

Adam Zack

From: Diane Berreth <dianeberreth@rockisland.com>
Sent: Wednesday, September 15, 2021 4:40 PM
To: Vacation Rental Comments
Subject: Use of "Caps" for SJC vacation rental regulation

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September 15, 2021

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,

I strongly support the San Juan County Planning Commission's August 20 unanimous decision to recommend an ordinance to the San Juan County Council that implements both a county cap and island-by-island cap on the issuance of new permits for vacation rentals, such caps to be based on the number of active and compliant vacation permits.

I have reviewed the Staff Report to the Planning Commission, dated September 3, 2021 on this subject and am gratified that the proposed ordinance recognizes that our county is currently suffering the detrimental impact of too many short-term vacation rentals and we cannot afford more.

To open the gates to new permits in the future would seriously exacerbate the acute stress we've already observed on our islands' natural resources, housing stock for our working families, the community ambience of our residential neighborhoods and the adequacy of our island services. These problems have been described in numerous letters, comments and public testimony submitted to the Planning Commission and County Council over the past three years and they help form the record for why the caps should be imposed without further delay. These effects should be reflected in the findings and rationale set forth in the proposed ordinance.

I urge the Planning Commission to adopt the recommendations of the Staff Report. In doing so, I offer the following reflections so that it's clear what is, and what is not, being accomplished by this proposal:

1. The proposed ordinance does NOT place a new burden or restriction on anyone who currently holds a vacation rental permit.
2. Current permit holders, whether they are in active or inactive status, will continue to be treated as they were under the 2018 ordinance.
3. The 2018 ordinance already requires that a vacation permit issued after the 2018 ordinance was adopted will expire automatically (without the need for an enforcement hearing) if it is non-compliant. The county needs to effectuate that aspect of the 2018 law.
4. The proposed ordinance simply sets a limit on the number of NEW vacation rental permits to be granted in the future. (Unfortunately, that means we could still see a growth in active vacation rentals on our islands in the coming months and years, should people choose to activate an existing and compliant permit that they had previously left dormant. However, we understand that accommodation may be required under the existing legal framework.)
5. The significant change contained in the proposed ordinance is that someone seeking a NEW vacation rental permit will have to wait until the number of active and compliant permits on their island and county-wide fall below the CAP number. (The allocation of new permits at that time could be made according to the applicant's priority in line, by lottery, or by some other neutral system.)
6. The Staff Report suggests the CAP be set at the number of active and compliant permits *as of the date of the ordinance's adoption, rather than as of July 31, 2021*. We object to that adjustment as there is no rationale for subjecting our community to the impact of even more vacation permits at the very time the record shows we have reached our breaking point.
7. The Staff Report also presents different data on the precise number of active and compliant vacation permits per island. We presume the County is keeping accurate files on these categories and have no reason at this time to dispute their numbers in this regard.

In conclusion, we urge the Planning Commission to move forward on this proposed ordinance as generally described in the Staff Report. Should someday in the future our community conclude that the finite resources of our islands can -- or cannot --- withstand more vacation rentals than allowed under these caps, the County Council will be free to adjust them via a revised ordinance. But without these proposed caps in place as soon as possible, the damage to our island community will be irreversible. The very nature of our beautiful islands and community are at stake.

Respectfully,

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Orcas

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