

AGENDA ITEM: A-2

DATE: SEPTEMBER 4, 2018

ACTION: APPROVED

ACTION MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – MAY 15, 2018
VETERANS MEMORIAL BUILDING – 6:00 PM

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| PRESENT: | Gerald Luhr Michael Lucas Richard Sadowski Joe Ingraffia Jesse Barron | Chairperson Vice-Chairperson Commissioner Commissioner Commissioner |
| STAFF: | Scot Graham Cindy Jacinth | Community Development Director Senior Planner |

ESTABLISH QUORUM AND CALL TO ORDER
MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE
PLANNING COMMISSIONER ANNOUNCEMENTS
<https://youtu.be/dlzdVGLXvM?t=3m15s>

Commissioner Sadowski announced on Saturday, May 19th, at noon, the Coastal Alliance will host the “Hands across the Sands”. The event is to show support for the ocean and will be held on the northside of Morro rock.

Commissioners discussed how the items on the agenda will be handled in tonight’s meeting.

PUBLIC COMMENT PERIOD
<https://youtu.be/dlzdVGLXvM?t=5m21s>

Rigmore, Morro Bay resident, spoke to the Commission about the map for the new proposed designated areas for visitors serving mixed use. Rigmore also spoke of her concerns on the height limit and vacation rentals.

Bill Martony, Morro Bay resident, asked if the Harbor zoning was on the agenda, if not he wanted to comment on it.

Chairperson Luhr responded the Harbor zoning was not on the agenda but depending on the time constraint he wasn’t sure they would be able to discuss it.

Chairperson Luhr closed the Public Comment period.
<https://youtu.be/dlzdVGLXvM?t=1h15s>

PRESENTATIONS - NONE

A. CONSENT CALENDAR
<https://youtu.be/dlzdVGLXvM?t=3h27m2s>

A-1 Current and Advanced Planning Processing List
Staff Recommendation: Receive and file.

A-2 Approval of minutes from the Planning Commission meeting of February 6, 2018.

Staff Recommendation: Approve minutes as submitted.

<https://youtu.be/dlzdpVGLXvM?t=3h27m37s>

MOTION: Vice-Chairperson Lucas move to approve the Consent Calendar.
Commissioner Barron seconded, and the motion passed (5-0).

B. PUBLIC HEARINGS

Public testimony given for Public Hearing items will adhere to the rules noted above under the Public Comment Period. In addition, speak about the proposal and not about individuals, focusing testimony on the important parts of the proposal; not repeating points made by others.

NONE

C. NEW BUSINESS

<https://youtu.be/dlzdpVGLXvM?t=11m36s>

C-1 Plan Morro Bay: Draft Zoning Code Update, Module 3: Use Regulations; Continued Review of Draft Zoning Code Module 2: Community Commercial (CC) downtown height standards.

Staff Recommendation: Review staff report and draft Zoning Modules 2 and 3, hear presentation by consultant, take public comment, discuss and provide feedback to staff.

Staff Contact: Scot Graham, Community Development Director, (805) 772-6291

Martha Miller presented the report for vacation rentals.

Graham included his comments regarding vacation rentals.

The Commissioners presented their questions to staff.

Commissioner Sadowski presented the following comments and questions to the Commission:

We could all agree that, the diminution of public participation leads to the reduction in the quality of life for our citizenry.

I would like to begin with an invocation. The Planning Commission is a legislative political body. We are entrusted with the legislative task of establishing rules, regulations and parameters for development activities. The matter before us today will have inter-generational effects.

That said, I believe that matter before us today, needs proper noticing i.e. Public Notice as a Public Hearing Item.

- Why is this matter listed as a New Business item and not a Public Hearing Item?

Graham responded stating the item is not required to be a public hearing.

Commissioner Luhr opened the Public Comment.

<https://youtu.be/dlzdpVGLXvM?t=18m26s>

Pat Reed, Bernardo Street resident, stated her concerns regarding vacation rentals, and the cap on the total allowed in the city.

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Carol Swain, Morro Bay resident, voiced her concerns about families with younger children living near a vacation rental. Swain welcomes visitors to Morro Bay, and feels visitors and residents could coexist but not in the residential neighborhoods. Swain is concerned about the constant turnover of the vacation rentals.

Dr. Patrick Vaughn, 3008 Beachcomber Drive, stated how the short-term vacation rentals are pushing the long-term rentals out. Vaughn spoke of how numerous vacation rentals in a neighborhood would affect the neighbors in the area.

Larry Schmidt, 350 Bernardo Avenue, stated when the General Plan is adopted most of the existing vacation rentals will be legal non-conforming uses. Schmidt stated his concerns in a letter to the Commission. Schmidt would like the fees for the vacation rentals increased.

Charles Primbeth, 3740 Beachcomber Drive, stated Beachcomber is a narrow street and explained how difficult it is to navigate around with vacation rentals.

Carole Truesdale, Morro Bay resident, suggested the Commission let the vacation rental owners form a group to voice their concerns to the Commission.

Didi Alexander, Morro Bay resident, stated she feels strongly that all vacation rentals should follow the same health and safety codes hotels and motels are required to follow. And noted this would include annual inspections.

