



City of Santa Barbara Planning Division

PLANNING COMMISSION MINUTES

OCTOBER 8, 2015

CALL TO ORDER:

Chair Thompson called the meeting to order at 1:00 P.M.

I. ROLL CALL

Chair Addison Thompson, Vice-Chair John P. Campanella, Commissioners Jay D. Higgins, Mike Jordan, Sheila Lodge, June Pujo, and Deborah L. Schwartz.

STAFF PRESENT:

Beatriz Gularte, Senior Planner
N. Scott Vincent, Assistant City Attorney
Hazel Johns, Airport Director
Andrew Bermond, AICP, Project Planner
Kathleen Kennedy, Associate Planner
Suzanne Riegle, Associate Planner
Kathleen Goo, Commission Secretary

II. PRELIMINARY MATTERS:

A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

None.

B. Announcements and appeals.

None.

C. Comments from members of the public pertaining to items not on this agenda.

Chair Thompson opened the public hearing at 1:01 P.M. and, with no one wishing to speak, closed the hearing.

III. CONCEPT REVIEWS:

ACTUAL TIME: 1:02 P.M.

A. APPLICATION OF SUZANNE ELLEDGE PLANNING AND PERMITTING SERVICES, AGENT FOR DIRECT RELIEF, 6100 WALLACE BECKNELL ROAD, APN 073-080-065, A-I-1 (AIRPORT INDUSTRIAL) ZONE, GENERAL PLAN DESIGNATION: AIRPORT (MST2014-00619)

The project consists of a proposal to construct a new 155,000 square foot (net) facility for Direct Relief, a nonprofit organization. The development includes a new 127,706 square foot (net) storage and distribution warehouse with an attached two-story 27,294 square foot (net) administrative office building, a secure truck yard loading area, and 162 parking spaces on a 7.99 acre parcel to be purchased from the City of Santa Barbara Airport. The existing six main buildings and five outbuildings would be demolished. A new public road is proposed to be constructed immediately south of the project site, which is located in Sub-area 3 of the Santa Barbara Airport Industrial Area Specific Plan (SP-6). The previous address was 6100 Hollister Avenue. The purpose of the concept review was to allow the Planning Commission and the public an opportunity to review the proposed project design at a conceptual level and provide the Applicant and Staff with feedback and direction regarding the proposed land use and design.

The opinions of the Planning Commission may change or there may be ordinance or policy changes that could affect the project that would result in requests for project design changes. **No formal action on the development proposal was taken at the concept review, nor was any determination made regarding environmental review of the proposed project.**

The discretionary applications that will be required for this project are:

1. A Finding of Consistency with the Santa Barbara Airport Industrial Area Specific Plan (SP-6); and
2. A Development Plan for the allocation of 118,500 square foot of nonresidential development from the Community Benefit, Small Addition, and Vacant Property Categories (SBMC Chapter 28.85); and
3. Design Review Approval by the Architectural Board of Review (SBMC§22.68.020).

Contact: Kathleen Kennedy, Associate Planner

Email: KKennedy@SantaBarbaraCA.gov

Phone: (805) 564-5470, ext. 4560

Kathleen Kennedy, Associate Planner gave the Staff presentation. Hazel Johns, Airport Director, and Andrew Bermond, AICP, Project Planner were available to answer any questions.

Suzanne Elledge, Suzanne Elledge Planning and Permitting Services gave the Applicant presentation joined by Thomas Tighe, President and CEO of Direct

Relief; Mark Linehan, Direct Relief Board member /Building Committee Chair (via video recording); Michael Holliday, Architect, DMHA; Courtney Jane Miller, Landscape Architect; and Judy Partch, Direct Relief Director of Compliance and Human Resources.

Chair Thompson opened the public hearing at 1:32 P.M, and with no one wishing to speak, closed the hearing.

