

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
1385 EIGHTH STREET, SUITE 130
ARCATA, CA 95521
(707) 826-8950 FAX (707) 826-8960

www.coastal.ca.gov



Th9b

DATE: February 17, 2017

TO: Coastal Commissioners and Interested Persons

FROM: Alison Dettmer, Deputy Director
Robert S. Merrill, North Coast District Manager

SUBJECT: Extension of Time Limit for Commission Action on City of Trinidad
Local Coastal Program Amendment LCP-1-TRN-16-0065-1 (Short Term
Vacation Rentals)

For the Commission meeting of March 9, 2017

LCP AMENDMENT DESCRIPTION

On November 22, 2016, the City of Trinidad (City) transmitted to the Commission LCP Amendment Application No. LCP-1- TRN-16-0065-1. The proposed LCP Amendment would amend the Implementation Plan (IP) portion of the certified City of Trinidad LCP to revise limits on short term rental of residences for transient occupancy.

Coastal Act Section 30510 requires proposed LCP amendment submittals to contain materials sufficient for a thorough and complete review. Once that requirement is satisfied, and an amendment is deemed submitted (or “filed”), the Coastal Act requires the Commission to act on an IP amendment within 60 days (Coastal Act Sections 30510, 30513, and 30514). On February 15, 2017, the Commission staff deemed the proposed LCP Update Amendment submitted. The 60th day after the date this proposed LCP Update Amendment was deemed submitted is April 16, 2017. As the Commission will not be meeting in April 2017, unless the Commission extends the deadline, the Commission will need to complete its action on the proposed LCP Update Amendment at the Commission’s March 8-10, 2017 hearing.

Staff has not yet had sufficient time to complete its analysis of the proposed LCP Amendment and to fully coordinate with the City to ensure consistency of the proposed LCP Amendment with the certified Land Use Plan (LUP) and the Coastal Act. Commission staff has not had the opportunity to discuss with City staff possible language modifications to the proposed IP Amendment to ensure consistency with the certified LUP and the Coastal Act. Commission staff would like to resolve with City staff the issues of LUP and Coastal Act consistency as much as possible prior to the Commission hearing to narrow the issues that would need to be resolved by the Commission at the hearing.

Coastal Act Section 30517 states that the Commission may extend for good cause the 60-day time limit for Commission action on an IP amendment for a period not to exceed one year. Although staff is planning to bring the proposed amendment forward for Commission action at the June, 2017 Commission meeting in the North Coast District, staff recommends that the Commission extend the deadline for a full year as provided by the Coastal Act to allow for uncertainty in the review process and flexibility for coordination with the City on potential modifications. Therefore, staff recommends that the Commission extend the deadline for Commission action on the proposed IP amendment by one year. A one-year extension would result in a new deadline for Commission action of April 16, 2018.

STAFF RECOMMENDATION

Staff recommends that the Commission vote to extend the deadline for Commission action for one year.

Motion:

I move that the Commission extend the time limit to act on City of Trinidad Local Coastal Program Amendment No. LCP-1- TRN-16-0065-1 for a period of one year.

Staff recommends a **YES** vote. Passage of this motion will result in a one year extension of the period in which the Commission must act on the proposal, changing the deadline for Commission action from April 16, 2017 to April 16, 2018. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.

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Th9b

MEMORANDUM

Date: March 7, 2017

To: Commissioners and Interested Parties

From: Robert S. Merrill, District Manager – North Coast District

Subject: **Correspondence to Commission Meeting for Thursday, March 9, 2017
 North Coast District**

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Mr. Robert Merrill
North Coast District Manager
California Coastal Commission
1385 Eighth Street, Suite 130
Arcata, CA 95521

February 27, 2011

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ITEM NO: Th9b

FEB 27 2011

CALIFORNIA
COASTAL COMMISSION
NORTH COAST DISTRICT

Dear Mr. Merrill,

This is concerning Trinidad, California's LCP NO. LCP-1-TRN-16-0065-1.

I think the California Coastal Commission should take the time that is needed to investigate this flawed Amendment concerning STRs/VDUs in the City of Trinidad, CA.

I live and own my home at 231 Parker Creek Drive in Trinidad. I am next door to the VDU PARKER CREEK and directly across my one lane gravel road from the notorious VDU PALOMA.

STRs/VDUs should be phased out of the residential neighborhoods in Trinidad and relegated to lots zoned for business use. These VDUs are at maximum capacity and usually exceeding it when they are rented. The septic systems on these small city lots were not designed for commercial use. The Cities water system was not built to supply so many commercial business's.

Our small streets and limited parking were not designed for the many "hotel" like VDU business's that have taken over our City.

The amount of traffic from the renters and the many support vehicles for each VDU is truly incredible.

The City has no enforcement to control the rampant building code violations. The city lacks the ability to check on each VDU business license holder for business insurance. Business insurance, not homeowners insurance, is needed even if the VDU is not active.

