



LOCAC • Los Osos Community Advisory Council

Meeting Minutes for August 24, 2017

South Bay Community Center

Agenda Item	Discussion/Action/Information						
<p>Call to order/roll call @ 7:00 p.m.</p>	<p>Roll Call - P = present A = Absent</p> <table border="0"> <tr> <td data-bbox="665 534 888 655"> <p>District One Yael Korin - P Lynette Tornatzky, <i>Secretary - P</i></p> </td> <td data-bbox="954 534 1177 655"> <p>District Two Jan Harper - P Christine Womack, <i>Treasurer -P</i></p> </td> <td data-bbox="1243 534 1483 687"> <p>District Three Julia Oberhoff, <i>Chairperson - A</i> Larry Bender <i>Vice Chairperson - P</i></p> </td> </tr> <tr> <td data-bbox="665 740 888 832"> <p>District Four David Harris - P VACANCY</p> </td> <td data-bbox="954 740 1177 861"> <p>Appointed David Hunter - P Margaret Mayfield - P Jim Stanfill - P</p> </td> <td></td> </tr> </table>	<p>District One Yael Korin - P Lynette Tornatzky, <i>Secretary - P</i></p>	<p>District Two Jan Harper - P Christine Womack, <i>Treasurer -P</i></p>	<p>District Three Julia Oberhoff, <i>Chairperson - A</i> Larry Bender <i>Vice Chairperson - P</i></p>	<p>District Four David Harris - P VACANCY</p>	<p>Appointed David Hunter - P Margaret Mayfield - P Jim Stanfill - P</p>	
<p>District One Yael Korin - P Lynette Tornatzky, <i>Secretary - P</i></p>	<p>District Two Jan Harper - P Christine Womack, <i>Treasurer -P</i></p>	<p>District Three Julia Oberhoff, <i>Chairperson - A</i> Larry Bender <i>Vice Chairperson - P</i></p>					
<p>District Four David Harris - P VACANCY</p>	<p>Appointed David Hunter - P Margaret Mayfield - P Jim Stanfill - P</p>						
<p><u>Chairperson’s announcements</u></p>	<p>None.</p>						
<p><u>County and Local Agency Reports</u></p> <ul style="list-style-type: none"> • Sheriff’s Report • Highway Patrol Report • County Staff Report • Supervisor Gibson’s Report 	<p>Commander Jim Vogt gave the report. Calls went down last month. Phone scams were down. The newest scam is text messaging scams. Other issues were animal cruelty, trespassing, theft, and disturbing the peace, which went up to 50 from 38. Many calls are service calls where deputies don’t take a report as is done for crime.</p> <p>Discussion on several items: • Who to call - call 911 for any issue, such as a verbal issue. The non-emergency number is 785-4550.</p> <p>• What is disturbing the peace, loud music? The vast number of those is neighbor disputes, there will be no report number for these, as no crime was involved. • If you hear gunshots call 911 like for in Los Osos, but not if you hear them on ranch property.</p> <p>Sgt. Leshner of the California Highway Patrol gave the report. The CHP received a grant to work on pedestrian and cyclist safety. Los Osos is a hot spot for problems with 14 cases of vehicles hitting pedestrians between 2005-2014. September 12 five officers and a sergeant will be on Los Osos Valley Road near Fairchild (near Ascendo Coffee; the old Starbucks Coffee) from 11:00 a.m. to 1:00 p.m. to address and educate on this issue. An audience member reported that cars are sometimes half in the bike lane. The officer responded that there is a lot of distracted driving. She also stated that there had been nothing extraordinary going on to report.</p> <p>County Senior Planner Kerry Brown had nothing new to report this month.</p> <p>Supervisor Gibson said that Commander Vogt has a second car now on the graveyard shift. The Board of Supervisors funded this in the 2016/17</p>						

