



SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

135 Rhone Street, PO Box 947, Friday Harbor, WA 98250
(360) 378-2354 | (360) 378-2116
dcd@sanjuanco.com | www.sanjuanco.com

MEMO

MEMO DATE: September 5, 2023

TO: San Juan County Council

FROM: Sophia Cassam, Planner III

SUBJECT: 2023 Docket Text Amendments Planning Commission Recommendation

BRIEFING DATE: September 12, 2023

ATTACHMENTS: A. Draft Resolution on the 2023 Docket of Proposed Text Amendments
B. Public Comments

PURPOSE: To inform the County Council of the Planning Commission recommendation regarding the proposed Comprehensive Plan and San Juan County Code Title 18 Unified Development Code (UDC) text amendments requested through the 2023 Docket. To set a public hearing on the 2023 Docket on September 14, 2023.

ACTION REQUESTED: Please set a public hearing on the 2023 Annual Docket Proposed Text Amendments on Tuesday, October 17, 2023.

PUBLIC COMMENTS: Please send all public comments to sophiac@sanjuanco.com. Please do not copy the County Council, Planning Commission members, or other County staff. Written public comments received by September 11, 2023 will be provided to the Council before their briefing on the 12th. Comments should refer to specific 2023 Docket requests.

BACKGROUND: The Growth Management Act (RCW 36.70A.470(2)) and San Juan County Code (SJCC) 18.90.020 allow any interested party to propose amendments to the San Juan County Comprehensive Plan (*Plan*), Official Maps, and Title 18 SJCC Unified Development Code (UDC). The community proposes amendments through the Annual Docket process. The County Council considers the proposals and the staff and Planning Commission recommendations. Ultimately, the County Council decides whether to add the requests to the Department of Community Development (DCD) future work program.

In 2023, DCD received two Docket requests for text amendments to the *Plan* and UDC. Staff briefed the Council on the requests and provided recommendations at the June 27 County Council meeting. The full applications and staff analysis are available in the June 5, 2023 staff report: <https://www.sanjuanco.com/DocumentCenter/View/28256/>.

PLANNING COMMISSION RECOMMENDATION: On July 21, 2023, the Planning Commission held a public hearing and made a recommendation to the County Council. The Planning Commission recommended that both 2023 text amendment requests be added to the DCD future work program:

- 23-0001 (Bed & Breakfast Residence)
- 23-0002 (Mineral Resource Lands Overlay Designation Criteria)

The Planning Commission recommendation is reflected in the draft resolution in Attachment A to this staff memo.

COMMENTS RECIVED TO DATE: DCD has received 28 public comments regarding the Annual Docket proposed text amendments since the Council's last briefing in June 2023. The most recent comments are provided in Attachment A. To view the public comments submitted to date on the 2023 Docket, visit <https://www.sanjuanco.com/1658/Annual-Docket>

RESOLUTION NO. ____ - 2023

A RESOLUTION SETTING THE 2023 DOCKET OF PROPOSED TEXT AMENDMENTS TO THE SAN JUAN COUNTY COMPREHENSIVE PLAN (COMPREHENSIVE PLAN) AND TITLE 18 SAN JUAN COUNTY CODE (SJCC).

BACKGROUND

- A. The Growth Management Act (GMA) was passed by the State Legislature in April 1990;
- B. The Board of County Commissioners voted to plan under the GMA in November 1990;
- C. RCW 36.70A.470(2) states:
“Each county and city planning under RCW 36.70A.040 shall include in its development regulations a procedure for any interested person, including applicants, citizens, hearing examiners, and staff of other agencies, to suggest plan or development regulation amendments. The suggested amendments shall be docketed and considered on at least an annual basis, consistent with the provisions of RCW 36.70A.130”;
- D. SJCC 18.90.020 Legislative Procedures establishes procedures for the Annual Docket required by RCW 36.70A.470(2);
- E. Applications for the 2023 Annual Docket requesting Comprehensive Plan or development regulation amendments were accepted by the San Juan County Department of Community Development (DCD) between January 1 and March 1, 2023;
- F. Two 2023 Docket text amendment requests were received, as shown in Attachment A;
- G. On July 11, 2023, applicants were personally notified via email about the July 21, 2023 Planning Commission public hearing, with an invitation and instructions for providing testimony virtually;
- H. Staff evaluated the 2023 Docket requests and forwarded recommendations on them to the County Council and Planning Commission in a staff report dated June 5, 2023;
- I. On June 16, 2023, staff briefed Planning Commission on the 2023 Docket applications;
- K. On June 27, 2023, staff briefed the County Council on the 2023 Docket applications;
- L. The Planning Commission public hearing on July 21, 2023 was duly advertised in the *Journal of the San Juan Islands* and the *Islands Sounder* on July 5, 2023;