Commissioner's comments:

Commissioner Schwartz;

- Appreciates the services that Direct Relief has provided domestically and globally while operating on three non-contiguous properties that make for costliness and inefficiency. This is a unique opportunity to bring these three properties and uses together on one perfect location.
- The land use is highly compatible. Appreciates that of all the places that Direct Relief could have relocated to, that it chose to remain in the Santa Barbara area.
- Believes the land use is compatible and an excellent use of the land.
- The Applicant has responded to the requests made by the Architectural Board of Review (ABR) and is still making progress in these areas.
- Though this is a commercial structure, suggests from a landscaping perspective, as well as because it is facing Hollister Avenue, that there are ways to make this building more interesting. There is opportunity here for art, whether referencing cultural heritage, airport heritage, etc., and encourages the Applicant not to shy away from it.
- Appreciates the incorporation of as many green building design features as possible.

Commissioner Lodge:

- Agrees with Commissioner Schwartz in the incorporation of art.
- The proposal is thoughtfully considered and she looks forward to seeing it return for approval.

Commissioner Higgins:

- Echoed appreciation for the Applicant investing in the area and not relocating elsewhere.
- The land use is consistent. It is light industrial and inherently includes some production and manufacturing, all which necessitate distribution.
- The design of the project, as it has mitigated constraints, would be processed without an Environmental Impact Report (EIR). The Applicant and the team have done a great job in addressing environmental issues.

Commissioner Jordan:

- In preparing for the site visit, Commissioner Jordan, appreciated learning that Direct Relief has a local, as well as national role. This helped him in making a community benefit determination.
- Appreciates that the city's sale of this property will allow leverage for other development.
- Can make the development plan and the specific plan findings.
- Thinks that the single-signalized intersection is challenging, especially if a majority of people exiting will be turning left. He encourages the Applicant to consider what this will mean for exit/entry to the property and how it will relate to the new project directly in front of it.
- Would like to see bus stop improvements include seating and cover.
- Expressed appreciation for the team and its members.
- Would like to see low-impact development in the public parkway when addressing Storm Water Management. This is an opportunity to start from scratch.
- Agrees with Commissioner Thompson that, as a courtesy, it would be good to visit the Goleta Planning Commission.
- Suggested that to further support the community benefit, it would be helpful for the Applicant to provide a site visit of its current operations. It would help in providing greater appreciation of the current operational constraints and the services of the organization.

Commissioner Pujo:

- Supports the location for the noble use.
- Acknowledged the Applicant team for addressing issues up front and conducting studies in advance.
- Sees a substantial opportunity to include sustainable practices in the operation, including further bio-filtration, collecting roof run-off for use onsite and the potential use of gray water.
- On urban forestry goals, sees the Applicant is part way there with design, landscape and use of trees and would like to see this site as a model.
- On transportation demand management, would like to see a plan that works for multi-modal uses in daytime and for cafeteria use.

Commissioner Campanella:

- The finding of consistency is appropriate.
- The development plan for community benefit is definite.
- The design review is a long way there.
- Appreciates the purpose of Direct Relief and is proud that it is located in the community.
- Good to see that the Applicant is working with the future neighboring project in coordination of executing parkways, etc.

The Applicant team stated that it has kept the City of Goleta apprized of its plans and looks forward to returning to the Planning Commission.

Chair Thompson called for a recess at 2:54 P.M. and reconvened the meeting at 3:04 P.M.

ACTUAL TIME: 3:04 P.M.

B. APPLICATION OF JAN HOCHHAUSER, HOCHHAUSER BLATTER ARCHITECTURE AND PLANNING FOR 800 SANTA BARBARA STREET LLC, 800 SANTA BARBARA STREET, APN 031-012-028, C-2 COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: COMMERCIAL/HIGH DENSITY RESIDENTIAL/PRIORITY HOUSING 37-63 DU/AC (MST2015-00023)

Conceptual review of a revised proposal to demolish the existing 1,965 net square foot, one-story non-residential building and construct a 20,083 square foot, three-story mixed-use building on an 18,568 square foot lot. The project consists of 1,383 square feet of commercial floor area and 23 residential units above a 12,682 square foot subterranean parking garage containing 27 parking spaces, storage, and service areas. This is an AUD Priority Housing development with a proposed density of 56 dwelling units per acre and with an average unit size of 775 square feet.