Agenda Item	Discussion/Action/Information
<p>• LOCSD Report</p> <p>• LO/BP Chamber of Commerce Report</p> <p>CONSENT AGENDA INCLUDING PUBLIC COMMENT: 1. MUP for Stream Bank Stabilization – DRC2017-00009 This is a proposed Minor Use Permit for stream</p>	<p>budget, but that there had been trouble in recruiting a deputy. The area to be covered is from Avila Beach to the Monterey County line. The response time should now improve. The BOS discussed the approximately 130 homes who have not yet connected to the sewer. The plan is first outreach to see why, and if no results, go to them with nuisance abatement charges. The BOS will look at this issue again in few months. 93% of the town has connected. County Senior Planner Kerry Brown has been working on the Community Plan, the Habitat Conservation Plan and with the Basin Management Committee. Some of the nitrate numbers in the groundwater have been moving in the right direction (down) but it is not an overwhelming trend.</p> <p>Q. Do residents who have not yet connected need some sort of support?</p> <p>A. The 80 people who applied for, and are waiting for funding assistance, are not part of the 130 not yet connected. The 130 have simply not been heard from after we sent letters.</p> <p>LOCSD Director Lou Tornatzky gave the report. He is chairperson of the Parks and Rec Committee. He reported on work done by committee over the last five or six months on a wide range of best practices. They had focused on what we need to see for our dog park out of 47 best practices considered. There is a draft lease arrangement between the LOCSD General Manager and the County that is 17 pages long, over which there is an ongoing discussion between the LOCSD attorney and the County. Implementation of the dog park depends on the Habitat Conservation Plan. Maybe by next year we can get the dog park. We hope it will be the first of many.</p> <p>LOCAC statements/questions: We need a kid park in Baywood. Doesn't the County have authority over parks? Who will run the dog park? Why not go through the County?</p> <p>Director Tornatzky: The dog park will be run by a non-profit, there is a competition now between several 501 (c) (3)s; the LOCSD won't run it.</p> <p>Supervisor Gibson: They could go through the County, but they have parks authority, and we are happy to cooperate with them.</p> <p>LOCAC member Jim Stanfill gave the report and spoke of the upcoming Chamber sponsored 39th annual Oktoberfest on the last Sunday of October, the 29th. The run will begin at 9:00 a.m., and the music will start at 10:00 a.m..</p> <p>These routine items are seen at committee level and are placed on the consent agenda with no further discussion. Due to the letters on the vacation rental on Binscarth, the two items were separated.</p> <p>The stream bank proposal was voted unanimously to send a letter of approval.</p>

Agenda Item	Discussion/Action/Information
<p>bank stabilization and flood plain bench creation along 460 linear feet of an un-named tributary of Warden Creek in Coastal San Luis Obispo County.</p> <p>2. MUP for a Vacation Rental at 563 Binscarth Rd – DRC2016-00136 This is a proposed Minor Use Permit for a vacation rental.</p> <p>REGULAR AGENDA ITEMS, INCLUDING PUBLIC COMMENT:</p> <p>1. DRC2016-00131 DOYLE (REVISED) – Convert an existing as-built 623 square foot attached secondary dwelling unit into a 600 square foot guest house. The project also proposes to use the existing residence as a Residential Vacation Rental. Address is 2759 Rodman Drive Los Osos. NOTE: This item has been continued to this month’s agenda from the July Agenda</p>	<p>The vacation rental was addressed by Margaret Mayfield, Land Use Committee Chairperson. She said she would add the concerns on that project sent to her, to our consent vote. LOCAC council member Jan Harper suggested that the comments heard at the LUC should be sent with our vote as well. LOCAC voted unanimously to approve the Binscarth vacation rental with the letter to contain the additional information.</p> <p>Mr. Doyle was asked to explain the revised project. He appreciates his neighbors being part of the process. Robert Elzer, who manages vacation rental properties will help him. Anyone can rent a house, month-to-month without a permit. There are two vacation rentals from years back in the neighborhood and both are part of the fabric of the community. Do they change the character of the community or add to it. Problems brought forward could be addressed. Trash not being picked up with the bins sitting out could be addressed. Robert’s company can put them out on trash day and bring them back in. A neighbor raised the concerns by the Grand Jury in 2015 about there not being enough enforcement. The county has rules to comply with on noise and parking, and the 24-hour hotline to the rental company would be sure to deal with complaints as they come up. Robert’s company screens applicants and puts conditions on the lease that if not followed, can result in the loss of the deposit and tenants can be removed from the premises. If this was ongoing, the permit could be revoked. Most of the comments heard last month referred to the kind of people renting. My wife and young children have been coming to the Central Coast—Avila, Los Osos, Cambria—for years and the appeal is to come to a home in a neighborhood that’s quiet and to enjoy nature. You’d be hard pressed to know that we were there. We bought this house in a state of decay and invested significant resources to bring it to being an asset to the neighborhood. There are safeguards in place. Give us the opportunity to prove that we are good neighbors.</p> <p><u>There were no LOCAC member’s questions or comments.</u></p> <p><u>Comments from the public:</u></p> <ul style="list-style-type: none"> • Margaret Bertrand: Mr. Doyle, I’d just like to say, we had a good conversation several weeks ago, you know what you say Bob about people coming to a vacation rental, if only what you say is true. Kitty corner to your home that you purchased there was another vacation rental for some time, I would say probably six or seven years, the

