

**Mission Beach Precise Planning Board  
Tuesday, October 20, 2015 @ 7 PM  
Belmont Park Coaster Terrace – Community Room**

**Minutes of Meeting**

**Board Members Present:**

|                |                  |               |              |
|----------------|------------------|---------------|--------------|
| Peggy Bradshaw | Bob Craig        | Carole Havlat | Dennis Lynch |
| Mike Meyer     | Mary Saska       | Will Schussel | Gernot Trolf |
| Debbie Watkins | Jenine Whittecar |               |              |

**Absent:** Brian McCarthy; John Ready

**OPENING FUNCTIONS**

Meeting was called to order by Chair Debbie Watkins at 7:05 PM.

Board Member Tim Cruickshank informed the Board that he got married, bought a house and is living in Vista. Chair Watkins commented that because Tim no longer resides in Mission Beach, he is not eligible to continue sitting on the Board as an Area 5 Representative and declared Tim's seat vacant as of this meeting. She pointed out that nominations of eligible candidates from Area 5, which runs between the north side of San Jose Place and the south side of Pacific Beach Drive, will take place at the February 2016 Board meeting. The Election of Board Members is held at the March 2016 Board Meeting. If anyone is interested, please contact Chair Watkins.

- **Approval of Minutes** for September, 2015  
Copies of the draft September 15, 2015 Minutes of Meeting were distributed and reviewed. There being no corrections to the Minutes, the September 15, 2015 Minutes were approved by unanimous consent.

**ADMINISTRATIVE ITEMS**

- **Revisions to Agenda**  
Copies of the September 15, 2015 Agenda were distributed and reviewed. There were no additions or subtractions.
- **Chair's Report**  
Chair Debbie Watkins gave the following update:

1. Mission Beach Residences Project Update: At the September 15<sup>th</sup> Board Meeting, development plans were denied and the reasons are contained in the Minutes that were just approved. There are three (3) more issues for the Board to take action on that were trailed i.e., sewer vacation easement; tentative vesting map; and proposed community plan amendment (Precise Plan) before the project goes to the Planning Commission and City Council.

Chair reported that she informed the City in writing that the Board was disappointed to learn one day before its September 15<sup>th</sup> meeting that the Senior Planner who had been working on this project was removed from helping the Board on this major development project, especially the Senior Planner's expertise in drafting the wording of the proposed amendment to the community plan. Chair Watkins pointed out she expressed the Board's concern that the wording of the school discussion in the proposed draft of the community plan amendment totally eliminated any

discussion about the history and significance the school and kindergarten played over the years in the Mission Beach community, which does a disservice to all of the residents and others who attended the school. In addition, Chair Watkins said she pointed out the Mission Beach Precise Plan was written in 1974, and the “Physical Development Proposals” have been superseded by the Mission Beach Planned District Ordinance (“PDO”) regulations, which are codified in the Municipal Code. Chair Watkins reported she asked that a new senior planner be assigned to work with the Board on this proposed community plan amendment to come up with wording the Board can consider for approval and to incorporate a reference in the Community Plan regarding the updated PDO regulations for further guidance. To date, these issues have not been resolved and the balance of the action items will be scheduled when this has been accomplished.

2. Maintenance Assessment District (“MAD”) Proposed Changes to Municipal Code & Council Policy: In a nutshell, the proposed changes will eliminate inconsistencies with State law pertaining to establishing and managing of MAD’s, in particular, newly formed MAD’s and MAD’s operated by a private nonprofit entity called an “Owner’s Association” that is self-managed.

- **Secretary’s Report**  
None.

**PUBLIC COMMENT (limited to 3 minutes per speaker)**  
None.

#### **REPORTS FROM GOVERNMENT OFFICIALS**

- **Bruce Williams, Community Representative for Councilmember Lori Zapf, San Diego City Council District 2**

Bruce Williams distributed a *District 2 Update* October 2015 newsletter. He reported Councilmember Zapf will be touring the pump stations in Mission Beach to make sure the pump stations can handle the heavy rains expected during El Nino.

#### **OTHER**

##### **Information Item:**

- **Belmont Park Update: Dan Hayden, Director of Engineering-Pacific Enterprises, Inc.**

Dan Hayden reported that the process for the Plunge work continues with the California Coastal Commission (“CCC”) and asked community members to send letters to the CCC expressing their interest in having the CCC conduct their review of the project locally due to the high profile nature of the project.

#### **OTHER**

##### **Action Item:**

- **Short Term Vacation Rentals (STVR’s) in Mission Beach and Changes to Mission Beach Planned District Ordinance (PDO) proposed by City of San Diego: Ryan Purdy of District 2 Councilmember Lori Zapf’s Office will discuss proposed Ordinance**

Ryan Purdy gave a PowerPoint presentation regarding the proposed Short Term Vacation Rental (“STVR”) Ordinance that included its background, purpose of RS Zones, applicability,

definitions, Boarder, Lodger and Home Sharing Accommodations, frequency and occupancy information, and a summary of the regulations. Mr. Purdy informed the Board Members and large group of community members that the current Mission Beach Planned District Ordinance ("PDO") allows single dwelling units, duplexes and multiple dwelling units in the residential zoning subdistricts no limit on minimum occupant stay or frequency of dwelling unit rentals. He noted the proposed ordinance would maintain the status quo of STVR's as an allowable use in the PDO, would maintain the local designated contact requirement in Mission Beach, and would maintain a rental agreement with visitor that informs about maximum occupancy, noise, etc. Mr. Purdy pointed out the next step is for the Planning Commission to consider the ordinance on December 3, 2015, and then the ordinance would move to the City Council for consideration and approval. He informed the group that this is their opportunity to decide how the Mission Beach community wants to proceed on handling STVR's in its PDO. Mr. Purdy answered questions from Board members and the audience.

