

< Previous

Next >

## Council approves VR moratorium but limits length/scope

March 11th, 2021 | Comments Off

III BY MATTHEW GILBERT, theORCASONIAN OP-ED REPORTER III

A February 23 public hearing on an emergency moratorium on new vacation rental permits was extended to the County Council's regular March 9, and although the comment period was officially closed, three hours of open access time showed the public still had a lot to say.

Unlike the airing of two weeks back, however, this recital featured a balance of comments both for and against and broke generally around party – make that island – lines with few supporters on San Juan and few opponents on Orcas. A number of residents who spoke at the first hearing also spoke here, although new voices were heard. And while familiar ground was tread, a mutual recognition of the issue's complexity was more apparent. Still, a rigid polarity of perspectives was clear, which ultimately doomed the broader intent of the original resolution.

There were more calls to limit the moratorium to Orcas, where the impacts have been more visible. Others reminded the two new commissioners, Christine Minney and Cindy Wolf, that their positions on growth and quality of life – including closer scrutiny of short-term rentals – were a big part of what got them elected.

There were also plenty of accusations – and laments – from both sides regarding misinformation and hyperbole. Advocates insist that a temporary moratorium will have little to no effect on the local economy; those against feel their livelihoods are threatened and tourism is being attacked. Advocates say that the lack of clear data is reason enough to take the necessary time; opponents say it proves there is no reason in the first place.

In the end, there were still far more questions than answers. Among them:

- What connection is there between the growth of VRs and housing affordability and availability?
- How do permits that travel with the land affect real estate speculation and prices?
- Does it make more sense to regulate VRs as businesses?
- Who is hurt the most by a moratorium – or the lack of one?
- Where are the voices of “working people” and what would they say?
- In what ways does the growth of vacation rentals serve or threaten the long-term needs of the community? Put another way, can there be too many?
- Have vacation rentals affected local lodges and inns, especially in the off-season?
- How can local owners be protected while addressing the impacts of off-island and corporate ownership?
- How can enforcement be streamlined?

Council members were then tasked specifically with deciding whether to extend, amend, or lift the moratorium, and it took a while for them to catch their breath and sort through the issues.

Prior to their deliberation, the DCD's Erika Shook gave a presentation on the county's VR Compliance Process. Among the highlights:

- The enforcement/compliance cycle was interrupted in 2020 due to the pandemic.
  - Slide #6: “Compliance Process Is Resource Intensive”
    - It takes approximately eight hours per revocation.
    - As it's a new program, lots of reminders are needed.
    - Another half-time staff member would have to be hired to catch up.
- The vast majority of code violations are for unpermitted VRs.
- VR “saturation” will be addressed in the updated Comp Plan; additional regulations are a separate process and should probably wait until the new plan is finished – in 2022 – although changes in land use designations can be enacted more quickly.

With the focus back on council members, Cindy Wolf immediately recommended a one-year term and a work plan of deliverables (the existing resolution was for six months). Christine Minney responded, “The conversation has grown,” and that the Council needs to further evaluate what they've heard “that doesn't align with a blanket one-year moratorium.” She favored an amendment. Stephens agreed.

Minney, choosing her words carefully, went on to say that, “It's distinctly apparent that we have a problem, more distinctly felt and more harmful on Orcas than on San Juan. Some of my constituents feel they will be negatively affected. There was a lot of conversation during the campaign . . . but we don't have the data or the statistical backing to issue a blanket moratorium for a significant amount of time.”

Stephens suggested narrowing the focus to determining a permit cap and limiting the moratorium to certain areas and a six-month term. Deputy Prosecuting Attorney Amy Vira noted that “identifying specific designations is the cleanest way to amend.”

Wolf kept pushing for a broader scope, saying there's a causal connection between short-term rental and the availability of long-term rentals “in an inelastic market.” Minney acknowledged that there might be a correlation but not causality.