This leaves the permanent residents as the De facto law enforcement agency which exposes us to retaliation from the STR/VDU industry. (already taking place)

The CCC should look into conflict of interest with some of Trinidad's employees, council members and planning commission. Are some of these people VDU license holders or have family and friends employed by the VDU industry?

Trinidad is a residential community which welcomes tourist with open arms. Tourist will be here without STRs/VDUs in the city. I would argue it would be a better experience for tourist without the leach like VDU/STR industry controlling our city.

Sincerely

Jacques J Beaupre
P O Box 1177
Trinidad, CA 95570



Th9b-1

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Item No: TH 9B

FEB 24 2017

**CALIFORNIA
COASTAL COMMISSION
NORTH COAST DISTRICT**

Mr. Robert Merrill
North Coast District Manager
California Coastal Commission
1385 Eighth Street, Suite 130
Arcata, CA 95521

February 23, 2017

Subject: Extension of time limit for Commission action on City of Trinidad request for certification of Implementation Plan (IP) amendment to revise limits on short term rental residences for transient occupancy.

Dear Mr. Merrill:

My wife and I recently received a notice dated February 17, 2017 of a public hearing scheduled for March 9, 2017 to allow the Coastal Commission a time extension before considering the City of Trinidad's LCP Amendment NO. LCP-1-TRN-16-0065-1. Please accept the following comments for your consideration.

My wife and I are over 40 year residents of the City of Trinidad. Although now retired, we both owned and operated successful businesses in the City for many years. We are well aware of the importance of both tourism and an involved active citizenry in making Trinidad a vibrant and attractive community for both residents and-visitors alike.

The City and a large number of concerned citizens have worked diligently for over a year to address legitimate concerns regarding short term rentals (STR-vacation rentals) and the problems that have arisen due to their proliferation. I have personally attended numerous committee, Planning Commission and City Council meetings regarding this issue. All sides have had ample opportunity to voice their feelings regarding the effect of STR's on the City and the City's LCP amendment has taken all of this into consideration. I fully support the amendment and ask that the Commission move forward as quickly as possible to approve the amendment.

Should the Commission grant itself a time extension for consideration of the City's LCP amendment, I urge that it be for no longer than the next regularly scheduled Commission meeting. The City of Trinidad and its residents deserve a decision before the onset of the summer tourism season.

Respectfully,



Richard Bruce
780 Underwood Drive
PO Box 1190
Trinidad, CA 95570

TH 9b-2

February 24, 2017

Robert Merrill
North Coast District Manager - California Coastal Commission
1385 Eighth Street, Suite 130
Arcata, CA 95521

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FEB 27 2017

CALIFORNIA
COASTAL COMMISSION
NORTH COAST DISTRICT

We, the undersigned, are residents or homeowners of the city of Trinidad. We urge the staff of the Coastal Commission to respond to the urgency expressed by our fellow resident, Richard Bruce. (His letter follows).

Mr. Bruce asked for expedited review of Trinidad's Short Term Rental ordinance. We are now within 4 months of the end of a legal moratorium on new applications for STR permits. If our STR ordinance does not clear Coastal Commission review before June, our ability to "cap" new vacation rental permits will expire. We will likely receive many new applications for permits, and will have limited recourse to deny those applicants.

Our proposed STR ordinance, under review by Coastal Commission staff since November, is the result of years of work by many residents and of STR owners and managers. It represents a truly balanced approach, meeting the criteria requested by the Coastal Commission.

Thank you for responding to our urgent concerns.

<i>Dwight Miller (Mayor & City Councilor)</i>	<i>Julie Fulkerson (former City Councilor)</i>
<i>Laraine Cook</i>	<i>Cresta Schiefer</i>
<i>Steve Duscha</i>	<i>Mark Schiefer</i>
<i>Wanda Lee Graves</i>	<i>Jan West (Trinidad School Board Trustee)</i>
<i>Ann Pinske</i>	<i>Jack West (City Councilor)</i>
<i>Mike Pinske (former Planning Commissioner)</i>	<i>Kathleen Duncan</i>
<i>Susan Berresford</i>	<i>Chi-Wei Lin (former City Councilor)</i>
<i>Jay Gold</i>	<i>Jackie Hogan</i>
<i>David Winnett (former City Councilor)</i>	<i>Jim Calladine</i>
<i>Sharon Winnett</i>	<i>William Moir</i>
<i>Patricia Fleschner</i>	<i>Steve Ladwig (City Councilor)</i>
<i>Susan Tissot (former City Councilor)</i>	<i>Duane Torres</i>
<i>Brian Tissot</i>	<i>Guadalupe Torres</i>
<i>Marijane Beighley Poulton</i>	<i>Gary Wagner</i>
<i>Cliff Poulton (former Planning Commissioner)</i>	<i>Susan Wagner</i>
<i>Sandra Cuthbertson</i>	<i>Julian Morales</i>
<i>Jim Cuthbertson (former City Councilor)</i>	<i>Sharon Hunter</i>
<i>Jason Ritchie</i>	<i>James H. Baker (City Councilor)</i>
<i>Gail Kenny</i>	<i>Joan M. Baker</i>
<i>Maria C Bartlett (former City Councilor)</i>	<i>Lois Harrington</i>
<i>Tom Odom (former City Councilor)</i>	<i>Diane Stockness (Planning Commissioner)</i>
<i>Anne Odom (former City Councilor)</i>	<i>Glenn Stockness</i>
	<i>Andrea Pucci</i>