The subject property is located at the corner of De La Guerra and Santa Barbara Streets within El Pueblo Viejo District and immediately adjacent to El Presidio de Santa Barbara State Historic Park.

On May 14, 2015, the Planning Commission reviewed an earlier version of the design. Review by the Planning Commission was required because the lot size is more than 15,000 square feet and the project is being proposed under the Average Unit-Size Density (AUD) Incentive Program Priority Housing Overlay (SBMC §28.20.080). The applicant has requested a Planning Commission Concept Review on the revised proposal.

The purpose of the concept review was to allow the Planning Commission and the public an opportunity to review the proposed project design at a conceptual level and provide the applicant, staff, and the Historic Landmarks Commission (HLC) with feedback and direction regarding the proposed land use, design, and General Plan consistency. **The project was being presented to the Planning Commission for concept review and comments only. No formal action was be taken on the project.** The HLC will be the decision-making body for this project.

Contact: Suzanne Riegle, Associate Planner

Email: SRiegle@SantaBarbaraCA.gov

Phone: (805) 564-5470, ext. 2687

Suzanne Riegle, Associate Planner, gave the Staff presentation.

Jan Hochhauser, Applicant, gave the Applicant presentation.

Chair Thompson opened the public hearing at 4:02 P.M.

Commissioner Lodge read a letter from Kellam DeForest stating that the Pearl Chase Society objects to such a massive and inappropriately designed building that

lacks sensitivity to the historic location adjacent to the Presidio and the Historical Museum.

The following people commented on the project:

1. Mary Louise Days, Trust for Historic Preservation Board Member/Citizens Planning Association, expressed concerns regarding the plan being reviewed as entirely different than what the Historic Landmarks Commission (HLC) saw on August 12, 2015. This project should have gone to HLC before coming to the Planning Commission and should meet the development requirements in the General Plan. The Staff Report and Agenda descriptions are inconsistent.
2. Gordon Sicki, Anacapa School Headmaster, stated that Greg Parker had not seen the latest project revision and based his letter on the prior version that had been reviewed by HLC. The corner presents development challenges as it opens up to the Presidio and the town. Would like Mr. Parker's comment letter to be considered in protecting the school during demolition and development.
3. Ed Clark thinks that this is a great location and helps meet the City's need for apartments. There are many condominiums, but few apartments in town.
4. Commissioner Michael Drury, Historic Landmarks Commission, stated that it would be inappropriate to comment on the current revision as it has not been reviewed by the HLC. He stands by the comments made by the HLC on the prior revision.

With no one else wishing to speak, the public hearing was closed at 4:12 P.M.

Commissioner's Comments:

Commissioner Jordan:

- This is a step backwards and he agrees with Mary Louise Days that the presentation is a mess. The HLC has not seen this and he does not think the documents accurately reflect what is being presented. He believes that the Planning Commission's role is to look at the bigger picture of the Applicant's presentation to HLC August 12, 2015 and offer advice. This is not the position that the Commission has been put in and he does not appreciate being put in a different role.
- He cannot comment on the architecture as it appears to be a moving target.
- The setbacks, lower height, over-parked, reduced square footage, and argument for compatibility of other uses and sizes of buildings in the neighborhood are supportable.
- This project is such a moving target and poorly presented that he is hesitant to comment on it.
- From the concept review held before the Planning Commission May 21, 2015, the Applicant has taken care of the views, been respectful of neighbors, offers a land use that is more than consistent for the location

with the City's goals, but he is not happy with how it has been presented and how it has arrived to the Planning Commission.

- If the Applicant states that he has complied with all of the HLC's requests, then he feels he should return to the HLC.