- 1 M. On July 21, 2023, Planning Commission held a public hearing on the 2023 Annual
2 Docket of Proposed Text Amendments;
3
- 4 N. On July 21, 2023, following the public hearing, the Planning Commission deliberated on
5 public testimony and staff recommendations;
6
- 7 O. The Planning Commission recommended that requests 23-0001 and 23-0002 be added to
8 the Department of Community Development work program;
9
- 10 P. On September 12, 2023, staff briefed the County Council on the Planning Commission's
11 recommendation and asked the County Council to set a public hearing on the 2023 Docket of
12 Proposed Text Amendments for October 17, 2023;
13
- 14 Q. On September 12, 2023 the County Council set a public hearing on the 2023 Docket of
15 Proposed Text Amendments for October 17, 2023.
16
- 17 R. On **X Date**, 2023, DCD emailed letters to applicants notifying them of the County
18 Council public hearing and inviting them to provide testimony;
19
- 20 S. On **X Date**, 2023, staff provided a second briefing to prepare the County Council for the
21 public hearing;
22
- 23 T. On October 4, 2023, the County Council public hearing was duly advertised in the
24 *Journal of the San Juan Islands* and the *Islands Sounder*;
25
- 26 U. On October 17, 2023 the County Council held a public hearing; and
27
- 28 V. On October 17, 2023, following the public hearing, the County Council deliberated on
29 the 2023 Docket applications, Planning Commission recommendations, and staff
30 recommendations.
31
32

1 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of San Juan County, state
2 of Washington, as follows:

3
4 A. That the 2023 Docket text amendment requests shown in Attachment A be addressed as
5 follows:

6
7 1. 23-0001: Amend the regulations for Bed and Breakfast Residences to require lodging
8 units to be in the same building occupied by the owner and to clarify that breakfast
9 cooked on-site must be served.

10
11
12 2. 23-0002: Amend the criteria for the Mineral Resource Land Overlay (MRLO) in the
13 Comprehensive Plan to require a report prepared by a qualified professional verifying
14 commercial quantities of known or potential extractable mineral resources.
15
16
17
18
19
20

DRAFT

1 APPROVED this ____ day of _____, 2023.

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

ATTEST: Clerk of the Council

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

Sally Rogers, Clerk Date

Cindy Wolf, Chair
District 2, Orcas/Waldron

REVIEWED BY COUNTY MANAGER

Michael J. Thomas Date

Jane Fuller, Vice-Chair
District 3, Lopez/Shaw

AMY S. VIRA
APPROVED AS TO FORM ONLY

By: _____
Date

Christine Minney, Member
District 1, San Juan

ATTACHMENTS

- A. 2023 Annual Docket Summary Table with DCD Staff Recommendations

ATTACHMENT A. 2023 Annual Docket Summary Table

| Request # | Keyword | Proponent | Summary Request | Type of Amendment | SJCC/Comp Plan Sections | Request Documents | Staff Recommendation | Planning Commission Recommendation | Category |
|-----------|-----------------------------|-----------------------------------|---|--------------------|-----------------------------------|---|--|------------------------------------|----------|
| 23-0001 | Bed and Breakfast Residence | Friends of the San Juans | Amend the regulations for Bed and Breakfast Residences to require lodging units to be in the same building occupied by the owner and to clarify that breakfast cooked on-site must be served. | UDC | SJCC 18.20.020 SJCC 18.40.260 | https://www.sanjua.nco.com/DocumentCenter/View/28209/2023-Docket-Application-23-0001-FOTSJ | Consider amending if Council is concerned about Bed and Breakfast Residence permits being used in some cases like vacation rental permits. If the Council is not concerned about this flexibility, the Bed and Breakfast Residence regulations are adequate and no amendments are necessary. | Recommended | E |
| 23-0002 | MRLO Criteria | Nina Connally & Richard Oettinger | Amend the criteria for the Mineral Resource Land Overlay (MRLO) in the Comprehensive Plan to require a report prepared by a qualified professional verifying commercial quantities of known or potential extractable mineral resources. | Comprehensive Plan | Land Use Element policy 2.4.C.1.i | https://www.sanjua.nco.com/DocumentCenter/View/28210/2023-Docket-Application-23-0002-Connally-Oettinger | Staff recommends this docket request. The amendment resolves current inconsistency between the Comprehensive Plan and development code. | Recommended | D |

| Categories |
|---|
| Category A – Required by law for GMA Compliance or otherwise |
| Category B – Items needed to achieve important public policy objectives of a countywide nature |
| Category C – Items that can be considered as part of a larger Comprehensive Plan Update or subarea planning process |
| Category D – Items needed to provide clarity and certainty to the Unified Development Code or Comprehensive Plan by removing inconsistencies and/or ambiguities |
| Category E – Lower priority items to be considered on a future year work program |
| Category F – Obsolete, previously resolved or not recommended for further consideration |

Sophia Cassam

From: David Robison, MLIS <david@robison.net>
Sent: Sunday, July 9, 2023 2:58 PM
To: Sophia Cassam
Subject: 2023 Docket Comments from Robison

You don't often get email from david@robison.net. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am writing in support of Docket Application_23-0001_FOTSJ.

