

8/22/17

Dear LOCAC and county,

I noticed that the vacation rental issue has appeared again - shouldn't vacation rental decisions be on hold until it is decided what the community of Los Osos wants? Remember, vacation rentals in a neighborhood will change the **historical character definition of neighborhoods**. Also, vacation rentals do not seem to be included under the legal definition of a "**single family residence**" home. Vacation rentals (no owner present, short term occupancy) would seem to be more appropriate under a commercial building category.

Marie Smith

9/3/17

Dear Land-Use Committee Chair Mayfield,

This email is to express our sincerest concern about the possibility of more vacation rentals being approved in Los Osos. We are especially concerned about vacation property that would not typically have home owners present.

You are no doubt aware of the concerns that many residents of Los Osos have about these types of short-term rentals:

- Housing prices tend to increase substantially because of vacation-rental investors entering the market.
- Long-term rental opportunities diminish because of short-term competition.
- Noise levels dramatically increase, especially late at night, because of the very animated nature of many vacationers.
- Vacationers often disrespect and disrupt the residential character of the neighborhood.
- Vacation rentals often suffer from littering, overflowing garbage cans, and substantially increased street parking.
- County Enforcement is usually unable respond in a timely manner to serious noise, curfew, parking, or other infractions.

These and other serious concerns make the prospect of more vacation rentals in Los Osos quite scary to many of us. More short-term rentals will begin to more seriously degrade the community and deteriorate the special character that Los Osos offers. Please keep these issues in mind as you consider where the Land-Use Committee stands on vacation rentals.

Sincerely,
Steve & Lynda McCormick

Hi, All

My name is Richard Miller-my wife and I live at xxx Crockett Circle, in Los Osos.

We both firmly oppose ANY ADDITIONAL VACATION RENTALS in Cabrillo Estates.

We have two, one of them across the street from our home, and that is plenty.

We appreciate, and anticipate, your help in keeping these units out of our small and quiet neighborhood.

Vacation rentals make for bad neighbors, we know that from personal experience, and from speaking with other home owners who have had the misfortune of living next to one in Cayucos.

Many of the people who rent these units are ready to party, drink, carouse, play loud music, most of it that rap crap, night and day.

They are usually from out of town, and do not vote in our local elections -but those of who may have to put up with it do vote.

Other good reasons why these people should not be allowed in a neighborhood are given by the below writer.

If you have any questions, please let me know.

Thank you

Dear Ms Mayfield, My wife and I partially moved out of Los Osos 7 years ago due to a home owner across the street ([xxxx Rodman Dr](#)) who used the home as a vacation rental. We had to call the police numerous times due to noise. At times, there were more than 10 cars parked at the address and perhaps as many as 25 people staying there, making noise to all hours of the night. They had a hot tub in the front porch, with drinking, loud noise, etc., constantly in use. We now occupy our home at [xxxx Rodman Dr](#) for only 4 months a year. If the situation gets worse, our only recourse will be to move. As far as I know, CA has virtually no limits on how many people can occupy a home and on how many cars can park at a house. The renters would often also block our driveway and mailbox. We would ask the owners to improve the situation, to absolutely no avail. If you care about our neighborhood, you will not allow short term rentals. Tom Najarian and Sue Unkel

September 5, 2017

Land Use Committee of LOCAC

We are residents of Cabrillo Estates in Los Osos. We both firmly oppose any Additional Vacation Rentals! Our reasons are based on, but not limited to, the following concerns:

1. The residence under consideration is considerable in size and as a vacation rental will attract large numbers of people (either multiple families or large family or special event gatherings) for the short period of time (1-2 weeks) usual for vacation rentals. Such congregations will involve multiple cars that will tax the geographic limitations of this location. We have streets, significant hills with multiple blind spots and limited visibility. There are no sidewalks so residents (families with young children and seniors) are forced to walk in the streets. There are many dark places on the streets due to city ordinances requiring people to pay for street lights in their area and not everyone can afford this tax. Short term renters present a continuing danger because they will not be aware of the dynamics of the neighborhood.
2. These large gatherings will potentially violate the inherent reasons so many have moved to this location. This is a quiet residential development (Cabrillo Estates) with significant benefits to living here; very little traffic because it is a closed environment as none of the streets feed any part of the surrounding community, it is quiet in the evenings and many residents left noisy, high density locations for just this reason and mini-hotels violate the intent of establishing residential zones.
3. We moved to Los Osos from San Clemente where vacation rentals abound. Problems routinely seen in San Clemente include both short and long-term problems; noise, safety issues for both residents and visitors, trash in the streets, vandalism, drug and alcohol abuse and the need for increased law enforcement presence and the attending costs. If the city of Los Osos can't afford to pay to light existing street lamps where are the funds coming from to cover the costs from the above issues?? These costs will certainly grow because if one *vacation rental* request is approved more will follow.
4. Finally, if rental properties are approved property values will be hurt. If property values go down property tax revenues invariably follow. These consequences have a negative effect on peoples' standard of living, their potential retirement plans and the city's ability to meet its social contract with city residents and make meeting the new cost demands all but impossible.

We are unable to attend the meeting on Sept. 14. Please feel free to contact us if you have any questions.

Respectfully,

John T. and Carla M. Lalley

Hi!

Lisa Wallender is a friend of mine, and she told me that there are now meetings going on with the Land Use Committee regarding the future of short-term vacation rental houses in Los Osos.

I know that there are a lot of home owners that are against vacation rentals, but Lisa encouraged me to add my voice to the discourse from the perspective of a long-time renter in Los Osos. Attached is a letter that you can feel free to share with the committee or save for your records. Unfortunately, I teach late at Cal Poly on the nights of your meetings, so I'm unable to attend myself.

