



**LOS OSOS COMMUNITY
ADVISORY COUNCIL**

LAND USE COMMITTEE MEETING MINUTES

AUGUST 6, 2018 6:30 pm

Sea Pines Golf Resort – Small Conference Room

COMMITTEE MEMBERS

LOCAC Members:

Margaret Mayfield – Chairperson
Lynette Tornatzky (LT)– District One
Yael Korin (YK) – District One
Larry Bender (LB)– District Three
Tim Carstairs (TC)– District Four

Public Members:

Julie Tacker (JT)
Linde Owen (LO)
Paul Hershfield (PH)
Trish Bartel (TB)

1. GREETINGS AND INTRODUCTIONS

2. ROLL CALL

Absent: Larry Bender (excused)

3. CHAIRPERSON'S ANNOUNCEMENTS

- a. Robert Mayfield has decided he will no longer be a public member of the LUC.
- b. The August 17th Planning Department Hearing will have 3 recently reviewed MUP's on their Agenda: Kellogg, Enerle and Bracken.
- c. Due to Labor Day falling on the first Monday of September, the LUC will meet on Monday Sept. 10th instead.

4. MEMBER'S ANNOUNCEMENTS

None

5. AGENDA ITEMS, INCLUDING PUBLIC COMMENT:

A. DRC2018-00092 McDonald: Proposed Minor Use Permit for a three-unit vacation rental located at 1901 Nevada Ct, 1905 Nevada Ct, 199 Nevada Ct in Los Osos.

Discussion:

The owner was present to discuss her project. She mentioned that she did read through LOCAC's recently passed vacation rental guidelines document but had no knowledge of them when she applied for her permit. She applied for her permit on 6/21/18, prior to LOCAC approving the VR guidelines document and forwarding it on to the County, therefore the planner who reviewed her project was also unaware of the guidelines. Her planner actually encouraged her to include all 3 units in the building in her vacation rental application.

Committee members pointed out that her proposed project does not meet several of the LOCAC vacation rental guidelines, including:

- 1. It does not meet the zoning guideline as it is located in a multi-family residential zone.
- 2. The owner already owns vacation rental property in Los Osos, so it does not meet the maximum 1 per owner requirement.
- 3. It proposes 3 separate vacation rentals in one building, so does not meet the required distance between VR's per the guidelines.

The applicant stated that she understands the community concerns related to vacation rentals, however she feels this property is in a perfect location for a vacation rental as it right next to the bay. She also feels she has the right to use her property per her permit request, as it is in compliance with the current County vacation rental ordinance.

Other items of discussion included the following:

1. Each unit is a 2-bedroom unit, so there is a possible total of 18 persons staying at the building, and 9 cars. There is insufficient parking for that number of cars on site. If the permit is approved, it should be limited to a maximum number of renters based upon the parking capacity of the site.
2. Applicant stated the guidelines excluding VR's in an MFR zone is intended to protect low-income housing- the units in this building would not be affordable housing due to its proximity to the bay.
3. Committee members replied that even if it were not low-income housing, it would be more affordable than renting or owning a single-family house, and the guideline is also intended to keep those options available to long-term residents rather than serving tourists.
4. The applicant's son lives in one unit currently and the others are rented month- to-month. Committee members asked why not keep the units as month-to-month rentals? Applicant relied that she is within her rights and wants to include all options available to her.

A motion is made to recommend denial of the permit request, due to the fact that it does not meet LOCAC's vacation rental guidelines. **The vote is 4-4, so the motion fails.** A member of the public asks why those who voted against the motion voted contrary to LOCAC's vacation rental guidelines. LO stated she did so because she thought we are caught in an in-between place where the guidelines have not yet been approved by the County, and so our review needs to be based on the current VR ordinance.

The Chair explained that that is not the case- one of the primary reasons the guidelines were developed was so that the LUC would have objective criteria on which to base their recommendations for approval or denial, and this is stated in the vacation rental guidelines document that was passed by LOCAC and forwarded to the County. The County knows and has been told that we intend to use these guidelines to base our decisions upon, which we have every right to do. LO stated that she had not been aware that that was the case, and so asked that her vote be changed in favor of the motion. **The motion therefore passes with a 5-3 vote.**

TC is also asked why he voted against the recommendation based upon the guidelines, and he stated that he thought that since the owner's son lived in one of the units, there would be a full-time manager living on site, and so he thought that made it more like a homestay. His vote remains the same.

B. DRC2018- -00095 Collins: Proposed Minor Use Permit for a single-family residence with a garage located at 1187 8th St. in Los Osos.

The owner's daughter was present to discuss their project. The existing home will be demolished and a new home built on site, which will be the retirement home of her parents. There were no significant issues brought up by members or the public with the proposed project.

The Chair mentioned that when she spoke with the applicant over the phone about the project, he had stated that they were also interested in applying for a vacation rental permit at the same time, seeing it as a potential added value to the property. The Chair communicated to the applicant that while there were no significant issues with the permit to build the home, but there would be issues if they sought a VR permit, as the location does not meet LOCAC's vacation rental guidelines. There is already a vacation rental property adjacent to their property, so their proposed VR would not meet the guideline's required separation distance between VR's. A neighbor to the proposed project in attendance echoed this view- stating that he is all for the owner's building a new home on the property, but that he would fight to prevent a vacation rental being allowed on site.

JT stated that she understood why the applicant wanted to include a vacation rental request on the same permit, as it would save filing fees later for a separate VR request. She made a motion to recommend approval of the permit with inclusion of the VR request. **The motion failed 6-2.** A second motion was made to place on the item on the consent agenda at LOCAC recommending approval of the permit request as submitted, for the building of the new residence only. **The motion passed 6-2.**

C. DRC2018-00112 HIRSIG: Proposed Minor Use Permit for a 761 SF additional to a single-family residence at 425 Woodland Drive in Los Osos

Discussion:

The owners were present to discuss their project. They are building an addition to make their home more functional and provide the space needed for their growing family. The committee members had no issues of concern.

A motion was made to recommend approval and place the item on the Consent Agenda for the next LOCAC meeting. **The motion passed unanimously.**

6. PUBLIC OR MEMBER COMMENTS ON ITEMS NOT ON THE AGENDA

Chair asked if someone on the committee would be willing to take the notes for the LUC meetings. Trish Bartel volunteered.

7. ADJOURN