

MISSION BEACH PRECISE PLANNING BOARD (“MBPPB”)
Tuesday, July 9, 2018 @ 6:30 PM
Belmont Park Coaster Terrace - Community Room
Minutes of Meeting
SPECIAL MEETING: STVR DISCUSSION

Board Members Present:

Michelle Baron	Dave Kvederis	Carole Havlat	Dennis Lynch
Brian McCarthy	John Ready	Brandon Soule	Gernot Trolf
Mike Meyer	Jenine Whittecar	Gary Wonacott	Debbie Watkins
Josh Geller			

Absent: 0

OPENING FUNCTIONS (6:34 p.m.)

Meeting was called to order by Debbie Watkins, Chair, at approximately 6:34 PM.

- **Revisions to Agenda**

Copies of the July 9, 2018 Agenda were distributed and reviewed. There were no revisions to the agenda.

- **Chair’s Report (6:38)**

Chair reminded the audience and members about civility and following meeting rules.

- **Elyse Lowe, Mayor’s Special Assistant for STVR’s (6:43 pm)**

- **Mayor’s Proposal:**

A maximum of two licenses can be issued to a host, one for their primary residence and one additional license for a secondary residence. There are no limitations on the number of licenses available to hosts within the Mission Beach community. Regulations would require a three-night minimum stay for coastal and downtown communities.

[For further details please go to www.sandiego.gov/short-term-residential-occupancy]

Elyse said that the Mayor had a lot of negative feedback for carving Mission Beach out of the rest of the limits on STVR’s that applied to the rest of the City. She explained all of the time and effort that she put in with all of the “stakeholders”. She claimed that Mission Beach was excluded because there are about 1/3 of the property owners who own more than one unit.

- **Comments from Board Members**

- 1) Gernot Trolf: The handout was too long and confusing.
- 2) Mike Meyer: There should be a consecutive 90 day limit for STVR’s.
- 3) Michelle Baron: There should be a 60 day time for reconsideration before Council Meeting.
- 4) Dave Kvederis: The City has a strong economic reason for this plan and there was not a great concern for the residents.
- 5) Janine Whittecar: Two additional police officers for the entire City are not enough to control

noise.

- 6) Debbie Watkins: Occupancy limits proposed by MBPPB should be required.
- 7) John Ready: The number of STVR's per owner should be limited to a reasonable amount.
- 8) Brian McCarthy: Mission Beach should be compared to other California beach cities with STVR's.
- 9) Gary Wonacott: "Primary plus one" actually places no limits on STVR's anywhere in the City.
- 10) Josh Geller: This proposal will be unenforceable with the small number of police and designated enforcers.
- 11) Dennis Lynch: Enforcement will not be adequate and Mission Beach should be treated like other communities in San Diego.
- 12) Brandon Soule: How can you limit STVR's under this proposal?

PUBLIC COMMENT (limited to 2 minutes per speaker regarding STVR's) (7:23)

