

Sophia Cassam

From: Lynn Bahrych <bahrych@rockisland.com>
Sent: Thursday, September 15, 2022 5:41 PM
To: Comp Plan Update
Subject: Attorney Bahrych Comment on Proposed Housing Element
Attachments: Comment Letter on Housing Element LB.docx

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Please find the attached comment letter on the proposed Housing Element and add to the record of public comment.

Thank you,

Lynn Bahrych, J.D., Ph.D.

September 15, 2022

Via email: compplancomments@sanjuanco.com

San Juan County Council
Council Member Cindy Wolf
Council Member Jamie Stevens
Council Member Christine Minney

Re: Attorney Comment on Proposed Housing Element

Dear County Council Members:

Please consider this comment letter when you review the proposed Housing Element in the current draft of the county's comprehensive plan. I am an environmental and land use attorney residing on Shaw Island, currently serving on the county's Clean Water Advisory Committee, and as a liaison on the county's Climate and Sustainability Committee. My comments reflect my views as an individual attorney, not the views of either committee.

Over 20 years ago, I served on the Technical Advisory Committee that drafted the UDC which implemented the current SJC Comprehensive Plan, now being updated. I understand that the regulations that will be drafted to implement the goals and policies in the Housing Element will be instrumental in addressing both the housing crisis and the climate crisis.

I. San Juan County faces a housing crisis, as detailed in the text of the Housing Element.

As stated in the Housing Element, "San Juan County is considered the least affordable county in the state of Washington." (p. 12) Again, "In San Juan County people make less in wages and pay far more for housing in comparison to the rest of the state." The average wage is **well below** the state average. To correct the imbalance between the cost of living and the current wage scale, "County and Federal assistance will be crucial." Since one-third of the county's citizens are living at or below the Federal Poverty level, and the average annual wage is well below the state average, that assistance will be essential to meet the current housing needs.

Many county residents live in substandard housing, including tents. In the wealthiest county in the state, by some measures, the county has found that "it is common for people to live some or all of the year in tents." Many housing units are substandard, without plumbing. At the same time, as of 2015, 43% of houses were vacant, being used only for holidays by their absentee owners. In 2015, there were more vacant housing units than owner occupied housing units. This data was collected in 2017, five years ago, prior to the pandemic. The conditions "on the ground" for wage earners in the county have gotten considerably worse since then. We now face a full-blown housing crisis.

II. The goals and policies of the current Housing Element will go a long way to alleviating the housing crisis, but need to be brought up to date.

The Housing Element will need to be brought up to date for 2022, perhaps in the next round of comprehensive plan review. Before that happens, however, many of the goals and policies in this Housing Element should be put into effect immediately. For example, the allowance of multi-family development in UGA's and AC's is something that can be accomplished fairly easily by altering Tables 18.30.030 and 18.30.040 to permit multi-family development outright in these

areas. Other permitted uses could also be added, such as residences above or in conjunction with permitted commercial, institutional, agricultural, and forestry uses. This is done around the world, with the shop owners or their employees living above their shops or near their businesses.

III. Two Recommendations:

1. Goal 7, Policy 4: Delete the allowance of 12 new dwelling units in RR and RFF. This would be a violation of the GMA's key goal of preventing rural sprawl. These units would not be needed in any case if multi-family residences were permitted outright in UGS's, AC's, and LAMIRD's. Since there were no multi-family permits issued between 2009 and 2015, there is an unmet need for this type of use, which is both more affordable and desirable for many people.
2. Goal 5, add a Policy 6 : New language: "Provide support for climate mitigation in existing and new housing through innovative products, such as reflective roofing, grey water systems, and planting of fire resistant shade trees."

Thank you for considering these comments and recommendations.

Sincerely yours,

Lynn

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