Given the shortage of affordable rental housing for local workers, it is particularly important that San Juan County have a full handle on its vacation rentals and bed and breakfast accommodations. The Friends of the San Juans' docket application helps to bring some order and clarity to what is and isn't allowed under the County's rules and regulations. This will allow the County to better understand and regulate rationally as we move forward.

Thank you,
David Robison

David F. W. Robison, MLIS
he/him
341 Lighthouse Ln
San Juan Island
Friday Harbor, WA 98250

mobile: +1 206.228.2487
email: david@robison.net
radio: KJ7KJC

"Woke = learning + compassion"—DFWR

Sophia Cassam

From: OnBoard Tours <onboardtours@yahoo.com>
Sent: Tuesday, July 18, 2023 3:47 PM
To: Sophia Cassam
Subject: Vacation Rentals Comment

You don't often get email from onboardtours@yahoo.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I support and please adopt Friends of the San Juans vacation rental codes proposed update.
Thank you,
Caroline Armon
Friday Harbor

Sophia Cassam

From: Barbara Conta <bsconta@gmail.com>
Sent: Tuesday, July 18, 2023 6:07 PM
To: Sophia Cassam
Subject: AirBnB loopholes

[You don't often get email from bsconta@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Planning Commission: please close loopholes in the County code for vacation rentals regulations, according to the proposal by the Friends of San Juans update.

Barbara and Robert Conta

98 Neil Bay Rd

Sent from my iPhone

Sophia Cassam

From: Bill Cook <bctalisman@gmail.com>
Sent: Tuesday, July 18, 2023 12:07 PM
To: Sophia Cassam
Subject: limiting vacation rentals

[You don't often get email from bctalisman@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission,

The San Juans are unique enough, and beautiful enough, to have voice in future land use decisions. An Environmental Impact Statement of current land use practice in the County will reveal that existing protection of that beauty is insufficient to maintain the livability of these islands. Putting a limit on vacation rentals would be a good start to giving beauty and livability a needed voice.

Bill Cook

Waldron

Sophia Cassam

From: Carolyn Fiscus <carolynmorrowfiscus@yahoo.com>
Sent: Tuesday, July 18, 2023 10:44 AM
To: Sophia Cassam
Subject: Closing vacation rental loopholes

[You don't often get email from carolynmorrowfiscus@yahoo.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello!

I heartily support San Juan Preservation Trust's proposal requesting that SJC close the loophole that allows a vacation rental to be deemed a "bed and breakfast". The cap on VRBOs on Orcas is there for a reason!

Thank you

Carolyn Fiscus
135 Perch Tree Ln, Eastsound
360-317-4476

Sent from my iPhone

Sophia Cassam

From: Sarah Hanson <sarah@onsacredgroundlandtrust.org>
Sent: Tuesday, July 18, 2023 1:33 PM
To: Sophia Cassam
Subject: Close airbnb loopholes

You don't often get email from sarah@onsacredgroundlandtrust.org. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I support the Friends of San Juans proposed update to the comprehensive plan re: closing vacation rental loopholes.

--

Sarah Hanson

Executive Director

On Sacred Ground

www.onsacredgroundlandtrust.org

360-389-2301

c: 425-698-9817

Sophia Cassam

From: Joe Herrin <jherrin@heliotropearchitects.com>
Sent: Tuesday, July 18, 2023 10:55 AM
To: Sophia Cassam
Subject: B&B loophole comprehensive plan amendment

You don't often get email from jherrin@heliotropearchitects.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I am writing in support of the proposed comprehensive plan amendment proposed by Friends of the San Juans to close the B&B loophole in the code. We must be intentional about planning and avoid unintentional loopholes such as this.

Thank you,

Joseph Herrin

207 Lower Buoy Bay Road

Olga, WA

Sophia Cassam

From: Clay Serenbetz <serenbetzc@yahoo.com>
Sent: Tuesday, July 18, 2023 11:48 AM
To: Sophia Cassam
Subject: Vacation rental loophole

You don't often get email from serenbetzc@yahoo.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Local workers can't find affordable housing on our islands because of San Juan's vacation rental loophole. I support an update to the definition of bed and breakfast residences in the County code. This update will:

1. Prevent this type of development from being inappropriately used to avoid vacation rental regulations.
2. Prevent multi-building commercial accommodation development from taking limited agricultural and forest resource lands in the San Juan Islands.

