to provide the required information.



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Land Use Permit Application

PROPERTY INFORMATION	
Tax Parcel Number: _____	Comp Plan Designation: _____
Island: _____	Subdivision: _____ Lot Number: _____
Property Size: _____ (acres/square feet)	Existing Use of Property: _____
Comp Plan Designation: _____	
Directions to Property: _____	

APPLICANT INFORMATION	
Name of Applicant: _____	Telephone: _____
	Email: _____
Address: _____	
City: _____	State: _____ Zip Code: _____
Name of Agent (if applicable): _____	Telephone: _____
	Email: _____
Address: _____	
City: _____	State: _____ Zip Code: _____

DESCRIPTION OF PROPOSED USE (Include separate sheets as necessary)	
<input type="checkbox"/> Check here if this is a Vacation Rental Permit Application	Shoreline Designation: _____

PERMIT CERTIFICATION	
I have examined this application and attachments and know the same to be true and correct, and certify that this application is being made with the full knowledge and consent of all owners of the affected property.	
_____ Signature of Property Owner or Authorized Agent	_____ Date
For CD&P Use Only	
<input type="checkbox"/> Provisional Permit	<input type="checkbox"/> Conditional Use Permit
<input type="checkbox"/> Variance	<input type="checkbox"/> Discretionary
Date Received: _____	Complete Application: _____ Receipt Number: _____

About Land Use Permits

The San Juan County Unified Development Code (UDC) establishes several different types of land use permits, all of which utilize this application packet. The purpose for requiring a permit to conduct a certain land use is to ensure that the proposed use is compatible with the policies of the San Juan County Comprehensive Plan and the regulations of the UDC. These permits include:

Provisional Permit - This is an administrative permit (it is approved or denied by the CD&P Director). Notice of the permit application is given and comments regarding the proposed project are accepted and considered, but there is no public hearing on the application.

Conditional Use Permit - This permit application is heard by the San Juan County Hearing Examiner. The Examiner holds a public hearing on Conditional Use Permit applications at which time the applicant, CD&P staff, and the public get an opportunity to comment on the proposed project.

Discretionary Permit - Some land uses may be approved by the CD&P Director if the impacts to the surrounding area are low or moderate. The same use would be processed as a Conditional Use if it was deemed to have high impacts or the administrative permit was denied. If a Conditional Use Permit is not required, the permit is acted on by the administrator.

Variance - This permit is an application to vary from the performance standards of the UDC. The process is similar to a Conditional Use Permit, except the criteria for approval of a variance application is different than a Conditional Use.

Process

All Permits

After an application and applicable fees are submitted, the CD&P has 28 days to determine whether the application is complete. If it is not complete, the applicant has 90 days to provide all missing information. Once the application is complete, the CD&P will issue a threshold determination pursuant to the State Environmental Policy Act (SEPA). If a determination of significance is issued, the applicant would begin preparation of an Environmental Impact Statement. If a determination of non-significance is issued, notice of the determination and of the application will be posted on the property, mailed to adjacent property owners, and published in the paper.

Provisional Permit

After the public comment period, the Administrator determines whether the project is consistent with the criteria for approval and may approve, approve with conditions, or deny the application. The Administrator's action may be appealed by any party of record to the San Juan County Hearing Examiner by filing a written appeal and appropriate fees within 21 days of the decision.

Conditional Use Permit

CD&P staff will schedule a public hearing before the San Juan County Hearing Examiner and prepare a staff report prior to the hearing. The report analyzes whether the proposal is consistent with the criteria for approval of a Conditional Use Permit.

At the public hearing, the Hearing Examiner will review the staff report, the applicant's presentation, and all public testimony and, after the hearing is closed, determine whether the proposal is consistent with the criteria for approval and may approve, approve with conditions, or deny the application.

The Hearing Examiner's action on the permit may be appealed to Superior Court in accordance with the requirements of the Land Use Petition Act.

Discretionary Permit

The Administrator reviews the impacts of the proposal and, if they are above a certain threshold level, the application is processed as a Conditional Use (refer to the process for a Conditional Use Permit).

If the impacts are below the threshold for a Conditional Use, the Administrator determines whether the project is consistent with the criteria for approval and may approve, approve with conditions, or deny the application as a Provisional use, after the public comment period.

