



Contra Costa Centre Area Municipal Advisory Council Minutes of Tuesday, October 17, 2017

The meeting was called to order by John Vallor, Chair at 5:00 P.M.

Board Members present: Lynette Busby, Marylee Martinez, Jeffrey Peckham, and 3 positions remain unfilled.

NOTE: The Contra Costa Centre Area Municipal Advisory Council is referred to as the 'MAC' in the minutes. Unless otherwise needed to clarify sources of comments other than the MAC, MAC members' comments and questions are referred to by first name.

1. Approval of the minutes of the meeting of July 18, 2017

On motion by Marylee Martinez, second by Lynette Busby and carried unanimously to approve the minutes of the July 18, 2017 meeting, as submitted.

2. Public Comment

The Board introduced and welcomed the new minute-taker Anita Tucci-Smith.

3. California Highway Patrol (CHP) Update

CHP Officer Matt Joyner reported that there had been ten traffic collisions along the area of Treat Boulevard with some injury and some property damage but nothing too significant, five DUI arrests, and two warrant arrests. In other matters, he reported that the new HOV lane on I-680 had become operational, CHP Officers were on 12-hour shifts until further notice due to the wildfires in the North Bay, and he had been working on parking complaints in the area to ensure compliance with the speed limits.

4. Contra Costa County Sheriff Update

Lia Bristol presented a report provided by the Sheriff's Office that there had been an influx in vehicle burglaries although crime was up all over the County and burglaries came in waves; the Sheriff's Office had reached out to local businesses to remind tenants and residents to keep valuables out of sight; and information had been shared with the graveyard Deputy who had tried to increase patrols.

Marylee noted that Deputy Kim Bierwith had been parking in the driveway in the morning to keep an eye on morning traffic, which had been most helpful.

5. Temporary Parking on Block D – Update

Lia advised that Maureen Toms from the County Conservation & Development Department, as well as Jeff White from Avalon, had reported on the continuation of the use of Block D for temporary parking, which would be reduced by half when construction started. She noted that the JPA was to consider two additional one-year extensions of the Block D parking to April 2020. An update would be provided at the next meeting.

6. Avalon and Block C – Update

Lia also advised that Maureen Toms had also reported that Avalon expected to close on legal documents by mid-November and to pull permits at that time, with work to start by December 2017.

7. Traffic Discussion

Marylee noted a discrepancy in signage around the Cherry Lane, Walden, and Walnut areas that identified either a 3-ton or 5-ton gross weight limit, and questioned the difference and whether that weight limit was regulated by City of Walnut Creek or County ordinance. She added that there was no signage to warn truck drivers about the tonnage limit on Cherry Lane and the sign itself was at the immediate turn into Cherry Lane. She questioned whether truckers were aware of that issue and sought a way to increase signage on Treat Boulevard with a tonnage limit and requested that the sign on Cherry Lane be moved down to make it more visible to truckers. She added that those living on Walnut in the City of Walnut Creek had become active and had been working with the City Traffic Engineer to address traffic calming and traffic volumes since a recent Walnut Creek traffic study had found that the vast majority of traffic was from out of the area.

Lia reported that the County Public Works Department (PWD) had indicated a 5-ton gross weight limit for Cherry Lane at Las Juntas and Walnut at Oak Road, and a 3-ton limit at Walnut and Oak Road, with tonnage signs on Cherry Lane. The PWD would replace the erroneous limit sign at an appropriate place, and would place two advance signs approaching Cherry Lane. She would follow up on the appropriate placement of the sign on Cherry Lane.

8. Potential Short-Term Rental Ordinance for Contra Costa County: County Requesting Input from MAC Members – Discussion and Questionnaire

The MAC briefly discussed the best way to submit comments to the Board of Supervisors and had determined that each member would fill out the questionnaire for submittal to the Board.

Each of the thirteen items on the questionnaire were discussed, with comments from the MAC, as follows:

1. Require owner occupancy (e.g., hosted rental)?

The MAC was split on the requirement for owner occupancy although suggested it was reasonable to require contact information.

2. Prohibit rental of Accessory Dwelling Units (ADUs)?

The MAC was split on the prohibition of ADUs.

3. Restrict rentals to 90 days per year? More or less?

Marylee suggested the intent of ADUs was to deal with the housing shortage and would take away from permanent housing; Jeffrey did not think the restriction was reasonable; and John suggested ADUs would impact the hotel market.

4. Notification to neighbors with owner information (e.g., require owner to be in close proximity during rental)?

The MAC supported notification to neighbors with owner information.

5. Require additional parking?

The MAC supported the requirement for additional parking.

6. Limit the number of guests?

The MAC supported a limit on parking and suggested no more than two people per bedroom.

7. Require a discretionary Land Use Permit for all exceptions (e.g., insufficient parking)?

The MAC supported the requirement for a discretionary Land Use Permit for all exceptions, with a clarification of the term “discretionary.”

8. Require a business license?

The MAC supported a requirement for a business license, to be placed on all ads placed for the rental.

9. Require performance standards to be met or permit may be revoked?

The MAC requested a clarification of “performance standards” and asked if that referred to behavioral standards.

10. Allow special events at rental?

The MAC was split on whether to allow special events.

11. Require a Transient Occupancy Tax on all short-term rentals?

The MAC supported the requirement for a Transient Occupancy Tax consistent with all hotels.

12. Require a ministerial permit to operate?

The MAC requested a clarification of the term “ministerial.”

13. Prohibit all Short Term Rentals?

Marylee noted a concern for the term and allowing tenants legal right, and suggested it be less than 30 days. Lia explained the discussion was that the County would not allow short term rentals at all in unincorporated areas.

PUBLIC COMMENT

Fred Nelson, 160 Greenwood Circle, Walnut Creek, offered comments on the short term rental proposal in light of his negative experience with an Airbnb rental in his neighborhood. Given his experience, he emphasized that if ADUs were allowed, there would have to be regulations to protect the neighbors, a business license, notification to neighbors, adequate parking, check-in and check-out regulations, an on-site owner, compliance with all regulations of the jurisdiction in which it was located, no special events, and there should be significant fines for violators.

MAC members agreed to fill out the questionnaire and submit it to the County.

9. Agenda Items for Next Meeting

The MAC recommended that the next meeting agenda include an *Annual Report*, *Election of Officers*, *Update on Traffic*, and any *Other Issues* that may have arisen prior to that time.

10. Councilmember Comments

Marylee thanked the County for striping Cherry Lane, for responding to the concerns related to gross tonnage, and for the removal of the pine tree on Seven Hills Ranch Road.

11. Adjournment

On motion by Jeffrey, seconded by Lynette and carried unanimously to adjourn the meeting at 6:02 P.M. to the next meeting scheduled for January 16, 2018.