

Mission Canyon Association

MINUTES

Dec. 1, 2015, 7:30 p.m.

1. Call to order & introductions
Board Members Present: Richard Axilrod, Laurie Dahl, Kellam de Forest, Alex Feldwinn, Darby Feldwinn, Barbara Lindemann, Ray Smith, Kevin Snow, Richard Solomon, Hugh Twibell, Alastair Winn
Board Members Absent: Laurie Guitteau, James Madison, Karl Hutterer, Jean Yamamura
Guests: Luke Swetland, Steve Windhager
2. Minutes of the Nov. 3, 2015 meeting – accepted as written
3. Treasurer’s report (Read on January, April, July, October), Jean Yamamura
Will return to this issue – budget for the coming year – before sending out the membership renewal letter. Board was in favor of keeping the same dues as last year.
4. Old Business
 - 4.1 Museum of Natural History update (Luke Swetland)
Luke reported that there is a good chance that there will be an alternative location for the Museum’s Gala event in March. He also reported that no date had been set for LAFCO’s hearing/decision regarding annexation from County to City. Regarding the sound wall, it is to be completed prior to construction plans. These plans have yet to be considered by the City Historic Landmarks Committee (?? Not sure of this ??) With respect to scheduling, rain and boulders are the “great unknown”. With respect to the pedestrian path, Museum folk will meet with trails folk within the next few weeks to discuss options. Luke also announced that the Folk and Tribal Arts Marketplace will take place this coming weekend and that parking management and shuttle service for parking off site has been arranged.
 - 4.2 Botanic Garden update (Steve Windhagen)
Steve reported that the Garden had a successful holiday market place and that December would be a relatively quiet month at the Garden. He also reported that they are experimenting with a new surfacing that would replace all the pavers and he invited folk to come and see for themselves. There were complaints regarding construction crews parking on Mission Canyon Road and this issue has been resolved. Regarding possible cell tower on Garden property, this issue is still under investigation and will be discussed with Garden Board, Verizon, neighbors and MCA before any decision is made. Richard Solomon and Laurie Dahl will aid Steve in contacting neighbors and further consideration of the cell tower issue.
 - 4.3 Short term rentals committee report – (Richard Solomon)
Barbara & Richard reported the results of the MCA survey regarding short term rental and a letter written to the BOS stating the results of this survey. For the survey, we received 177 responses from 650 emails sent. Emergency

ingress/egress and on-street parking were key concerns for our community. (Please see Memo attached to these minutes.)

4.4 Letter RE: architecture dispute on Cheltenham (report, Barbara Lindemann)
Barbara reported that a letter had been sent to the Urbanys & SBAR & PC noting that “In reviewing the documents on file in the County, we see that both the BAR and the Planning Department specifically addressed the terms of the MCDG and the MCCP in their original approval and in responding to your appeal of their decision. We are not in a position to take a stand on the merits of your complaint, but we are satisfied that the proper procedures were followed in upholding the important planning documents for Mission Canyon.” Kevin noted that he thought our letter was premature and that he will continue to follow this issue as a private concern, not as a member of the MCA Board.

4.5 Rocky Nook Park plans (Kevin Snow)

Kevin reported that he met with Paddy Langlands and visited the Oliver House in Rocky Nook Park. He felt it would be a shame not to use a “perfectly nice building”. It is not clear how soon the County plans to make a decision regarding this property, but MCA was notified so that we would be aware of County’s deliberations. Kellam noted that this was “a structure of merit” based on its history and that the County Landmarks Committee could have an opinion. Fran Gault has collected a history of the building. MCA will recommend to Langlands that he consult the Landmarks Committee.

5. New Business

5.1 Barbara announced that Richard Axelrod would be leaving our Board and that we would need a new chairperson for the parking committee as well as add an additional member to the Board. Richard gave farewell comments to the group and noted how the Canyon had changed during the time he and Joyce had lived here.