Best Regards,

Dr. Jean Wetzel (**see letter attached separately**)

10/11/17

Hi Margaret,

I am attaching a draft of some suggested control measures for vacation rentals in Los Osos. You will see that some ideas definitely need to be developed further. This is as far as I could get before tomorrow's LUC meeting. I hope it provides some food for thought. Thank you for soliciting our input.

Lisa Wallender (see letter attached separately)

10/19/17

Hi Margaret,

As we discussed at the last land use meeting, a group of us from throughout LO got together to discuss some guidelines for vacation rentals. We researched cities throughout CA and Oregon to get ideas of how small and large cities are dealing with vacation rentals. Instead of putting this on the website, could we discuss and revise this list of guidelines at our next meeting? I don't believe it is ready to go public to LOCAC. I think it's the perfect tool for LUC to use to start the discussion. The only concern that I have is for everyone on LUC to have an opportunity to discuss politely and to be heard. I am concerned that we occasionally have a bully who comes to LUC and likes to talk over everyone. Please let me know what you think.

Thanks for listening to us,

Trish Bartel

(see letter attached separately)

10/25/17

Hello LOCAC and county,

I noticed that still **another** vacation rental is being proposed for the Baywood Peninsula.

The internet indicates that

[616 Santa Lucia Ave](#)
[Baywood-Los Osos, CA 93402](#)

has 6 Beds and 7 Baths and is 4,496 Sq. Ft.

Background:

The Baywood Peninsula is a single family residential neighborhood area.

In October 19, 2014 **three** vacation rentals were approved on this **small peninsula**.

Proposed minor use permit to allow use of a single family residence as a vacation rental for three sites:
projects DRC2014-00023 Viola [1161 Pasadena Dr., Los Osos](#). APN: 038-731-007.

<http://www.slocounty.ca.gov/Assets/PL/referrals/coastal/DRC2014-00023+VIOLA+MUP.pdf>

DRC2014-00028 Perevoski [672 Santa Lucia Ave., Los Osos](#). APN: 038-681-015.

<http://www.slocounty.ca.gov/Assets/PL/referrals/coastal/DRC2014-00028+PEREVOSKI+MUP.pdf>

DRC2014-00030 Rutledge [656 Santa Lucia Ave., Los Osos](#). APN: 038-681-018.

<http://www.slocounty.ca.gov/Assets/PL/referrals/coastal/DRC2014-00030+RUTLEDGE+MUP.pdf>

* Notice that two of these are located on the same street (Santa Lucia) near each other. A third one in this area is too much!

My understanding is that there are also two more on this small peninsula.

Questions to ask:

1. How can these approvals of vacation rentals continue before Los Osos decides what it wants as a community? Vacation rentals approved at this rate do not make sense when **none** should happen until the **whole** picture is analyzed: **the effects on neighborhoods and the character of Los Osos/Baywood Park.**

2. **This will drastically continue to change the area which is just trying to survive the effects of the nearby commercial area on their here-to-fore quiet neighborhood.**

3. Notice that the internet indicates that it has 6 beds - what is the total number of people allowed overnight? what about the effects on this **quiet single family residential neighborhood. Is this legal? It sounds like a commercial venture.**

The maximum number of occupants allowed in the residential vacation rental shall not exceed the number of occupants that can be accommodated consistent with the onsite parking requirement, and shall not exceed **two persons per bedroom plus two additional persons, or eight persons total. (notice that they have 6 beds, 7 baths!)**

The maximum number of people applies to people staying overnight, no real daytime restrictions. However all vehicles associated with the rental are to be parked in the garage, driveway, or otherwise out of the roadway (including temporary guest).

Notice that The restrictions on parking do not restrict the number of people coming in cars, or walking in from the street. Who is going to enforce violations? We are not a city with our own police force!

***** Please consider the accumulative effects on the neighborhood:** safety, noise, smoke, unpredictability, water usage. and **VOTE NO!**

Marie Smith

29 January 2018

To Margaret Mayfield, Chair, LUC, and other members of the LUC, LOCAC committee:

I write to express my opposition to the proliferation of vacation rentals in Los Osos; I believe that cumulatively they have a pernicious effect on the life of our community and are very frequently especially problematic for those living in close proximity. Even when visitors are considerate, as they mostly are, the mere parade of a succession of strangers in a neighborhood is destabilizing and degrades the settled, neighborly quality of life which has attracted so many to Los Osos (among other reasons of course) and which so many of us value highly. The friendly, secure sense of settled community life cannot be overstated in my view, and once compromised by the presence of numerous vacation rentals, is difficult to restore. The carnival atmosphere created by frequent comings and goings is the antithesis of quiet family life, as well as the friendly, serene life sought by those in their later years.

I strongly urge the Land Use committee to consider an outright ban on further permitting of VR's: the benefits of VR's to individual property owners is far exceeded by the deleterious effects on the community at large. Barring an outright ban, I urge the committee to adopt the restrictions on VR's advocated by Lisa Wallender in her closely reasoned, cogent remarks to the committee.

I own a house at [XXXX](#), here in Los Osos, though I do not presently live there. I rent my house to a couple with two small children, who have chosen to live in Los Osos in part because of the peaceful, familiar quality the neighborhood affords. Los Osos is a wonderful community in which to raise a family; I very much hope that it remains so.

