



**AGENDA NO: C-1**

**MEETING DATE: October 27, 2020**

**AGENDA CORRESPONDENCE RECEIVED  
BY THE CITY COUNCIL FOLLOWING  
POSTING OF THE AGENDA IS ATTACHED  
FOR PUBLIC REVIEW PRIOR TO THE  
MEETING**

Dear City Council Members,

I am writing in regard to the proposed short term vacation rental 175 ft distance separation density rule. I studied google earth and almost all the property lots range from approximately 40 feet to 50 feet, depending on the orientation of the house. In the recommendation of the community committee a division of every three homes, 3 houses on each side, 3 houses behind and 3 across the street, would allow optimal separation density regardless of the size of one's lot. If the average lot is 40-50 ft than if any distance is to be used it should be 3 times 40-50ft, which is 120-150ft, not 175ft. Finally, if distance is used this should be a linear measurement on the same street, not a radius measurement. It is our opinion that it is better to adhere to the original committee recommendation of a "3 house separation" without any footage rule applied.

Gratefully,

Linda and Jim Rieger

**From:** [maggie@beachnbaygetaways.com](mailto:maggie@beachnbaygetaways.com)  
**To:** Council  
**Cc:** [Scott Collins](#); [Scot Graham](#)  
**Subject:** Please include as correspondence for Council Mtg on Oct 23  
**Date:** Monday, October 19, 2020 11:53:55 AM

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This correspondence is regarding Ordinance 640, which will have it's 2<sup>nd</sup> reading on October 23<sup>rd</sup>. Please include this correspondence for that meeting.

I am writing to request that the City Council revisit the discussion on what the addition to the density rule (Section 17.41.040 #D) of the "175 ft. linear separatiogn" from the Planning Commission was intended to mean. Below I explain why. Please follow the progression of this issue through all the different phases.

1. Ad Hoc community committee discussed at length many different density scenarios including a radius-based separation. We looked at 150 ft, 175 ft, 200 ft. and 250 ft. using the model provided by the city. After much discussion, it was decided to go a different route completely by using the "3 houses on either side, 3 houses behind and 3 across the street" approach.
2. When this went before the Planning Commission, they too had a long discussion about this and you can listen to this by watching the Planning Commission meeting video from the Sept 1<sup>st</sup> meeting, [https://www.youtube.com/watch?v=5fLbNoolrbE&ab\\_channel=CityofMorroBay](https://www.youtube.com/watch?v=5fLbNoolrbE&ab_channel=CityofMorroBay), and to save you time, you will find this discussion starts at 1 hr and 33 minutes in video and goes to about 1:58. Throughout this discussion among the members, they do discuss radial distancing but they come back to stipulating 175' linear spacing. At the end of their discussion about the proposed ordinance, Scot Graham does a recap of the updates that are to be made and he again states that they suggest to add 175' linear requirement and he even makes a gesture showing that this is to either side (on video it is at 3:11).
3. In the Staff Report prepared for the City Council's first review of Ordinance 640 at the Sept 22<sup>nd</sup> meeting, on page 134, #9, it states:

*"Revise the linear separation requirement between STR's noted in section 17.41.040.D to add 175 feet as the minimum acceptable linear separation. See revised language below:  
Single family dwelling short-term vacation rentals in residential zones must be separated by no fewer than three lots or 175 feet, whichever is greater, without short term vacation rentals."*

4. In that same Staff Report, on pages 135 – 138, the report shows multiple comparison maps showing the difference between what the committee had recommended versus the same requirement plus a 175' linear separation. It is very clear in these drawings that "linear" was intended to mean on either side of the home on the same street, not radius. This makes sense if you want to add an additional separation requirement because on the same street those residents would experience more auto and foot traffic and it is a more direct impact.
5. Based on the discussions held at the Sept 22<sup>nd</sup> Council meeting, the staff and attorney revised the Ordinance for the first formal reading of the ordinance. In that ordinance under section 17.41.040 #D, it reads:

*Single family dwelling full-home short-term vacation rentals in residential zones must be separated by no fewer than three lots without full-home short-term vacation rentals, or by 175 feet, whichever is greater.*

I believe this is where the mistake was made because the "linear" designation was dropped (see #3 above). I am sorry I did not catch this when reviewing it initially but I think you will all agree that this is where the intent of the Planning Commission got misquoted and documented incorrectly.

