



**MEETING MINUTES
PLANNING COMMISSION
CITY HALL COUNCIL CHAMBER
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
WEDNESDAY, MAY 22, 2019**

CALL TO ORDER 6:31 p.m.

FLAG SALUTE Chair Laferriere.

ROLL CALL: Commissioners, McLaughlin, Rodman, Vice Chair Blum and Chair Laferriere were present. Commissioner Halverson was absent.

City Staff: Community Development Director Bruce Buckingham, Senior Planner Rafael Castillo, and City Attorney Dave Hale.

AGENDA REVIEW:

Action: It was m/s by Commissioner Rodman / Vice Chair Blum to accept the agenda as presented. The motion passed unanimously.

PUBLIC COMMENTS:

Debbie Peterson, Grover Beach resident, requested the Planning Commission meetings be videoed and available for viewing. Director Buckingham stated that the audio recordings of meeting will be made available on the City's website.

CONSENT ITEMS:

1. Meeting Minutes of the April 24, 2019 Planning Commission Meeting

Action: It was m/s by Commissioner Rodman / Commissioner McLaughlin to approve the meeting minutes from the April 24, 2019 Planning Commission meeting as presented, and the motion passed unanimously.

PUBLIC HEARING ITEMS:

**2. Development Application 19-07
Applicant – City of Grover Beach**

The Planning Commission will consider making a recommendation to the City Council to amend Grover Beach Municipal Code Article IX Development Code, and Local Coastal Program to adopt regulations for short-term rentals in all residential and commercial zones. The amendments are not a project within the meaning of the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000, et seq.) Section 15378 and are therefore exempt from CEQA.

Director Buckingham presented the staff report. Upon question by Commissioner Rodman, he stated that based on Council input, the regulations were drafted to be applicable to all

residential and commercial zones, versus only specific zones. He also stated that the Coastal Commission would not allow a ban of short-term rentals within the coastal zone.

Upon question by Chair Laferriere, Director Buckingham provided clarification regarding the terms “owner” and “owner-occupied” and the City’s enforcement of CC&Rs.

Chair Laferriere opened the public hearing.

The following individuals spoke in regards to the proposed ordinance:

Sylvia Bohrer, Grover Beach resident, operates a short-term rental (STR) in a two bedroom residence and allows 6 renters but no guests. Thought that her operation would be consistent with the proposed regulations.

Jeff Bohrer, Grover Beach resident, added that they live on-site in an Accessory Dwelling Unit, and operate their primary dwelling unit as the STR. He noted and supported that the proposed regulations considers owners that live on-site, but in a separate dwelling, as an “owner-occupied” STR.

Steven Green, Grover Beach resident, operates a STR. Stated the City needs a bike rental establishment. Questioned the proposed limit of 50 on the number of non-owner occupied STR permits and suggested people just call 9-1-1 versus a separate company for complaints.

Jon and Melany Shapiro, Pismo Beach resident, currently operates a STR in Pismo Beach and Oceano, and is currently in escrow for a site in Grover Beach. Stated that the proposed ordinance is inconsistent with Pismo Beach’s and the County’s regulations in regards to the occupancy limit and the limit of 50 STR permits.

Yancy Young, Grover Beach resident, operates an owner-occupied STR. Requested the fees consider retirees and the City should negotiate with companies like Airbnb to collect and remit the TOT.

Liz Doukas, Grover Beach resident, expressed concern about the level of enforcement for violations that currently occur, not related to STRs, such as noise violations and businesses in residential neighborhoods

Ninette Bavaro Latronica, Grover Beach resident, operates a STR. Currently self-manages because the agency she had hired was not managing to her satisfaction. In regards to the notification letter that would be sent to properties near a proposed STR, she suggested that it include “If you are operating a STR without a permit, contact the City”

Anthony Cerino, Grover Beach resident, in a development of eight PUD units, one is being used as STR. Due to the issues related to the STR in the development (number of occupants, noise, parking), he is against the STR ordinance and non-owner occupied STRs should be banned. Asked the Commission in regards to insurance on private property with a shared driveway.

Dale Rydberg, Arroyo Grande resident, operates a STR in Grover Beach. Against the proposed limit of 50 non-owner occupied units, since there are approximately 100 operating. Concerned about the complaint process.

Debbie Peterson, Grover Beach resident, operates a owner-occupied STR. Raised economic issues related to the proposed occupancy limits. Requested reconsideration of occupancy limits when infants are part of the occupants. Requested clarification for various situations. Suggested a differentiation in regulations for sites located in Visitor-Serving Mixed Use Zone versus other portions of the City.