Agenda Item	Discussion/Action/Information
	<p>home on Rodman at the corner of San Jacinto and Rodman was a vacation rental. And I can tell you that the day there there were eight motorcycles parked in that driveway. Those people were not really interested in the nature that was there. It was very noisy and it had nothing to do with the character of our quiet neighborhood, it just didn't. The lady across the street from the outdoor hot tub, eventually moved because usually there were people were nude in the hot tub drinking and her grandchildren who could see into the hot tub as they overlooked it. It just wasn't really very suitable, and she just moved. That's what happened. The people who lived in the house next door to that, who both had cancer at the time, they had to move into the back bedroom in that home because it got so noisy in that home that they could not hear the ocean anymore, they had to move into the back bedroom so they could sleep. So you know Bob, what you're saying is very nice, our experience has not been that in the neighborhood. You mentioned at the beginning, about the two vacation rentals that we have in the neighborhood have not changed the character. There's a reason for that, it's because the owner of those two vacation rentals lives in the neighborhood. She lives in the neighborhood, she's, you know, two minutes away from both of them and she is like a madwoman with those two. People have her number and if there's any trouble she is there instantly, and she takes care of it. And she doesn't live in San Luis Obispo, she's there immediately, and she takes care of it. Your property manager lives in San Luis Obispo, so things can't be taken care of. You mentioned the nice 24-hour hotline - well, Susan Morgenthaler went to enforcement and talked to them in the last several weeks about the system in place. And big surprise, they're not really aware of what system is in place for vacation rentals in Los Osos and what they need to do. So there is no system in place for enforcement. There just is not. Everybody talks a good game, but we the neighbors are the ones left with the mess. So you know, I would ask, I have heard, that the Planning Department has now suggested this be overturned, I don't know if that's true. I would ask that this vacation rental not be approved. We have not had a good experience, and it does not contribute in the least bit to the safety of our neighborhood, to the walkers of it, we still have no sidewalks, we still have people walking without sidewalks and people who are still not familiar with our streets and the wildlife that goes out in the streets, so I ask that LOCAC please overturn this. It's been the last VR that went before the PC was overturned for reasons - a very similar situation. This driveway is very steep, people will be parking on the street. I can tell you that, next to the garage, this is a five bedroom house, next to the garage, one car can be parked on a flat surface and after that there's a very steep incline. There will be three cars that can be parked, and after that they'll be parking in the street, and for a five bedroom house and that's not going to be a good situation.</p> <p>•My name is John Avery and I live at 2751 Rodman. I'm at the house, one house below Mr. Doyle's house and I certainly share all the same concerns that have been expressed, but for me I have an additional</p>

