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From: joe symons <joesymons@me.com>
Sent: Friday, May 19, 2017 2:26 PM
To: Erika Shook; Comp Plan Update; DL - Council
Cc: Stephanie Buffum
Subject: Comp Plan update process recommendations for extending time and options to produce a wise, fair and accepted Plan



The topics listed below are listed in an order of priority consistent with a proposed new conceptual vision for San Juan County, namely: “Forever Wild”; a graphic of which is attached and available at doebay.net/sunshine/foreverwild.jpg .

These core topics need definition during the comp plan update process:

- Define “Forever Wild” and confirm this concept is the core of the central vision of the ecosystem (people, habitat, goals) of the islands comprising San Juan County.
- Define the terms (pillars) supporting Forever Wild in the graphic: Sustainable, Diverse, Thriving and Resilient.
- Define terms essential to the vision, such as carrying capacity.
- Ensure that the basic goals of the Growth Management Act are met.

Coming to a community consensus on these definitions will take considerable outreach, meetings, surveys, conversations. To minimize blowback and disharmony, the process by which these conversations is to occur should be flexible and allow for sufficient public input. From past experience, these conversations must occur multiple times in multiple formats and will likely take many months.

Consequently, *step one is to ensure that the update to the Comprehensive Plan process is not rushed.*

Assuming that step—buying time to do the CP right—is accomplished, there are additional steps that should be considered.

Everything that follows is likely to be controversial, as are any discussions about the elephant in the living room. That's generally why they are avoided.

Avoiding conversations is generally the worst strategy.

Instead, let's discuss them straight out.

Not listed in order of priority, steps that *buy time and preserve options* are suggested here. They are proposed to minimize adverse impacts while a community conversation takes place to discuss and resolve them. These temporary solutions would sunset and/or variations thereof be incorporated into the final signed comprehensive plan.

1. San Juan County's rural lands do not meet the Growth Management Acts principle 2 requirement to avoid sprawl: "Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.". Sprawl is loosely defined as a density greater than 1 dwelling unit (du) per 5 acres. In the spring of 2017, SJC parcel data reveals that the current average density in rural lands is 1 du/4.87 acres (which is close to "rural", but technically sprawl); the kicker is that at buildout, where all rural parcels are developed to their maximum capacity, the average density in rural lands will be 1 du/2.75 acres. This is definitely an "inappropriate conversion of undeveloped land into sprawling, low-density development." Using the "building value" field in the SJC GIS "parcels" database as a placeholder for whether any parcel has a habitable structure on it, and searching for parcels with a building value less than \$30,000, there are today about 4400 parcels in rural lands (land use categories RC, RFF, RG, Ri, RR) that have no livable structure on them; these parcels are waiting for development; since some of these parcels can be subdivided, at buildout there would be about 5800 parcels. Of all parcels in rural lands that meet this standard (i.e., parcels for which there is a building value less than \$30,000), almost 3100 of them are non-conforming, meaning that they are smaller than the density zone they are assigned. The average density of these "yet to have homes on them" non-conforming parcels is 1 du/1.86 acres. Not quite 1/4 of the rural lands in San Juan County (by acreage) can be subdivided; to a first approximation there are roughly 900 parcels more than twice the size of their density designation. Were these parcels subdivided, there would be roughly 4 times as many parcels. The average density for these original ~900 parcels would decrease from 1 du/24 acres to 1 du/6 acres.

The Final Decision and Order from the Western Board in May, 2001, speaks to the issue of what San Juan County's obligation is to undeveloped pre-existing parcels that, whether intentional or not, have already been "inappropriately converted" into sprawling low-density development:

"At various times in its briefing and presentation the County, as well as Intervenor Eagle Lake Development Limited Partnership, argued that *a county had no duty to "rectify pre-existing suburban land patterns."* ***This is not an accurate statement of the duties imposed upon a county under the rural element provisions of the GMA and under Goal 2.*** Under RCW 36.70A.020(2) a county has the duty to "reduce the inappropriate conversion" of undeveloped land (whether existing or allowable after GMA planning) into low-density development. RCW36.70A.070(5)(c)(iii) requires reduction of the inappropriate conversion of "undeveloped land" (whether existing parcels or future allowances after GMA planning) into low-density development "in the rural area." ***Existing, but not yet developed, parcelization reduction can take many forms from lot combination DRs to greater minimum lot sizes in appropriate areas.*** The ultimate question is whether San Juan County has adopted sufficient designations and DRs to fulfill the GMA requirement to reduce sprawling low-density development in the rural area."

Final Decision and Order/Compliance Order
Case #00-2-0062/99-2-0010c
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Temporary time-buying solution: put a moratorium on rural land subdivision and on construction of homes on non-conforming parcels.

