

Sophia Cassam

From: Jan Scilipoti <hostingontherock@gmail.com>
Sent: Monday, May 2, 2022 11:24 AM
To: Vacation Rental Comments; David Williams; Sophia Cassam
Subject: Hosting on the Rock letter 5-1-22
Attachments: HOTR letter to Council 5-1-22 .pdf

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Please see the attached, "HOTR letter to Council 5-1-22.pdf"

Hosting on the Rock, Vacation Rental Owner/Host Group
Jan Scilipoti, 214 Military Road
Lopez Island, WA 98261

May 1, 2022

San Juan County Council Members

Cc: David Williams, Sophia Cassam

RE: Vacation Rental (VR) Moratorium & Caps

Dear County Council Members,

As the leadership team of Hosting On the Rock (HOTR), we feel compelled to respond to several comments made during the Council Meeting on April 5, 2022.

Regarding Cindy Wolf's comment that VR permits do not need to be available to SJC residents, because they can get a B&B permit to rent rooms in their own home:

1- Later in the meeting, it came out that B&B's are not allowed county-wide, but only in some areas. This will not serve all residents, but only those with homes in the identified areas.

2- The SJC regulations for B&Bs are different from the VR regulations. They are not the same, and should not be lightly compared. See below, from the SJC Code:

Definitions

[18.20.020 "B" Definitions](#)

"Bed and breakfast inn" means a hospitality commercial use containing three to five lodging units without cooking facilities, which provides overnight accommodation and breakfast meals in a proprietor- or owner-occupied existing single-family residence and additional legal structures or up to 10 lodging units in an existing historic structure.

"Bed and breakfast residence" means a hospitality commercial use containing one to two lodging units without cooking facilities, which provides overnight accommodation and breakfast meals in an owner-occupied existing single-family residence.

Performance Standards:

[18.40.250 Hospitality commercial establishments – Bed and breakfast inns.](#)

[18.40.260 Hospitality commercial establishments – Bed and breakfast residences.](#)

Where are they allowed and which permit type is required?

[18.30.030 Land use table – Activity center land use designations.](#)

[18.30.040 Land use table – Rural, resource, and special land use designations.](#)

3- Many VR owners inherited homes, although they currently live full time in other locations. They intend to move to SJC eventually, but want to maintain the home in the meantime. Renting it as a VR allows them to use the home themselves and have income for homeownership expenses. This use does not qualify as a B&B Residence. These owners should have access to a VR permit.

4- *HOTR believes that in order to support the middle class in this high cost county, VR permits should be available to residents.*

Regarding Cindy Wolf's calculations that on Orcas there are about 5000 dwelling units and 508 VR permits, so that is over 10% of the housing:

1- In the same County Council meeting, David Williams reviewed the DCD's latest VR permit numbers. 508 was the number of Compliant permits on Orcas. *The number of actively renting permits on Orcas, however, was 211 (4% of the dwelling units).* The actual number of Active Compliant permits on Orcas is probably somewhere between 211 and 508.

2- Do we know, exactly, how many permits are actually Active, and do we know how many nights per year they rent? Do we know what changes have occurred since Pandemic? NO. We think this data is needed before tight caps - or any caps - are enacted.

Regarding Cindy Wolf's mention of the petition that circulated in 2019 against VRs:

1- The strict new VR regulations were enacted in 2018, and address specific neighborhood concerns. A petition begun in 2019 did not allow time for the new regulations to take effect before asking for public response.

2- Even now, 4 years later, many SJC residents are not aware of the specific regulations that address their previous concerns. They are reacting from hearsay, not from fact.

3- Enforcement MUST support the regulations before tight caps - or any caps - are enacted.

Regarding Cindy Wolf's estimate that 5 full ferries each way to and from Orcas during the summer are full of VR tourists:

1- It is our opinion that a Council Member should express personal opinions based on fact, not subjective guesses.

2- Not all tourists are VR guests. There are also hotel and resort tourists, boaters, campers, and friends and family of residents. All are tourists, and all use the ferry system. If VR tourists are being limited by Caps, these tourists should also be limited.

3- What about the many festivals and events that bring large numbers of tourists to the islands each year, such as Hops on the Rock, Doe Bay Festival, Imagine Festival, Chamber Music, and 4th of July, which bring in at least 3500 people a year? It is not equitable to arbitrarily restrict VR tourists over any other tourists.

Regarding the comments made about using a lottery to distribute available VR permits if a Cap is enacted:

1- A lottery system of distribution adds to the economic insecurity of homeowners, because they are not able to gauge when they might get a permit after applying.

2- A First-Come, First Served method of distribution would allow homeowners to have some idea of when they might secure a permit, and make decisions accordingly. This reduces the 'pain' of waiting for a randomly-distributed permit.

3- This is just one example of the consequences of setting Caps: a method must be devised to distribute them fairly and equitably.

Regarding the fact that the presentation by the DCD offered only four options, all of which assume that Caps will be enacted:

Given that the DCD is still unclear about the exact numbers of Active/Inactive Compliant VR permits, and the Pandemic has radically changed the housing situation on the islands, we do not think Council has the data it needs to enact strict Caps, or indeed any Caps at all.

We urge you to lift the Moratorium, enforce the regulations that already exist, and gather more information before further restricting VR permits.

In summary, Hosting on the Rock asks that if Council must set Caps, vote for Option C, which allows for moderate increase of VR permits.

We appreciate your consideration of these points, and request that you address them in your Council discussions.

Jan Scilipoti, Lopez

Vicki Leimback, Orcas

Linda Bannerman, Orcas

Karen Key Speck, Orcas

Johannes Krieger, San Juan