Chair Watkins reported that a Community Meeting was held on October 14, 2015, hosted by Fred Day the President of the Mission Beach Town Council and Debbie Watkins the Chair of the Mission Beach Precise Planning Board. Chair Watkins commented that the majority of the community members in attendance wanted to set a minimum limit of days (just about equal between a seven-day minimum and a 21-day minimum, with those preferring a 21-day minimum stating that a seven-day minimum works).

Board Members discussed the pros and cons of a seven-day and a 21-day minimum, whether to distinguish between summer and winter rental time periods, the number of occupants allowed, and whether there would be extra Code Compliance officials to handle the implementation of the ordinance, among other suggestions. Plan Reviewer Dennis Lynch pointed out the STVR ordinance wording would also apply to the Commercial Subdistricts in the MBPDO at §1513.0306 Permitted Uses and asked that the wording be included in the proposed ordinance being submitted to the Planning Commission and City Council for consideration and approval.

Community members were given an opportunity to voice their concerns and preferred recommendations. Many property owners who rented their units as STVR's felt the seven-day minimum limit was desirable. In addition, many felt that a maximum number of two (2) occupants per **legal** bedroom plus two (2) occupants was important to be included to curtail large groups. Other considerations from the Mission Beach community members include: (1) Permit system for accountability; (2) Procedure for fines and punishment; (3) requirement that Rules be posted at dwelling units; (4) Rental agreement to include names and ages of people; and (5) % of TOT to go to Mission Beach community for services e.g. 2<sup>nd</sup> trash pick-up in summer months.

Everyone was in agreement with the wording regarding the Boarder, lodger, and home sharing accommodations in accordance with Land Development Code Section 141.0301 as proposed by the City. In addition, Board and community members preferred the use of "Short Term Rentals" to clarify that the regulations apply to all short term stays for any purpose as proposed by Councilmember Zapf.

After further discussion, the following motion was duly to propose draft wording for STVR's in the Mission Beach PDO as follows:

**Motion 1 was made by Dennis Lynch and seconded by Peggy Bradshaw to APPROVE the following wording regarding STVR's in the Mission Beach Planned**

District Ordinance for submission to the Planning Commission and City Council for consideration and approval:

**NOTE:** The Mission Beach Precise Planning Board reserves the right to modify the draft wording as the proposed STVR Ordinance moves through the City's legislative process. The use of "Short Term Rentals" is the preferred category to clarify that the regulations apply to all short term stays for any purpose.

(Motion 1 Cont'd)

#### **MISSION BEACH PLANNED DISTRICT ORDINANCE**

##### **§1513.0303 Permitted Uses – Residential Subdistricts**

###### **(a) Primary Uses**

- (6) Short term [vacation] rental of a whole dwelling unit for a minimum of seven (7) consecutive calendar days, including detached single-family residences, condominiums, duplexes, and multiple family residences subject to the regulations in Land Development Code Section 141.0315(a). A maximum of 2 occupants per legal bedroom plus 2 occupants may stay in a whole dwelling unit.**

###### **(b) Accessory Uses**

- (3) Boarder, lodger, and home sharing accommodations in accordance with Land Development Code Section 141.0301.**

##### **§1513.0306 Permitted Uses – Commercial Subdistricts**

###### **(a) Primary Uses**

- (6) Short term [vacation] rental of a whole dwelling unit for a minimum of seven(7) consecutive calendar days, including detached single-family residences, condominiums, duplexes, and multiple family residences subject to the regulations in Land Development Code Section 141.0315(a). A maximum of 2 occupants per legal bedroom plus 2 occupants may stay in a whole dwelling unit.**

###### **(b) Accessory Uses**

- (4) Boarder, lodger, and home sharing accommodations in accordance with Land Development Code Section 141.0301.**

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**Other considerations for recommendation from the Mission Beach community include: (1) Permit system for accountability; (2) Procedure for fines and punishment; (3) requirement that Rules be posted at dwelling units; (4) Rental**

agreement to include names and ages of people; and (5) % of TOT to go to Mission Beach community for services e.g. 2<sup>nd</sup> trash pick-up in summer months.

**VOTE**                      **For: 8**                      **Against: 0**                      **Abstain: 0**  
**Motion passes. [Absent for Vote: C. Havlat]**

**BUILDING PLAN REVIEW**  
None.

**Board Communications**  
None

There being no further business, Chair Debbie Watkins noted Agenda Items need to be submitted to the Chair **10 days PRIOR** to the scheduled Board meeting. She noted the **next meeting will be held on Tuesday, November 17, 2015, at 7 PM in the Belmont Park Community Room. The Board is dark in December.**

#### **ADJOURNMENT**

**Motion 2 was made by Peggy Bradshaw and seconded by Gernot Trolf TO ADJOURN the meeting at 9:20 PM.**

**VOTE**                      **For: 8**                      **Against: 0**                      **Abstain: 0**  
**Motion passes. [Absent for Vote: C. Havlat]**

Submitted by: Debbie Watkins, Secretary