Commissioner Higgins:

- The project is heading in the right direction.
- Pay attention to the HLC comments, work with the neighbors and do what you can.
- The interior unit is an opportunity. Though it does not have views outside, it is fine and similar to developments in European communities.
- He defers the architectural design to HLC, but it appears to match up with what is on De la Guerra Street.
- The streetscape interaction with De la Guerra is fantastic. The courtyard and placita are fantastic. He would prefer to see something a little more engaging or bigger, if possible. It is a great site for housing and he would love to live there.
- He is disappointed that there are not better exhibits or statistics that show an accurate bedroom count.
- He would encourage the Applicant to free up parking, or reduce the bedroom or unit count. Parking will be challenging.
- This is not the best site for maximizing residential density. Encourages getting more support from the neighborhood. This is an uphill battle.
- The straw polls from the May 21, 2015 Planning Commission hearing, show that the Applicant has not quite gotten there in the area of historic resources.
- Land use policies need to be adhered to. Policy LG 12.2.D. Community Character and Preservation needs to be addressed. Also, review Policies HR 2.2. for compatibility and HR 2.7. for development standards.

Commissioner Schwartz:

- Defended the process that allows for Applicants to call for concept reviews in between design board reviews.
- The balancing in this area of historic resources is key. She has not heard what would satisfy the Trust for Historic Preservation, given that it opposed a prior development for this site. Would ask opposition to this project to find a solution, rather than just opposition; present an alternative.
- When looking at historic resources in the immediate neighborhood, does not see a singular model, very varied. Sees examples that reflect intimacy. If we want intimacy, then we need to learn to live and work closer together. Need to consider lines of site, physical distance, residential to commercial, etc. There are examples downtown of some of the concerns that have been voiced that are within historic resources..
- Appreciates the stepping back of the second and third stories and the reduction in the first story to break up the massing. Referenced visual simulation in slide 25.

- Agrees with Commissioner Higgins that this project is heading in the right direction.
- The interior unit, depending on how designed, can be a real jewel of a residential unit, depending on how it fits with the rest of the project.
- The mature trees are important. The screening with the natural environment and landscaping will be important to softening the view as you come up Santa Barbara Street. The view shed up to the mountains will remain important.
- Would like sensitivity with the third floor from blocking mountain views.
- Statistics need to be corrected before returning to HLC.
- Supports Staff's recommendation that the project complies zoning standards and is consistent with the General Plan's goals and policies for new rental housing projects.
- Urges HLC to broaden its scope of consideration while maintaining its core purview of protection, preservation and sensitive development to historic resources.

Commissioner Lodge:

- Agrees with colleagues that this project is heading in the right direction.
- It may not have been included in AUD, but agrees that a project can be done here that is high density that does fit in the community and is sensitive to historic resources.
- Would like to see an interior unit that is livable and that one can see out from.

Commissioner Pujo:

- Reflected on her comments made during the first proposal in May 2015 and observed that some work has been done in this new proposal with the reduction of the height of the project. This has brought down the scale and introduces a new emphasis in celebrating a paseo theme. It is an interesting aspect, but not without challenges in design.
- The commercial component still falls short. Is even less than it was before.
- Need to investigate how the paseo feel will be protected as semi-public in perpetuity. She is not opposed to the approach.
- Potential conflict to the first floor units and everyday living and privacy issues in an area that is within a major intersection surrounded by historic buildings on all sides. Not sure how this can be resolved, but it is not quite there yet, especially with the units that face De la Guerra Street. Would like to see more attention to this, especially if the units remain.
- The Applicant is going in a direction that is trying to meet some of the prior concerns. Would say that the Applicant is about 25% there. The key is very serious design to accomplish what it takes at this important corner. This includes site design and connectivity to the public realm.

Commissioner Campanella:

- This is an opportunity site. The revised submission could comply with the AUD program and a priority overlay. It also shows that there are no constraints on the site, historical or otherwise. He would like to make it an opportunity site for the historical landmark district and the Presidio.
- He would like to suggest that HLC and the Applicant try to make this the best thematic building and architecture with the Paseos with the characteristics of the historic district. Make this an example of what exists in the El Pueblo Viejo zone.
- The Applicant is getting there. Suggest that the Applicant stick with incorporating the guidelines. This could be a plus for the neighborhood.
- The rooflines are compatible with neighboring properties. Use the elevation and trees to the maximum extent possible so that people understand Santa Barbara architecture and the historic landmarks area.

