



## LAND USE COMMITTEE MINUTES

JANUARY 11, 2018

6:00 pm

Sea Pines – Large 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  
Paul Hershfield  
Trish Bartel

---

#### 1. GREETINGS AND INTRODUCTIONS

#### 2. ROLL CALL

Absent: Lynette, Trish

#### 3. CHAIRPERSON'S ANNOUNCEMENTS

- A. The special Vacation Rental meeting has been scheduled for **1/29/18** at Sea Pines, at 6:30pm, in the small meeting room.
- B. The LUC meeting has moved to a different day of the month and location, so that it may be held in a room large enough to accommodate a larger number of attendees. ***The new date and time for the LUC meeting is: the first Mondays of the month, at 6:30pm, at Sea Pines, in the small meeting room (across from the restaurant patio).***

#### 4. MEMBER'S ANNOUNCEMENTS

None

#### 5. AGENDA ITEMS, INCLUDING PUBLIC COMMENT:

- A. **DRC2017-00035 BILL LEE** - Proposed Minor Use Permit for a restroom addition, a portable canopy, and interior remodel. The proposed project is within the commercial retail land use category and is located at 1399 2nd street, in the community of Los Osos. The site is in Estero planning area.

##### **Discussion:**

Bob Crizer was in attendance to represent Mr. Lee's project. He explained that no action was needed by the committee at this point, as the application will be amended to include additional items. He did, however, want to update the committee members about the project and answer any questions. He explained that other issues with the property will be added to this permit, with the goal of bringing all items into compliance. Committee and public member comments and concerns included:

- a. Concern there was insufficient parking on site to accommodate the number of seats provided. There was also a question as to whether the canopy installation removed some parking spaces. Mr. Crizer said it did not, but that a few spaces were changed into compact car spaces.
- b. That an ADA compliant path of travel to the front door may be compromised by some of the other seating/site elements.

- c. The application has some inaccurate information- Mr. Crizer should review the application and make corrections.
- d. Water usage- more seating means more water usage. Is a will-serve letter needed for an additional restroom? Mr. Crizer was not certain and will check.
- e. Lisa Denker read a statement regarding several code violations on Bill Lee's property. Mr. Crizer stated that they will be addressing and bringing into compliance all remaining code violations on the property as part of the amended application.

**No action required or taken by the committee.**

- B. DRC2007-00120 MOROSIN** – Minor Use Permit/Coastal Development Permit to allow construction of a 4,553 square-foot single family residence (SFR) with attached 500 square foot garage, 5,058 square feet of deck, a 640 square foot detached garage and 600 square foot guesthouse. The new SFR is proposed to be used as a vacation rental. 2300 Clark Valley Road, approximately 1.2 miles southeast of the community of Los Osos, in the Estero planning area.

Jeff Edwards was present to represent the applicant. Julie Tacker recused herself from this item.

**Discussion:**

- a. Concern that a precedent would be established for building a residence for strictly vacation rental purposes. Mr. Edwards replied that it is not being built to be used expressly as a vacation rental, but will be used as the family residence; they decided to add in the vacation rental permit as a more efficient and less costly way to get both permits at one time.
- b. Concern with approving a vacation rental permit before we have established our Los Osos specific guidelines. Others pointed out however that the remote location of this particular property avoids the primary issues of concern regarding VR's that LO residents have- ie, noise, street parking, and their impact on the residential character of neighborhoods.
- c. Question about water offsets- Mr. Edwards said the project will comply with all Title 19 requirements, including water offsets.
- d. Potential fire hazards- Mr. Edwards said the home will be fully sprinklered,

**The committee members voted unanimously that the item be placed on the Regular Agenda of the next LOCAC meeting for further discussion and input from the public.**

- C. DRC2017-00067 SMILANREK & PENA** Proposed Minor Use Permit 437 square foot family room addition to existing single-family residence of 1,300 square feet located at 262 Los Padres Ct., Los Osos.

**Discussion:**

The applicant was unable to attend the meeting, but the committee members had no questions or concerns with the project.

**The committee members voted unanimously to recommend approval and that the item be placed on the Consent Agenda of the next LOCAC meeting.**

- D. DRC2017-00047 OLANDER** – Proposed Minor Use Permit for 215 SF addition, 415 SF garage conversion and 515 SF garage extension at 264 San Jacinto Drive in Los Osos

**Discussion:**

The applicant's architect, Michael Smith, was present to discuss the project. The project involves a small addition, a garage expansion and a conversion of existing garage space. There is no new restroom and the project is primarily to increase bedroom space and office space.

**The committee members voted unanimously to recommend approval and that the item be placed on the Consent Agenda of the next LOCAC meeting.**

- E. **DRC2017-00076 PATTIZ:** Proposed Minor Use Permit for a Vacation Rental at 2117 Inyo Street in Los Osos.

