

**THURSDAY, APRIL 14, 2011**

The following action minutes are listed as they were acted upon by the Planning Commission and as listed on the agenda for the Regular Meeting of April 14, 2011 together with the maps and staff reports attached thereto and incorporated therein by reference.

HEARINGS ARE ADVERTISED FOR 9:00 A.M. HEARINGS GENERALLY PRECEDE IN THE ORDER LISTED, UNLESS CHANGED BY THE PLANNING COMMISSION AT THE MEETING. (9:09 AM)

ROLL CALL (9:09 AM)

PRESENT: Commissioner(s) Dan O'Grady, Tim Murphy, Ken Topping, Jim Irving, and Chairperson Carlyn Christianson.

ABSENT: None

FLAG SALUTE (9:10 AM)

4. Hearing to consider a request by the COUNTY OF SAN LUIS OBISPO to amend Section 23.08.165, Residential Vacation Rentals, of the Coastal Zone Land Use Ordinance, Title 23 of the County Code, regarding definition, location, tenancy, noise, notice, existing vacation rentals, violations and complaints. This project is not subject to the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the CEQA Guidelines. County File Number: LRP2009-00005 Assessor Parcel Number: Various Supervisorial District: 2, 3 & 4 Date Authorized: July 21, 2009 John Busselle, Project Manager Recommend approval (1:44 PM)

Jim Irving: recuses himself from the item due to being an owner of a vacation rental.

John Busselle, Project Manager: presents staff report.

Ken Topping: discloses ex-parte contacts. Asks what was the history before there were vacation rentals with Ms. Griffin stating there was no regulation.

Kami Griffin, Asst. Director: provides history and background of vacation rental ordinance.

Ken Topping: would like the distinction made between a zoning clearance and a business license with Ms. Griffin responding.

Carlyn Christianson: opens Public Comment

Jim Irving: has concerns for section 1.b. and provides reasoning in terms of a plus or minus 1 day rule; concerns for section 1. c. would like this language to include houses across the street. Suggests a fee should be added for enforcement. Would like to ensure John Lamb's comment regarding Island of Maui banning vacation rentals due to loss of economic activity.

Anne Brown: compliments John Busselle for his interaction with the Avila community and helping resolve their issue.

Richard Watkins: speaks to transient occupancy tax, concern for the 200' radius, 7 day rule in terms of mid week holidays, and would like to see better enforcement.

Shawna Sullivan: would like density requirement deleted and do not limit uses of homes.

Cindy Prang: feels the current ordinance is well written and is a fair balance.

Kami Griffin, Asst. Director: addresses lack of ability to receive approval of a vacation rental within 200' of another vacation rental through application of a Minor Use Permit (MUP).

Ken Topping: confirms notice was provided in the newspaper with Mr. Busselle stating the advisory council groups were mailed notices. Would like to know how illegal rentals are per sued with Mr. Busselle responding.

Tim Murphy: asks if another ordinance applies to Oceano with Mr. Busselle responding why Oceano is not included.

Commissioners: begin discussion on SECTION 1.

Ken Topping: feels this is a resource management issue and provides reasoning.

Dan O'Grady: asks what sort of input the hotel/motel industry has had with Mr. Busselle responding. Suggests deletion of "Subsection (d)" reference in the first sentence. Section 1. b. would like to add "as required".

Commissioners: begin discussion on Section 1.c.

Ken Topping: suggests separating by community such as C. 1. a., C. 1. b. etc...

Ken Topping: suggests radius for Cambria at 200', Cayucos at 100'.

John Busselle, Project Manager: states he will research the Cayucos community for input regarding radius and further input.

**Thereafter, on motion of Dan O'Grady, seconded by Tim Murphy, and on the following vote:**

**AYES: Commissioner(s) , Dan O'Grady, Tim Murphy, Ken Topping, Jim Irvingand Carlyn Christianson.**

**NOES: None.**

**ABSENT: None.**

The Commission agrees to hold the meeting past 5:00pm.

**Thereafter, on motion of Ken Topping, seconded by Dan O'Grady, and on the following vote:**

**AYES: Commissioner(s) , Dan O'Grady, Tim Murphy, Ken Toppingand Carlyn Christianson.**

**NOES: None.**

**ABSENT: None.**

The Commission continues this item to July 14, 2011.