Mr. Hochhauser appreciated the Commission's comments and concurred that this is an opportunity site for housing. He appreciated the guidance received before returning to HLC.

IV. ADMINISTRATIVE AGENDA

ACTUAL TIME: 4:53 P.M.

A. Committee and Liaison Reports

1. Staff Hearing Officer Liaison Report

Commissioner Jordan reported on the Staff Hearing Officer meeting of September 30, 2015.

2. Other Committee and Liaison Reports

Commissioner Campanella reported on a joint meeting between the Downtown Parking Committee and the Transportation and Circulation Committee meeting held earlier that day.

V. ADJOURNMENT

Chair Thompson adjourned the meeting at 4:56 P.M.

Submitted by,

Julie Rodriguez, Planning Commission Secretary



City of Santa Barbara Planning Division

PLANNING COMMISSION MINUTES

October 15, 2015

CALL TO ORDER:

Chair Thompson called the meeting to order at 1:00 P.M.

I. ROLL CALL

Chair Addison Thompson, Vice-Chair John P. Campanella, Commissioners Jay D. Higgins, Mike Jordan, Sheila Lodge, June Pujó, and Deborah L. Schwartz.

STAFF PRESENT:

George Buell, Community Development Director
 Renee Brooke, AICP, City Planner
 Beatriz Gularte, Senior Planner
 Liz Limón, Project Planner
 Ariel Calonne, City Attorney
 N. Scott Vincent, Assistant City Attorney
 Julie Rodriguez, Planning Commission Secretary

II. PRELIMINARY MATTERS:

A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

None.

B. Announcements and appeals.

None.

C. Review, consideration and action on the following draft Planning Commission Minutes and Resolutions:

1. Minutes of October 1, 2015

MOTION: Jordan/Schwartz

Approve the minutes.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 2 (Pujó, Thompson) Absent: 0

- D. Comments from members of the public pertaining to items not on this agenda.

Chair Thompson opened the public hearing at 1:02 P.M. and, with no one wishing to speak, closed the hearing.

III. DISCUSSION ITEM

ACTUAL TIME: 1:02 P.M.

POTENTIAL HOME SHARING ORDINANCE AMENDMENTS

The Planning Commission will hold a public hearing and discuss the opportunities, challenges and enforcement issues regarding short-term home sharing rentals. Short-term home sharing rentals occur when a resident hosts visitors in their home for a fee for less than 30 consecutive days. Staff is requesting that the Planning Commission make a recommendation to City Council about the feasibility and scope of a short-term home sharing rental ordinance.

Contact: Elizabeth Limón, Project Planner
Email: ELimon@SantaBarbaraCA.gov

Phone: (805) 564-5470, ext. 4569

Elizabeth Limón, Project Planner, gave the Staff presentation. George Buell, Community Development Director; Ariel Calonne, City Attorney; and Renee Brooke, City Planner were available to answer the Commission's questions.

Chair Thompson opened the public hearing at 1:51 P.M.

The following people provided public comment:

1. Michael Conaway submitted written comments in support of Short-Term Home Sharing Rentals. He rents his home and has been paying the Transient Occupancy Tax (TOT). He does not believe that the owner should be required to be present on the premises during the home stay, but be nearby and available. Approving Home-Sharing would contribute to the City's (TOT).
2. Deborah Pentland, 32 year resident, supports Home Share rentals with non-occupied home owner present. Rather than being more restrictive, we need to be more embracing about Home Sharing and look into converting livable areas for more affordable housing.
3. Dorothy Wallstein operates home-share use of her home. As a widow, this additional income allows her to keep her home and make it available for returning family when they visit. She supports shared home rentals. She cannot contribute to the City's housing stock, but can support the community with shared home rental.
4. Tiffany Haller, Haller Coastal Homes, SBAOR; sees a problem with vacation rentals and home sharing and how they are designated. She asked that the City clean up an outdated ordinance with vacation rentals that should not be considered a commercial use. She is currently going through the Vacation Rental process and finds it to be disjointed and dynamic and needs an overhaul.

