



Approved as submitted at the October 8, 2021
Special Planning Commission Meeting.

SAN JUAN COUNTY PLANNING COMMISSION MEETING

MINUTES OF THE SEPTEMBER 17, 2021 MEETING

The meeting of the San Juan County Planning Commission was called to order by Chair, Camille Uhlir, at 8:45 a.m. in the County Council hearing room, Legislative Building, 55 Second Street, Friday Harbor, and San Juan Island.

Planning Commission

Members Present:

By Microsoft Teams: Camille Uhlir, David Kane, Steve Rubey, Sheila Gaquin (out at 2 p.m.), Dale Roundy, Steve Smith, Matt Ellingson (out at 12 for 1 hour) and Michael Pickett.

Planning Commission

Members Excused:

Nick Knoellinger

Department of Community Development (DCD) Staff

Present:

Present in person: Lynda Guernsey, AS II.
By Microsoft Teams: Adam Zack, Planner III.

Public Works Staff Present:

By Microsoft Teams: Jeff Sharp, Deputy County Engineer and Christine Coray, Project Engineer.

Administrative Items

- Confirm Agenda – Steve Smith to have housing discussion at end of presentations.

- Minutes of August 20, 2021

Moved by Michael Pickett, seconded by Camille Uhlir, to approve the minutes as corrected. The correction was the spelling of Sheila Gaquin's name on page 2. Matt Ellingson-abstain, Dale Roundy-yes, Steve Rubey-yes, David Kane-yes, Sheila Gaquin-yes, Steve Smith-yes, Michael Pickett – yes, Camille Uhlir-yes. Motion passed with seven yes votes and one abstention (Ellingson).

- Set Special Planning Commission meeting for October 1, 2021 – Adam Zack, Planner III

Discussion was held by the Planning Commission on both the October 1st date and the date of October 8th. October 8, 2021 was the agreed upon date.

Public Access Time – The following spoke:

Lovel Pratt, Friends of the San Juans Kyle Loring, Friends of the San Juans Janet Alderton, Orcas Island

Vicki Leimbeck, Lopez Island Tina Whitman, Friends of the San Juans Doug Stevenson, Lopez Island

Diane Berreth, Orcas Island Michael Johnson, Orcas Island Nina Connally, San Juan Island

Wendy Shinstine, Orcas Island Michelline Halliday, San Juan Island Kai Sanborn, Lope Island

Sharon Abreu, Orcas Island Brent Lyles, Executive Director, Friends of the San Juans

Toby Cooper, Orcas Island Karen Speck, Orcas Island Ben Bama, San Juan Island

Leith Templin, Chair, EPRC, Orcas Island Melanie Patten, San Juan Island

Heather Nicholson, San Juan Island Linda Bannerman, Orcas Island Brad Brown, Orcas Island

Johannes Krieger, San Juan Island David Turnoy, Orcas Island Greg & Heather Oaksen, Orcas Island

Public access time was closed with the option to reopen.

Public Works Six-Year Transportation Improvement Program (TIP) – Jeff Sharp, Deputy County Engineer

Jeff Sharp, Deputy Engineer, gave a presentation of the Six-Year Transportation Improvement Program 2022-2027 and responded to questions and comments from the Planning Commission. Christine Coray, Project Engineer, spoke also.

Moved by David Kane, seconded by Camille Uhlir, that the Planning Commission recommend the County Council direct Public Works to develop a long-range transportation plan with a 20-year horizon addressing multi-modal transportation design of roads, trails, paths, and bike lanes, to ensure safe passage of pedestrians and cyclists. Matt Ellingson-yes, Sheila Gaquin-yes, David Kane-yes, Michael Pickett-yes, Dale Roundy-yes, Steve Rubey-yes, Steve Smith-yes, and Camille Uhlir-yes. Motion passed unanimously.

Vacation Rental Code Amendment Project Briefing – Adam Zack, Planner III

Adam Zack gave a presentation of the Vacation Rental Code Amendment Project and reviewed the vacation rental cap numbers recommended by the Planning Commission previously.

