



LAND USE COMMITTEE MEETING MINUTES

FEBRUARY 4, 2019

7:00 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
Sue Morgenthaler – District Four

Public Members:

Julie Tacker
Linde Owen
Paul Hershfield
Trish Bartel

1. GREETINGS AND INTRODUCTIONS
2. ROLL CALL
Absent: Margaret Mayfield, Trish Bartel; Yael Korin arrived after Agenda Item A.
3. CHAIRPERSON'S ANNOUNCEMENTS
4. MEMBER'S ANNOUNCEMENTS
5. AGENDA ITEMS, INCLUDING PUBLIC COMMENT:

A. DRC2019-00008 MARVIN/STRATFORD: Proposed Minor Use Permit to remodel existing office building for a new ale house establishment with new exterior patio space at 945 Los Osos Valley Road in Los Osos.

Discussion:

The owners Bill Marvin, and Chad Carroll and their architect, Thom Raey, presented their plans. They are the owners of the previous Ale House at 3rd and Santa Maria.

They will be opening the new Ale House with no additional structures being built on the property, converting what is presently an office to a restaurant while adding a couple of parking spaces. They will have two restrooms, one with a waterless urinal, aware of the necessity to conserve water.

They were asked if there would be entertainment. Yes, but they are aware of the noise restraints and anything outside would be during the day or on a weekend, and finish before dark. Larry Bender asked for their consideration of the neighbors. They stated yes of course, plus the county has codes and there are serious penalties for not conforming.

Linde expressed a few concerns. First was water usage, which would be skyrocketing with space for 40 people inside and a similar number outside. Owners answered they are already working with the county on this, getting water credits, etc. and understand they are required to offset their water usage.

Second, will there be enough parking spaces? Yes, they are going by county formulas for the required number of spaces. Julie suggested a bike rack, and they stated they are already planning on one.

Third, Linde stated her concern for the ESHA part of the property. Yes, the area is monitored by the County and they will do all that is required by the County and Fish and Wildlife for approval.

A motion was made by Paul, seconded by Lynette, to recommend approval of the permit for the Ale House and place it on the Consent Agenda of the next LOCAC meeting. The motion passed 6-0.

B. DRC2019-00002 TORTOSA: Proposed Minor Use Permit for a vacation rental at 1221 Third Street in Los Osos.

Discussion:

The owners were not present to discuss their project. Larry reconfirmed that both the Land Use Committee and LOCAC will follow the Vacation Rental Guidelines created and approved by LOCAC when reviewing vacation rental permit requests. This property is too close to existing vacation rentals and does not meet the guideline's density requirement. He recommended denial based on those grounds.

Julie stated that this is a commercial property, feeling therefore that vacation rentals are allowed. Yael stated that zoning distinctions were not made when the guidelines were created. Julie thinks the owner should be asking for a business license since the area is zoned as commercial/retail. Yael pointed out that the opposite side of the street and most of the houses on the same side of the block are private residences.

Lynette also spoke to the fact that the property was located in a commercial area and she brought a screen shot of the map showing the area's businesses in proximity to the proposed Vacation Rental.

Larry again reiterated that this does not meet the guidelines, and that when we get vacation rental permit applications, we use the guidelines as the reference upon which to base our decisions.

Julie preferred further discussion of the permit request. Other members stated that we worked on guidelines for months, they were voted on and adopted by LOCAC, and we will be using them as intended.

Yael repeated we did not discuss commercial vs mixed use or residential for the guidelines. The 3rd St zone is mixed use, so she does not see a reason to not use guidelines.

Julie stated they could apply for a hotel license. Larry stated that they have applied for a vacation rental and so we must decide on a vacation rental.

Judy Green, local resident, asked to comment. She already has two airbnbs and two vacation rentals near her home, plus an application for another is in the works. She is against any more vacation rentals or hotels in their neighborhood. She chose to move to Baywood instead of other communities in the area because of the community feel and neighborhood characteristics of Los Osos. We have enough beds for visitors in Baywood, we need no more in our neighborhoods.

Marilyn Miller, also a local resident, has five vacation rentals in her neighborhood as well. She praised the Los Osos Vacation Rental guidelines and the attempt to regulate the impacts of vacation rentals in neighborhoods. She asked that we please follow them.

Julie made a motion to recommend approval of this Vacation Rental request as it is commercial property. Lynette seconded. The motion failed with 2 in favor and 5 opposed.

Paul made a second motion, seconded by Linde, that stated that this is a vacation rental request in a house and based on the fact that there are other vacation rentals close by which make it non-compliant with the density guidelines, he moves we recommend denial of the permit request and place it on the Consent Agenda of the next LOCAC meeting. The motion passed 5-2.

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

7. ADJOURN