- 1) Gloria Henson: Enforcement will be impossible. MBPPB poll of owners and residents showed 70 residents wanted no STVR's and 8 accepted the status quo.
- 2) Greg Knight: There are lots of hotel rooms near Mission Beach.
- 3) Kathy Ives: Short term tenants create too much trash.
- 4) Kate Thero: STVR's destroy her neighborhood.
- 5) Kristen Black: She rents her condo on Airbnb and does not want a carve out.
- 6) Kathy Evans: She rents 6 units long term. Occupancy should be 2 per bdrm. Plus 1.
- 7) Lawrence Douglas II: STVR's have been growing too fast. He will sue to stop proposal.
- 8) Donna McCarthy: La Casa R.E. Co. in Pasadena solicits owners for Mission Beach STVR's.
- 9) Will Schussel: Mayor should remove "no limits" before going to Council.
- 10) Kimberley Weaver: Newly constructed places are breaking the building laws.
- 11) Mary Willmont: More is not better. City has not helped Mission Beach residents over the years.
- 12) Nancy Kramer: She manages 12 STVR's and they are one owner each.
- 13) Kimberley Wise: She manages 12 STVR's for out of state owners but is on site.
- 14) Bob Simonson: How many are too many? Mission Beach is getting hit harder than downtown.
- 15) Jean Froning: Parking is a major problem. Put some TOT back into Mission Beach. Three day limit is too short.
- 16) Dawn Reilley: Define the stakeholders whose opinions were considered. Elyse Lowe said she did not have a list of stakeholders. After 3 strikes, a hearing is necessary before a license is revoked.
- 17) Daniel Pick: He supports mayor's proposal. He owns 14 STVR's on two parcels.
- 18) Larry Webb: He has managed STVR's since 1994. His rule of occupancy is limiting the number of people on the parcel at any time.
- 19) Lee Silver: Wants to have a neighborhood with long term residents.
- 20) Stu Shaw: He's the last owner/resident on Santa Clara Place. There are no occupancy limits now.
- 21) Jamie Gonzales: She owns STVR's in Mission Beach and Mission Hills and is able to use them when vacant.
- 22) Krista Starr: There are no more long term rentals near her home in Mission Beach.
- 23) Brenda Morrison: She has no confidence in proposed enforcement.
- 24) Karl Rand: He wants to freeze things as they are with no new licenses.

- 25) Jeanne Mershon: 44% of Mission Beach rentals are STVR's.
- 26) Scott Morrison: Town Council wants to limit STVR's in Mission Beach 15-25% maximum. Inspectors should look for illegal changes to increase sleeping areas before granting license.
- 27) Sarah Mattison: She feels the STVR's are changing neighborhoods for the worse.
- 28) Richard Whalen: He feels STVR's are better than student rentals.
- 29) Cathie Jolley: She's from PB and states that Airbnb will not give her data requested.
- 30) Tom Coat: PB is opposed to 1+1 and don't carve out Mission Beach.
- 31) Scott Chipman: STVR's affect the quality of life. He passed out a handout. He wanted distance separation requirements for STVR's.

Board Comments:

- 1) Mike Meyer: He wants a 90 day STVR limit and grandfather current landlords.
- 2) Michelle Baron: Police will not have manpower to enforce the rules.
- 3) Dave Kvederis: Grandfather current landlords but limit % of STVR's.
- 4) Jenine Whittecar: She's worried about the 58 new units going in on school property if they are all STVR's.
- 5) Debbie Watkins: She is against the "unlimited" choice and wants strict rules on occupancy.
- 6) John Ready: Disagrees that there was any negotiation as to limits on numbers in Mission Beach. The limits on STVR's went from 1+1 citywide to infinity in Mission Beach.
- 7) Brian McCarthy: We have not been given any current data citywide as to STVR's. Three nights does not work. Seven day minimum is necessary.
- 8) Gary Wonacott: He quoted statistics that he had obtained. He wants occupancy limits on the posted notices and liked the character of Mission Beach's STVR's in the 1980's when there were approximately 450 total instead of more than 1,100 now. There needs to be a percentage limit.
- 9) Dennis Lynch: He wants a 7 day minimum for STVR's. He feels he could sue on the basis that he needs to provide reasonable peace and quiet for his long term tenants if the STVR's are disturbing them.
- 10) Brandon Soule: No licenses should be given to landlords who have not been paying their TOT. Property owners must be responsible to police their units.

Board Discussion:

Chair recommended making a list of the suggestions and vote on them independently.