Variance

CD&P staff will schedule a public hearing before the San Juan County Hearing Examiner and prepare a staff report prior to the hearing. The report analyzes whether the proposal is consistent with the criteria for approval of a Variance.

At the public hearing, the Hearing Examiner will review the staff report, the applicant's presentation, and all public testimony and, after the hearing is closed, determine whether the proposal is consistent with the criteria for approval and may approve, approve with conditions, or deny the application.

The Hearing Examiner's action on the permit may be appealed to Superior Court in accordance with the requirements of the Land Use Petition Act.

Criteria for Approval

Discretionary Permit

1. Determination whether a Conditional Use Permit will be Required. If any impact, as listed by the UDC, is 'high' and is not mitigated to medium or low impacts, then the application must be processed as a Conditional Use. If 'medium' impacts cannot be mitigated, then the Administrator may require the application to be processed as a Conditional Use. If a Conditional Use permit is not required, or if the impacts are 'low', the application shall be processed administratively as a Provisional Use permit.

2. Criteria for Approval.

- a. Complies with the use and site development requirements;
- b. Addresses and conforms with all applicable design guidelines, standards and criteria in a manner which fulfills their purpose and intent;
- c. Is appropriate in design, character, and appearance with the goals and policies for the land-use designation in which the proposed use is located;
- d. Any application involving property located within the jurisdiction of the state Shoreline Management Act but not requiring a shoreline permit must conform to the policies in Element 3 of the *Comprehensive Plan* and the applicable regulations in Section 5 of the UDC (the Shoreline Master Program).
- e. Will be served by adequate facilities including access, fire protection, water, storm water control, and septic facilities;
- f. Is consistent with the goals and policies of the *Comprehensive Plan*;
- g. Does not include any use or activity that would result in the siting of an incompatible use adjacent to an airport or airfield (RCW 36.70); and
- h. Will not result in impacts on the human or natural environments determined by the Administrator to require processing as a Conditional Use.

Provisional Use Permits

1. The application has been reviewed for consistency with the applicable sections of the UDC and for conformance with the applicable standards of the UDC and found to meet all the requirements set forth by the UDC;
2. Any application (not including short subdivisions) involving property located within the jurisdiction of the state Shoreline Management Act but not requiring a shoreline permit must conform to the policies in Element 3 of the *Comprehensive Plan* and the applicable regulations in Section 5 of the UDC (the Shoreline Master Program).

Conditional Use Permits

1. The proposed use will not be contrary to the intent or purposes and regulations of the UDC or the *Comprehensive Plan*;
2. The proposal is appropriate in design, character and appearance with the goals and policies for the land-use designation in which the proposed use is located;

3. The proposed use will not cause significant adverse impacts on the human or natural environments that cannot be mitigated by conditions of approval;
4. The cumulative impact of additional requests for like actions (the total of the conditional uses over time or space) will not produce significant adverse effects to the environment that cannot be mitigated by conditions of approval;
5. The proposal will be served by adequate facilities including access, fire protection, water, storm water control, and sewage disposal facilities;
6. The location, size, and height of buildings, structures, walls and fences, and screening vegetation for the proposed use shall not unreasonably interfere with allowable development or use of neighboring properties;
7. The pedestrian and vehicular traffic associated with the conditional use will not be hazardous to existing and anticipated traffic in the neighborhood;
8. Land uses, activities, and structures that are allowable as conditional uses must also comply with any required performance standards specified in the UDC;
9. The proposal does not include any use or activity that would result in the siting of an incompatible use adjacent to an airport or airfield (RCW 36.70).
10. The proposal conforms to the standards in Section 6 of the UDC.

Variances

1. Literal interpretation and application of provisions of the UDC would deprive the applicant of the rights commonly enjoyed by other properties in the same district under the terms of the UDC, and allowing the variance will be in harmony with the intent and spirit of the UDC;
2. A variance is necessary for the preservation and enjoyment of a property right possessed by other property in the same vicinity or district, but which is denied to the property in question because of special circumstances on that property;
3. That the hardship described under subsection (1), *above*, is specifically related to the property and is the result of unique conditions such as irregular lot shape, size, or natural feature, and the application of the UDC, and not, for example, from deed restrictions or the applicant's own actions;
4. The granting of the variance will not be materially detrimental to the public welfare or injurious to the right of other property owners in the vicinity; and
5. The variance will not permit a use prohibited by the UDC in the district in which the subject property is located.