

AGENDA ITEM: A-2

DATE: NOVEMBER 4, 2020

ACTION: APPROVED

ACTION MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – AUGUST 18, 2020
HELD VIA TELECONFERENCE – 6:00 PM

PRESENT:	Gerald Luhr Jesse Barron Joe Ingraffia Michael Lucas Susan Stewart	Chairperson Vice-Chairperson Commissioner Commissioner Commissioner
STAFF:	Scot Graham Scott Collins	Community Development Director City Manager

ESTABLISH QUORUM AND CALL TO ORDER

PLANNING COMMISSIONER ANNOUNCEMENTS - NONE

PUBLIC COMMENT PERIOD - NONE

Public Participation:

In order to prevent and mitigate the effects of the COVID-19 pandemic, and limit potential spread within the City of Morro Bay, in accordance with Executive Order N-29-20, the City will not make available a physical location from which members of the public may observe the meeting and offer public comment. Remote public participation is allowed in the following ways:

- *Community members are encouraged to submit agenda correspondence in advance of the meeting via email to the Community Development office at planningcommission@morrobayca.gov prior to the meeting and will be published on the City website with a final update one hour prior to the meeting start time. Agenda correspondence received less than an hour before the meeting start time may not be posted until after the meeting.*
- *Members of the public may watch the meeting either on cable Channel 20 or as streamed on the City [website](#).*
- *Alternatively, members of the public may watch the meeting and speak during general Public Comment or on a specific agenda item by logging in to the Zoom webinar using the information provided below. Please use the “**raise hand**” feature to indicate your desire to provide public comment. Each speaker will be allowed three minutes to provide input.*

Please click the link below to join the webinar:

- <https://us02web.zoom.us/j/82722747698?pwd=aWZpTzcxTHlRTk9xaTlmWVNWRFUQT09>
Password: 135692

Or Telephone Attendee: (408) 638-0968 or (669) 900 6833 or (346) 248 7799; Webinar ID: 827 2274 7698; Password: 135692; Press * 9 to “Raise Hand” for Public Comment

PRESENTATIONS

A. CONSENT CALENDAR

<https://youtu.be/ushIS2omK7M?t=188>

- A-1** Current and Advanced Planning Processing List
Staff Recommendation: Receive and file.
- A-2** Approval of minutes from the Planning Commission meeting of June 02, 2020.
Staff Recommendation: Approve minutes as submitted.
- A-3** Approval of minutes from the Planning Commission meeting of June 16, 2020.
Staff Recommendation: Approve minutes as submitted.

Commissioner Lucas requested to pull Item A-2 for discussion. Commissioner Lucas would like the minutes to reflect he headed the meeting due to Chairperson Luhr and Vice-Chairperson Barron having internet difficulties.

MOTION: Commissioner Stewart moved to approve the Consent Calendar. Vice-Chairperson Barron seconded, and the motion passes 5-0, with Stewart, Barron, Ingrassia, Lucas and Luhr voting yes.

<https://youtu.be/ushIS2omK7M?t=294>

B. PUBLIC HEARING

- B-1** **Case No.:** Zoning Ordinance Text Amendment & Municipal Code Amendment
Site Location: Citywide
Project Description: An Ordinance of the City of Morro Bay amending the Local Coastal Program adding Chapter 17.41 (Short-Term Vacation Rentals) of Title 17 (Zoning) of the Morro Bay Municipal Code relating to the permitting and operation of short-term vacation rentals and repealing Chapter 5.47 (Short-Term Vacation Rental Permit) of Title 5 (Business Tax Certificates and Regulations).
CEQA Determination: The Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to sections: 15060(c)(2), 15060(c)(3) and 15061(b)(3)
Staff Recommendation: Planning Commission review the Ordinance, provide comment to staff, and provide a recommendation for adoption to the City Council

Staff Contact: Scot Graham, Community Development Director (805) 772-6291 sgraham@morrobayca.gov
<https://youtu.be/ushIS2omK7M?t=324>

Scott Collins presented the staff report.

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS –

Commissioner Lucas stated there was an unsolicited visit by the Juren's and they spoke about their work.

Both Commissioners Lucas and Stewart had brief discussions on what the impacts on the housing element would be.

Chairperson Luhr opened the Public Comment period.
<https://youtu.be/ushIS2omK7M?t=2545>

Toni McGraw, Central Coast vacationer and business owner, stated she agrees with most of information in the draft ordinance, but stated she is against the lottery.

Patrick Vaughn, Morro Bay, stated his concerns regarding vacation rentals in his neighborhood and thinks two hundred fifty (250) short-term vacation rentals are too much. He would like a separation of vacation homes and need clarification of the ordinance.

