

CITY OF BUELLTON

PLANNING COMMISSION MEETING MINUTES

Regular Meeting of July 2, 2015 – 6:00 p.m.
City Council Chambers, 140 West Highway 246
Buellton, California

CALL TO ORDER

Chair Figueroa called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

Vice Chair Reif led the Pledge of Allegiance

ROLL CALL

Present: Commissioners Brian Dunstan, Art Mercado, Joe Padilla, Vice Chair Foster Reif and Chair Lisa Figueroa

Staff: City Manager Marc Bierdzinski
City Attorney, Steve McEwen via telephone
Contract Planner Irma Tucker
Staff Assistant/Planning Technician Clare Barcelona

REORDERING OF AGENDA

None

PRESENTATIONS

None

APPROVAL OF MINUTES

1. Minutes of the regular Planning Commission meeting of June 18, 2015

MOTION:

Vice Chair Reif moved and Commissioner Padilla seconded the motion to approve the Minutes of June 18, 2015.

VOTE:

Motion passed by 5-0 voice vote.

PUBLIC COMMENTS

None

CONSENT CALENDAR

None

CONTINUED PUBLIC HEARINGS

None

NEW PUBLIC HEARINGS

2. **Resolution No. 15-07 – “A Resolution of the Planning Commission of the City of Buellton, California, Denying the Appeal of Brian Kuykendall, 431 Dogwood Drive, and Making a Determination that a Vacation Rental Use is Not a Permitted or Conditional Use in the Single Family Zoning District, and Making Findings in Support Thereof”**

RECOMMENDATION:

That the Planning Commission consider the adoption of Resolution No. 15-07 – “A Resolution of the Planning Commission of the City of Buellton, California, Denying the Appeal of Brian Kuykendall, 431 Dogwood Drive, and Making a Determination that a Vacation Rental Use is Not a Permitted or Conditional Use in the Single Family Zoning District, and Making Findings in Support Thereof”

DOCUMENTS:

Planning Department Staff Report with attachments (AirBnB Web Page, 431 Dogwood April 6, 2015, Code Compliance Letter, Zoning Clearance Request, April 28, 2015, Letter Denying Zoning Clearance, May 6, 2015, Appeal Letter)
Planning Commission Resolution No. 15-07

City Attorney, Steve McEwen, outlined the Public Hearing Appeal Process stating that during tonight’s proceedings time limits do not apply to the Applicant and stated that it is up to the Commission to determine if short term vacation rentals fall into any of the categories of permitted or conditionally permitted land uses in a single family residential zoning district.

STAFF REPORT:

City Manager Bierdzinski presented the staff report.

SPEAKERS/DISCUSSION:

Commissioner Reif asked for clarification on the shared living definition.

Chair Figueroa opened the Public Hearing at 6:15 p.m.

Brian Kuykendall, Applicant, asked the City Attorney if he agrees with the points made by the City Manager in the Staff Report and if it's customary to draft a denial before public comments are made? The City Manager clarified the process wherein staff makes a recommendation to the Planning Commission based on the information provided and how it relates to the Municipal Code. Mr. Kuykendall spoke in support of short term rentals stating that the Municipal Code is unclear and that the use could fall into the shared living category.

Melissa Kuykendall, Applicant, spoke in support of short term rentals.

The following residents spoke against vacation rentals citing noise and parking issues as well as being detrimental to the neighborhood.

- James Kinneavy, 471 Dogwood Drive, Buellton
- Steven Craig, 441 Dogwood Drive, Buellton
- Bonnie Fullmer, 460 Dogwood Drive, Buellton
- Lisa Goto, 471 Dogwood Drive, Buellton

The following residents spoke in favor of vacation rentals stating with proper regulations and guidelines in place, vacation rentals would benefit the City by generating revenue.

- Diana Paul, 591 Paula Ray Lane, Buellton
- Valerie Rogers, Buellton

Chair Figueroa closed the Public Hearing at 7:17 p.m.

The Commission concurred that short term vacation rentals do not fall into the shared living category or any other category of the Municipal Code and that they are not allowed in the single family residential zone.

MOTION:

Commissioner Mercado moved and Vice Chair Reif seconded the motion to adopt Resolution No. 15-07 by title only and waive further reading.

VOTE:

Motion passed with a 5-0 roll call vote.

OTHER BUSINESS

None

WRITTEN COMMUNICATIONS

None

PLANNING COMMISSIONER COMMENTS

None

PLANNING DIRECTOR REPORT

City Manager Marc Bierdzinski updated the Commission on recent City Council actions and various projects including the Village Townhomes and Avenue of Flags Specific Plan Workshop.

ADJOURNMENT

Chair Figueroa adjourned the meeting at 7:35 p.m. to the next regular scheduled meeting of the Planning Commission to be held July 16, 2015 at the City Council Chambers, 140 West Highway 246, Buellton.

Lisa Figueroa, Planning Commission Chair

ATTEST:



Clare Barcelona, Planning Commission Secretary

An audio CD of this Planning Commission Meeting is available upon request.