

**MINUTES OF THE ADJOURNED REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
February 24, 2016 @ 6:00 p.m.
City Council Chambers
100 Avenida Presidio
San Clemente, CA**

1. CALL TO ORDER

Chair Brown called the Adjourned Regular Meeting of the Planning Commission of the City of San Clemente to order at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

Commissioner Eggleston led the Pledge of Allegiance.

3. ROLL CALL

Commissioners Present: Michael Blackwell, Wayne Eggleston, Zhen Wu; Chair pro tem Barton Crandell, Vice Chair Jim Ruehlin, Chair Donald Brown

Commissioners Absent: Michael Smith

Staff Present: Jim Pechous, City Planner
Adam Atamian, Associate Planner
Brent Panas, Code Compliance Supervisor
Cecelia Gallardo-Daly, Community Development Director
Matthew Richardson, Assistant City Attorney
Eileen White, Recording Secretary

4. SPECIAL ORDERS OF BUSINESS - None

5. MINUTES - None

6. ORAL AND WRITTEN COMMUNICATION – None

7. CONSENT CALENDAR – None

8. PUBLIC HEARING

- A. Zoning Amendment 15-426, Short-Term Lodging Units (Atamian)
(Continued from 02-17-16)

Public Hearing to consider a recommendation to the City Council of a City-initiated Zoning Amendment to regulate and place restrictions on short term lodging units in multiple zoning districts.

Chair Brown stated for the record that although he was not present at the Commission's last meeting, he has reviewed the meeting videotape.

Chair Brown opened the public hearing.

Jeff Bosson, representing the Orange County Vacation Rental Association, provided language from the National Conference of Mayors and California Coastal Commission that guides definition and regulation of short term rental units.

Don Slater, resident, listed reasons why the public can prefer to rent STLU's rather than stay in hotels; opined the City's businesses profit from vacationers; noted decrease in available inventory will negatively affect businesses.

Diana Rudolph, resident, stated that statistics show that 98 percent of rental units in the City are available for long term rentals; requested the City look specific situations, including adjacent uses, when determining suitability for STLU permitted zones.

Harry Snyder, resident, felt that North Beach is a good location for STLU's due to the nearby Casino; described commercial uses surrounding his STLU; requested there be exceptions to rules and/or grandfathering that would allow his investment to continue.

Brad den Dulk, resident, advised that the number of STLU's within the City has not dramatically increased over the last two years, which he believes is an indication that demand is decreasing; opined that the existing number of STLU's in the City is not negatively affecting the rental market; felt that this type of housing is necessary in the community.

Tricia Madding, resident, suggested allowing STLU's to be permitted in residential neighborhoods will cause irreparable harm with regard to infrastructure, parking, and traffic; asked the Commission to ensure their decision is based on guidelines in the City's General Plan.

Jim Bieber, resident, requested the Commission consider economic consequences before banning STLU's that are currently operating without complaint; suggested the Commission weed out/address badly run STLU's before making any drastic decision that will be applied City wide.

Joe Janis, resident, recounted discussions regarding limiting vacationers/negative impacts held with manager of a large STLU in his neighborhood to no avail; requested the Commissioners consider long

term residents and their views first and foremost before making decisions on permitting STLU's in residential neighborhoods.

Jim Laurent, resident, stated that the City's policy to respond to complaints puts the burden of ensuring compliance on residents/homeowners; noted that although the one next door to his home limits the number that can stay overnight, there are no limits on visitors, who take up parking; felt that homeowners in residential neighborhoods should not have to live next to commercial hotels.

Chair Brown closed the public hearing.

Adam Atamian, Associate Planner, reviewed a PowerPoint Presentation entitled, "Short Term Lodging Units, (STLU's), Zoning Amendment 15-426, dated February 24, 2016." A copy of the Presentation is on file with Planning Division.

During discussion the Commissioners, either individually or in agreement, provided the following commentary:

- Established from Code Compliance staff that it would be easier for enforcement purposes if the quiet hours for STLU's are the same as quiet hours City-wide.
- Established from staff that past discussion with the California Coastal Commission indicates the need to take a balanced approach and avoid onerous restrictions while establishing policy dealing with STLU's.
- Suggested there be a definition, and specific guidelines/restrictions, related to STLU's in multi-family dwellings.
- Stated a preference that each bedroom have its own parking space.
- Suggested that immediate area density be addressed when considering location of an STLU, no matter which zone it is in.
- Suggested a special permit process for home sharing within residential zones to ensure a loophole is not created that would allow STLU's in residential zones.
- Questioned if the City would be able to create additional units in visitor serving areas to fill the demand for STLU's that may exist following the City's proposed 2-year amortization period.
- Suggested staff consider creating an overlay area that would allow the addition of some medium density, high density or other suitable housing to be STLU's and/or consider allowing a set percentage of residential housing to be used as STLU's with restrictions.
- Stated that during the General Plan Update residents stated preference that the City remain a bedroom community rather than a mainly tourist-serving or destination area.

- Recommended staff follow densities as indicated in the General Plan.
- Established that staff will bring back this agenda item for further discussion/review/action.

Straw Votes:

Unanimous 6-0 vote to make the quiet hours for STLU's the same as City-wide quiet hours of 10:00 p.m. to 7:00 a.m.

Unanimous 6-0 vote to direct staff to make the permit a recordable document so the City is notified when the subject property changes hands.

Unanimous 6-0 vote to recommend City Council revise the TOT License to require proof of insurance.


9. **NEW BUSINESS** - None
10. **OLD BUSINESS** - None
11. **REPORTS OF COMMISSIONERS/STAFF** - None
12. **ADJOURNMENT**

IT WAS MOVED BY VICE CHAIR RUEHLIN, SECONDED BY COMMISSIONER BLACKWELL, AND UNANIMOUSLY CARRIED to adjourn at 8:32 p.m. to an Adjourned Regular Planning Commission Meeting to be held at 6:00 p.m. on March 2, 2016, at City Hall located at 100 Avenida Presidio, San Clemente, CA.

Respectfully submitted,

Don Brown, Chair

Attest:



Jim Pechous, City Planner