Vanessa Rozo, Grover Beach resident, operates an owner-occupied STR. Requested information on the dependability of someone addressing complaints, 12 percent tax,

and transmitting video from personal surveillance cameras to police department.
Supports the proposed time frame of for guests.

Lizzette Allegranza, Grover Beach resident, stated Bohrs have been good neighbors and been managing their STR well.

Megan Hunt, Grover Beach resident, operates their home as a STR periodically.
Suggested that security systems be required in order to monitor activity at the site.

Marianne Buckmeyer, Grover Beach resident, operates an owner-occupied STR.
Requested information regarding the proposed fees and the proposed maximum number of permits.

Chair Laferriere closed the public hearing. Chair Laferriere called for a brief recess, reconvening at 8 p.m.

Chair Laferriere, City Attorney Hale, and Director Buckingham responded to questions raised during public comment:

- The proposed limit of 50 STR permits would apply to non-owner occupied STRs.
- Explained that, due to staffing levels, calling 9-1-1 to report violations is not suitable, and the proposed hotline is the preferred method to handle complaints.
- Clarified when fines would be assessed if a violation is substantiated.
- Provided information on the administrative rules and how unique situations may be addressed in the administrative rules.
- Noted that the definition of “owner-occupied” needed additional clarification, especially in hybrid situations.
- Explanation of TOT rate and payment.
- Regarding the occupancy limits, they refer to the total number in the unit. The City would not regulate or verify where exactly occupants were sleeping.
- Fees are not under the purview of the Commission, but the Council has discussed different fees for different situations (i.e. reduced fee in a mixed use area)
- Regarding surveillance, it is cost prohibitive to tie the system into the Police Department.

It was the general consensus of the Commission to not require STRs to maintain a surveillance system, and the STR regulations do not need to be consistent with adjacent jurisdictions.

Upon question by the Commissioner Rodman, Director Buckingham stated that the Council did discuss, but did not include, a minimum separation between STRs.

Vice Chair Blum stated his opposition to involving an outside agency to accept complaints, the proposed limit on the number of non-owner-occupied STR permits, the method in determining the occupancy limit, and requiring residents to self-regulate.

Commissioner McLaughlin expressed his opposition to the proposed limit on the number of non-owner-occupied STR permits.

Discussion ensued regarding the calculation for maximum occupancy. It was the general consensus, for non-owner occupied STRs, to allow additional occupants, if a dwelling contained extra area that was not a bedroom (i.e. a 1,000 square foot, 2 bedroom unit would allow less occupants than a 2,000 square foot 2 bedroom unit).

Discussion ensued regarding the proposed limit of 50 non-owner occupied STR permits. It was the general consensus that the limit should not prevent those that have been active in the past year from being able to obtain a permit.

Discussion ensued regarding utilizing the effectiveness and cost of the hotline versus the Police Department or staff, proximity of non-owner occupied STRs to each other, and signage.

Action: It was m/s by Vice Chair Blum / Commissioner Rodman to recommend the City Council:

1. Define an owner-occupied STR as when an owner resides on the property;
2. Allow for additional occupants for a non-owner occupied STR if the dwelling has additional square footage;
3. If a cap of 50 non-occupied STRs is established, allow existing non-owner occupied STRs that have been active in the last year to be “grandfathered” to allow them to continue to operate if more than 50 non-owner occupied applications are received;
4. Recommend the Council review the effectiveness of the 24-hour hotline after one year to determine if the Police Department or other staff could be more effective.
5. Recommend staff monitor the locations of non-owner occupied STRs to determine if there is an overconcentration in portions of the City;
6. Recommend STR signage in commercial zones be considered as part of the sign ordinance update;
7. Adopt an Ordinance regulating Short-term Rentals; and
8. Approve the Local Coastal Program Amendment.

The motion carried on the following roll call vote:

AYES: Commissioner, McLaughlin, Rodman, Vice Chair Blum, Chair Laferriere
 NOES: None.
 ABSENT: Commissioner Halverson.
 ABSTAIN: None.

COMMISSIONERS' COMMENTS

Chair Laferriere stated interviews for Planning Commission vacancies had occurred and announced that this was his final meeting on the Commission.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Director Buckingham provided an update on the June meeting that staff will present the proposed sign ordinance. In July 2019, staff will present a proposed development located at 1598 El Camino Real.

ADJOURNMENT 9:27 PM

/s/ _____
 VICE CHAIR KARL BLUM

/s/ _____
 SECRETARY TO THE PLANNING COMMISSION
 BRUCE BUCKINGHAM, COMMUNITY DEVELOPMENT DIRECTOR

(approved at PC meeting of June 26, 2019)