**Discussion:**

The applicants were unable to attend the meeting, but the Chair discussed the project over the phone with Debby Pattiz, and communicated the following information: The property is their second home and they plan to retire there. They come up and stay in it themselves at least once a month, and their immediate neighbors are supportive of them using it as a vacation rental. She said it is a very nice, well-maintained home and they want to keep it that way. They screen their renters and make sure that whoever stays there respects the house and the neighborhood. She asks her neighbors to tell her if there are any problems. Kathy Van Beurden with Bay Osos Realtors is their property manager.

**The committee members voted unanimously to place the item on the Regular Agenda of the next LOCAC meeting to allow further discussion and public input.**

- F. **DRC2017-00078 MCDONALD:** Proposed Minor Use Permit for a Vacation Rental at 525 Ramona Ave in Los Osos.

**Discussion:**

The McDonald's were present to discuss their project. They live in Morro Bay but have a son and daughter living in Los Osos. They have been renting it on a month to month basis, but are seeking a permit to allow for shorter stays, which will help with the cost of maintaining the property. They believe that a vacation rental provides less wear and tear on the property and provides a visitor-serving benefit to the town. Committee members conveyed that the community has many concerns with the impacts of vacation rentals on residential neighborhoods and so we will be taking a neutral position on her application and will forward it on to the next LOCAC meeting for further discussion and input.

**Voted to be placed on the Regular Agenda of the next LOCAC meeting to allow further discussion and public input.**

- G. **DRC2017-00080 LOTYSCH:** Proposed Minor Use Permit for a 5,762 SF 2-Story Single Family Residence at 85 Seascape Place in Los Osos.

**Discussion:**

The applicant's architect, Thom Brajkovich was present to discuss the project. The owners originally received a permit to build a SF residence in 1989, and had performed site grading and foundation preparation, before construction had to be terminated due to the fact that the owners plan to relocate did not work out. The new project will build on the already prepared site from the original project, and use the same buried utilities and septic system so no new areas of site disturbance are planned. They have complied with all environmental and water mitigation requirements and will additionally remove one buildable lot from future development. The residence has been sited and designed to minimize visual disturbance from Pecho Valley Road.

**The committee members voted unanimously to recommend approval and that the item be placed on the Consent Agenda of the next LOCAC meeting.**

- H. **DRC2017-00087 RENNER:** Proposed Minor Use Permit for a Home Stay in existing lower level of home located at 2866 Rodman Drive in Los Osos.

**Discussion:**

The applicant was not able to attend the meeting, but the Chair discussed the project with Cynthia Renner over the phone and communicated the following information: The owner has a separate unit in her home that she rents out to visitors (1 to 4 guests) for stays of 21 days or less. She has written

rules that all guests must follow, and does not allow the guests to invite other visitors or family members at any time. Several of Ms. Renner's neighbors wrote emails in support of her application, stating she was a considerate neighbor, conscientious homeowner, and they have never had any problems with her rental. The committee agreed that home stays, in which the owner resides on site, do not present the same issues as vacation rentals.

**The committee members voted unanimously to recommend approval and that the item be placed on the Consent Agenda of the next LOCAC meeting.**

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

The following statement was read into the record by Mr. Bowlus:

Dear LOCAC members,

A town policy for Los Osos/Baywood Park on Vacation Rentals is an issue that keeps coming up at meetings of LOCAC and its committees. No policy decisions have been made for lack of time, even as more and more permits for vacation rentals appear each month on agendas. I am very glad that a special Land Use Committee meeting on vacation rentals has been scheduled for the end of this month. I hope a policy established at that meeting will enable LOCAC to make useful recommendations to the County on these permits.

Another issue that has been simmering in meetings for months, also with no resolution, is the illegal encroachment by Sloland Investors' Back Bay Inn onto First Street's public right-of-way. The illegal encroachments on the east-side of the street still remain in place, **more than two months** after the County gave the Back Bay Inn **two weeks** to remove everything. New illegal encroachments, in the form of sewer cleanout and backflow preventer, have been installed in the past month. The unpermitted Sloland Investors' fence and unpermitted dumpster yard on Santa Maria Avenue have only been addressed incidentally during public comment at the October 26 at LOCAC. The fence degrades the coastal viewshed and the dumpster yard accumulates food waste and other trash from Sloland Investors' businesses on Second Street, three hotel-room buildings and three restaurants.

Many residents of Los Osos/Baywood Park, like me, feel the need to resolve these issues. I suggest a special meeting, where opponents to encroachment and other illegal actions by Sloland Investors will have an opportunity to present for more than three minutes in public comments. Such a meeting (or series of meetings, if necessary) will allow for full discussion of the pros and cons of allowing privatization of part of the only remaining public road to the bay on the Baywood Peninsula. Such privatization could lead eventually to complete corporate ownership of this bay-front area.

Thank you for considering my suggestion for a special First Street encroachment meeting.  
Sincerely, R.D. Bowlus

Mr. Bowlus asked for a special meeting to discuss the First St. encroachment. The Chair explained that the permit referral was just received and will be discussed at the upcoming LUC meeting and the public will have the opportunity to express their opinions about the permit application there, as well as at the LOCAC meeting following the Land Use Committee meeting, where it will be referred as a Regular Agenda item.

## 7. ADJOURN