

## Adam Zack

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**From:** Yonatan Aldort <yonatanaldort@yahoo.com>  
**Sent:** Wednesday, August 19, 2020 10:50 PM  
**To:** Comp Plan Update  
**Subject:** Comments on Memo RE: Vacation Rentals  
**Attachments:** 2020-08-07\_DCD\_Zack\_Memo\_VR\_issue\_PC\_8-21-20\_comments-VRGroup-FINAL.pdf;  
2020-08-07\_DCD\_Zack\_Memo\_VR\_issue\_PC\_8-21-20\_comments-VRGroup-FINAL.doc

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Hello,

Attached to this email are comments on the Memo to the San Juan County Planning Commission regarding the Comprehensive Plan Update Section B, Element 2; Land Use and Rural Vacation Rentals.

These comments are the work of members of the Vacation Rental Work Group and represent sentiments and concerns shared by its members as well as by numerous residents of San Juan County.

Thank you,

Yonatan Aldort  
Vacation Rental Work Group Chair

Memorandum to: San Juan County Council and Planning Commission

From: Vacation Rental Working Group

(Yonatan Aldort, Lisa Byers, Diane Berreth, Anne Marie Shanks, Jeni Barcelos, Lynnette Wood, Joe Symons, Heather Dew-Oaksen, Greg Oaksen, Mark Mayer, Toby Cooper)

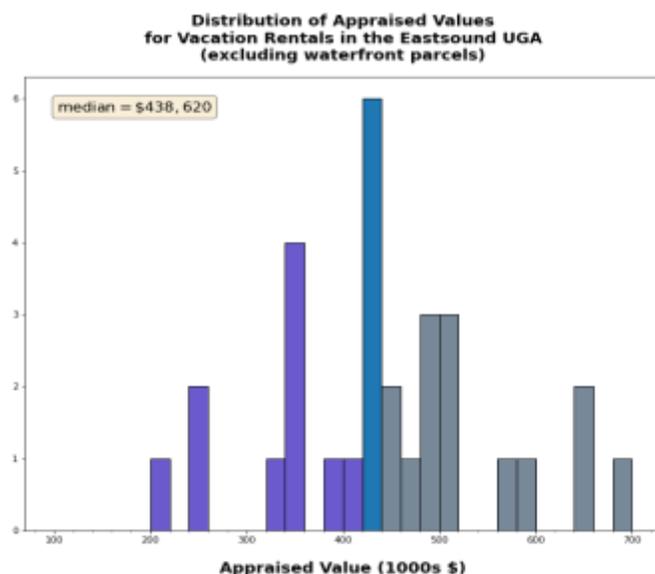
Date: 19 August 2020

Re: Comments on San Juan County Memo from Adam Zack dated 7 August 2020 entitled “2036 Comprehensive Plan Update Section B, Element 2, Land Use and Rural Vacation Rentals”

The subject-referenced memo mentions several concerns regarding vacation rentals (VRs) including impact on “traffic, noise and trespassers.” It does not mention the impact on what are often common neighborhood resources—privately maintained roads, common water and septic systems—or on an island’s common resources, especially emergency services (EMTs, Fire & Rescue, the medical clinics and the Sheriff’s Office). It also ignores the pressure which largely unrestricted tourism places on the ferry system, a factor which significantly compromises resident’s capacity to travel to/from the islands (e.g., for doctors appointments).

In support of VRs the memo states that VRs are “an important driver of the tourism industry.” They also represent a major source of feedback, further exacerbating that dependence: more VRs promote the arrival of more tourists, and thus tourism becomes an ever larger slice of the local economy. Moreover, VR “industry” jobs (e.g., housekeepers, groundskeepers) are often relatively poorly paid positions, with limited or no benefits.

The memo states that VRs do not reduce the supply of long term rentals since they would otherwise be used by owners (as second homes). No supporting evidence is provided for this statement.



The memo cites public comment that VRs tend to be expensive properties/residences. This seems at odds with the “heat maps” which show the highest concentration of VRs in the UGAs (Eastsound and Lopez Village). In fact, the figure at left shows that half the non-waterfront VRs in the Eastsound UGA are on properties with a appraised value less than \$438,620; many which therefore fall into the category of affordable.