Respectfully, Mary Milinsky, C. Serenbetz, Jon Pickette, 111 Baker Ln, San Juan Island

[Sent from Yahoo Mail on Android](#)

Sophia Cassam

From: Joellen Moldoff <moldoff@rockisland.com>
Sent: Tuesday, July 18, 2023 10:44 AM
To: Sophia Cassam
Subject: For the planning commission

[You don't often get email from moldoff@rockisland.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I support the Friends of the San Juan's' proposal to close the loopholes of vacation rentals.'

Respectfully,
Jo Ellen Moldoff
1120 Obstruction Road
Olga, WA 98279

Sent from my iPad

Sophia Cassam

From: Barbara Nepom <bnepom@gmail.com>
Sent: Tuesday, July 18, 2023 11:17 AM
To: Sophia Cassam
Subject: Proposed B and B definition change

[You don't often get email from bnepom@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I agree with closing the loophole in the current B and B definition as proposed by Friends of the San Juan's for the reasons clearly set out in their application. The loophole clearly skirts the intended restrictions on vacation rentals passed by the Council last year.

Thank you.

Barbara Nepom
Lopez Island

Sent from my iPhone

Sophia Cassam

From: ANN S PALMER <apalmer123@msn.com>
Sent: Tuesday, July 18, 2023 10:47 AM
To: Sophia Cassam
Subject: Support Friends of the San Juans proposal

You don't often get email from apalmer123@msn.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I support the FSJ's proposal to clarify the use of bed and breakfast permits to allow vacation rentals. Vacation rentals have been restricted and the current regulations allow the intent of the rules be ignored.

Shown here: https://sanjuans.org/wp-content/uploads/2023/07/Docket_Code-Text-Amend-Req-Friends-of-San-Juans-2-9-2023-1.pdf

Ann Palmer 360-466-8589 Primary, cell phone
Lopez Island
Sent from my iPad

Sophia Cassam

From: James Polley <jrpolley738@gmail.com>
Sent: Tuesday, July 18, 2023 4:36 PM
To: Sophia Cassam
Subject: Support Friends amendment

[You don't often get email from jrpolley738@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I support the amendment to close the loophole in the vacation rental regulations as proposed by the Friends of the SJI.
Thank you

Sent from my iPad

Sophia Cassam

From: barbara rakita <augustdrum@gmail.com>
Sent: Tuesday, July 18, 2023 11:56 AM
To: Sophia Cassam
Subject: vacation rentals

You don't often get email from augustdrum@gmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I would like to support the proposal of the Friends of the San Juans to close loopholes allowing more vacation rentals.

I have owned a property on Orcas Island for 32 years, and I think a top priority of the planning board should be to preserve the beauty and open spaces of the islands.

Also, the ferry system cannot handle more traffic well.

Thank you,
Barbara Rakita

Sophia Cassam

From: Stephen Shubert <islandhome61@gmail.com>
Sent: Tuesday, July 18, 2023 11:00 AM
To: Sophia Cassam
Cc: james@sanjuans.org
Subject: Bread and Breakfast loophole

[You don't often get email from islandhome61@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I entirely support the proposed amendment to San Juan County Code Title 15, Title 16, or Title 18, section 18.20.020 to add language to further define and restrict the definition of a Bed and breakfast residence, as proposed in the Friends of the San Juans application of February 9, 2023.

The San Juan Islands are experiencing a water shortage, with wells on all islands going dry, as well as the increased noise, auto pollution and strains on infrastructure. This step will further define permitted land uses and stop the commercialization of residential properties.

Thank you for your consideration

Sophia Cassam

From: Bev Smith <bjpjs@hotmail.com>
Sent: Tuesday, July 18, 2023 6:19 PM
To: Sophia Cassam
Subject: Airbandb loophole

You don't often get email from bjpjs@hotmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We support the Friends of the San Juans proposed update to close loopholes regarding bed and breakfast lodgings.

Thank you.

Bev and Jim Smith

Lopez

Sophia Cassam

From: David Turnoy <davidgeri@rockisland.com>
Sent: Tuesday, July 18, 2023 4:20 PM
To: Sophia Cassam
Subject: Proposal re: bed and breakfasts

You don't often get email from davidgeri@rockisland.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Sophia,

Friends of the San Juans is proposing an update to the definition of bed and breakfast residences in the County Code. This update will:

1. Prevent this type of development from being inappropriately used to avoid vacation rental regulations.
2. Prevent multi-building commercial accommodation development from taking limited agricultural and forest resource lands in the San Juan Islands.

We are writing to support this amendment.

