

Agenda Item No.5 - REFERRAL 24.7

From: [Aengus Jeffers](#)
To: [Price, Taylor; 293-pchearingcomments](#)
Cc: [Navarro, Janet](#); [McDougal, Melissa](#)
Subject: Planning Commission Comment Letter: Item #5 for January 29, 2025 Hearing
Date: Tuesday, January 28, 2025 1:49:01 PM
Attachments: [Fully Executed Planning Commission VSU Moratorium Comment Letter.pdf](#)

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To whom it may concern – Attached to this message is my comment letter for Item #5 at tomorrow’s January 29, 2025 Planning Commission hearing.

Kind regards - Aengus

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January 28, 2025

VIA EMAIL DELIVERY

Monterey County Planning Commission
168 West Alisal Street, 1st Floor
Salinas, California 93901

Re: January 29, 2025 Planning Commission Meeting Item #5 : Process to Consider a Moratorium for New Visitor Serving Units in the Big Sur Coast Planning Area

Dear Chair Diehl and Members of the Planning Commission:

I am writing on behalf of my clients, the Post Ranch Inn (“Post Ranch”), the Big Sur River Inn (“River Inn”), and Treebones Resort (“Treebones”) to convey serious concerns regarding the County of Monterey (“County”) exercising its extraordinary moratorium powers to prohibit consideration of any new Big Sur Visitor Serving Units (“VSU’s”). The limited potential for new VSU are not materially contributing to the shared concerns regarding traffic congestion and ‘dangerous conditions’ due to increased visitation. Furthermore, we are anxious that formal discussions regarding a VSU Moratorium have been agendized before the Planning Commission without any prior notice to the Big Sur Community regarding such a drastic step.

To our knowledge, there was no outreach regarding VSU Moratorium discussions at the last Big Sur Multi-Agency Committee meeting on December 13, 2024 or via email to parties who are participating in the pending Big Sur Land Use Plan Update (“LUP Update) process. We only learned about this hearing item last Friday, January 24, 2025. As such, this comment letter has been quickly drafted to convey our heightened initial concerns that VSU’s are being singled out as the root cause of over visitation in Big Sur.

To be clear, we are entirely sympathetic to the Big Sur Community’s (“Community”) broad concern about the impacts associated with increased visitation to Big Sur. We continue to feel the best forum to address these concerns remains the LUP Update process which is well underway.

However, we strongly oppose a moratorium which arbitrarily singles out VSU’s when the current Big Sur Local Coastal Program (“LCP”) only allows 187 more guest units, beyond Big Sur’s existing 600 units (see County Planning Staff Memorandum on Visitor Accommodations and Campgrounds County Unit County Data dates November 27, 2023). Thus, we oppose the extraordinary exercise of the County’s moratorium powers to prohibit consideration of any further VSU applications for the following reasons:

- Legal VSU’s Do Not Materially Increase Visitation: The primary source of increased visitation and traffic congestion in Big Sur are tourists who drive down to Big Sur for the day (particularly with the current and indefinite closure of Highway One at the Regent’s slide). The current draft of the LUP Update estimates that visitation averages 5,000,000 vehicle trips a year. Based upon County

Monterey County Planning Commission

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Planning’s estimate of 600 existing legal VSU’s, and assuming 1 vehicle trip per day for each occupied VSU and an 80% occupancy ratio, the existing VSU’s only account for about 175,200 annual vehicle trips (or 3% of the 5,000,000 visitation average). Assuming all of the remaining permissible VSU’s are built, these would only add about 54,604 additional vehicle trips (or 1% of the 5,000,000 visitation average).