Moved by Steve Smith, seconded by Steve Rubey, to accept the following Findings:

WHEREAS, San Juan County first held a hearing about vacation rental regulations on April 21, 2017 and subsequently adopted Ordinance 2-2018 on March 13, 2018 to implement such regulations.

WHEREAS, as of July 31, 2021, the County issued 1023 of permits for vacation rentals and 650 properties were compliant with their vacation rental permits and an island specific number of:

- 229 for San Juan Island
- 334 for Orcas
- 85 for Lopez
- 2 for other islands;

WHEREAS, the San Juan County Comprehensive Plan acknowledges the difficulty in finding local housing that is affordable for a variety of incomes and establishes a policy to promote fair and equal access to housing opportunities for all persons;

WHEREAS, growth in the number of entire property vacation rentals leads to the partial conversion of long-term rentals to short-term rentals and an increase in rental and sales prices for properties;

WHEREAS, San Juan County recognizes the financial benefits of vacation rentals to individual property owners and wishes to support the owners of all vacation rental properties that are compliant with County regulations;

WHEREAS, San Juan County recognizes that all existing compliant permits remain valid and are not affected by this limit on permits;

WHEREAS, this Ordinance strikes a necessary balance between the benefits and burdens associated with short-term rentals in San Juan County.

Motion was withdrawn.

Moved by Steve Smith, seconded by Steve Rubey, that the Planning Commission recommends that the County Council sets the limit on vacation rentals at 650 permits which were compliant as of July 31, 2021.

- 229 for San Juan Island
- 334 for Orcas
- 85 for Lopez
- 2 for Other Islands

Sheila Gaquin-no, David Kane-no, Michael Pickett-yes, Dale Roundy-no, Steve Rubey-yes, Steve Smith-yes, and Camille Uhlir-yes. Motion passed with four yes votes and three no votes (Gaquin, Kane, and Roundy).

Moved by David Kane, seconded by Sheila Gaquin, adopt the Preliminary Draft Findings subject to revision based on public comments:

1. The San Juan County Comprehensive Plan acknowledges the difficulty in finding local housing that is affordable for a variety of incomes and establishes a policy to promote fair and equal access to housing opportunities for all persons;
2. The growth in the number of entire property vacation rentals leads to the partial conversion of long-term rentals to short-term rentals and an increase in rental and sales prices for properties;
3. San Juan County recognizes the financial benefits of vacation rentals to individual property owners and wishes to support the owners of all vacation rental properties that are compliant with County regulations;
4. San Juan County recognizes that all existing compliant permits remain valid and are not affected by this limit on permits.

Sheila Gaquin-yes, David Kane-yes, Michael Pickett-yes, Dale Roundy-yes, Steve Rubey-yes, Steve Smith-yes, and Camille Uhlir-yes. Motion passed unanimously.

Element B.2 Land Use and Rural: Mineral Resource Land Follow Up – Adam Zack, Planner III

Adam Zack gave a presentation on a follow up about Mineral Resource Land Overlay and responded to questions and comments from the Planning Commission.

Moved by Camille Uhlir, seconded by Sheila Gaquin, that the Planning Commission makes a preliminary recommendation to establish the Mineral Resource Land Overlay as proposed in the MRLO staff memo dated July 2, 2021 excluding the Egg lake Quarry LLC in its entirety. Matt Ellingson-no, Sheila Gaquin-had to leave the meeting, David Kane-recused Michael Pickett-yes, Dale Roundy-no, Steve Rubey-yes, Steve Smith-no, and Camille Uhlir-yes. Motion failed with three yes votes, three no votes and one recusal (Kane).

Moved by Steve Smith, seconded by Steve Rubey, to accept the staff recommendation which states: The Planning Commission makes a preliminary recommendation to establish the Mineral Resource Land Overlay as proposed in the MRLO staff memo dated July 2, 2021, incorporating the alternative proposed in Map 1 of the MRLO staff memo dated September 3, 2021. Matt Ellingson-yes, David Kane-recused Michael Pickett-yes, Dale Roundy-no, Steve Rubey-yes, Steve Smith-yes, and Camille Uhlir-no. Motion failed with four yes votes, two no votes (Roundy and Uhlir) and one recusal (Kane).