Thank you

David and Geri Turnoy
Orcas Island

Sophia Cassam

From: A R Weisbrod <weisbrod@rockisland.com>
Sent: Tuesday, July 18, 2023 12:34 PM
To: Sophia Cassam
Cc: A Richard Weisbrod
Subject: Adopt amended language to B&B code

You don't often get email from weisbrod@rockisland.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

San Juan Island is becoming a tourist mecca with our official sanction, as I see it. Those of us who choose to live here year-round are overcome by the "tourism" ethic and its beneficiaries. Enough already!

Current code for B&B's allows more than what was intended originally in the development of the code, and now we find the spirit of that code is being sabotaged.

Please adopt the language amendments proposed by the Friends of the Sa Juans. In doing so, let's hope that we can balance tourism with livability for the rest of us and maintain the rural character of the islands for the benefit of ALL of us.

Rita Weisbrod

Rita R Weisbrod, PhD
141 Frog Song Trail
Friday Harbor, WA 98250

~ ~ ~

Phone: 360.378.5460
E-mail: weisbrod@ rockisland.com

Sophia Cassam

From: Barbara Wollman <birdwalker@interisland.net>
Sent: Tuesday, July 18, 2023 11:06 AM
To: Sophia Cassam
Subject: Air B&B loopholes

[You don't often get email from birdwalker@interisland.net. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please support the Friends of the San Juans proposal to close the Airbnb loopholes. We are already losing farmers on San Juan Island, at least one of them due to loss of land. Once an environment is destroyed, it may be gone forever.

A local official once told me that San Juan Island has two economic purposes, construction and tourism. The Covid pandemic illustrated how fragile a support only two sources of money can be, especially those two sources. Local industry — especially farming — should be vigorously supported. Also, the well-being of full year inhabitants of SJ should be favored over tourism.

I've lived full time on San Juan for a quarter of a century. There were fewer than a dozen sources of tourist accommodations at that time, quite enough to support our economy — and keep the island quiet, the roads uncrowded and town peaceful. We have many examples of attractive tourist sites that were destroyed by over-tourism. Let's learn from those examples.

Sophia Cassam

From: A. Thomas Collins <atcollinsmd@gmail.com>
Sent: Wednesday, July 19, 2023 8:33 AM
To: Sophia Cassam
Subject: Airbnb loopholes

[You don't often get email from atcollinsmd@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I support The Friend's of the San Juans proposed update to close the Airbnb loopholes.

Top priority for all Washingtonians should be actions to preserve the unique features of the San Juan Islands. This usually means restricting Homo sapiens activities/development. Think of the big picture and the future for generations, not the immediate payout/sellout.

Thank you for your service and integrity,

Tom & Carolyn Collins
Lopez Island

Sophia Cassam

From: toby tobycooper.net <toby@tobycooper.net>
Sent: Wednesday, July 19, 2023 9:50 AM
To: Sophia Cassam
Cc: James McCubbin; David Turnoy; Michael Johnson
Subject: Friends docket request

You don't often get email from toby@tobycooper.net. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I have reviewed the docket request submitted to San Juan County by James McCubbin, Friends of the San Juans, on 9 Feb 2023.

For reference, the submission form is copied here.

SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT
139 Rhoads Street, PO Box 947, Friday Harbor, WA 98250
(360) 576-2334 | (360) 576-2114
dcd@sanjuan.com | www.sanjuan.com

Comprehensive Plan Text/UC Code* Amendment Request
*San Juan County Code Title 18, 18.0-18
(Annual Docket)

APPLICANT INFORMATION

| | |
|---|--|
| Name of Applicant: Friends of the San Juans | Name of Agent: J. James McCubbin |
| Address: P.O. Box 1384 | Address: P.O. Box 1384 |
| City, State, Zip: Friday Harbor, WA, 98250 | City, State, Zip: Friday Harbor, WA, 98250 |
| Phone: 360-298-7618 | Phone: 360-298-7618 |
| Email: james@sanjuans.org | Email: james@sanjuans.org |

This request is for a text amendment to the Comprehensive Plan or development regulations, not a comprehensive plan map amendment. Understand that this request will be reviewed according to the County's annual docket process.

Signature: J. James McCubbin, Date: Feb. 9, 2023

Please Describe the Proposed Amendments (attach additional pages if you need more space)

1. Comprehensive Plan amendments (if applicable). Describe proposed amendment and/or attach proposed text changes. List Comprehensive plan sections, page numbers, title and policies proposed for amendment.
NA

2. San Juan County Code Title 18, Title 18 or Title 18.0 amendments (if applicable). Describe proposed amendment and/or attach proposed text changes. List code sections proposed for amendment.
Refer to San Juan County Code, Title 18, section 18.20.020 "B" definitions, definition of "Bed and breakfast residence", as follows (underlining indicates proposed language to be added):
"Bed and breakfast residence" means a hospitality commercial use containing one to two lodging units without cooking facilities, which provides overnight accommodation and food service, but that breakfast meals are not prepared on site, in an owner-occupied existing single family residence that is entirely contained within a single building including the owner-occupied portion and all lodging units.

