

RESOLUTION NO. 05 - 2021

A RESOLUTION AMENDING RESOLUTION 03-21 ENACTING A MORATORIUM ON VACATION RENTALS OF RESIDENCES OR ACCESSORY DWELLING UNITS ADDING FINDINGS OF FACT, AND LIMITING THE MORATORIUM TO CERTAIN AREAS

- A. San Juan County Code 18.04.275 regulates vacation rental of residences or accessory dwelling units;
- B. Vacation rentals of residences or accessory dwelling units can have significant impacts on the community. Orcas Island has experienced a disproportionate impact from these units;
- C. The San Juan County Council (County Council) adopted Resolution No. 03-2021 on January 12, 2021 and placed a six-month moratorium on acceptance of complete vacation rental permit applications beginning at 12:01 am January 13, 2021;
- D. While the moratorium is in effect, no new applications for a vacation rental permit shall be accepted as complete by any county department.
- E. The Planning Commission recommended a county wide moratorium and Eastsound Planning Review Committee and the Deer Harbor Planning Review Committee each requested moratoriums in their respective areas.
- F. The County Council desires to receive input from the community, recommendations from the Planning Commission and a proposed work plan from the Department of Community Development, and develop additional regulations for vacation rentals of residences or accessory dwelling units;
- G. Pursuant to RCW 36.70A.390, a moratorium may be effective for not longer than six months, but may be effective for up to one year if a work plan is developed for related studies providing for a longer period;
- H. The County Council was briefed on the draft resolution on February 8, 2021.
- I. The County Council set a February 23, 2021 public hearing date on January 12, 2021.
- J. The County Council conducted a duly advertised public hearing, on Tuesday, February 23, 2021, regarding the adoption of this resolution to amend the moratorium established in Resolution 03-2021, and adopt findings of fact as required by RCW 36.70A.390, the hearing was continued to March 9, 2021.

THE FOLLOWING FINDINGS OF FACT ARE ADOPTED BY THE COUNTY COUNCIL:

- A. The above recitals are hereby adopted as findings of fact.
- B. San Juan County Code 18.04.275 regulates vacation rental of residences or accessory dwelling units (vacation rentals), but does not include regulations that address the impact of over-concentration of vacation rentals or the impacts of overtourism.
- C. Vacation rentals consist of transient occupants who are not resident in the community long enough to establish relationships capable of building community. Overconcentration of vacation rentals negatively impacts the sense of neighborhood or community as transient occupants begin to outnumber residents.
- D. Vacation rentals are the primary source of growth of transient accommodations in the County. Other sources of transient accommodations such as hotels, campgrounds and resorts are significantly limited by existing land use regulations.
- E. Growth of transient accommodations is likely to result in additional tourist visits to the islands, which may result in overtourism if not properly regulated.
- F. Overtourism can result in negative impacts including reducing the sense of community, damage to the environment, overload to infrastructure (ferries) and degraded tourist experience.
- G. The County Council is concerned that the over-concentration of vacation rentals within neighborhoods or islands will negatively impact the sense of community, the environment, overload the infrastructure (ferries) and degrade the tourist experience.
- H. It is appropriate to evaluate the impact of vacation rentals on the environment, neighborhoods and the community.
- D. It is necessary to extend the moratorium on vacation rentals of single family residences and accessory dwelling units to provide for additional public participation and the legislative process for the development of additional regulations.

NOW, THEREFORE, BE IT RESOLVED by the County Council of San Juan County, state of Washington, as follows, based on the recitals and findings above:


1. The above recitals are hereby adopted as findings of fact.
2. Resolution 03-2021 enacting a moratorium on vacation rentals of residences and accessory dwelling units is amended as follows: The moratorium applies only to the UGAs, Hamlets and Activity Centers.
3. While this moratorium is in effect no applications for a vacation rental permit shall be accepted as complete by any county department, and no currently pending incomplete application shall be accepted as complete by any County Department.

ADOPTED this 9 day of MARCH 2021.


ATTEST: Clerk of the Council

 3.9.2021
Ingrid Gabriel, Clerk Date

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

 for
JAMIE STEPHENS
Jamie Stephens, Chair
District 3


REVIEWED BY COUNTY MANAGER

 3/9/2021
Michael J. Thomas Date


Christine Minney, Vice-Chair
District 1

RANDALL K. GAYLORD
APPROVED AS TO FORM ONLY

By: _____
Date

 for
CINDY WOLF
Cindy Wolf, Member
District 2