I inherited my house from a dear friend who moved to Los Osos upon his retirement for the peaceful, sleepy quality of life it provided, as well as for the wealth of natural beauty the area offered. He spent many happy hours walking to Sweet

Springs as well as to other beautiful spots along the bay: the bay access on Pasadena Dr., the Audubon bay overlook, and the Elfin Forest to mention a few. He and some of his elderly neighbors on Loma St. would take turns walking to the bank of mailboxes at the end of the street and distributing the mail to one another, most often lingering to chat. This is an example of the easy familiarity of which I speak.

While it is true that the issue of VR's does not effect me in an immediate way, I now live in a small town in northern California, I very much care about Los Osos and plan to retire there. I fervently hope that Los Osos remains the friendly quiet place that I have so long known and love.

Please accept my remarks into the public record of the LUC proceedings.

Sincerely,

Eric Fritsch

2/13/18

Hi Margaret, this is such a big topic, but I have narrowed my comments down to a couple of areas. If you need me to provide them in a different format, say a list or something different, just let me know.

Thank you, Sue Morgenthaler
(refer letter in separate attachment)

Margaret—Here are my suggestions for vacation rentals in Los Osos:

1. Follow the 200 foot perimeter plan of Cambria
2. Even with the 200 foot plan, no more than 2 vacation rentals per block in the residential areas.
3. Anyone wanting a short term rental of 1 month be allowed to rent (for visiting nurses, Diablo workers, etc) but the rental must be for 32 days, so it is not a vacation rental.
4. Go with Vacation Rental ordinance 23.08.165 with the following exceptions and suggestions:
 - a. Follow the 4 rentals per month maximum.
 - b. Drop the 3 violations within 6 months and just make it no more than 3 violations and the person will not be allowed a rental license again ever.
 - c. If rentals are found without a permit, then that person is not allowed to ever have a vacation rental.

What a sticky subject!

Faylla Chapman

—
Good Day, Margaret,

Thank you for your time working on Vacation Rental concerns of the community of Los Osos. We understand you are accepting proposals to regulate vacation rentals in Los Osos. I feel very strongly that if left unchecked, Vacation Rentals could severely damage the feel of our neighborhoods and community. Our concerns are of both community in nature and personal.

We realize folks should be able to do what they want with their property depending on zoning laws. However, vacation rentals seem to be changing the personalities of neighborhoods by creating more traffic, impersonal behavior and vacation renters have no vested interest in building a thoughtful relation with 'the hood'. If this style of rental habitat continues unrestrained the warm and caring feel of Los Osos may be lost. It is difficult to be a landlord in this heavily regulated industry so unfortunately, vacation renting is an easier and more profitable way to produce income for the landowner. Not sure how to combat this reality however.

In a personal note, we have been unable to build on our empty lot for over 20+ years now due to first the Sewer situation and now water. Vacation renters do not pay for utilities directly so what is their motivation to be mindful of how much water is used over a weekend/week? But we can not build because of water concerns! Well, Reno NV gains and Los Osos is loosing us as active community members, tax payers and native Californians because we are unable to build.

Hopefully the shortsighted policy or lack of will be corrected to diminish the 'for personal gain' tactics that may just pull Los Osos apart. To keep in check perhaps allow only 1 per 100 homes to be converted to Vacation Rentals and only one per numbered block to keep separate. It may be wise to place a moratorium on Vacation Rentals as with building until water issue is resolved; lets be fair to all property owners.

Very truly yours,
Ken & Darlene Kellett x

Margaret, perhaps this article will give you some confidence that you are not deciding on Vacation Rental permits while you are trying to establish regulations. In fact, Morro Bay has set a precedent to completely stop issuing permits all together until they come up with new regulations.

In 2016, Morro Bay voted to stop issuing permits on new vacation rentals for 22 months while they came up with regulations, stating that "minus specific regulations on number, location, and similar issues, vacation rentals can change the character of a neighborhood, cause blight and impact the quality of life and potentially property values". It also says the rentals could compromise the public trust in its local government, "to insure the public health, welfare and safety are protected.

<http://www.tolosapressnews.com/vacation-rentals-limit-passed-morro-bay/>

Dear Ms. Mayfield,

Thank you for your email notice of the next vacation rental meeting of LOCAC's Land Use Committee.

Regrettably, I will not be able to attend the meeting on Monday evening. However, my husband Richard Clark and I do have some thoughts about the issue:

- First of all, we appreciate the willingness of you, as chairperson, and the committee, to devote time to hear citizen input about vacation rentals.
- As we heard two weeks ago, many are very impassioned about their stance, both pro and con, on this issue. Unfortunately, this vociferous venting reverts to an old pattern for our community and ultimately is not productive. We would like to hear ideas on how we can develop workable ideas that both protect property owners' rights and honor neighborhood integrity. Given the parameters set by the Coastal Commission, and the need for the County to also be fair, this can be a tall order. But we believe it can be achieved.
- Neighborhood integrity is one of our main concerns about allowing more vacation rentals. Even though it appears that some vacation rentals are well managed, and are rented by well-meaning visitors, we are still vulnerable to a mentality that sees our area as a party destination. Visitors are here for a short time only and other than their rental contract, have no particular vested interest in our community's cohesion.
- In addition, allowing too many vacation rentals has the effect of reducing the net number of affordable houses for local families and the local workforce. As we all know, this is a huge problem in our county, and with rising real estate values will get worse.
- We are in favor of introducing limits, by block or by footage, on how many vacation rentals will be allowed. In addition, there must be adequate accountability, achieved by managers who are reachable day or night if problems arise. If additional enforcement personnel are required, we think that this cost should be built into vacation rental permit fees.
- This is an opportune time, now that the sewer system has been completed, for Los Osos to become a more unified, positive community. We believe that by codifying these limits in the new Community Plan, we will be positioned to fully enjoy and thrive in the diverse community that is Los Osos.