The memorandum continues to perpetuate a misleading figure which minimizes the impact of VRs by focusing on the fraction of vacation rentals as a percentage of total housing stock. As noted in previously submitted public input, this

figure is uses as its divisor the total housing stock of the entire county, thus averaging over the entire county and ignoring the fact that VRs are concentrated on just three islands: Orcas, San Juan Island, and Lopez. In fact, there are few or zero VRs on many outer islands, while VRs are prohibited in many areas, including parts of Friday Harbor, on Shaw and Waldron, and in some HOAs. (It is worth noting that Orcas has more VRs than all other islands combined.) Furthermore, as the memo and the accompanying heat maps indicate, VRs tend to be concentrated within certain areas or neighborhoods. Finally, the numerator includes only compliant VRs, not permitted VRs or those VRs which are illegal (unpermitted).

Similarly, the continued focus of the County on just the number of permits issued per year sidesteps completely the cumulative impact of permit issuance sustained over decades and the resulting negative impacts of unconstrained VR growth on infrastructure, the environment, and the quality of life, and especially on the loss of a sense of community.

The memo notes that land use tables in Chapter 18.30 SJCC categorize vacation rentals as a residential use. When a single owner operates multiple vacation rental units, can that still be considered a residential use? Land Use Sub-component (Page 4, Item 2.2.A.12) explicitly states that vacation rentals should be “subject to standards similar to those for hospitality commercial establishments” recognizing the commercial aspect of these enterprises. Are such establishments equally at liberty to self-certify their compliance with applicable rules and regulations?

The memo makes much of the fact that only about two thirds of the permits are active (i.e., one third are compliant but not active). From the point of view of available long-term housing, is there really any distinction? Also, it is notable that the memo makes no mention of the number of non-compliant VRs, both those which are known to be non-compliant and those operating illegally (without a permit).

The memo states several drawbacks associated with limiting the number of VRs. For example, it concludes that limiting the [increase in] number of VRs will lead to a reduction in their availability. This is nonsense: limiting an increase does not reduce availability, it only limits growth.

The memo states that limiting the number of VRs will slow the growth of tourist-dependent businesses. This may be true, but a reduction in the growth of the tourist trade may well promote the growth of non-tourism dependent businesses, in part by alleviating the pressure on the limited stock of housing. Further, controlled, managed growth can help us maintain the very aspects of the visitor experience that people seek, as opposed to unlimited tourism growth, which can be a strong disincentive for visitors, as witnessed by CNN’s Destinations Travelers Might Want to Avoid (due to overtourism) lists.

Finally, the memo states that limiting the number of VRs will slow the growth and/or reduce tax receipts and fees. But a more diversified economy can help stabilize tax revenue while at the same time helping to meet the needs of its residents without becoming dependent on unlimited growth in a single economic sector.

The Economic Development Element (Page 7, Lines 4-5) specifies investing “in the balanced long-term health of the primary economic sectors--construction and tourism—as consistent with preservation of natural capital and rural character of the locale involved.” Continuing to allow uncontrolled growth of vacation rentals, which essentially commercializes what have been residential neighborhoods, is not consistent with the preservation of rural character.

The GMA encourages the availability of affordable housing and preservation of existing housing stocks. These goals are both largely in conflict with a proliferation of VRs.

San Juan County’s Vision Statement begins “WE THE PEOPLE, citizens of San Juan County, value our healthy natural environment, vibrant and diverse community, self-sufficiency, interdependence, privacy, personal freedom, independence, and stewardship of our common resources.” Unfettered growth of VRs in the county conflict with nearly every component of these aspirational goals.

**Solutions:**

The options presented in the memo are not comprehensive. For example, combined options, such as placing a cap both on annual VR permits and on the total number of permits County wide, or by island; adding a density cap within neighborhoods; and/or favoring those VRs which are owner occupied or “home-share” are all combinations of options that would offer a more nuanced approach.

Recognizing that some VRs are clearly commercial in their intent—such as those owned by mainland corporations or individual owners of multiple VR units—the options for limits and caps might consider limiting the total number of VR permits that one owner can operate to just one or two.

In contrast, those VRs which are home-shares (owner in residence with one room for rent under the same roof) should be given preferential treatment during the permitting process as they maintain or expand the level of housing stock, rather than reducing it.

In addition to capping the number of VR permits, regulations on their operations could be significantly strengthened. For instance, the 2+3 guest limit does not demonstrate an awareness of peak septic capacity; there is currently no requirement to show adequate water availability nor a requirement to show compliance with HOA rules; VR owners are self-certifying (i.e., no oversight); and rules of conduct are largely unenforceable for those properties which are not home-shares.