- VSU Guests Tend to Avoid Peak Traffic Schedules: Unlike day visitors, VSU Guests time their travel to coincide with afternoon check-in’s and then often depart their VSU for excursions or return travel separate from the peak traffic direction and schedule of day visitors. At resort locations VSU Guests often spend most of their time at the resort.
- Big Sur Visitation is Already Reduced: I encourage the Planning Commission to poll visitor serving businesses in Big Sur that rely upon day visitors (i.e. stand-alone restaurants) in order to gauge the negative impact of the Regent’s slide on visitation. Every discussion I have had with stand-alone Big Sur restaurants has consistently underscored the impact of the Regent’s slide’s indefinite Highway One closure on these businesses. Several sources have cited a 30% reduction in business.
- A VSU Moratorium Unreasonably Bypasses the Pending LUP Update: The pending LUP Update has the best chance we have yet seen to finally update the Big Sur LUP. The basis for this optimism is the LUP Update’s strategic fine tuning of the original LUP coupled with broad community ‘buy-in’. However, the arbitrary and unexpected exercise of the County’s extraordinary moratorium powers to single out VSU’s as the primary source of over visitation will jeopardize the current broad community ‘buy-in’ (*particularly when VSU.s are already regulated by the current LCP and only about 103 new VSU’s have been permitted in the last 27 years and I am unaware of any tidal wave of pending VSU applications*). Discussions about a VSU moratorium will likely bring forward any number of VSU applications as defensive efforts to try to and leave open plans that were happily gathering dust for years.
- Inconsistency with the Coastal Act: Implementation of a VSU Moratorium which bypasses the pending LUP Update process is inconsistent with the Coastal Act’s primary mission to provide public access to California’s Coastal Zone.

For the reasons set forth above, we urge the Planning Commission to reject formal processing of a VSU moratorium in Big Sur. We do still remain concerned about over visitation to Big Sur and welcome Community discussions how legal visitor serving businesses can help address such impacts (relative to illegal short term rentals and day use visitation). If you have any questions, please do not hesitate to contact me.

Sincerely,

DocuSigned by:



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Aengus L. Jeffers, Esq.

1/28/2025

cc: Katie Butler, Coastal Commission District Supervisor (via email)
Breylen Ammen, Coastal Commission Coastal Planner (via email)

From: [Colin Twohig](mailto:Colin.Twohig)
To: 293-pchearingcomments; planning@monterey.gov
Cc: mvdiehl@mindspring.com
Subject: Planning Commission Meeting, Jan. 29, 2025, PC 25-010, Item No. 5
Date: Tuesday, January 28, 2025 8:27:12 AM

You don't often get email from colin@bigsurriverinn.com. [Learn why this is important](#)

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To the Monterey County Planning Commission:

In regards to agenda item number 5, I would like to provide the following comments:

- I do not believe that further restricting hospitality and visitor-serving businesses is the right answer to addressing the issues of "over tourism" that some individuals and social interest groups claim it to be. The issues I refer to, and that I know personally as a resident of the Big Sur coast, are traffic jams at places like Bixby and Soberanes, littering, and human waste along our scenic highway. I agree that these issues are concerning, however, I feel that the way to address them is through education, increased signage and enforcement, and better publicly provided facilities.
- When visitors come to Big Sur and stay overnight at one of the local establishments, they interact with locals and staff. In doing so, they become educated on sustainable and responsible travel in Big Sur. In short, they learn the "do's" and "don'ts" of caring for this amazing stretch of coast we call home. We, the workers of the hospitality industry in Big Sur, are the locals. We are dependent on tourists for our livelihoods, and we are also stewards of this beautiful place. When we interact with visitors, we have the opportunity to educate them on how to visit responsibly and how to respect Big Sur. Curbing overnight tourism is not the answer. These visitors are some of the most responsible visitors coming to Big Sur. They are planning their trips, they are following the rules, they are staying at places with facilities and overall are visiting Big Sur more responsibly than other groups.
- Day trippers coming to Big Sur who visit businesses for food, supplies, art, music, or anything else that Big Sur businesses have to offer also get educated by the hospitality workers and are more likely to travel more responsibly and sustainably in Big Sur.
- The largest group that contributes to the negative issues mentioned above are the tourists that come to Big Sur and do not visit any businesses nor stay overnight but instead rely solely on the publicly available facilities. This is where the issue lies in my opinion, and this is where efforts need to be taken to remedy the negative impacts. In my opinion, the solution is better signage, restrooms along the coast, and increased enforcement of traffic violations at pain points on Hwy 1 (like Bixby and Soberanes). The Big Sur business community should not be penalized for the shortfalls of local and state government when it comes to the lack of facilities and enforcement.
- If tourists are provided with adequate facilities, proper enforcement, and educational signage then they are much more likely to travel in Big Sur responsibly and sustainably. This is the future we should be building towards. This is the real solution to the problem.

Thank you for considering my comments.