Please feel free to share this email with the Land Use Committee and other LOCAC board members.

Thank you for the opportunity to share our thoughts.

Sincerely,
Gretchen & Richard Clark

Hi Margaret, assuming I read your email correctly and you are thinking about attaching us to the existing vacation rental ordinance 23.08.165 with specific changes to address our problems, I have come up with the following. I am not the last word and my reading is wildly deficient, so this is by no means definitive! But the underlined changes below would be added to the current language, and the crossed out language would be eliminated. Again, thank you for listening to me.

Thanks, Sue

c. Location -density should be 1 rental per 100 homes, limited to 1 rental per numbered block (1 allowed in the 800 block of Ramona for example), with the numbers evenly distributed between the SLO County designated neighborhoods in Los Osos.

h. Traffic normal residential traffic volume means up to 5 trips a day, not 10

j. Noise-Current ordinance states threshold for noise is audible from a distance of 50 from the property line of the rental property. Should read shall not extend past the property line of the rental property. (This is taken from other city vacation rental ordinances. I believe I got it from Palm Springs.)

I am trying to get owner responsibility into our agreement. This is what most of the changes below are designed to address.

k. Local Contact Person: I would like to see owners or their local agents available 24/7. Owners are required to meet with their renters prior to, or within the first 18 hours of arrival. Owners shall explain the rules and regulations and have this list of them signed. Owners shall get a list of all renters names and a list of their cars and license plates. This then shall be forwarded to Code Enforcement within that 18 hour period. This enables photographs taken of listed cars parked off site to be used as proof of violation.

Section k. (1) A notice shall be submitted to the Department of Planning and Building, the local Sheriff Substation, the main county Sheriff's Office, the local fire agency and supplied to all of the property owners on the same numbered block of the proposed residential vacation site. Distances shall be measured as a radius from the exterior property lines of the property containing the residential vacation rental unit. This notice shall state the property owner's intention to establish a residential vacation rental and shall include the name, address and phone number of the local contact person and the standards for noise, parking and maximum number of occupants. This notice shall also include a form which each neighbor shall fill out and sign. There will be a place on this form designated for them to express their preference and concerns regarding this rental on their block. A copy of this form and notice, a form certifying that the notice has been sent and a list of the property owners notified shall be supplied to the Planning and Building Department at the time of application for the Zoning Clearance, Business License and Transient Occupancy Tax Certificate for the residential vacation rental.

m. Please add If a property is sold, the vacation rental permit and license doe not transfer with the property. Here I do not know what the wording should be, but I think you understand the intent.

n. Complaints. Complaints about possible violations of these standards should first be directed to the local contact person. The local contact person is required to respond to the complaining party within 15 minutes. If the local contact person fails to respond within 15 minutes, the complaining party should contact the County Sheriff's Department Dispatch.. Sheriff Dispatch will attempt to reach the local contact person. If Sheriff Dispatch is unable to reach the local contact person....., the Sheriff shall inform County Code Enforcement staff. **The owner absolutely needs a time limit for this process to work and be enforceable. 15 minutes my not be reasonable, perhaps 30 minutes. But there needs to be something.**

In regards to **o. Violation**, I do not know what penalties and fines and the process for addressing a violation of the provisions of the section are. They are apparently included in 23.10 of this Title Enforcement which I have not seen. I do like what they have written, under **o. Violation**, especially the 3 verified violations shall be grounds for shall result in revocation of the zoning clearance.

I understand there can be instances where the owner does everything possible, so in the case of an out of control party or noise situation where the renters refuse to comply, the owners should call the police. Owners must be held accountable for the actions of their renters, but if they show intent to do so, they should not necessarily need to be penalized. These guidelines are in no way meant to trap a responsible owner who is doing everything they can to resolve situations, it is meant to punish those who have no regard for the system. Also, there should be something that says, Neighbors may not make any false claims against a vacation rental owner. This could be punishable by a fine as well.

I was trying to put together some possibilities for a penalty structure, this is what I came up with:

Penalties for owners not resolving violations could be something like:

1st time (all within a 6 month period)- warning

2nd time- \$500

3rd time- \$1000

4th time- permit revoked

But it is possible that what reads in the ordinance is better- 3 verified violations within any consecutive 6 month period shall be grounds for revocation of the Zoning Clearance. If we were to keep this, I would like it to read, 3 verified violations within any consecutive 6 month period **will result in revocation.....** Just trying to tighten things up and make them more enforceable, no wiggle room!

And I should have said, cars parked for 3 days- Friday afternoon through Sunday, would also most likely be gone, before county code enforcement started to deal with the issues, basically voiding the entire penalty process, as nothing could ever be proven.

I would like to see neighbor comments given weight and meaning in the permit process, perhaps even denying a permit because of them.

Sue Morgenthaler

Margaret,

I just saw your agenda for Monday and I have a question about item 5, enforcement of current VR ordinance requirements. You are suggesting the ordinance should be amended to list Los Osos along with the other cities, so that all VR regulations are legally enforceable here. I personally am ok with that, assuming we get the density numbers changed, but it is imperative to me that we set up a mechanism that will actually work to enforce a noise disturbance. My answer is to make the owners responsible.

The problem we have is that the current ordinance really has no mechanism for immediate relief. If you have an out of control party at the VR next door to our home, there is literally nothing you can do about it.