5. Todd Jacobs opposes the Home Sharing Ordinance and finds it worse than Vacation Rental by Owner (VRBO). It exacerbates noise, parking and other associated problems with having too many people in a house. The profit and commissions go to agents and speculators, while costs go to neighbors for preserving the neighborhood. This ordinance will be hard to enforce and easy to game. Without a resident owner, this will become a back-door means of operating a vacation rental. Short-term rentals are hard on neighbors and neighborhoods.
6. Brian Kenny concurred with Mr. Jacobs and does not think that an ordinance will be enforceable. Homestay Ordinance will lead to backdoor vacation rentals and not be enforceable.
7. Dick Buford, 25-year Bel Air Knolls resident, gave an example of a home in his neighborhood that became a vacation rental and operated with intermittent hosts that were not always on-site or available. Home sharing will turn residential neighborhoods into blighted commercial zones. He said that he was told by the Housing Authority that, in the last several years, the housing stock has fallen 1,400 units in Santa Barbara due to these commercial driven investments used as vacation rental operations. Ninety percent of residents don't like the current situation.
8. James Fenkner owns a vacation rental in Santa Barbara that he and his family rent out during the summer while they are away using other vacation rentals. We need to put in perspective that the number of complaints received are less than 1%, when you consider only 8 complaints have been filed out of 1000 units. Don't ban, manage. Does not think that the owner should be in the home of a vacation rental when it is rented out.
9. Samantha Ireland, Vacation Rentals of Santa Barbara, supports the City pursuing home sharing and stated that the current vacation rental process that exists today is cumbersome. Owner should not need to be present, but there should be someone designated with 24 hour availability that can respond to that home and is present to manage it and noted with the City on permits. Would like to understand the significant difference in renting a room for 29 days versus 31 days and the impact to the neighborhood. Would also like to compare vacation rental's effects with the growth of city college and the lack of city college housing for its growth.
10. Sean O'Neill supports home sharing and its enforcement. Technology has made it easier to network between homeowners and renters. Recommends licensing and regulation since home sharing is already here. Concerns can be mitigated between owners and neighbors. We have created Santa Barbara as a tourism destination so need to address visitors that cannot stay at hotels. He challenges the 1000-unit number given due to multiple listings over many websites. This ordinance presents an opportunity for the City to keep up with technology.
11. Steve Pearson submitted written comments. He has a small cottage that he rents out on a short term basis and pays TOT. Supports a limited home stay limited to 2 persons per bedroom/ 4 persons total per unit. Suggested limiting guest frequency, requiring off-street parking, and allowing cottages and accessory buildings to be used. He has no position on business licenses but asked that any business licenses that become required are workable.

