

EASTSOUND PLANNING REVIEW COMMITTEE AGENDA

January 9, 2020

Fire Department Meeting Room

3:00 p.m. – 6:00 p.m. _____

Welcome and Introductions

Approval of Minutes from December 5, 2019 Additions or Agenda modifications

Dec 5 minutes were approved with additions from Brian Wiese.

Rick Hughes Council Update

I-976 - SJC filed amicus brief to Island County lawsuit. I-976 will result in a \$5 billion hit to transportation funding, including the ferry system. Ferries Committee is meeting in the Islands in March.

The Haven Rd. sidewalk has been contracted.

Deer Harbor culvert upgrade is complete.

Charles asked about a potential UGA boundary extension and whether Bartel could become a county road. Rick not opposed, but it would depend on resident support or opposition.

Vacation Rentals will be on Jan. 28 Council Agenda. Rick would like to have a revised ordinance in 8 mos. He is open to suggested ordinance revisions for Eastsound. 1,100 permits went out for renewal in 2019. 50 removed. 30% currently inactive (denied, enforcement, abandoned).

Public Comment

Fred Klein – Urged EPRC to evaluate the County’s Land Capacity Analysis in terms of affordable housing capacity.

John Campbell – There is not enough land capacity in UGA. Restricted land availability means higher land and housing prices. Of the 494 units in Eastsound, 16% are vacation rentals.

Toby Cooper--Need to reduce overall numbers of vacation rentals to make them more competitive.

Discussion of Potential Vacation Rental Limitations In UGA

Charles Toxy reviewed proposed changes to vacation rental policies from the December meeting:

1. Define two tiers of Vacation Rentals:
 - “Homestay” or “Homeshare”. Homestay or Homeshare rentals where the actual property owner (not a representative or relative) lives on site and would be allowed outright on a residential property.
 - Vacation Rental permit where the owner does not live on the property and would be granted only if less than 7% active vacation rentals (of both tiers) are currently permitted in that land use designation. Non-homestay vacation rental permits would be denied in land use designations where the current total vacation rental percentage is

higher than the 7% limit. This will prevent vacation rentals from becoming a dominant use and characteristic in any neighborhood/land use designation.

2. New construction, including houses barged in, should not be made eligible for a vacation rental permit for ten (10) years after the building permit is issued. This will prevent speculative building aimed at the vacation rental market and makes new residential construction serve the year-round population for several years before being converted to vacation rentals.
3. Allow only one vacation rental per residential parcel. For ADUs built before 2007, permit a vacation rental in the main residence or the ADU, but not both. Continue to disallow ADUs built after 2007 to be vacation rentals, allow only the primary residence.
4. Require VR permits in all land use districts, including Village Commercial and Marina. Require commercial properties with short term rentals to apply for and be regulated by the same vacation rental regulations as non-commercial land use designations unless they are regulated as resorts, B&Bs or hotels.
5. Disallow non-San Juan County residents from operating more than one vacation rental. This is to accommodate someone who is renting out an island property with the intention of retiring here or to keep it as their vacation home. Two or more properties are obviously being used as investment properties by remote landlords.
6. All vacation rental permits should expire upon the sale of the property. An exception would be for direct family heirs where no money was paid for the transfer of the property or where the property goes into a family trust or an LLC provided the vacation rental permit is in good standing and continued use complies with all applicable Vacation Rental regulations and annual renewal requirements.
7. Reserve ground floor units in Eastsound Village Commercial for commercial or long-term residential uses, allowing vacation rental units only on the second floor or above. This promotes mixed-use buildings that continue to serve commercial and long-term residential needs year around.
8. Request that Staff develop a system for evaluating whether a permit should be revoked or renewed based on verified infractions of vacation rental regulations such as police reports, failed inspections, etc., not just unverified complaints.
9. Disallow house parties/events (reunions-weddings) at non-commercial properties. Allow only the permitted number of renting guests and the renting guests' cars on residential properties. Allow events with non-staying guests at commercial properties provided that they meet all of the other guidelines applicable to all vacation rentals regarding parking, noise, etc.

