



**MINUTES
SOLVANG PLANNING COMMISSION
REGULAR MEETING**

June 6, 2022
Monday
6:00 p.m.

CALL TO ORDER

Chair Williams called the meeting to order at 6:00 p.m. in the City Hall Council Chamber, 1644 Oak Street, Solvang, California.

ROLL CALL

Present: Commissioners: Scott Gold, Joannie Jamieson, Aaron Petersen, Justin Rodriguez,
Chair Jack Williams

Absent None

Staff: City Manager Xenia Bradford, Planning Consultant Laurie Tamura, Assistant City Attorney Craig Steel, City Clerk Annamarie Porter.

PLEDGE TO THE FLAG

Chair Williams led in the Salute to the Flag.

1. APPROVE ORDER OF AGENDA

Motion by Commissioner Jamieson, to approve the order of the agenda, as presented, seconded by Commissioner Petersen, and carried, unanimously, 5-0.

2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA - None

3. CONSENT ITEMS

- A. Approve the minutes of the May 2, 2022 Regular meeting
- B. Receive and file Planning and Building Division Current Projects, June 2022

Motion by Commissioner Jamieson, to approve Consent Items, as presented, seconded by Commissioner Petersen, and carried, unanimously, 5-0.

4. EX PARTE COMMUNICATION

Commissioner Petersen reported speaking with members of the Lash Family regarding Item No. 5A.

5. PUBLIC HEARINGS

- A. Public hearing to consider and provide recommendations to the City Council regarding the parking in-lieu fee waiver request for \$24,752 for two parking spaces for the short-term vacation rentals at 1688 Oak Street and 393 Alisal Road

Planning Consultant Laurie Tamura presented details of the staff report.

Discussion followed regarding the Planning Director's ability to waive up to two parking spaces in the TRC zone, recent changes in the ordinance, revocability of the current agreement, whether it is appropriate to "revisit" the ordinance and specifying uses.

Chair Williams opened the public hearing.

Benjamin Woodall, representing the Lash Family, noted the family's request is for a variance of the parking spaces; reported the space has been used without parking for the last 25 years; discussed previous uses and stated the project has been approved by the DRC.

Discussion followed regarding considering the two parking spaces behind the Building (to the south on 385 Alisal).

Susan Bott, We Watch, suggested that the Planning Commission consider consistency when reviewing in-lieu fee waivers.

Discussion followed regarding treating Buildings A, B, C, and D as one building, uses for each building, availability of on-street parking in the street frontage, the square footage of all buildings, combined, the need to consider parking in the City, overall, existence of a prior parking district, the Vacation Rental ordinance requirements for parking, on site, the vested right of the property owner to some parking and challenges related to having an irrevocable easement.

Assistant City Attorney Steel, noted this is not a variance application but an application to have an in-lieu fee waived; reported the owner agreement is not an easement but rather a parking space agreement and is revocable and confirmed the waiver issue was in the context of expanding to outdoor dining and is not relevant in this case. He added the Planning Commission may recommend to City Council that the owner agreement be irrevocable and whether an in-lieu fee is allowed on the proposed type of use.

City Manager Bradford reported that staff is interested in looking at the issue and determining how the ordinances work together; noted this is the first application of this kind; added that it not the Planning Commission's decision but the Planning Commission's consideration and recommendations are useful to the process.

Discussion followed regarding properties that paid parking in-lieu fees in the past, the need to review past parking district fees, use of the past fees, under AB 1600 to purchase Parking Lot 5, retirement of the Parking District and the need for extenuating circumstances for waiving in-lieu fees.

Chair Williams felt the Planning Commission should deny the request and recommend that City Council consider other ways to pay for parking to avoid in-lieu fees.

Discussion followed regarding the possibility of the owner applying for a variance, the need to know whether the owner was vested in any parking and the need to do more research on this history of the property.

Planning Consultant Tamura reported that staff research the history of the property and return to the Planning Commission with the added information and noted staff will encourage that the applicant to pursue an irrevocable agreement with the adjacent neighbor.

Commissioner Petersen mentioned differences in parking requirements for hotels versus vacation rentals and stressed the need to clarify the Vacation Rental ordinance.

There were no other public comments and Chair Williams closed the public hearing.