5.2 Call for dues in January. What level? (Jean Yamamura)

Jean sent a request for the Board to reconsider amount required for dues to the MCA, noting our current cash on hand and yearly cash flow. Ray suggested that before we change things we should consider how MCA might finance a sustainable road and brush clearing for Mission Canyon – perhaps on a model following the City’s wildland fire suppression assessment district. The fire committee will meet with Rob Hazard from County Fire to get his opinion regarding this prior to our next business meeting.

Barbara commented that we had a fine newsletter, and thanked those who put it together.

6. Additional Committee Reports (as needed)

6.1 Newsletter (Jean Yamamura)

6.2 Architectural Design Review (Hugh Twibell)

6.3 Parking & Traffic (Dick Axilrod)

6.4 Land Use Committee (Kevin Snow)

6.5 Membership (Laurie Guitteau)

6.6 Fire Committee (Ray Smith)

6.7 Mission Heritage Trail Association (Alastair Winn)

Alastair gave a brief report on the Mission Heritage Trail Association. He noted that in consideration of the opposition they are moving slowly, listening to folk and getting input from all who want to provide input.

6.8 Web site (Alex Feldwinn)

Barbara thanked Alex for his excellent work on our web site.

Next meeting: Jan. 5, 2015 7:30 pm MacVeagh House, Natural History Museum

Respectively submitted,

Ray Smith, Secretary

MEMO to the MCA Board of Directors

From: Short Term Rental committee

Your committee recommends that the MCA adopt and communicate the following recommendations to the Board of Supervisors regarding a proposed ordinance regulating the short term rental [STR] phenomenon. Please note that the Home exchanges (defined as swapping homes with no passing of money from one exchanger to the other) would not be covered because they are not "rentals." This kind of exchange would be impossible to police anyway, and we didn't think it was necessary to take a position on them.

Regarding the folks who rent out their homes for less than 29 days while traveling: If they receive money for that rental (i.e., it's not an exchange) and the rental period is for 29 days or less, it's a short term rental, and the committee recommendation is to oppose it for the reasons stated. If that rental was for 30 days or longer, it would not fall within the ordinance because it would be a regular rental (yes, even if for 31 days). We certainly realize that this is controversial. As a matter of principle, however, I think it's important that whatever decision is made, it reflects the survey results as accurately as possible. Although lots of folks are opposed to any STRs in the Canyon, and many think that there should be no restrictions (other than registering the unit and paying the TOT), those views are in the minority. The committee's recommendation, therefore, reflects a compromise that most residents support.

PROPOSED LETTER TO BOARD OF SUPS:

The MCA has conducted an on-line poll of its members regarding the STR issue. Approximately 650 emails were sent to Mission Canyon residents announcing the questionnaire and 177 responses were received. We believe those responses accurately reflect a consensus to allow only a single room in a home to be rented out at any given time subject to the following additional conditions, all of which are intended to harmonize as many competing interests as possible.

First, about one quarter of the respondents favored all forms of STRs (rooms and an entire home), conditioned on registering with the County, paying the TOT, etc. and another quarter thought any form of STR rental was inconsistent with the residential

nature of the Canyon and should be prohibited. More than half, however, favored allowing home owners to rent out one room at any given time so long as they lived on the premises during each rental.

Second, the overwhelming majority of respondents who favored allowing some form of STRs also thought it appropriate to require home owners to register with the County, pay the appropriate TOT for each rental, and provide on-site parking.

The single room at any time with the owner(s) on the premises is important for several reasons. Because renters can't receive reverse 911 calls in the event of an community-wide emergency, having the owner on the property will facilitate evacuation. This issue is of particular importance to us. Allowing only a single room to be rented, with the owner present, will also largely eliminate the "party house" rentals that often turn into neighborhood nuisances, aggravated by an absentee owner who cannot be reached and/or is disinclined to address the problem as it's happening. And providing on-site parking will minimize renters parking on the street right-of-way or blocking driveways.

In summary, the Committee recommends that the following regulations be adopted regarding Short Term Rentals:

- STR's should only be permitted where the owner lives on the premises at the time of the rental
- Only one room may be rented out at a time
- STR's must register with the County
- STR's must pay the TOT tax
- STR's must provide on-site parking (i.e. not street).

Thank you for considering our members' views on this subject.