

## Sophia Cassam

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**From:** Karen Key Speck <outlook\_61174B23DA37191E@outlook.com>  
**Sent:** Thursday, September 16, 2021 7:49 PM  
**To:** Vacation Rental Comments  
**Subject:** Public Comment Letter for 9-17-2021  
**Attachments:** Letter to County Council Sept 2021.docx

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Hello,

Please confirm receipt of the attached letter for public comment at the Planning Commission meeting Sept 17, 2021.

Thank you,

Karen J. Key Speck

Sent from [Mail](#) for Windows

San Juan County Council  
P.O. Box 947  
Friday Harbor, WA 98250

September 16, 2021

Dear Ms. Minnie, Ms. Wolf and Mr. Stephens,

I request that you reconsider your decision to place caps on the number of vacation rentals in San Juan County and island-specific cap numbers before conducting empirical studies on the impact of VRs versus simply hearsay from the squeaky wheels that get the most grease.

Previously, I have called your attention to a 1999 court case in Superior Court, San Juan County whereby Judge Hancock, advised the County to not make decisions on fears of the unknown versus real facts. The County nor its citizens relish litigation, but I am concerned the County is heading in that direction by capping vacation rentals before facts are collected. You have been reminded the we already have in place methods by which concerns can be brought to the attention of the County and law enforcement. The 2018 revision bringing even stiffer rules upon VRs has not had time to show its positive effect for staffing was moved away from vacation rentals, and a pandemic struck. It seems unwise to add more restrictions and more rules, without weighing in on the effectiveness of what we already have in place.

I am not so much encouraging VRs as I am expressing concern with the intrusion of even more laws and government into our lives. We are so very fortunate in this country to be able to own property and have freedoms unavailable to much of the rest of the world. However, when you strip away “sticks from the bundle of rights”, you intrude on one of our country’s most valued privileges of owning property. I am concerned about some of the discussion to not allow inactive VR permits to ever become active if CAPs are emplaced. It seems counter-intuitive to say “use it or lose it” when you are wanting fewer active VRs but threatening that you might remove permits just because they are not currently in use. I also have grave concern of constitutionality of how those who purchased with hopes to afford their homes via renting now might have that “right” taken away due to CAPS and lotteries.

I understand the process must evolve in steps, but how did our County Planners decide that 405 is an appropriate starting/stopping number without allowing for an equal percentage of growth which will come to the islands with or without vacation rentals on the table. In other words, if building/build out is planned for at X-percentage and our infrastructure is improved to accommodate that X-factor, why haven’t we also decided to cut back on tourism by the same percentage number; why haven’t we limited building permits for any and all by the same X-percentage? It seems so arbitrary to CAP VRs when everything else proceeds at full tilt.

The National Association of Realtors Land Use Initiative Program consulted on a San Diego, California VR ordinance and in summary concluded that the CAPS were arbitrary and unfair to property owners and regulations were improperly emplaced.

The push during the current moratorium seems to have gained momentum by the anti-VR side preying on emotion and fears. There is no question we have an affordable housing concern here. As a professional property manager for thirty-five years, I can attest to the same song sung each and every year. However, it is disingenuous to allow the anti-VR members to claim that affordable rentals have made the largest impact on lack of housing. A Texas court case said, “Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. ....information is critical to “determining the action” – that is, determining whether the ordinance violates any constitutional rights – and is therefore relevant.” I urge the Council to get more facts before you expand your actions.

Sincerely,

Karen J. Key Speck  
P.O. Box 884  
Eastsound, WA 98245