6. For the October 13<sup>th</sup> Council meeting, Planning Commissioner Stewart submitted a letter in

which she states in her second paragraph that she thought the PC recommendation of 175' was intended to apply to any direction! I am not sure how she could have understood that if you go back and listen to that meeting and the discussion on this plus Mr Graham's summary of their changes plus the Staff Report for the Council provided for the Sept 22<sup>nd</sup> meeting.

7. But the most surprising thing to me was that as part of the Council discussion on the 10/13 meeting, this issue is brought forward for discussion and all the council members jump on board with that being translated to be a radius measurement! How could this have possibly been misinterpreted given the 9/22 Staff Report?
8. If the Ordinance were allowed to go forward with this interpretation, then understand that:
  - a. This totally negates the decision made by the Ad Hoc committee because 175 feet will almost always trump the "3 house" rule for blocks behind and in front of the current STR.
  - b. Per the modeling done for the committee, 175 ft radius rule will ultimately result in preventing any future STR licenses for people that could be 2 blocks in back of a current STR. Example: in the Beach Tract, a vacation rental on Damar could end up blocking a home on the far side of the street of Easter and very possibly a home on Formosa, 2 blocks over. As more and more STRs come in to compliance, this would result in cutting the number of full-home STRs in the Beach Tract (currently approximately 50) in half with this being the predominant visitor-serving area in town. I doubt that the Coastal Commission will look favorably on this.
  - c. You must consider what the purpose of the density requirements are and as I understand it, the City is trying to limit too much impact to residents on a given block. But the very reason the committee decided not to go with a radius distance requirement was the unpredictable effect it could have in areas where the lot sizes are small.

I respectfully request that all Council members review the Planning Committee meeting video and the Staff Report provided to you at the 9/22 meeting and you will see that the intent of the additional suggestion by the PC was that it be a LINEAR measurement. Please do not use this misinterpretation as a way to further restrict STR licenses.

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**From:** [robert@urelaxvr.com](mailto:robert@urelaxvr.com)  
**To:** [Council](#)  
**Cc:** [maggie@beachnbaygetaways.com](mailto:maggie@beachnbaygetaways.com)  
**Subject:** Comments for 27 Oct city council meeting, STR ordinance  
**Date:** Monday, October 26, 2020 9:38:43 AM  
**Attachments:** [image001.png](#)

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Dear Mayor and City Council,

Again, I would like to thank the city government for reaching a reasonable compromise on the vacation rental ordinance. There is one issue that arose during the last meeting that I wanted to comment on, the new density requirement of a 175-foot radius restriction between licensed vacation rentals. The short-term rental committee spent a great deal of time trying to craft a reasonable density restriction and considered both radius and linear restrictions. The committee realized that a radius restriction was overly broad and could affect homes that didn't cause an over density of vacation rentals, perhaps several streets over where there were currently no rentals. Because of that they settled on their recommendation of the "3 lot" rule, with a larger linear restriction and prohibiting new rentals directly or diagonally across or behind. The city produced several maps and analysis of the effects of this rule and most parties were satisfied that this would provide reasonable protections to neighbors.

The planning commission accepted this rule for the most part, but were concerned that in neighborhoods with very small lots, the 3 house rule would not provide enough linear separation between homes, and added the 175-foot provision as a linear only rule to combat this situation. The rule became 3 lots or 175 linear feet, which ever is greater. The city staff understood the intent of the planning commission and incorporated it into the draft along with several maps in the staff report that showed the impact of this rule.

Once the draft got to the city council, in discussion it was modified to a 175-foot radius, which would completely negate the 3-home rule outlined above. I believe this was more because of a misunderstanding of the original rule and the intent of the planning commission than a deliberate effort to change the rule. With a 175-foot radius, homes on 1-2 streets over, that currently have no vacation rentals could be prevented from operating and I do not believe this is the intent of the committee and the city. I believe this new rule will have a lot of unintended consequences and will greatly frustrate owners on the waiting list without producing any benefit to the city or neighborhoods. I ask that the city review the maps and analysis of the city staff on Oct 27<sup>th</sup> and review the intent of the committee and planning commission in more detail. I believe that once that analysis is reviewed the city will understand that the rule crafted by the committee and planning commission was fair and reasonable and should be adopted as is. Thank you for your consideration.

Robert  
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