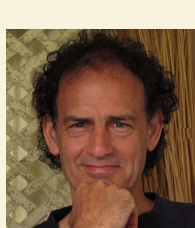
In the end, the Council decided, on a 2 – 1 vote (Stephen and Minney for, Wolf against) to amend the resolution as newly proposed, limiting its term to six months and focusing only on caps for UGAs, hamlets, and activity centers. The outcome felt like a blow to the efforts of hundreds of islanders who want more scrutiny on the impacts of vacations rentals, but the Vacation Rental Work Group, which has spearheaded those efforts, was optimistic. According to a statement:

Yesterday, the County Council enacted a partial, fragmented new-permit moratorium that leaves most of San Juan County still open to “business-as-usual,” but the Council's action confirms they are now committed to establishing a vacation rental cap and other priority reforms. “The fact that the moratorium was not rescinded demonstrates that all councilmembers understand the problems we need to address,” said Yonatan Aldort, chair of the Vacation Rental Working Group. “Nothing can stop our community from coming together to improve our lives and fulfill a better vision for our island home. Many thanks to the Council and especially Councilmember Wolf for moving us toward impactful solutions.”

Resources:

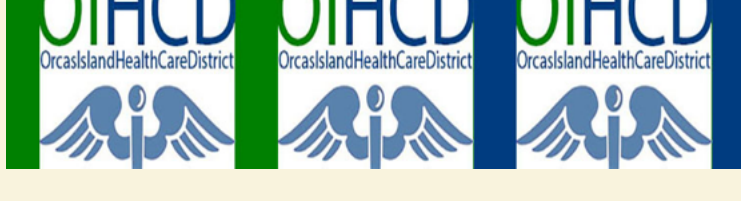
- [Video of the March 9 meeting](#)
- [Resolution 05-2021 Amending Res 03-2021 Limiting Moratorium to Certain Areas](#)
- [2021-03-09\\_CC\\_PH\\_Presentation\\_Vacation\\_Rentals](#)
- [Public comments](#)

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I've lived on Orcas Island since 1991 and started writing for *Orcas Issues* (now *theOrcasonian*) a few years ago as a way to learn more about this special island community. I have a strong interest in issues that impact our “quality of life,” both now and as we look to the future. Balancing a healthy economy with preserving island character and the natural world has been and will continue to be one of our biggest challenges.