The ordinance in item n. states that first you call the contact person. If he fails to respond you should contact the County Sheriff's Dispatch. They will attempt to reach the local contact person. If that does not happen, Dispatch Department shall inform the County Code Enforcement staff. There is nothing here that indicates anyone will intervene to stop the disturbance.

We absolutely have to have a mechanism in place to go forward with this. I have suggested one in my previous emails to you. If you or anyone else have other ideas, I am happy to hear them.

So I would love to see in your agenda, your Purpose at the end of item 5 read

Purpose:

a. To make current requirements in the existing vacation rental ordinance (ie, on street parking, maximum occupancy, noise, et.) legally enforceable in Los Osos. **To set up a workable mechanism to assure that someone will take responsibility for stopping a disturbance or nuisance. (this in my opinion has to be the owner on call 24/7 and if they do not respond in a timely manner that we specify, then the Sheriffs must be notified to respond. If they will not respond, then this MUST BE STRIKE ONE against the owner.)**

By not mentioning this in the same sentence as we are attaching ourselves to the ordinance to qualify us to have the same protection as the other cities, people will hang on to this and think we then will have protection. But we will not and I will be forever having to stand up and say, no, we still have no recourse!!!

I'm sorry to keep saying this, but I don't feel like I have made my point. Perhaps I am not explaining things correctly, perhaps I should use different words. Even in the ordinance, I see nothing that says someone will come stop a disturbance if it is an issue. A code officer investigating 2-3 days later, or even the next day, is not going to bring any relief to the neighbors.

Thank you, Sue

Dear Margaret,

This provides my suggestions for keeping our residential community peaceful with people who look out for each other. I think we all want to keep all of us safe and healthy. To me, that means limiting the number of vacation rentals. We are not a beach community like Cambria and Cayucos.

I have read the information provided by the California Coastal Commission and I have these suggestions:

1. In Los Osos as in many places, the problem of escalating home prices, leading to less affordable housing is brought on by: 1) people from outside the area bidding up the price of homes for investment purposes, not for their primary residence, 2) people adding onto homes so they can(then or later) turn them into larger, more lucrative vacation rentals.
2. Enforcement of parking, noise, etc issues is difficult in an area such as ours where budgets are tight and the area needing coverage is wide.

My solution to these two problems is:

- 1) Vacation rental permits will be granted only to people who own the house as their primary residence and who live in the home themselves for 300 days out of the year.
- 2) Home owners or their agent must reside on the vacation rental property or within three blocks of the vacation rental property when the home is rented short term to ensure that enforcement can be accomplished immediately, that is that cars parked on the street can be identified as the vacation renters occupants, people creating the noise are the Vacation rental occupants, etc
- 3) Homes on Los Osos streets without any one of the following: paving, street lights, and sidewalks, are not eligible for vacation

rental permits. Homes in commercial areas i.e., where there are commercial business operations such as Inns, bakeries, restaurants, retail stores, are eligible to apply for Vacation Rental Permits.

4) Home additions: A Vacation Rental Permit will not be granted to a home that has received a home addition permit within the previous five (5) years. My thinking here is that if people add to their house to they can get vacation rental income, they are ultimately making house more unaffordable in Los Osos.

Kindest regards,
Margaret Bertrand

Margaret,

My wife and I live in Cabrillo Estates and are very concerned about the vacation rental issue in Los Osos. We worry that the residential nature of the town will irrevocably change if more such rentals are allowed without serious control that limit their impact. We would attend the February 19th LOCAC meeting if we could, but we'll be in New Zealand visiting family until the end of the month. So we hope that it's OK to send you our take on this issue.

The [January 7, 2015, edition of the Cal Coast News](#) discusses the ordinance that SLO has in place:

The ordinance mandates that homeowners live in the homes that they are renting, obtain city permits and pay transient occupancy tax — each of which the city has required since Nov. 2013. But, city records indicate that only 36 of approximately 90 rentals listed on popular website [Airbnb.com](#) are permitted.

Since Feb. 2014, the city has collected \$30,988 in taxes from the owners of the 36 permitted vacation rentals. Permits, a separate expense, cost \$305 each.

Permitting costs will remain the same under the new ordinance.

New regulations include a requirement for the homeowner or a representative to remain within a 15-minute drive of the property at all times the house is occupied by guests. The homeowner or representative must also be available by telephone, and neighbors will receive their contact information in case they wish to lodge complaints.

Other requirements in the ordinance include a limit of four guests per stay and a ban on visitors sleeping in guesthouses. Homeowners must additionally pay a Tourism Business Improvement District tax.

The city will enforce the ordinance on a complaint basis.

This seems to be a very reasonable way to ensure control of vacation rentals in Los Osos. Because of our seaside location, we are even more at risk than SLO is of the negative impact of uncontrolled expansion in this rental market. We should therefore put rules and enforcement plans in place that are no less regulatory than theirs.

Thanks for hearing us out. We hope that our opinions and comments help.

Steve & Lynda McCormick

I wholeheartedly agree with the solutions listed below as recommended by Margaret Bertrand.

I attended the last two meetings and did feel very much was accomplished due to the squabbling among the participants.

Please consider following suggestions.

Thank you,
Michelle Spencer

1) Vacation rental permits will be granted only to people who own the house as their primary residence and who live in the home themselves for 300 days out of the year.

2) Home owners or their agent must reside on the vacation rental property or within three blocks of the vacation rental property when the home is rented short term to ensure that enforcement can be accomplished immediately, that is that cars parked on the street can be identified as the vacation renters occupants, people creating the noise are the Vacation rental occupants, etc.