Docket_Code-Text-Amend-Req-Friends-of-San-Juans-2-9-2023-1
PDF Document · 330 KB

I fully support the docket request. I do not want additional vacation rentals on Orcas gaming the system by claiming to be bed and breakfast facilities.

The fundamental purpose of the VR cap limits was and is to protect neighborhoods from compromise by commercial interests. The spirit and legality of the cap should not be compromised by a faulty definition of a hospitality service.

Please recommend that the definition change proposed by McCubbin be advanced to the Planning Commission with a positive recommendation that the definition be changed.

Thank you,

Toby Cooper

TOBY COOPER

PO Box 249

Eastsound, WA 98245

360-376-2954

650-380-1477

toby@tobycooper.net

Sophia Cassam

From: Christel Hughes <christelhughes@gmail.com>
Sent: Wednesday, July 19, 2023 11:14 PM
To: Sophia Cassam
Subject: Friends of San Juans proposal

You don't often get email from christelhughes@gmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I agree with the Friends of San Juans proposal. I am a resident of Orcas Island and this is vitally important to ensure the health of our community and also our environment.

Please close these loopholes by adopting this proposal.

Thank you,

Christel

Christel Hughes, C.Ht.

Sophia Cassam

From: Michael Johnson <mdjishere@gmail.com>
Sent: Wednesday, July 19, 2023 7:15 PM
To: Sophia Cassam
Subject: Friends docket request
Attachments: Friends docket request - mdjishere@gmail.com - Gmail.html

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Michael Johnson. I live on Orcas Island. I fully support the docket request submitted to San Juan County by James McCubbin, Friends of the San Juans, on the 9th of Feb. 2023.

Vacation rental enforcement is difficult enough as it is without additional vacation rentals in the San Juans being able to game the system by claiming to be bed and breakfast facilities. The fundamental purpose of the VR limits was and is to protect neighborhoods from compromise by commercial interests. The spirit and legality of the cap should not be compromised simply by the definition of a hospitality service that is vague, and lacking in details.

Please recommend that the definition change proposed by Dr. McCubbin be advanced to the Planning Commission with a positive recommendation that the definition be changed. Thank you.

Respectfully, Michael Johnson (Orcas Island)

Sophia Cassam

From: kkujawski <kkujawski@protonmail.com>
Sent: Wednesday, July 19, 2023 7:22 AM
To: Sophia Cassam
Cc: Friends of the San Juans
Subject: Support updated definition of B&B as proposed by Friends of the San Juans

You don't often get email from kkujawski@protonmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To: The San Juan County Commissioners
Re: San Juan County Code, Title 18, section 18.20.020 "B" definition - Revision

I and my husband own a parcel on Shaw Island, and we visit the San Juan Islands frequently for kayaking and camping. Over the years we have become increasingly concerned about development, particularly on San Juan and Orcas Islands.

We belong to the organization, Friends of the San Juans, and fully support their proposal to update the definition of bed and breakfast residences in the County Code. We are concerned that the current Code language allows "bed and breakfast residence" accommodations which serve as vacation rentals, while bypassing vacation rental regulations, and which encroach upon the County's resource lands.

We trust that you will give this proposal your full consideration and adopt it. The San Juan Islands are gems that we should all be able to enjoy. They should not be subject to commercial exploitation and restricted to those who can "pay to play."

Thanks you,
Kristie Kujawski
Gregory Routt


Sent with [Proton Mail](#) secure email.

Sophia Cassam

From: joe symons <joesymons@me.com>
Sent: Wednesday, July 19, 2023 8:13 AM
To: Sophia Cassam
Cc: James McCubbin; David Turnoy; Toby Cooper; Michael Johnson
Subject: Docket Request by Friends of the San Juans re: changes to bed and breakfast definition in SJC

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I have read the docket request submitted to San Juan County by James McCubbin, Friends of the San Juans, on 9 Feb 2023, available at


 SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT
135 Rhone Street, PO Box 947, Friday Harbor, WA 98250
(360) 378-2354 | (360) 378-2116
dcd@sanjuancc.com | www.sanjuancc.com

DATE RECEIVED

Comprehensive Plan Text/SIC Code* Amendment Request
*San Juan County Code Titles 15, 16 & 18 (Annual Docket)

| APPLICANT INFORMATION: | |
|---|--|
| Name of Applicant: Friends of the San Juans | Name of Agent: D. James McCubbin |
| Address: P.O. Box 1344 | Address: P.O. Box 1344 |
| City, State, Zip: Friday Harbor, WA, 98250 | City, State, Zip: Friday Harbor, WA, 98250 |
| Phone: 360-298-7615 | Phone: 360-298-7615 |
| Email: james@sanjuans.org | E-mail: james@sanjuans.org |

This request is for a text amendment to the Comprehensive Plan or development regulations, not a comprehensive plan map amendment. I understand that this request will be reviewed according to the County's annual docket process.