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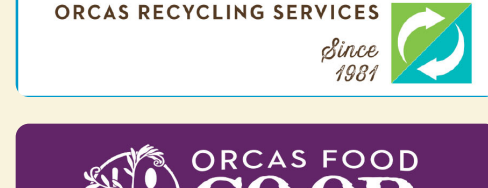
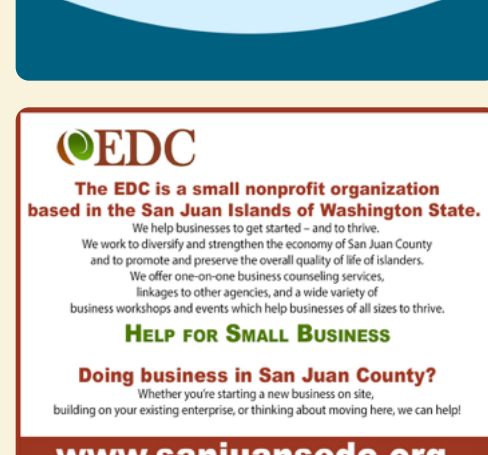
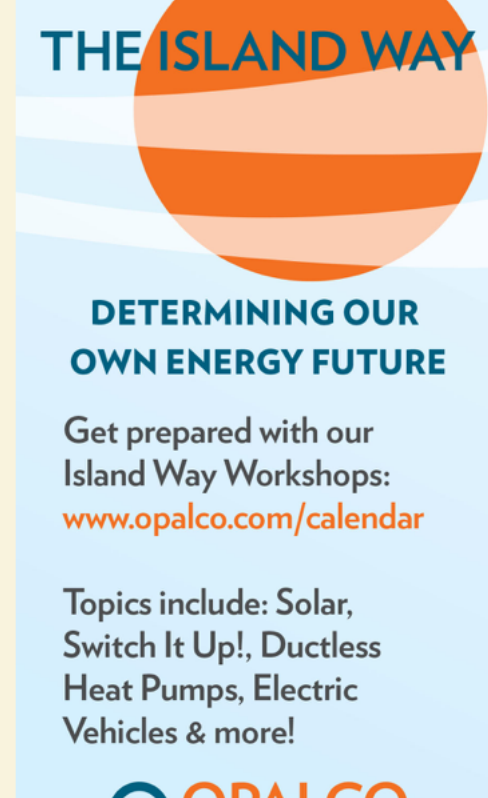
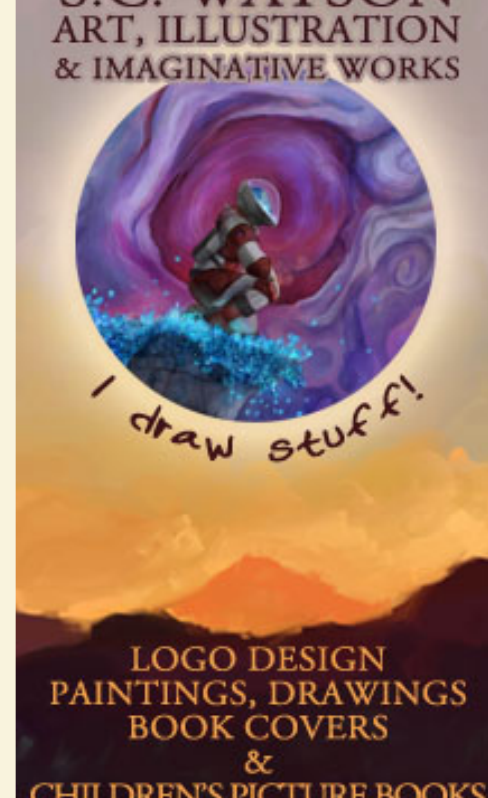
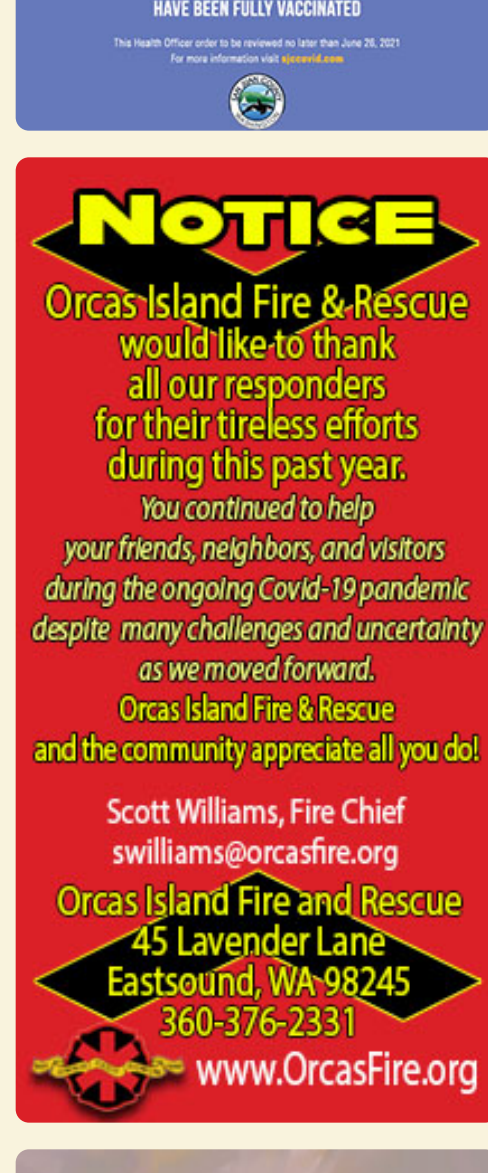
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