2. San Juan County does not have any regulations that limit the number of residential building permit applications accepted per year. That is, there are no restrictions on the rate of growth of the county. While there are projections about the rate of growth that the county has to accept from the GMA agency (OFM) assigning those projections over the next 20 years, the figures are simply guesstimates. There are no requirements that actual growth be restricted or increased to the growth rate projected.

Temporary time-buying solution: put a growth cap on the number of residential building permit applications permitted per year, particularly in rural lands.

3. San Juan County has no regulations that allocate residential building permit applications to activity centers (vs rural lands); GMA mandates that 50% of new residential growth occur in activity centers (such as Friday Harbor, Eastsound and Lopez Village). However, this is a loose mandate. Counties must show they have sufficient residential capacity in UGA areas to meet 50% of the projected growth during the planning period (20 years) but they do not have to “force” people to move to UGAs.

Temporary time-buying solution: determine the average annual population growth required by OFM for San Juan County. Divide that population growth by 2 (assuming an average of 2 people per household), to produce the number of new residential permits that can be allocated each year. Divide that number by 2 to indicate how many residential permits should be allocated to activity centers (UGA’s), i.e., 50%, and how many remain (the other 50%) for rural areas. Create a lottery or other equitable process for accepting/processing residential building permits such that a minimum of 50% of the permits issued each year are assigned to UGAs.

4. GMA makes no mention of the impact of visitor populations. Visitor population growth in the San Juan Islands is significant, representing generally over 2x the resident population in the peak visitor season (roughly June through mid September). San Juan County’s economic base is substantially impacted by visitors, so “messing with” the visitor population impact will not be an easy conversation. One large and growing sore spot is the impact of visitors on affordable housing and on neighborhoods. San Juan County is in the process of beefing up regulations regarding transient rentals to address the negative impacts of some visitor events (particularly wedding parties) in some areas of the county.

Temporary time-buying solution: restrict or put a moratorium on the number of transient rental permits issued annually. Additionally, enforce existing transient rental permit regulations to reduce negative visitor impacts.

5. Begin the conversation about what constitutes “full” in terms of human impacts (irrespective of visitor or resident). One key element of this conversation is “density”, a placeholder for population. The county already has a definition of “full” built into the existing density designations. Unfortunately those originally-crafted and largely unchanged density designations were not created with any consideration to GMA principles, carrying capacity, or a clear resident (and visitor) mandate manifested in the Vision statement for a slow growing, safe, largely rural, island experience. The “full” (buildout population) that exists on the books today would essentially destroy all the values that have brought and keep visitors or residents here. Consequently the conversation about how full is “truly full” and how to ensure this “fullness” is not exceeded needs to be placed front and center in the ongoing update process.

Possible permanent solution: rebrand San Juan County as a “unique rural forever wild” sanctuary (or something similar) so that both residents and visitors do not further distress the impact of each population category on carrying capacity and the vulnerability of rural habitats and ecosystems from the degradation that occurs from essentially permanent growth in human activity. The environmental and economic benefits of this rebranding would likely resonate with all populations, yet there would be adjustments and disruptions. Not doing something like this will also result in undesirable adjustments and disruptions, so doing nothing (i.e., trusting to “the market”) is neither wise nor effective, as the record of the past several decades attests.

None of these topics will be easy to discuss and resolve. None of these temporary time-buying solutions will “fix” anything even if implemented. A new level of community conversation is called for at a time when national and international polarization is higher than ever.

Each of us, particularly those in decision-making positions regarding the Comp Plan update, is called to a level of engagement, awareness, participation, innovation and compromise that stretch far beyond current patterns and paradigms. In general, in the past, most do not rise to accept, much less meet, the challenge.

Problems and solutions can be crafted to be fair, reasonable, implementable, enforceable and consistent with the will of the majority as expressed in the visioning process, the carrying capacity of the islands, and the requirements of the Growth Management Act.

I urge you to take steps to ensure that prior to the completion of the update process, which could easily take substantially more time than has been currently outlined in the schedule, obvious problems (such as gaming the system to immediately subdivide rural lands, or build, or get a transient rental permit, or drill a well inconsistent with known aquifer limitations, or other procedures that will likely add to the challenge of completing the update consistent with balancing the issues raised in the previous paragraph) be, as outlined in this letter, anticipated and mitigated.

The following web sites and associated links within each provide materials relevant to the SJC Comp Plan update history and current process and are by this reference requested to be included in the record:

doebay.net/sunshine
keepsanjuanswild.org

Thank you for your commitment to creating a process which will result in a wise, fair and sustainable future for the county.

Joe Symons
Olga WA