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Mr. Robert Merrill
North Coast District Manager
California Coastal Commission
1385 Eighth Street, Suite 130
Arcata, CA 95521
February 27, 2017

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MAR 02 2017

CALIFORNIA
COASTAL COMMISSION
NORTH COAST DISTRICT

Subject: Extension of time limit for Commission action on City of Trinidad request for certification of Implementation Plan (IP) amendment to revise limits on short term rental residences for transient occupancy.

Dear Mr. Merrill

I am writing in support of the extension of the time limit for the California Coastal Commission to review the City of Trinidad's STR Ordinance Amendment in June when the meeting can be held locally in Eureka where the public can be present to fully participate.

Respectfully

Karen Hicks

Owner of the Crows Nest vacation rental.

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Mr. Robert Merrill
North Coast District Manager
California Coastal Commission
1385 Eighth Street, Suite 130
Arcata, CA 95521

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MAR 03 2017

CALIFORNIA
COASTAL COMMISSION
NORTH COAST DISTRICT

February 27, 2017

Subject: Extension of time limit for Commission action on City of Trinidad request for certification of Implementation Plan (IP) amendment to revise limits on short term rental residences for transient occupancy.

Dear Mr. Merrill:

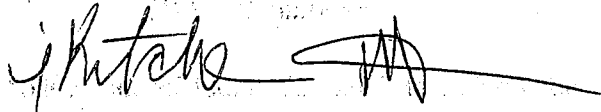
We are writing in support of the extension of time limit for the California Coastal Commission to review the City of Trinidad's STR Ordinance Amendment in June when the meeting can be held locally in Eureka where the public can be present to fully participate. We have lived in the city of Trinidad for over 15 years and have been managing vacation rentals in Trinidad for nearly a dozen years. We purchased Trinidad Retreats 6 years ago from local resident Gail Saunders who started it as the first vacation rental management company over 20 years ago. Vacation rentals are not a new concept in Trinidad. They have been part of the local fabric of our community for a long time. However maintaining a balance between residential and visitor services has become a critical and often controversial issue in this small town.

We have been active participants in the process of Trinidad creating and implementing the current VDU Ordinance which took over 5 years from creation to implementation. No sooner did the City Council adopt the current VDU Ordinance they issued an "Urgent Moratorium" and went back to the drawing board barely 2 months later because they neglected to include a "Cap". They suddenly became worried that the whole town would become swallowed up by vacation rentals. The city never even gave the current VDU Ordinance time to be implemented and evaluated to see if on it's own would deter more residents becoming vacation rentals and prevent concerns of the local citizens like noise, parking, parties, etc. The city could have very quickly developed a "Cap" recommendation without re-inventing the entire ordinance and running the risk of the moratorium expiring. Instead the city proceeded to gut the entire ordinance which took way too long and now the runs the risk of the moratorium expiring before the CCC can review and approve the amendment. It has come to my attention that a group of local Trinidad citizens is petitioning to have the California Coastal Commission review the City of Trinidad's STR Ordinance Amendment in March in Ventura rather than wait for the CCC to review it in June in Eureka. We strongly oppose the rushing of this very important ordinance amendment review. There are many new rules and regulations that need to be considered. Vacation rental homeowners have sought legal counsel on a number of these issues mainly pertaining to permits not being "transferrable". The city has also reduced the # of occupants allowed at the STR's which has the potential to greatly reduce visitor services. Given the

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amount of time already invested in this nearly 7 year process, we hope that the Coastal Commission will extend the meeting to June when it can be held in Eureka where the public can participate in the final stages of this process.

Respectfully,



Jonna and Reid Kitchen
Owners - Trinidad Retreats

Mr. Robert Merrill
North Coast District Manager
California Coastal Commission
1385 Eighth Street, Suite 130
Arcata, CA 95521
February 27, 2017

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MAR 02 2017

CALIFORNIA
COASTAL COMMISSION
NORTH COAST DISTRICT

Subject: Extension of time limit for Commission action on City of Trinidad request for certification of Implementation Plan (IP) amendment to revise limits on short term rental residences for transient occupancy.

Dear Mr. Merrill:

We are writing in support of the extension of the time limit for the California Coastal Commission to review the City of Trinidad's STR Ordinance Amendment in June when the meeting can be held locally in Eureka where the public can be present to fully participate. We are longtime residents and business owners of Trinidad.

Respectfully

Lore Snell and Casey van Alten

Owners of the Boathouse vacation rental, the Trinidad Trading Company and the Windansea shell shop.

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