 D. James McCubbin Feb. 9, 2023
Signature Printed Name Date

Please Describe the Proposed Amendments (attach additional pages if you need more space):

- Comprehensive Plan amendments (if applicable). Describe proposed amendments and/or attach proposed text changes. List Comprehensive plan section, page numbers, title and policies proposed for amendment.
N/A
- San Juan County Code Title 15, Title 16 or Title 18 amendments (if applicable). Describe proposed amendment and/or attach proposed text changes. List code sections proposed for amendment.
Revises San Juan County Code, Title 18, section 18.20.020 "B" definitions, definition of "Bed and breakfast residence", as follows (underlining indicates proposed language to be added):
"Bed and breakfast residence" means a hospitality commercial use containing one to two lodging units without cooking facilities, which provides overnight accommodation and must provide daily hot breakfast meals which are prepared on site, in an owner-occupied existing single-family residence that is entirely contained within a single building including the owner-occupied portion and all lodging units.

Docket_Code-Text-Amend-Req-Friends-of-San-Juans-2-9-2023-1
PDF Document · 330 KB

I fully support the docket request. I do not want additional vacation rentals on Orcas gaming the system by claiming to be bed and breakfast facilities.

As any observer would note, the decision to place a cap on the issuance of new vacation rental permits was not based on any analysis of the impact of those facilities. It was entirely a political decision and not a decision that emerged from any public and DCD planning process.

The spirit and legality of the cap should not be compromised by a faulty definition of a hospitality service.

Please recommend that the definition change proposed by McCubbin be advanced to the Planning Commission with a positive recommendation that the definition be changed.

Thank you

Joe Symons
Olga WA

Sophia Cassam

From: Kitandgary Maestretti <kitandgary@hotmail.com>
Sent: Thursday, July 20, 2023 7:33 AM
To: Sophia Cassam
Subject: Air BnB

[You don't often get email from kitandgary@hotmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

I would like to add my support to the campaign urging the Commissioners to adopt the proposal by Friends of the San Juans to close the loophole in the rules that allows bed and breakfast operations to become standard vacation rentals.

Thank you for your help in this matter.

Katherine MAESTRETTI
6 Harald Glen Ln
Lopez

Sophia Cassam

From: Patty Pirnack <ppirnack50@gmail.com>
Sent: Thursday, July 20, 2023 9:02 AM
To: Sophia Cassam
Subject: Close Vacation Rental Loopholes

[You don't often get email from ppirnack50@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Sophia,

We are writing about the loophole that seems to allow vacation rentals of houses through AirBnB and VRBO etc to apply and receive permitting when they are not Bed and Breakfast establishments. To be a permitted Bed and Breakfast the rooms rented are required to be contained within the main housing structure with the serving of breakfast. More and more single and multiple housing units are using the B and B permitting to be rented when they are single homes and NOT Bed and Breakfast Single Dwellings. This is putting a strain on the already serious housing shortage in the county. In 2015 the American Community Surve showed homes for seasonal, recreational or occasional use make up 81 percent of vacant homes in the County. That is incredible! This has been a long standing issue since we have moved here in 1987 and 1992 respectively. There has always been a FULL TIME rental shortage. In earlier times it was people who rented their vacant homes out for 9 months of the year, then kicked the renters out and used the house as a Vacation Rental for 3 months. That was unsustainable in those times. Now that vacation rental services such as AirBnB and VRBO exist and people are doing their own advertising, the rental situation has gotten to the point of NO RENTALS and homes available to buy are off the charts and are not affordable. The Bed and Breakfast loopholes are being used to build multiple dwellings on Resource and AG lands which is not legal as I understand it or in compliance of our own county codes, the GMA and the Comprehensive plan. These loopholes must be closed and the development of more vacation rentals under the guise of Bed and Breakfast dwellings must be stopped as well as enforced.

Thank you for your consideration on this important matter.

Sincerely,

Patricia Pirnack
James Hamilton
213 Hamilton Drive, Eastsound, Wa. 98245

Sophia Cassam

From: Stephanie Prima <Stephanie@primabks.com>
Sent: Thursday, July 20, 2023 8:45 AM
To: Sophia Cassam
Subject: for friday meeting

You don't often get email from stephanie@primabks.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Sophia,

Please add my vote for the planning commission to adopt the Friends of the San Juans' proposed update.

Thank you.