3) Homes on Los Osos streets without any one of the following: paving, street lights, and sidewalks, are not eligible for vacation rental permits. Homes in commercial areas i.e., where there are commercial business operations such as Inns, bakeries, restaurants, retail stores, are eligible to apply for Vacation Rental Permits.

4) Home additions: A Vacation Rental Permit will not be granted to a home that has received a home addition permit within

the previous five (5) years. My thinking here is that if people add to their house to they can get vacation rental income, they are ultimately making houses more unaffordable in Los Osos.

Hopefully, reasonable guidelines for vacation rentals in Los Osos will be formed by The Land Use committee, and ultimately forwarded to the Board of Supervisors where they will become the "rules" going forward.

Dear Margaret,

Thank you for your email reminder about the upcoming vacation rental meeting on Feb 19 and your request for input.

Following is our feedback on the proposed guidelines as presented in the Agenda.

It seems that there are really two important issues:

- 1) WHETHER to allow VRBOs in Los Osos, and
- 2) if it is decided to allow them, then what guidelines should govern them.

With respect to the first issue, we are in agreement with the handout we received at the last meeting, entitled "Overview of Vacation Rentals and Homestays" (not clear who produced this document), namely,

"it is our belief that we should incorporate the regulations that have been adopted in San Luis Obispo, Santa Barbara, Montecito and Seal Beach. The regulations DO NOT allow vacation rentals in residential areas but they do allow home-stays in residential areas as long as they follow County regulations" (emphasis added).

So our FIRST CHOICE is to conform to what the city of San Luis Obispo has done, namely, owner-occupied homestays only. (This looks like it may be in agreement with Agenda item A.3.a. "Allow VR's only in primary residences"?)

Our SECOND CHOICE is to have a Temporary Moratorium on VR's (item A.4.a in the agenda).

On the other hand, if (further) VRBOs are going to be allowed in our community, then our preference would be to list Los Osos under ordinance 23.08.165 (along with Cambria, Cayucos and Avila Beach) with the following Location preferences:

FIRST CHOICE - Maximum of 1 vacation rental per 100 single-family residences, per neighborhood (item A.2.b. of the agenda).

SECOND CHOICE - Maximum of 1 VR per block (item A.1.a. of the agenda).

We also suggest amending section h) of the ordinance regarding Traffic to have a more realistic traffic volume based on the neighborhood. "Up to 10 trips per day" seems exceedingly high and does not make sense for Cabrillo Estates, and probably not in other Los Osos neighborhoods as well.

We are not planning to attend the meeting as we were disappointed with the very unbusiness-like structure of the last meeting, simply allowing one person after another to speak for 3 minutes (with extensions for favorites). Are there any minutes of that meeting?

Thank you for your time and effort on behalf of our community.

Regards,
Ted Hill and Erika Rogers

Dear Margaret,

I think most of the items in my prior letter pertain to safety and affordability. Mr Van't Riet's comment on lot steepness also pertains to safety. An additional very important safety issue is fire dangers. It occurs to me that many of the houses in my neighborhood — but also others in Los Osos — are in close proximity to Eucalyptus tree which are notorious fire hazards due to

the flammable oil in their bark. Given our increasing drought conditions, I would add that homes in close proximity to Eucalyptus trees not be allowed to have Vacation rental permits as Vacation renters are less likely to be either knowledgeable or vigilant about fire dangers.

Kindest regards,

Margaret Bertrand

Dear Margaret Mayfield, LUC Chair,

I am writing to express my concerns about vacation rentals (VRs) in Los Osos. I strongly encourage regulations that limit the number and type of VRs in Los Osos. VRs harm communities by reducing housing stock, changing the make up of a community and causing nuisance issues. Taking a house that would be occupied by a long term tenant or owner and making it a VR does no good for a neighborhood. It makes it difficult for renters to find places to live. It turns a neighborhood into a business district that only benefits VR owners and not their neighbors. It deprives the neighborhood of creating and fostering a community when homes are occupied by folks who are there only for a few nights.

I suggest that:

1. VRs should not be allowed in multi family dwellings and mobile home parks. Only in single family residences (SFR).
2. There should be a cap on the number of VRs per community of one VR per 100 SFR.
3. The maximum number of VRS per block be limited to one or less depending on whether or not the community cap has been met.
3. VRs should be in primary residences only. No one should be allowed to come into a community to buy a house for the sole purpose of making it a VR.

I moved here to Los Osos from San Francisco 3 years ago. I know first hand how VRs can change a community to a place where you don't get to know your neighbors because the folks in the house next store are different folks every night. When we first came to Los Osos we rented a home that we were eventually able to purchase. I like being part of this community and am grateful that there was a long term rental available. If VRs proliferate in Los Osos people like me who participate in the community and contribute daily to the local economy won't be able to be here.

Thank you,
Kathy Flock

Hello Margaret,

Here are my thoughts and concerns regarding Vacation Rentals for the upcoming Land-Use meeting.

It's an issue that needs to be quickly re-organized with strong controls and over-seeing management.

Thanks,
Lisa Denker
(see letter attached separately)

To: Margaret Mayfield, LOCAC Member and Land Use Committee Chair:

At the end of Jean-Paul Sartre's play "No Exit," a character concludes that "Hell is other people!" Such is the experience of some in Los Osos whose neighbors have imposed vacation rentals on their neighborhoods.

When most people consider a home for purchase or rent, they inquire, among other features, about the immediate neighborhood. (For example, are the neighbors friendly, quiet, respectful, active contributors to the community?) But with vacation rentals dotting our streets, inconsiderate tourists who may prove to be disruptive or abusive leave residents with little

recourse. The vacation rental's owner may be out of town or, worse, be an absentee landlord. The official hotline is not responsive until the next "workday" after what may have been a long weekend. There are few sheriffs on duty, possibly only one, and he/she is responsible for an enormous area along the coast.