Agenda Item	Discussion/Action/Information
	<p>concern with having new people come in every week. The Doyle's are certainly a delightful family, we don't know them personally, but we see them out there, very nice, but the way our houses are situated, his living room, I have been in the home when it was for sale, they have a beautiful view out their living room of the bay but their view also completely takes my deck where my hot tub is so I can be wanting to take a hot tub with my wife but we could have a whole new group of people coming in looking at the hot tub. Their view also takes in the front deck and our back two bedrooms so if we have company and the window is open or the curtains are up or what ever, whoever could be in there could be looking right in both of our back bedrooms and a bit of a view into our great room. So with the exception of our bedroom and our bathroom, whoever would be coming for the vacation rental would have this great view of all these different rooms in our house and will alter our decision on what we could do. whether you say no or not the one thing I would ask is that the totality there has been a lot of community feedback and whatever you decide I hope the totality of our community feedback gets passed on to the board, we would like them to have a sense of how the community feels about this. Thank you.</p> <ul style="list-style-type: none"> • My name is Maryann Davis and I live at 2767 Rodman, so I am in the house immediately above the Doyle's. I won't waste time in repeating what Margaret and John have already said but my concerns are the same. Anyone going up or down the driveway looks immediately into my family room. There's not a lot of privacy the lots are very close together, the way they are designed there's not a lot of privacy the thought of having a new batch of strangers there every week is abhorrent to me my husband and my son and feels like a huge violation of my privacy. Thank you. • Hello, I'm Gary Dove. I'm the incoming president of the Cabrillo Estates property owners, and on August 13 we had our annual meeting, and amongst other issues we did a vote on the members' opinion on vacation rentals. As you might guess it was overwhelmingly against them. We did have few, I think it was seven in favor, that's all. • Hi, my name is Sue Morgenthaler and I live on Travis drive next to one of the pre-existing vacation rentals, and I'm not sure why you can say having not lived here that these aren't a problem but they are. And I also realize that we're talking about this one permit right now and I think it's becoming clear at least to us that we would like to approach you guys and continue this dialogue regarding vacation rentals, and perhaps at some point devise a plan where everybody can be happy and we can work through this without letting them run rampant and actually get to the point where they could destroy the feeling and community of our neighborhood. The other thing, I'm not sure about how you can tell everybody is going to be nice renters like you, because like Margaret, I know this house very well on Rodman and San Jacinto, because we used to stay there when the previous, previous owners lived there for about 15 years every summer, and every time we'd come up here, we'd drive around there and there are always people out sunning themselves and half dressed with

Agenda Item	Discussion/Action/Information
	<p>beers and barbecues, and all, so it was the problem for them, but the biggest thing I want to address was the fact that all these regulations are in place to help us. I've spent the last two weeks trying to report the fact that the vacation rental at (by?) our house has had cars parked on the street every day for 14 days. I took pictures of them. I missed the guy getting out of the car and going into the house but that apparently wouldn't have helped either. I had pictures of them. I went to the sheriff, they didn't want to have anything to do with it. I went to the CHP they couldn't do anything about it. Bottom line is you guys told me to see Art Trinidad, he didn't have anything to do with it, I got hooked up with the (inaudible) thankfully from Bruce Gibson's office, and Cherie told me to do that, and, he said there was really nothing they could do, because you have to prove that these are confirmable to a court of law, and first of all, their thing on the internet, they won't come out in 10 days and your 2-day renter will be gone in 10 days. And you have to show, the pictures were useless, because you had to show, not that they were there, but that they belonged to the people that were renting the house, so you had to see the guys ownership of the car plus his lease rental, and the last thing, he wasn't going to do anything. He didn't know anything about "three strikes and you are out." He's going to look into it because apparently, according to Supervisor Gibson, it does exist but to prove this, it's nearly impossible and I appreciate that you have someone helping you with this, but from our point of view there is zero recourse we have if there are any problems. So I would hope that you would not recommend that this permit not be granted because there is just too many "ifs" and too many questions.</p> <p>My name is Bob Van Riet, I live on 2824 Rodman, and I attended today's meeting with Bruce Gibson, and I apologized to Bruce, I probably won't get these numbers exactly right. But he mentioned that he lived in Cambria, and that there were some 650 vacation rentals in Cambria at this time, nearly every other house, but that there are roughly 200 of those were people who had gotten the permits so nobody else around them could get a permit. That's 200 people at \$2000 apiece, that's \$400,000 spent by people not wanting vacation rentals.</p> <p>Woman who did not identify herself (perhaps Penny Barron?)- I'm kind of a midget, can you hear me, it's OK, I can (unintelligible) and talk and not make sense. I just want to say I'm really naïve about all of this, and I'm not claiming to know anything which is a big problem, but what I did was I just got on the Internet and researched for a while looking at other places where they have vacation rentals and all the problems they've gone through and all this stuff. So I'm looking at Santa Barbara and Palm Springs and places that really are deeply into this kind of thing, okay, and one of the things I learned that it's basically an ongoing process. None of these people have figured it out it, they always have problems. But they devoted huge community resources to making this work because it kind of fits the</p>