Element B.2 Land Use and Rural: Loose Ends – Adam Zack, Planner III

Adam Zack gave a presentation on land use and rural lands loose ends and responded to comments and questions from the Planning Commission.

By Consensus, the Planning Commission accepts the Forest Resource Land Policy 2.4.5.b.5 “Create land use incentives to preserve large parcels and open space in forest resource lands without converting the land to permanent incompatible non-forest uses.”

By Consensus, the Planning Commission accepts the Mineral Resource Land Policy 2.4.5.c.5 “Require a reclamation plan for new mining activities. An approved Washington Department of Natural Resources (WADNR) Surface Mine Reclamation Permit can satisfy this requirement.”

Moved by David Kane, seconded by Camille Uhlir, that the Agricultural Resource Land Designation Criteria have no change. Matt Ellingson-abstain, David Kane-yes, Michael Pickett-yes, Dale Roundy-yes, Steve Rubey-yes, Steve Smith-abstain, and Camille Uhlir-yes. Motion passed with five yes votes and two abstentions (Ellingson and Smith).

By Consensus, the Planning Commission accepts the Forest Resource Land Designation Criteria:

(1) Lands which are not characterized by urban growth, are used or capable of being used for forestry production, and determined to have long-term commercial significance based on WAC 365-190-060(2) and meet one or more of the following criteria may be designated Forest Resource Lands:

- i. Lands enrolled in the designated forest land, current-use timber land, or open space-timber tax programs;
- ii. State trust lands managed for production of forest products;
- iii. Lands managed for the long-term production of forest products with few non-forest related uses present;
- iv. Areas with at least 100 contiguous acres of forest land developed at a density less than one dwelling unit per fifteen acres. Lands in public ownership can count toward the 100 contiguous acre threshold, even if they are not managed for commercial production of forest products; or
- v. Parcels that may not meet any of the criteria in i. through iv. above can be included to provide logical boundaries to the Forest Resource land designation and to avoid small areas of conflicting non-forestry land uses amid resource lands. Similarly, parcels that meet some or all of the criteria described in i. through iv. above can be excluded to provide logical boundaries to the Forest Resource Land designation and to avoid conflict with existing land uses.

Return to Element B.2 Land Use and Rural: Mineral Resource Land

Moved by David Kane, seconded by Camille Uhlir, that in the staff report dated September 3, 2021, Attachment A, page 16, Line 41, under 2.2.N Agriculture, Policies, item 3., to delete the words “Adopt a

policy of", the sentence will now start with the word "No". Matt Ellingson-yes, David Kane-yes, Michael Pickett-yes, Dale Roundy-yes, Steve Rubey-yes, Steve Smith-yes, and Camille Uhlir-yes. Motion passed unanimously.

Return to Housing Discussion

Steve Smith led further discussion with the Planning Commission on the housing issues still in front of the County and that certain changes to the current Draft Housing Element might be beneficial. He addressed his housing report as a document to refer to, the Planning Commission has received this from him.

The Planning Commission would like to have Adam Zack put time on the October 8th or October 15th meeting for the discussion of the housing issues.

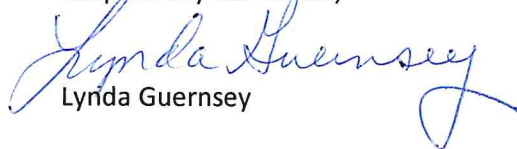
Also discussed were agenda items, public access time, adding the scoring/calculation methodology regarding Agricultural Resource Lands, and access to legal counsel for advice.

By Consensus, Dale Roundy as Secretary, will compose a letter to legal counsel to request attendance at Planning Commission meetings.

Adjournment

Moved by Michael Pickett, seconded by Camille Uhlir, to adjourn the meeting at 3:45 p.m. Motion was unanimously agreed upon by the Planning Commission. The next meeting of the Planning Commission is scheduled for their Special Meeting, Friday, October 8, 2021, at 8:30 a.m. in the County Council hearing room, Legislative Building, 55 Second Street, Friday Harbor, San Juan Island.

Respectfully submitted,


Lynda Guernsey