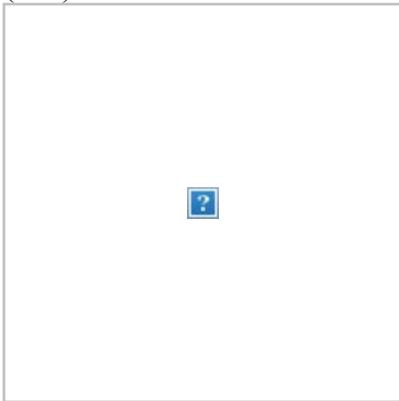
Best Regards,
Colin

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Colin Twohig
General Manager

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PC 1-29-25
Agenda Item #5
REFERRAL #24.7

Planning Commission Meeting
Item #5, VSU Moratorium, Big Sur
January 29, 2025

A Moratorium on VSU's in Big Sur is necessary for the public's safety & welfare

My name is Tim Green.

Big Sur was once a remote area with little development. By the 1970's, due to the fame of its Scenic Highway, during busy periods of the year, its 70 miles of winding, two lane road were already approaching capacity.

In 1976 the California Coastal Commission initiated the Big Sur Special Study Area and funded studies for the development of a Land Use Plan in Cooperation with Monterey County.

In order to preserve its unspoiled natural beauty and to protect the public's access to the Scenic Highway, the Plan prioritized recreational travel and limited all land use development. To demonstrate the Plan's prioritization of public access to the Scenic Highway, I quote from the Plan, - Section 2.2, OBJECTIVES AND POLICIES, PART 3 -Highway 1

"The County"s purpose will be to maintain and enhance the highway's aesthetic beauty and to protect its primary function as a recreational route."

The need for extremely limited development policies to achieve this objective is clearly stated in the 1979 Big Sur Transportation Study done in preparation for the Plan, I quote from the Study, page 4, the conclusion of its major findings:

"Since the capacity of the existing highway cannot even support the projected recreational travel demand, no significant capacity appears to remain for residential development, **and** future recreational use will need to be regulated as well.

The Plan addresses these extreme highway constraints by prioritizing recreational travel while minimizing and balancing all land use development on the Coast. For Example:

The Plan down zoned residential development by more than 90%. From 10,000 residential parcels to 700..

It also placed a Cap on hotel rooms (VSUs) - no more than 300 additional hotel rooms could be built.

This cap is now in dispute. The County claims there are an additional 200VSU+/_ to be built. I believe it is well documented that the Cap on Visitor Serving Units has already been exceeded. I refer to the letter and spreadsheets, Sept. 26, 2023 to Daniels & Diehl @ Monterey County Planning Commission from Clark @SMW.

During busy times, highway 1 is overwhelmed, congested and chaotic, its facilities are overcrowded. The Plan's intent to prioritize recreational travel over land use development is critically important to the public's safety and welfare. Commercial development should not be allowed to displace recreational travel beyond the limits established by the Plan. A moratorium is necessary to resolve the number of VSUs allowed on the Big Sur coast.

Chair Diehl & Fellow Planning Commissioners,

Thank you for allowing me to speak today with my concerns on visitor serving units in Big Sur ...

Big Sur C & C's	25	
Big Sur Lodge	63	
River Inn	22	
Burleigh	1	
Deetjens	20	
Esalen	107	50 private rooms & 57 shared spaces
Fernwood	33	
Glen Oaks	30	
Gorda	14	
Lucia	10	
Hermitage	17	
PRI	41	
Ripplewood	17	
Riverside	12	
Treebones	20	
Ventana	74	

*Item #5
Big Sur VSUs*

TOTAL 506

"NOT" Built yet, but allowed ...

Westmere	24
Chappellet	6
State Parks	9

+ 39

GRAND TOTAL 545 So at this time Big Sur's LUP VSU Count is 77 VSUs past the 468 allowable VSUs/Rooms.

And I would think that since the County of Monterey collects TOT on all rooms, cabins, yurts, park model RVs, doublewides, containers, glamping tents & all other tent platforms these are all a Visitor Serving Unit.

Whereas a regular campsite and regular drive inn RV site are not. So in other words, if the Hosts supplies the overnight accommodations, it is a VSU, but if the transient/visitor brings their own overnight accommodations its not!!

What is a Visitor Serving Unit? According to County Chapter 5, Section 5.40.020 a VSU is defined ...

A "Hotel" means any structure, or any portion of any structure, which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, and includes any hotel, inn, tourist home or house, motel, time share or condominium conversion facility that is zoned "visitor serving," studio, bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobile home or house trailer at a fixed location, or other similar structure or portion thereof.

Thank you
Janet Hardesty