Yours in Qi,

Stephanie

www.PrimaBKS.com



From: [Elise Cope](#)
To: [James McCubbin](#)
Subject: FW: There's a new message in your inbox
Date: Wednesday, July 19, 2023 10:31:10 AM

Jack Pedigo

.

pedigojack@yahoo.com

1:25 PM

James,

I am still here and active. This sort of thing is what motivates me and I did write. (letter attached). Thank you for taking the reins on this crucial issue. FYI, I was active in various environmental groups when the growth management plan was created. One Brian Derdowski spoke several times to one of my groups and he explained how he managed to use the politics of obfuscation to get the plan passed. I also remember reading several editorials in the Seattle Times on how certain groups tried to create 'loopholes' to circumvent the rule. Seems little has changed in the interim.

Jack

sophiac@sanjuanco.com

Comprehensive Plan Text/SJC Code* Amendment Request

*San Juan County Code Titles 15, 16 & 18

Growth management was originally created to limit growth in rural areas and focus it on the urban settings. In the meantime, a lot of people have tried to find ways around the growth management plan and use it to encourage growth for select groups (mega-churches was one group). The original intent was to preserve the flora and fauna and leave some areas as natural as possible. It has become a sort of balancing act but, unfortunately, too many have found ways to use it to benefit themselves and the result is what we now have. It will not end until we start to put our foot down and stop the death of a thousand cuts.

As a permanent resident of San Juan Island County I have been experiencing the slow but inexorable decline of the livability of this special place in the country. When one fails to understand that an island has limits especially when the main way to access the islands are through private boat, plane or the state funded ferry system, which we all know is crashing, one fails to see the obvious. I simply cannot understand why some feel that our future lies in a man-made economic system rather than the natural system, upon which the economic system depends. More and more, it has become a burden living in this county which is turning into just another urban setting albeit with an extreme cost of living. We must do all we can to preserve the natural amenities, on which we humans are totally dependent, and stop this mindless growth. In the end that growth serves no one and in the end will be just another 'special' place destroyed by mindless, greedy self-serving people.

Please close all loopholes that serve only to add more people coming here to experience and exploit the beautiful nature and yet, at the same time, help to destroy said nature. What happened to the adage, "you have to be careful with an island?"

Jack M. Pedigo

23 Cross Rd.

Lopez Island 98261

From: Mailchimp Account Services <accountservices@mailchimp.com>

Date: Wednesday, July 19, 2023 at 1:25 PM

To: friends <friends@sanjuans.org>

Sophia Cassam

From: Anna Tejada <anna@rockisland.com>
Sent: Thursday, July 20, 2023 10:28 PM
To: Sophia Cassam
Subject: Closing the Airbnb Loopholes!!

[You don't often get email from anna@rockisland.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Planning Commission meeting tomorrow July 21st. Please support the adoption of the Friends of the San Juans' proposed update. I am all FOR closing Airbnb loopholes. Thank you, Anna Tejada, resident of Orcas.

Sophia Cassam

From: Naomi Aldort <naomi@aldort.com>
Sent: Friday, July 28, 2023 9:44 PM
To: Sophia Cassam
Subject: VR

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Sophia,

The passing of VR permits with sales is going to destroy the islands. It is an invitation for off island investors to buy and to turn homes into VR, destroying neighborhoods and the community. In my neighborhood already almost half the homes have permits. When those sell... we are done for. Please realize this catastrophic error. We MUST have permits expire and **never** pass on with sales. NEVER.

Naomi Aldort
Author, Raising Our Children, Raising Ourselves
<https://naomialdort.com>
Parenting Skype/phone-sessions internationally
Facilitator of self-realization through parenting
Piano and classical music lessons
(360)376-3777
POB 1719 Eastsound, WA 98245, USA
naomi@aldort.com

“Transforming parent-child relationship from reaction and struggle to freedom, power and joy.” - Naomi Aldort
To discuss your parenting and other concerns with Naomi: <https://naomialdort.com/parenting-family-guidance/>

Sophia Cassam

From: Pegi Groundwater <pegigroundwater@yahoo.com>
Sent: Monday, August 28, 2023 12:09 PM
To: Sophia Cassam
Subject: Support for Friends of San Juan proposed amendment to definition of Bed and Breakfast in County Code

You don't often get email from pegigroundwater@yahoo.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am writing to express my support for the amendment proposed by the Friends of the San Juans to the definition of Bed and Breakfast in the County's Vacation Rental regulations. The proposed amendment is consistent with the historical definition of a Bed and Breakfast and will prevent some of the abuses of the current code provisions.

I understand that the provision was to be considered at the July 21st meeting but I have not found any mention of it being accepted or rejected so I hope my input is timely.

Thank you,

Pegi A. Groundwater,
Orcas Island