Meredith Bates, Morro Bay, stated she was part of the short-term vacation rental committee. Bates stated her concerns regarding the ordinance and would like a follow up on this in a year.

Judy Brown, Morro Bay stated her concerns regarding the short-term vacation rentals. Brown also wanted to know if there would be a screening for sex offenders and human trafficking.

Betty Winholtz, Morro Bay, needed clarification on who designates the short-term vacation rentals and what the definition of affordable housing was. Winholtz stated her concerns and noted the cap of two hundred fifty (250) was too high.

Robert Elzer, Manager of URelax of Morro Bay discussed the impact of housing in Morro Bay and stated he is against the lottery. Elzer requested more information on the effects of the short-term vacation rentals before penalizing people.

Dan Sedley, Morro Bay, stated the short-term vacation rentals should have a contact numbers posted in case of any issues at the property. Dan spoke of the issue with the ordinance basing permits on density. Rentals should be two person per room and the cap should be lowered to one hundred (100) and agrees the fines should be higher.

Beth Michaelson, Morro Bay, thanked Scott Collins for his help. Michaelson stated her concerns regarding the short-term vacation rentals and noted the property should be viewed before approved. The rental should also be compatible in the neighborhood.

Maggie Juren, Morro Bay, spoke of the pros of having short-term vacation rentals in Morro Bay. She would like to reach out to the community to help support the City with

the ordinance so they could enforce the rules and give it a chance before trying to implement the ordinance.

Nick Juren, owner of Beach-n-Bay Getaways, spoke of the pros of having vacation rentals in Morro Bay. Juren stated Morro Bay is a vacation town and noted problems the city would have if vacation rentals were taken away. Juren would like people to give the new rules a chance.

David Zepp, Morro Bay, stated he offers hosted short-term vacation rentals in his home. The income he earns from his rental is spent in Morro Bay. He wants to remind everyone that the Morro Bay economy is driven by tourism. Zepp stated enforcement should be taken on illegal units and is against the lottery system.

Ric Deschler, Morro Bay, hopes the Planning Commission will make their decision based on the long range needs of Morro Bay residents and not short-term financial issues. Deschler would like Morro Bay's housing to improve before allowing more short-term vacation rentals in residential areas.

*Note: Audio was lost for Ric Deschler.

Lauren Littenger, Morro Bay, stated she sent in comments. Littenger moved to Morro Bay because it was quiet and safe. Littenger stated the city needs to crack down on illegal rentals and parking issues. Would like more enforcement done and the responses made available to the public.

Ric Deschler would like the buffer for the short-term vacation rentals increased.

*Note: Audio was lost for Ric Deschler.

Kristen Headland, Morro Bay, has a concern for the three lot buffer because it would mean every fourth house on her street could possibly be a short-term vacation rental. Headland would favor a two hundred fifty foot buffer, a two year transition period and a one hundred fifty cap of rentals. Headland was also concerned about new development and sex offenders. Would like information on the rentals to be on the website for public view.

Linda Reager, Morro Bay, stated she would be in favor of a two hundred fifty cap, three house buffers, and a grandfather clause should be considered. Reager also appreciates the tax dollars are going toward the city funding.

Chairperson Luhr closed the Public Comment period.

<https://youtu.be/ushIS2omK7M?t=5604>

The Commissioners presented their questions to staff.

The Commissioners and staff reviewed the draft zoning ordinance.

Chairperson Luhr closed Public Hearing Item B-1.

<https://youtu.be/ushIS2omK7M?t=14143>

The Commission provided the following direction in relation to additional information they would like to see at the next meeting and in relation to desired revisions to the draft Ordinance:

1. Revise the second to last WHEREAS in the ordinance to add “quality”
2. Allow unlimited home share/hosted short-term rentals
3. Don’t count home share short-term rentals toward the 150 cap
4. Don’t count commercial STR’s toward the 150 cap
5. Provide number of existing hosted STR’s
6. Provide number of existing accessory dwelling units (ADU’s) rented as STR’s
7. Provide map exhibits showing 150’ and 175’ buffers

MOTION: Commissioner Lucas moved to continue the discussion of the vacation rental ordinance to the next meeting. Commissioner Barron seconded, and the motion passes 5-0, with Lucas, Stewart, Ingraffia, Barron & Luhr voting yes.

<https://youtu.be/ushIS2omK7M?t=14163>

C. NEW BUSINESS

D. UNFINISHED BUSINESS

E. PLANNING COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS - NONE

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENTS - NONE

G. ADJOURNMENT

The meeting adjourned at 9:57 p.m. to the next scheduled Planning Commission meeting via teleconference, on September 1, 2020 at 6:00 p.m.

Gerald Luhr, Chairperson

ATTEST:

Scot Graham, Secretary