- 1) Five (or Seven) day limit on stays. Vote: 10-0-0
- 2) Grandfather current TOT payors. Vote: 9-1-0
- 3) 90 day maximum time for STVR's. Vote: 7-2-1
- 4) Permits must include 2 off-street parking spaces per unit. Vote: 4-6-0
- 5) Occupancy numbers must be on notice to neighbors. Vote: 10-0-0
- 6) Two year sunset clause to review ordinance. Vote: 10-0-0
- 7) Commercial insurance requirement. Vote: 7-3-0
- 8) Make a percentage limit on STVR's. Vote: 9-1-0
- 9) Cannot split a 5 (or 7) day rental. Vote: 1-8-1
- 10) Include the CAPP requirements on the license and notice. Vote: 9-1-0
- 11) We do not want to be "carved out" of the regulations for the rest of the city. Vote: 10-0-0

Having the above list in mind, Dave Kvederis composed an email to be sent to Elyse Lowe. The board discussed this proposal making minor changes.

Motion 1 was made by Dave Kvederis and seconded TO AUTHORIZE the Chair to send the MBPPB's recommendations regarding the Mayor's Proposed STRO based on community consensus and prepared at the public meeting to Elyse Lowe in Mayor Faulconer's Office with a copy to Mayor Faulconer and Councilmember Zapf.

Vote: For: 10 Against: 0 Abstain: 0

[Absent for Vote: C. Havlat; J. Geller]

(A copy of this email is attached to the end of the minutes.)

Motion 2 was made by Gernot Trolf and seconded to adjourn the meeting at 10:20 pm.

Vote: For: 10 Against: 0 Abstain: 0

[Absent for Vote: C. Havlat; J. Geller]

The next regular meeting of the MBPPB will be July 17, 2018 at 7:00 pm.

Submitted by: John T. Ready, Secretary

-----Original Message-----

From: dkwatks <dkwatks@aol.com>

To: elowe <elowe@sandiego.gov>; kevinfaulconer <kevinfaulconer@sandiego.gov>

Cc: bwear <bwear@sandiego.gov>; loriezapf <loriezapf@sandiego.gov>; brucew <brucew@sandiego.gov>

Sent: Tue, Jul 10, 2018 11:22 am

Subject: MBPPB: Position on Mayor's Proposed STRO Ordinance

Re: Mission Beach Precise Planning Board's Position Re: Mayor's Proposed STRO

Dear Ms. Lowe,

At a Special Meeting of the Mission Beach Precise Planning Board ("MBPPB") on July 9, 2018, the MBPPB received public comments on the Mayor's proposed Short Term Rental Ordinance ("STRO"), which the City Council has on its Agenda for their meeting on July 16, 2018. After due process of hearing from the community and with MBPPB member debate, the MBPPB - based on community consensus - recommends that the proposed ordinance be modified. After deliberation and vote, the MBPPB recommends:

1. First and foremost, the community does NOT want to be carved out on the limit of licenses and wants to be treated on an equal basis with the other San Diego communities.

The MBPPB also, based on strong community input and consensus, voted on and recommends these important ordinance modifications:

1. The MBPPB recommends a minimum rental period of seven (7) days although five (5) is an acceptable alternative minimum.
2. Grandfather the currently registered TOT owners such that they can have frozen to a maximum the number of STRO licenses as of July 9, 2018.
3. The ordinance should limit rentals where the host is not present in the unit to a maximum of 90 days per year.
4. The posted local contact sign on the public right-of-way should include the maximum occupancy limit.
5. The MBPPB recommends that the ordinance be revisited in its entirety two (2) years after its date of passage.
6. Hosts should be required to be covered by commercial liability insurance with at least \$500,000 in coverage. Alternatively, they may offer their units for rent through a hosting service that offers at least this much coverage.
7. The ordinance should include a "to be determined" limit on the total number of licenses for Mission Beach.
8. The Good Neighbor policy for Mission Beach should include the elements of the existing Mission Beach CAPP policy.

Thank you for taking the time out of your busy schedule to attend our Special Meeting and fielding all of the comments and questions from the community. I believe you made the community feel their opinions on this very important issue for Mission Beach were taken seriously. We hope Mayor Faulconer and the City Council members will feel the same and help our beach community be treated on an equal basis with the other San Diego communities.

Please do not hesitate to contact me if you have any further questions.

Sincerely,

Debbie Watkins, Chair
Mission Beach Precise Planning Board (858) 344-1684