In this unincorporated community, regulations are essential. Unless residents' property values, privacy, and peace are protected, our neighborhoods may experience the hell Sartre depicts. On the other hand, if residents move because of hellish conditions, at least the realtors will benefit.

Limitations on vacation rentals should include:

- limitation of number of vacation rentals per block
- proximity limits (i.e., number of feet separating houses & effect on viewsheds)
- owner's accessibility & responsible communication with neighbors
- limitation of number of cars & adequate parking on the house property
- limited visitor/bedroom ratios
- permits with a percent of the fees covering enforcement costs
- permits granted for existing structures only

Let's preserve our residential neighborhoods and not allow any to be turned, consciously or inadvertently, into what are, in effect, motel rows.

Sincerely,

Beverly Boyd

To: Margaret Mayfield, Land Use Committee Chair

Subject: Addendum to Suggestions for Vacation Rental Regulations

Since I emailed you my initial list regarding Vacation Rental Regulations, I have had more thoughts about other limitations that should be considered. Because short-term vacation rentals already exist in Los Osos when having none might be preferable as in the residential neighborhoods of Seal Beach, Santa Barbara, and Palm Springs, what I've suggested are ways to control the situation we have here.

In addition to the bullets listed on my first email, please add these:

- permits should be granted to the home owner, not to the property itself;
- permits should be renewed regularly (e.g., yearly), not be granted in perpetuity;
- owners with existing permits need to abide by the new regulations, no grandfathering.

I hope these suggestions will help as you prepare your agenda.

Beverly Boyd

Margaret,

Michael and I will try to attend the meeting tonight, however here are my thoughts regarding vacation rentals in Los Osos.

It seems to me that our best chance of getting something approved is to stay as close as we can to the existing rules for Cambria and Cayucos. We are all in the Coastal Zone and have many similarities. We ALSO have differences and those should be called out and considered.

1. Vacation rentals should not be allowed on streets that are either unpaved, or unlighted
2. Required permits should match those required in Cambria, Cayucos and Avila Beach (zoning clearance, business license, transient occupancy tax certificate) in addition to a MUP
3. NO on street parking; all onsite (as in the other areas). On-site = paved driveway and garage; NOT in the yard or on the shoulder of the road.

4. Consideration for whether property is on sewer or septic system – see 23.08.165 b of the Ordinance re adequate capacity to accommodate this use. Many visitors will not know that a septic system requires a different set of ‘rules’ for disposal of garbage/waste.
5. Certification of 24 hr property management; notice to property owners within 200 feet of the unit
 - a. Recertification and notice every 6 months (update/phone numbers/contact person)
 - b. If the owner lives within Los Osos and is acting as their own property manager, they must certify that they are resident in the area during any rental (e.g. not traveling) OR they must hire a professional property manager.
6. Maximum occupancy not to exceed 2 persons per bedroom plus 2 additional.
7. Adopt 23.08.165 c(1), (same as Cambria) no residential vacation rental shall be located within 200 linear feet of a parcel on the same side of the street as the vacation rental; 200 linear feet of the parcel on the opposite side of the street from the vacation rental and 150 feet radius around the vacation rental.

Much of this is already in the ordinance.

Thank you for your consideration

Maryellen R. Simkins

2/19/18

Margaret,

I know there is a LOCAC meeting tonight and you will be discussing guidelines for vacation rentals. I have attended a number of meetings but I will not be able to attend this evening so I thought I would send an email. I have concerns about vacation rentals and allowing them to get out of control in Los Osos. Here are my two major concerns.

Losing the sense of neighborhood.

Before moving to Los Osos in 2010 we lived in the same house for 25 years. It was a wonderful neighborhood. If you needed help, someone was always there. We all watched over each other’s kids, we shared each other’s joys and sorrows. We are all still dear friends to this day. The longer I am away from that neighborhood I realize just how blessed I was. We will lose that sense of neighborhood if we allow too many vacation rentals in Los Osos. New people arriving at a home every weekend or staying a week, feeling entitled to behave however they want because they are paying a lot of money to stay there. Then they go home and we have to deal with the fallout..... strangers on our street, noise, trash, excess cars. Why should we have to do that? We moved to this town to have a quiet life not deal with a hotel next door to us!

Losing the town’s inventory of long term rentals.

Two years ago my son and his girlfriend moved from Oregon to Los Osos to be closer to us. They had to live with us for over a year because of the lack of rentals available in Los Osos. Because of the shortage of long term rentals, the few rentals out there were able to charge whatever they wanted. This causes it to become unaffordable for most people. They finally ended up having to rent a home in Nipomo with another couple.....far from ideal!

Look at the surrounding towns in our area that have been overrun with vacation rentals. Maybe they didn’t realize or looked the other way on the damage vacation rentals were doing to their towns but Los Osos CAN and MUST learn from their mistakes. Thank you for the countless hours you and the other committee members put into all of the issues concerning our town.

Sincerely,

Andrea Gibbs

Dear Margaret,

I have additional items that I wish to add to the LOCAC Land Use Committee discussion of vacation-rental (and home-stay) permit requirements.