12. Susan Claire Reed, 41-year resident, submitted written comments in support of home sharing. As a home share provider, she always remains in residence when she has guests. She is one of approximately 350 units that has a business license and pays TOT. She supports licensing and/or performance standards and host on site.
13. Bradley Bennett, 46-year resident, supports home sharing. He operates a home share and has been present when he has guests. Home sharing income has allowed his start up business to create 10 jobs in the City. Fair regulation is the best solution to addressing vacation rental concerns.
14. Theo Kracke, 34-year resident, supports home sharing rentals. One of the reasons why this process is being addressed is because of the shortage of affordable housing and the impact by short term rentals. Many factors are affecting the housing supply include the growth of City College students, the growth of foreign language schools, and growth of high tech business, such as Sonos. Another reason we are having this discussion is because of the impact of short term rentals on the character of neighborhoods. He gave examples of cities (Nashville, TN; Austin, TX) that limited the number of short term rentals by a percentage and suggested this as a means of preserving neighborhoods. A new definition of commercial use is needed as he does not see a difference between a 29 day rental versus a 30 day stay since they are all rentals and do not provide goods or services. He does not think an owner should be required to be present or that a minimum number of nights should be enforced.
15. Bryan Smith, 40-year resident, has a license for vacation rentals and pays TOT. He lives off-site when renting his home and provides a set of rules to all guests to live with neighbors. Regulation, enforcement, and monitoring are key issues that he sees will be more problematic with home sharing than with vacation rentals that can be tracked online. The staff report referenced 40 complaints in 10 years which he does not see as an emergency. Urges the Planning Commission to study home sharing and vacation rentals and help the City become a leader for years to come.
16. Jack Ucciferri, Our Town Property Management, submitted written comments and the benefit he provides homeowners by being present and available 24 hours a day as a property manager for home shared units. There are a number of enforcement tools that are available to the City and outlined in his letter. Home sharing presents a generational difference in viewpoints when seen by a younger generation.
17. David Bolton, vacation rental owner, noted that there are more single-family homes putting multiple cars on the street in his neighborhood than his vacation rental does. He gave examples in his neighborhood with 7 and 12 residents in one home, all parking on the street. We do not have enough hotel stock to go around and that is where vacation rentals fill in. Visitors also contribute to the economy. Vacation rentals tend to be utilized in trends. Summer is always full. During the fall, Monday-Thursdays are usually empty with visitors coming on weekends. This changes around February on when visitors seek a warmer climate. If he were to rent his units long term, he would end up with 14 cars on the street, based on his bedroom count, as opposed to zero now.
18. Barbara Bonadeis, 40-year resident, stated that neighborhoods are being destroyed by short term rentals impacting the character residential neighborhoods. There is a difference between one night renters versus 30 day renters. The comings and goings

of travelers coming at all hours of day and night are the hallmark of a motel environment and expected in commercial zones. Once you turn a private residence into a commercial enterprise, it change the character of a neighborhood. Current laws that have not been enforced show a disregard to people. Reinstate and enforce original zoning laws that disallow commercial business use in residential neighborhoods.

19. Jenna Berg is in favor of home sharing and short-term rentals. We are a growing economy and there is no shutting down tourism which is a clean industry. There is a democratization of the tourist dollar when it comes to home sharing. She does not know where hotel income goes, but knows that short term rentals provide affordable housing for renters and supports local minimum wage increases.
20. Kipp Young, resident, was concerned with the efficiency of government and use of tax money. He sees no point in throwing good tax money out the window by using it to enforce something that is a relative non-issue. Suggested coming up with simple, less-invasive solutions, with enforcement based fines. Revoke licenses of offenders when they incur sufficient fines. Suggested guest pay a refundable fine deposit, refunded when they leave if no complaints received. Allow people to keep their housing due to changes in the economy by operating short term rentals. Sees short term rentals as a way to increase housing stock by turning unused rooms to used rooms. Don't create issues that force people to go underground.
21. Jane Fehrenbacher, 48 year resident, previously offered short term rentals to foreign students while living in her home. She now has a smaller home and does not do VRBO, except for twice a year without issue. She supports modifying the ordinance to include home sharing. Home sharers have more control over choosing who stays at a house, where hotels do not.

With no one else wishing to speak, the public hearing was closed at 2:42 P.M.

Commissioners Comments: Question No 1: Is a Home-Sharing Ordinance (HSO) worth Pursuing? 6/1 in favor

- Commissioner Pujo supports pursuing a home share ordinance, whether or not the host is present, as long as the rental is ancillary to the primary use of the residence, is very short-term, and has performance measured requirements that provide safeguards against nuisances.
- Commissioner Jordan reflected on neighborhood dynamics over time. Unlike any changes that were mitigated with his neighbors over time, he sees home sharing use as having these dynamics constantly present. He does not think that a HSO can be pursued because he does not see where the ordinance would be enforceable.
- Commissioner Jordan thinks that home sharing is already operating underground and should continue this way as long as it has good quality management, cooperation among neighbors, and if it rises to a level of complaints, then it is handled.