Maggie Juren, Morro Bay business owner, stated she manages thirty-three (33) vacation rentals in Morro Bay. Juren stated her company makes sure visitors are notified on being good neighbors. Juren stated there is a process if issues arise.

Nick Juren, Beach & Bay business owner, explained how the vacation rentals contribute to Morro Bay's economy. Juren suggested some requirements the City should adopt, this way the property management could enforce the rules.

Bill Martony, Morro Bay resident, stated he'd like to see a cap on the number of vacation rentals in Morro Bay. Martony also spoke about neighborhood compatibility regarding vacation rentals.

Betty Winholtz, Morro Bay resident, supported what Mr. Martony stated and feels the City needs to lower the cap on vacation rentals. Winholtz wanted clarification of the 200-foot buffer between homes and vacation rentals.

David Zepp, 120 Java Street, stated he rents a bedroom to vacationers and doesn't want to see a change in the policy. Zepp stated the rental brings in income which helps his family to afford living in their home.

Mike Frye, stated, there is an unfair assumption that vacation rentals make a lot of money. Frye stated there are people who own second homes who rent it out to family members and people who they know will take care of their property. Frye stated the 200-foot buffer is a little aggressive and would like to know how many violations occurred regarding vacation rentals. Frye suggested the City analyze the problem before any action.

Victoria Schmidt, Morro Bay resident, spoke about the contact information for vacation rentals. Schmidt stated most of the contact information is hard to read or is placed on the second story where people are unable to see. Schmidt suggested bigger signs posted in a prominent area with the owner's information on it. Schmidt doesn't want vacation rentals in residential areas.

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Tom Harrington, Kern Avenue resident and vacation rental owner, stated only owners who live on the premises should have vacation rentals. Harrington noted the issue was not the number of vacation rentals in the city, but how they are operated, regulated and monitored by the City of Morro Bay.

Homer Alexander, Morro Bay resident, spoke of increasing the building height limit to revitalize the downtown area. Alexander suggested on changing the language to the vacation rental agreement section E and G.

Susan Hedding-Kesler, Morro Bay resident, stated her parents bought their property on Beachcomber Drive in 1980. Hedding-Kesler spoke of how it used to be a neighborhood of families, now there are eight (8) vacation rentals on her street.

Rich Buquet, member of the GPAC Committee, spoke as a vacation rental owner. Buquet gave suggestions on what to include in the vacation rental ordinance.

Dr. DeKotter (sp?), stated adequate vetting would make the issues at hand workable. DeKotter stated people who are staying in vacation rentals don't necessarily bring crime to the neighborhood.

Chairperson Luhr closed the Public Comment period.
<https://youtu.be/dlzdpVGLXvM?t=1h15s>

Graham answered questions which were brought up in the Public Comment period.

The Commissioners presented their questions to staff.

Discussion between the Commissioners and staff.

Graham announced there will be a forum on vacation rentals on June 20th at the Community Center. Graham will place a notice on the City's website "Hot Topics".

The Commissioners and staff continued their discussions on vacation rentals and zoning code updates.

Chairperson Luhr spoke to the Commission about continuing the remaining issues agendized in New Business, Item C-1.

Graham stated it would be moved to a future meeting due to no availability on the next Planning Commission agenda.

D. UNFINISHED BUSINESS - NONE

E. PLANNING COMMISSIONER COMMENTS
<https://youtu.be/dlzdpVGLXvM?t=3h28m55s>

Vice-Chairperson Lucas thanked everyone for tonight's discussion. Lucas noted it was the most communication they've had on an issue in a long time. Lucas appreciated the written comments and the public comments.

Commissioner Sadowski commented he was proud of the community and appreciates the input they gave to the Commission. Sadowski also notified everyone the draft EIR for the Water Reclamation Facility Plan comments are due on Friday, May 18th, and will need to be addressed by the Public Works Director Rob Livick. Sadowski also attend the recent Ocean Protection Council's meeting where he introduced a different concept for addressing sea level rise and climate change.

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Sadowski is calling it W.R.A.P., Wastewater Reclamation Action Plan. Commissioner Ingraffia stated there needs to be more discussion and examination on the issues discussed and noted they are far from settled in his opinion. Commissioner Barron wanted to confirm the date and time for the discussion/workshop for vacation rentals. Barron urged everyone to attend.

Graham confirmed the meeting date and location. Graham stated the meeting was being held by two (2) City Council members and noted this was not a Planning Commission meeting.

Chairperson Luhr also urged everyone to attend the meeting and give their input.

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENT

<https://youtu.be/dlzdpVGLXvM?t=3h33m20s>

Graham stated the City has received Request for Proposal's (RFP's) for a fee study and asked the Commission if anyone would like to help review the proposals.

The Commissioners responded to Graham's request. Commissioner Lucas agreed to participate in the review of the RFP's.

Vice-Chairperson Lucas asked Graham to clarify the solar obligation passed by the State for residential units in 2020.

Graham responded the City will update the solar ordinance to accommodate the changes.

G. ADJOURNMENT

The meeting adjourned at 9:38 p.m. to the regular Planning Commission meeting at the Morro Bay Community Center Multi-Purpose Room, 1001 Kennedy Way, Morro Bay, CA on June 5, 2018, at 6:00 p.m.

Gerald Luhr, Chairperson

ATTEST:

Scot Graham, Secretary