On any application for a permit I believe there is a need for site specific information regarding:

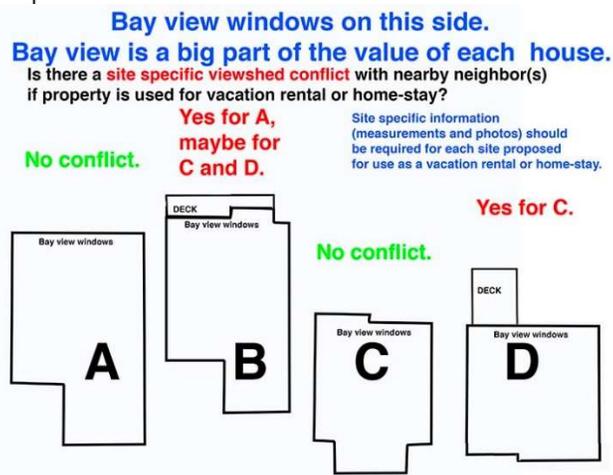
1. viewshed conflicts for windows (and decks?) at nearby residences that offer bay view or other significant scenic view,
2. proximity of amenities like spa/hot-tub in viewshed of neighbors,

3. proximity of any barbecue or fire pit to forest lands (or to any flammable materials that could be fanned by winds to endanger nearby community or natural areas,

4. proximity of adjacent properties and prevailing wind direction as it affects second-hand smoke transport to neighboring residences.

The information on these issues could be satisfied by diagrams or photographs that would need be subject to checking on a site inspection and require written approval by the potentially affected nearby neighbor(s). False claims would be subject to retroactive cancellation of the permit.

Thank you for adding these ideas to your list of possible regulations and requirements. I'm attaching a diagram to illustrate the first point.



Sincerely, Dave Bowlus

Presidents' Day, 19 February 2018

To Margaret Mayfield, Chair, LUC, Members of the LUC, & Julia Oberhoff, Chair, LOCAC

I have previously submitted written comments on 2 separate occasions regarding my concerns over the existence of and proliferation of VR's in Los Osos. I have requested in both instances that my comments be included as a part of the public record of your proceedings. Not having heard from the LUC that my comments have not been so included, I infer that they are indeed part of the public record relating to the discussion of VR's by the LUC.

I write now, in advance of this evening's meeting of the LUC, to yet again express my opposition to the proliferation of VR's in Los Osos. I have previously stated my specific concerns, which closely mirror the concerns stated by other members of the community and are enumerated in the agenda posted for tonight's LUC meeting.

I am in favor of each and all of the proposed conditions and restrictions noted in your agenda in response to the various problems which VR's present for those living in the immediate vicinity of a given VR, as well as the cumulative adverse effects of VR's on the community as a whole.

I now would like to expand upon my previous remarks in likening the deleterious effects of VR's on Los Osos to the numerous adverse consequences to natural communities of the atomization of intact habitat and ecological units.

I will list these effects in outline form; it is by no means a comprehensive detailing of these consequences. Note these effects vary in their scope and impact:

- increased predation by native animals on vulnerable species, ie increased nest predation by jays and crows on nests of songbirds.
- increased invasion of natural communities by non-native plants and animals.
- decreased foraging opportunities.
- decreased shelter.
- decreased nesting and denning sites necessary for shelter and reproduction.

- separation of once contiguous habitat necessary for ranging animals in search of adequate food resources and mating opportunities.
-
- fragmentation of sufficient habitat necessary for the stability of individual plant species and of plant communities.
- increase in invasion and proliferation of non-native plant species, threatening the stability of native communities by direct competition for resources necessary for plant survival, ie sunlight, water, soil nutrients, space for growth.
- decrease in reproductive success by reducing populations of insect and animal pollinators.
- decrease in reproductive success by the fragmentation of intact populations of wind-pollinated species, as well as by limiting seed dispersal of all plants.

I believe that the adverse consequences of VR's on the fabric of community life in Los Osos are roughly analogous to those I have enumerated for natural communities above. The atomization of the community by VR's threatens the stable, settled, familiar, quiet life that so many residents have sought, value highly and thrive in. Los Osos is wonderful place both to raise a family and to spend one's later years; familiar, friendly, safe, quiet and peaceful.

Do we really want to destroy these precious qualities simply to accommodate those property owners seeking to use their residence(s) as an investment and source of revenue? The loss of these qualities will do incalculable damage to our community; damage which cannot easily be undone.

Restricting or even prohibiting VR's altogether (the outcome I favor) in no way prevents or limits those property owners from the use and enjoyment of their residences. Nor does it in any way preclude anyone from using their residence for generating income through the long-term rental of their property.

In conclusion I sincerely hope that each member of this committee will carefully reflect on VR's and their potential impact on Los Osos in your deliberations. Please include my comments in the public record of this evening's proceedings and in all subsequent discussions relating to VR's.

Eric Fritsch

Hi Margaret,

I have a couple comments on Group 4 suggestions.

1. Make the permit on temporary for a fixed period.

The problem with that is the permit costs \$2400. Its not fair to pay that fee for a short term.

2. Rentals should only be owner occupied (homestays) or principal residences.

That becomes a problem with all the 2 bedroom houses in Los Osos. There is no way a owner could stay in a 2 bedroom house with guests, nor would the guest want that. Also, for a small house it hard to have space for personal belongings and allow space for the guest. Most owners would not want guests to have access to personal belongings.

3. Restrictions on short term rentals versus drug rehab half way houses.

I have a rehab half way house across the street and my neighbor told me that one of the patients came out asking to buy meth. I think some perspective should be seen on those patients and guests of short term rentals coming with families and pets looking for a quiet stay.

4. I would suggest that a collection of pictures of the active short term rental should be compiled to see how well they are maintained versus regular rentals (discussion about removing housing stock)

Sincerely,
Neil Pulido