Agenda Item	Discussion/Action/Information
	<p>concept of where a part of their community has gone and is going and so, we haven't done any of those things. I think we're jumping the gun here, or whatever it is that that means. I think if we want to do this, we ought to sit down and say okay, we want to make a plan or proposal or a concept where we want to commit to this, we want to talk to Mr. Gibson or whoever the right people are and figure out what would make sense and what we want to do because what we are doing now is kind of like a whack-a-mole in reverse. You know, like we have a lot of people, well-meaning people, who come, and they think they can apply for these Minor Use Permits, and they all have a chance to get one of these things. But there isn't any context in place here. This is a town that doesn't have a lot of resources for all of these kinds of things. There's no way to make this work which has been reported here by people here who I don't even know, all these details, I was amazed to hear that this is the case. Anyway, so what I'd like to do is suggest that we stop doing this for a little while and put together a plan we think will work for Los Osos and make a proposal about how we think this should go because I think right now this isn't fair to anybody, it's not fair to us we come to all these meetings all the time because there's yet another thing in this context that hasn't changed; that is our community and its resources and what we're thinking should happen and not happen, and so on. And then there are other people who think there's a structure in place here and it turns out it maybe it wasn't exactly what they thought. OK, I'm done, thank you.</p> <p>•My name is Steve Best. Vacation rentals have had a problem, they've had a bad name. A lot of people have taken advantage of it, and have taken away a lot of the good housing availability and turned it into vacation rentals because of greed, and its turned a good situation into a bad. But vacation rentals as a whole are not necessarily a bad thing. And that's what's I think a big part of the problem here. Mr. Doyle here, bought a house that was in bad condition and fixed it up, thinking that his experience (interruption to quiet speakers talking in the audience) his situation was that he bought a house, his experience was that he needed a vacation in the homes, he used vacation rentals all the time, had good experiences with them. He bought a piece of property here because he liked the neighborhood, he fixed it up, he did something good for the community. He shops in this community, he, you know, spends money in restaurants, buys things in this community. He wanted to rent a home out, where other people were going to rent the house, go to restaurants in this community, buy things in this community, pay taxes in this community, and so forth. You know vacation rentals, you know a house of this type, it's hard to rent a house of this type on a month-to-month basis, because it is an expensive house to rent, and it takes a special type of client to be able to rent a house like this, they're hard to find, and they're hard to keep. So vacation rentals do serve a purpose. A lot of people do like to be able to have a house. You can't get a hotel room that's going to serve the need of these type of client, and they want to be able to have a house where they can go. Part of the problem is these places aren't managed properly. You have to have the</p>

Agenda Item	Discussion/Action/Information
	<p>kind of restrictions and the regulations on them where the people are going to be managed properly, where there're going to have, where they're going to be, where it's going have the community involved, whether they're going to be getting the permission of the community before they move in, where they're going to have the restrictions on the community so that they maintain the harmony within the community and that's going to be a big important part of it. But you can't throw the baby out with the bathwater just because people don't like it, because they had a bad experience in the past, you can't put the blame on somebody else that's trying to do something good.</p> <p>Fred - Very succinct, the first thing I am concerned about is that you will be at home when we have the ruckus and we need an enforcement. You have a coach, and the coach is a professional, but this is what this person does, not at three o'clock in the morning, three o'clock in the morning, a different story. I'm talking about o'clock in the morning, and if you're my neighbor, and it's three o'clock in the morning, I'm going to come and knock on your door and say would you please go down the block and tell that person to be quiet, tell them to cut the party out. Now that's a process issue that frankly, I am very unsure about. Second thing is if any of you have seen the driveway you're missing a really daredevil experience you're talking about an angle going straight down and then we're talking about a full 90° turn and then down again so what you've got is people taking their lives into their own hands by trying to navigate that for the first time. If you're here for a few days I think you're going to have a real hard time and some folks are going to come down that. I have seen crushed fenders going around that turn with people going an inch at a time. I'm worried about that driveway, and I'm sure that the people who want to rent that out are not going to want a quick course in how to drive up and park legally and how to drive down and park legally. They don't want anything like that. They're gonna park on the street, and the street is a wonderful place except that that's where there's a bend in the street and there's vegetation and you can't see that well around the angle to see the car coming down the other way. And if all the people parked on the Street the traffic, the traffic is going to be sandwiched and that's gonna be dangerous. That I am very worried about. In addition to that, the poor folks who are on the left and right of this house, are a postage stamp away from being able to borrow sugar or cream to add to their coffee for breakfast. In other words, they're right next to each other, okay? And if they're right next to each other, what does that invariably mean; that even a little bit of noise is gonna be a hell of a lot of noise for people who have to go to work the next day, and do things like that. And so now what we've got is real pressure on the people on each side.</p> <p>Woman - one thing that we should all consider is that the more we allow these rentals the less families, the less money in the schools. I mean it could be a real problem if it gets out of hand, so we're trying to stop it.</p>