10. In the Vacation Rental permit application and regulations specifically exclude; spaces for open air camping, tents, trailers, camper vans, RVs, sheds, teepees and any other enclosures unless they have been issued an occupancy permit as habitable space from the county. Such facilities not permitted as habitable space should be classified as resort/commercial campground/outdoor recreational facilities if they are allowed in their land use designation and be prohibited where not allowed. Where they are allowed, there must be proof of adequate septic/sewer capacity to meet all guests' and residents' needs on the parcel.

joAnn Mann has been researching vacation rental policies in her former town of Bend, OR: No vacation rentals on private roads; no more than one VR / 250 ft. of road frontage; VR permits run with the owner, not the lot, and expire when the property is sold; new VR permits awarded by lottery.

A Special Meeting was called for Monday, January 20, 12-2 pm, at the Orcas Community Foundation, to discuss: 1) The Eastsound Land Capacity Analysis and 2) proposed Vacation Rental policy amendments.

Permit Review

- **Build-19-0196, Gate, 309 Sunset Ave**

https://www.sanjuanco.com/DocumentCenter/View/19593/BUILD-19-0196_Sweet_and_Rennie_decorative_gate No comment.

- **Build-19-0237, Playground, Eastsound Village Green, North Beach Road**

<https://www.sanjuanco.com/DocumentCenter/View/19594/BUILD-19-0237-Community-Playground> No comment. Construction contract has been let.

- **Landuse-19-0190, Preliminary Short Subdivision, Corner of Bartel and North Beach Road**

<https://www.sanjuanco.com/DocumentCenter/View/19595/LANDUSE-19-0190-Stover-SP-prelim> Comment: Lots 2 & 3 show the garages 3 feet from the side lot lines. These should be 10 foot setbacks, as required on property frontage. 3 foot setbacks are only allowed at rear lot lines in this land use designation

- **Landuse-19-0208, Provisional Vacation Rental, 30 Wild Currant Court**

https://www.sanjuanco.com/DocumentCenter/View/19597/LANDUSE-19-0208_Koral_Prov-VR_App https://www.sanjuanco.com/DocumentCenter/View/19596/LANDUSE-19-0208_Koral_Parking-Plan-Addendum Comment: This is a permit for a second vacation rental on the lot. Code allows a vacation rental “either in Primary residence “or” ADU”. This is confusing language because it does not say, “or both” or “but not both.” Additionally, the lot is non-conforming: ¼ acre in ER2, a ½ acre zone.

- **Landuse-19-0227, Provisional Vacation Rental, 96 Miguel Lane**
https://www.sanjuanco.com/DocumentCenter/View/19598/LANDUSE-19-0227_Harrison_Prov-VR_App

- **Landuse-19-0237, Conditional Use Sign, 127 Madrona St.**
https://www.sanjuanco.com/DocumentCenter/View/19599/LANDUSE-19-0237_Linnes_Island-Market_Cond-Use_App Comment: Please ensure that all lighting of the sign is downward-facing and contained within the building lot.

- **BUILD-19-0306, Interior remodel, 172 North Beach Road**
https://www.sanjuanco.com/DocumentCenter/View/19611/BUILD-19-0306_Renovation_172-North-Beach-Rd No comment.

- **BUILD-19-0304, Modular Home, 701 Enchanted Forest Road**
https://www.sanjuanco.com/DocumentCenter/View/19610/BUILD-19-0304_Modular_home_701_Enchanted_forest_road No comment.

- **BUILD-19-0276, Foundation Stabilization, 453 North Beach Road**
https://www.sanjuanco.com/DocumentCenter/View/19608/BUILD-19-0276_Foundation_Stabilization_453_North_Beach No comment

- **BUILD-19-0289** https://www.sanjuanco.com/DocumentCenter/View/19609/BUILD-19-0289_Remodel_175_Prune_Aly No comment.

- **BUILD-19-0270, Change of Use, 365 North Beach Road**
https://www.sanjuanco.com/DocumentCenter/View/19607/BUILD-19-0270_Change_of_Use_365_North_Beach No comment

- **Landuse-19-0248, Foundation Repair, 310 Main St.**
https://www.sanjuanco.com/DocumentCenter/View/19600/LANDUSE-19-0248_San-Juan-Property-Management_SJXMP-General_App
https://www.sanjuanco.com/DocumentCenter/View/19612/BUILD-19-0310_Porter_Building_Foundation_Repair_310_Main No comment.

Adjourn

NEXT MEETING –February 6, 2020.