City Manager Bradford explained it is best for staff to conduct additional research and return to the Planning Commission with additional recommendations for moving the item forward; added the final decision would be up to City Council and commented on the applicant applying for a variance.

- B. Public hearing to consider and provide recommendations to the City Council regarding the parking in-lieu fee waiver request for \$61,880 for five parking spaces for High Roller Tiki Lounge at 433 Alisal Road

City Manager Bradford introduced the item; reported the High Roller Tiki Lounge is expanding their bar space; requested the Planning Commission's general comments and advice on the matter; noted the final decision would be with the City Council; discussed the ordinance requirements relative to parking and stated the applicant would have to come up with two parking spaces because of the change in use per 1,000 square feet and can waive 1.6 spaces as parking in-lieu.

Planning Consultant Tamura provided a brief history of the property; noted there was an expansion, during COVID, into the courtyard and public right-of-way, the former of which still has sitting; reported the applicant wants to expand their bar space and must find two additional parking spaces either through an irrevocable agreement, pay the in-lieu fees or obtain a waiver from City Council.

Chair Williams opened the public hearing.

Michael Cobb, representing High Roller Tiki Lounge, provided a brief history of the property; discussed existing financial hardships; addressed existing parking and noted the expansion would be used only Friday and Saturday nights.

There were no other public comments and Chair Williams closed the public hearing.

Discussion followed regarding differences in parking requirements for retail versus bars/restaurants, considering hours of operation in calculating parking, the possibility of considering changes to the ordinance, communicating to business owners to consult with the City prior to entering into any agreements, having the applicant apply for a variance and options for the Planning Commission to recommend to City Council.

Motion by Commissioner Petersen to recommend waiver one parking space and recommend that City Council waive \$12,376 in in-lieu fee, recommend waiving two parking spots for the patio parking and that the applicant reduce the interior seating space by two parking spaces until and if the applicant can enter into an irrevocable parking agreement, seconded by Commissioner Jamieson, and carried, unanimously, 5-0.

- C. Public hearing to consider Planning Commission Resolution No. 22-04 recommending the City Council adopt an Ordinance amending Title 11 of the Solvang Municipal Code to address food trucks and other vending on private property in the City of Solvang and make a determination of exemption under the California Environmental Quality Act (CEQA)

Planning Consultant Tamura presented details of the report.

Discussion followed regarding requirements for public versus private property, definition of "parking lots", removing "parking lot sales", previous removal of the special events section under Title 11 and allowing food trucks under special circumstances.

Chair Williams opened the public hearing.

There were no public comments and Chair Williams closed the public hearing.

Commissioner Jamieson felt that allowing food trucks in any zone, would hurt existing businesses and expressed disappointment with the lack of public input on this item.

Motion by Commissioner Rodriguez to adopt Planning Commission Resolution No. 22-04 recommending the City Council adopt an Ordinance amending Title 11 of the Solvang Municipal Code to address food trucks and other vending on private property in the City of Solvang and make a determination of exemption under the California Environmental Quality Act (CEQA), as amended to remove references to "parking lot sales" from the ordinance, seconded by Commissioner Gold, and carried, unanimously, 5-0.

6. DISCUSSION ITEMS - None

7. PLANNING COMMISSIONERS' COMMENTS

Commissioner Petersen reiterated the need to review parking in the City.

Commissioner Rodriguez commented on the need to review the Vacation Rental ordinance as it related to parking.

Chair Williams agreed and noted the urgency in that similar applications will be submitted for review.

Discussion followed regarding informing vacation rental owners of the need to work closely with the City, the status of the St. George hotel project and approval of two part-time Code Enforcement Officers.

Commissioner Petersen commented on the need for Code Enforcement related to vacation rentals in the TRC.

8. STAFF COMMENTS

Planning Consultant Tamura discussed projects to be reviewed by the Planning Commission at its next meeting.

City Manager Bradford addressed the status of the General Plan Update as well as the old lumber yard project; reported on an upcoming public workshop regarding the Copenhagen corridor; announced parking will be addressed through the Circulation Element of the General Plan; noted parking will be reviewed under the Financial Plan development and commented on a review of in-lieu fees.

9. ADJOURNMENT

The meeting was adjourned at 7:56 p.m.

Respectfully submitted:

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Annamarie Porter, City Clerk