



**SPECIAL LAND USE MEETING-
VACATION RENTAL GUIDELINES FOR LOS OSOS
FEBRUARY 19, 2018
6:30 pm
Sea Pines Golf Resort – Small Conference Room**

COMMITTEE MEMBERS

LOCAC Members:

Margaret Mayfield – Chairperson
Lynette Tornatzky – District One
Yael Korin – District One
Larry Bender – District Three
Tim Carstairs – District Four

Public Members:

Julie Tacker
Linde Owen
Robert Mayfield
Trish Bartel
Paul Hershfield

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1. GREETINGS AND INTRODUCTIONS
 2. CHAIRPERSON’S ANNOUNCEMENTS

Chair stated that she received dozens of emails from community members on the vacation rental issue and suggested guidelines, and forwarded those emails to all LOCAC members.

Chair asked Kerry Brown from County Planning to explain enforcement of the vacation rental ordinance provisions in Los Osos when the ordinance as written is applicable only to Avila Beach, Cayucos and Cambria. The Chair stated that a constituent communicated to her that they were told by a code enforcement officer that the vacation rental regulations were not legally enforceable in Los Osos due to the fact that Los Osos is not specifically named in the ordinance. Kerry explained that the same regulations found in the ordinance are attached as conditions of approval to all Los Osos vacation rental permits, and are just as legally enforceable. The Chair said she would discuss with code enforcement to see where the confusion may lay.

Footnote: The Chair discussed this issue with Marie Cullinane in code enforcement, who explained that the reason for the confusion lay in the fact that there were some vacation rental permits in Los Osos that were granted with a simple zoning clearance up until the early 2000’s, and so there were no conditions of approval attached to those permits as there were for those that went through the MUP process. She said they hold them to the same standards, but rely on ‘voluntary compliance’ as they would not have the same legal standing to enforce the regulations as they would for those that went through the MUP process and had the conditions of approval attached to them.

3. AGENDA ITEMS, INCLUDING PUBLIC COMMENT:

This meeting continued the discussion on how best to address community concerns related to vacation rentals in Los Osos. The Los Osos Community Plan, currently in the process of being updated, has no specific language or guidelines concerning vacation rentals in the community of Los Osos. There is an opportunity now to include such language in the document, specific to Los Osos, that would align with the broader vision and goals of our community.

A. PROPOSED VACATION RENTAL GUIDELINES

The Chair announced that the discussion of proposed guidelines would take a different format for this meeting. The attendees would break into smaller groups of 5-6 people to discuss the proposed guidelines, per the agenda (attached here for reference). The Land Use Committee members would be distributed among the groups. Each group would discuss what they thought about each proposed guideline on the agenda. At the end of the discussion period, one person from each group would report back on the fruits

of their discussion- which suggested guidelines they supported, which they did not, which they could agree on, which they could not, etc. The Chair would then document the thoughts and decisions from each group. The following is a brief summary of the outcome of the group discussions:

GROUP 1:

Density Control/Cap on total # of VR's

1. Their biggest concerns were impacts on the residential fabric of the community and water usage, which is why they support the idea of limiting the number of vacation rentals.

Ownership Requirements

1. They thought Homestays should be encouraged (where the owner lives on the property and rents out rooms)

Temporary Moratorium on VR

1. There was support for a temporary moratorium (not unanimous) but thought they needed more information to understand exactly what the coastal commission allows.

Enforcement of Current VR Ordinance Requirements

1. They all agreed that enforcement needs to be strengthened, especially on the weekends. There is a lack of timely enforcement as well as information on who to call to register complaints.

GROUP 2:

Density Control

1. Most supported a maximum of 2 VR's per block, and a 300' radius requirement. Some wanted 1 VR per block, and a change in the radius depending on the neighborhood.

Cap on total # of VR's

1. Supported a 1 or 2% cap on the total number of VR's (not unanimous)

Ownership Requirements

1. Leaned against owner occupancy requirement (both a & b) (not unanimous)

Temporary Moratorium on VR

1. They were split on the idea of a temporary moratorium

Enforcement of Current VR Ordinance Requirements

1. Enforcement should be held to the highest standards, including fines. Vacation rentals shouldn't run our town, we should run them.

GROUP 3:

Density Control

1. Agreed with the need for both a 1 VR per block limit in conjunction with a radius requirement. Radius requirement would need to vary based on the neighborhood. There would need to be clarification of neighborhood definitions/locations.
2. Question about multi-family properties, and shouldn't they factor into the equation also, not just single-family properties?

Cap on total # of VR's

1. Supported a 1% cap on the total number of VR's

Ownership Requirements

1. The majority thought ownership requirements such as though suggested were appropriate, but it was not unanimous.

Temporary Moratorium on VR

1. The majority thought a temporary moratorium was a good idea, either tied to the building moratorium or the development of Los Osos specific guidelines; one member thought it was not realistic and would not be possible to receive County approval.

Enforcement of Current VR Ordinance Requirements

1. All agreed there needed to be stricter enforcement of the existing regulations, and additional fees to fund enforcement.
2. It was suggested that transient occupancy taxes (TOT) could be used to fund enforcement rather than to promote tourism.
3. Supported having vacation rental permits sunset.

GROUP 4:

Density Control

1. Prefer to control with both per block and radius requirements
2. Radius should be determined by neighborhoods due to lot sizes
3. Factor in hotel and B and B locations (don't want to be next to a hotel and a VR)
4. How do we handle vacant lots, guest houses, hotels?

Cap on Total Number

1. Group agreed to combine (a) and (b)- maximum 1 VR per 100 SF residences, community-wide and also per neighborhood.

Ownership Requirements

1. VR should only be allowed in Primary Residences (owner-occupied)
2. No more than one VR per owner (Includes attached garages, guest houses)

Temporary Moratorium on VR

1. Group supports a moratorium while the VR guidelines are developed (5 people)
2. Supports a moratorium until the building moratorium is lifted (one person wants both)

Enforcement of Current Ordinance VR Requirements

1. Need a vacation rental board and enforcement individual
2. Permit office admits they don't follow their own rules, need published rules
3. Currently, if call the Hotline number, an answering service answers phone and then emails the enforcement officer who only works M-F till 5pm. Weekend complaints won't get noticed till at least Monday. Enforcement officer has 48-72 hours to respond.
4. Need recourse for timely response (30 minutes)
5. Strike 1-3 with monetary fine, after strike 3 lose your permit for life
6. Formal paperwork required (contracts, license plate numbers, DL)

Other

1. Number of allowed occupants in a VR should be based on the number of bathrooms in the VR, not the number of bedrooms (5 people)
2. Permit should go with the owner not the house
3. Permits should not be able to be automatically renewed.

NEXT STEPS

The discussion regarding vacation rental guidelines will return to the regular Land Use meeting, where the process of deciding on draft proposed guidelines to bring forward to LOCAC will continue.

For additional community input on this topic, email communication regarding the vacation rental issue will be posted on the LOCAC website.

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