Agenda Item	Discussion/Action/Information
	<p>Man - can I correct one thing that was said - that home has been rental for the last twelve years. It has accommodated a lady from the lumberyard, it has accommodated a schoolteacher. The back unit is a rental and it has been a rental unit a long, long time for people of relatively low income, and it is going to be gone as a low income rental.</p> <p><u>LOCAC members response:</u></p> <p>LOCAC member Hunter questions Mr. Doyle on whether or not there will still be a back unit. Mr. Doyle responds that there will, it is 25 sq ft too big to be a guest unit, so they will cover it up, and take out the kitchen fixtures. LOCAC member Hunter suggest that Doyle uses the back unit when he comes and to rents the house long term. The benefits will be fewer headaches and a steady revenue stream, a lot less hassles, and much happier neighbors.</p> <p>An audience member says he knows a realtor and she does long term rentals are cheaper and gets \$3500/month and keeps real busy.</p> <p>LOCAC Member Korin reassures the audience that we are listening and that these are our concerns as well. She explains that there are no ordinances that we have to follow and that we are learning from your suggestions and concerns. Sheould like suggest that you to give Mr. Doyle a chance, since you heard all of your concerns and knows there are three levels of security, for late night noise call 911 and that after 10:00 if the noise is not reasonable, it is a 911 call. (Audience member interrupts that there is only one car available, another say there is two.) Since we don't have ordinances and can enforce, we can't give a VR to one person and not to another, we have to come up with a plan. Senior County Planner Kerry Brown and Supervisor Bruce Gibson are all in the same thinking to do a plan, just don't know in this instance, if there is reason enough to not give him a permit. You'll have to watch.</p> <p>LOCAC Member Mayfield explains that we are doing what the speakers are requesting. We have no guidelines for vacation rentals, so that is what the Land Use Committee is now starting to address. We had a meeting on this last week and got a lot of good comments and started the discussion. We urge you to attend the next meeting. We need some specific policy for vacation rentals for Los Osos to go into the Community Plan update. If we get some guidelines it will go into the update and they would do an amendment to the existing vacation rental ordinance. We will develop this over as many meetings as it takes.</p> <p>Audience member says that Los Osos five or six years ago opted for a MUP and not an ordinance, so that we made it more difficult because we don't want vacation rentals.</p> <p>Vice Chairperson Bender and LOCAC Member Tornatzky says the place to change this is in the Community Plan. Audience questions are answered by LOCAC Member Harper: We just recommend to the County</p>

Agenda Item	Discussion/Action/Information
<p><u>LOCAC COMMITTEE REPORTS:</u> See all written reports</p> <p><u>PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA</u></p> <p><u>LOCAC MEMBER COMMENTS, RECOMMENDATIONS AND BUSINESS ITEMS</u></p> <p><u>ADJOURN</u></p>	<p>and if things come up, like what you're talk about tonight, you take it to the Planning Commission.</p> <p>Vice Chairperson Bender asks if we should vote approve the Doyle vacation rental with comments? Or just pass on the comments to the Planning Department. LOCAC members opt not to vote and to pass on all of the comments on to the Planning Department. LOCAC members agree to this unanimously.</p> <p>Land Use minutes were accepted unanimously.</p> <p>A member of the public wished for a copy of the agenda.</p> <p>The July LOCAC minutes were accepted unanimously. The Treasurer's Report was accepted unanimously. LOCAC members discussed a few of the comments brought up. An idea was put forth to see if any vacation rental money could come back into Los Osos.</p> <p>Meeting adjourned 8:26 p.m..</p> <p>Next meeting: September 28, 2017.</p> <p>Respectfully submitted,</p> <p></p> <p>Lynette Tornatzky LOCAC Secretary</p>