- Commissioner Jordan added that the purpose of TOT was to mitigate the impacts of tourism on the City's infrastructure. He cannot see home sharers needing to pay TOT when they do not generate as much impact on the infrastructure as hotels that generate a constant flow of people coming to town. Using a management company is not Home Sharing. If owner is not present, then it is a Vacation Rental
- Commissioner Lodge said that while the ordinance should be pursued, it may not be able to be enforced.
- Commissioner Campanella supports the ordinance because it is a temporary use of a residence and can convert back based on seasonality. This does not change the long term use of the property. It is a less intensive use and serves to absorb the demand that cannot be met by hotels/motels. He is open to looking at short term rentals in residential neighborhoods but wants to be cognizant that home owners are more protective of their neighborhood than they would be under a month-to-month lease.
- Commissioner Schwartz is hesitant in her support because she would like to see home sharers provide more of a commitment to renting to seniors or the workforce as opposed to a commercial use for tourism. She does not see this support in the letters that were received by the Planning Commission. She would like to see home sharing provide more of a balance with the housing needs of the community.
- Commissioner Thompson agreed with City Council that homes used for Vacation Rentals by out of town owners are not what the City wants. Home Sharing rentals are not going to go away, so we need to work together to make it work. We already allow home occupations in residential zones and a home sharing could meet the current definition of a home occupation.
- Commissioner Thompson cautions on putting too much into an ordinance. The more that is added, the more complicated and difficult it will be for Staff to enforce.

Question No 2: If yes, should it be regulated:

a) By Planning Permits and Performance Regulations? 5 in support

- Commissioner Schwartz stated that if we got this route we need to have the most robust and proactive monitoring and enforcement program in the City with swift due diligence on complaints. It cannot be a reactive complaint-driven program. All performance standards should be thoroughly vetted and wording used should be defined (home, resident, host, visitors, dwelling, etc.) so that the community is clear. This will require beefing up Planning Staff and City Attorney resources.

OR

b) Business License and registration? 2 in support

- Commissioner Higgins supports licensing issued with a list of standards that have consequences if they are failed. If complaints are received, then the license is revoked and a more extensive permitting can be done by the Planning Division with performance standards. Inspections and monitoring bonds can also be considered. Expressed concern about unenforceable standards. He is curious to see how Staff later defines what constitutes a violation.
- Commissioner Higgins stated that the limitations of Planning Staff and the City Attorney's office may make this unenforceable.
- Commissioner Thompson said to keep it simple and just add it to the list of business license businesses. Just verify that it is the home of the business license applicant. If sufficient complaints of owner absence are received, then the business license can be revoked.

Question No 3: Should host be present in the home during stay? 5/2 in support

- Commissioners Pujo and Higgins do not think it is necessary to have the host present if there are a strong set of performance standards in place.
- Commissioner Schwartz stated that 'host' is too broad of a term and should be the home owner. The homeowner should not be allowed to delegate their responsibility to a friend or relative.
- Commissioner Jordan stated that the owner should be present. If not, then it is a Vacation Rental.
- Commissioner Thompson believes that a host should be present, but does not see this as enforceable.

IV. ADMINISTRATIVE AGENDA

ACTUAL TIME: 3:44 P.M.

E. Committee and Liaison Reports

1. Staff Hearing Officer Liaison Report
 - a. Commissioner Jordan reported on the Staff Hearing Officer meeting of October 14, 2015.
2. Other Committee and Liaison Reports
 - a. Commissioner Schwartz reported on the Water Commission meeting of October 12, 2015.
 - b. Commissioner Lodge reported on the Historic Landmarks Commission meeting of October 7, 2015.

V. **ADJOURNMENT**

Chair Thompson adjourned the meeting at 3:50 P.M.

Submitted by,

Julie Rodriguez, Planning Commission Secretary

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