

CITY OF MORRO BAY
PLANNING COMMISSION
SYNOPSIS MINUTES

(Complete audio- and videotapes of this meeting are available from the City upon request)

Veteran's Memorial Building
Regular Meeting, 6:00 p.m.

209 Surf Street, Morro Bay
Monday, April 20, 2009

Vice-Chairperson Bill Woodson
Commissioner Gerald Luhr

Chairperson Nancy Johnson

Commissioner Michael Lucas
Commissioner John Diodati

Bruce Ambo, Secretary

I. CALL MEETING TO ORDER

Johnson called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

Luhr led the Pledge of Allegiance.

III ROLL CALL

All Planning Commissioners are present.

Staff Present: Bruce Ambo, Aileen Nygaard, Kathleen Wold, Dan Doris, Rob Livick, Damaris Hanson, and Kay Miller.

IV. ACCEPTANCE OF AGENDA

Council approved to continue the project located at 560 Bernardo to the May 4, 2009, Planning Commission Meeting.

MOTION: Woodson/Luhr 2nd to continue the project to May 4, 2009. VOTE: 5-0

Council approved to continue the City's Draft Housing Element to the May 4, 2009, Planning Commission Meeting.

MOTION: Diodati/Woodson 2nd to continue the project to May 4, 2009. VOTE: 5-0

V. DIRECTOR'S REPORT/WRITTEN COMMUNICATIONS

Ambo reported at the April 13, 2009 City Council:

- Voted to conceptually approve the 10-lot division proposal at 1305 Theresa
- Introduced for the first reading the Tourism Business Improvement District Ordinance
- Banned medical marijuana dispensaries until October. The City Attorney will look at drafting a new Municipal Code Section that may combine medical marijuana dispensaries, tattoo and massage parlors
- Put a hold on the generator project for dial-a-ride and gave instruction to conduct an energy audit
- Adopted to reduce building and plan check fees for projects achieving LEED certification
- Discussed the revision of Chapter 10, the vehicle traffic speed survey engineering section of the code
- Heard a report on harbor, mooring and parking fees at the boat launch area
- Will hear a Budget Presentation by the Finance Director
- Talked about establishing by-laws for the Advisory Committee to implement an ordinance for the Tourism Business Improvement District
- Discussed formation of a Committee for Fire Department Service options

Woodson thanked the City for the reduced fees for green building
Ambo clarified 1305 Theresa will be coming back to the Planning Commission for precise plan
Johnson asked if tattoo, massage parlors and marijuana businesses are going to grouped together and eliminated? Ambo stated the City Attorney is looking at a separate set of regulations governing those uses and municipal code standards.

VI. PUBLIC COMMENT

Johnson opened Public Comment

- Joy Chambers spoke in favor and support of the project at 560 Bernardo
 - Susan Heinemann announced the Annual American University Garden Tour on April 26, 2009.
- Seeing no further comments, Johnson closed Public Comment

VII. CONSENT CALENDAR

A. None

VIII. PRESENTATIONS

A. Dan Doris, the City's Building Official, gave a presentation on the Building Plan Check Process. The following are some of the requirements:

- Identify the use of the building
- Determine the type of construction
- Verify that the location of a building is appropriate to the site
- Check the electrical, plumbing and mechanical

Doris discussed the Green Building Features and Requirements that are currently implemented:

- The toilet retrofit, washing machine rebate program
- Construction debris recycling
- Erosion Control
- Expedited Plan Check and Permitting for green projects or feature
- Graywater, which is now permitted under the 2007 Plumbing Code

Doris discussed the Green programs in development. The Green Building Code, 2007 has a supplement that goes into effect in August 2009, with the following mandatory items:

- Elevators with controls to reduce energy consumption
- Outdoor water use will have to provide a water budget for landscape irrigation
- Weather protection for exterior walls and foundation walls
- Provide a recycling area for the project
- Use of low VOC paint, caulking, floor covering, insulation and wall panels
- No CFC's in HVAC systems
- Indoor air quality

Doris clarified the 2010 California Green Building Code, will be effective January 1, 2011

Johnson asked the Commission if they had questions

Doris clarified an architect is not required for a structure up to 4 units but an architect is required for commercial project or remodel

Doris explained graywater is for sub surface irrigation similar to a leech line

Doris stated a municipality must treat reclaimed water

Doris clarified in the January Codes, efficiency standards will be included

Doris stated weekly meetings are now taking place with the planning staff, building staff, engineering staff and public work staff to review every project

Doris clarified graywater comes from sinks, washer machines and showers

Doris stated Rob Livick would answer questions regarding curb, gutters and sidewalks

- B. Before Rob Livick (City Engineer) gave a presentation on Storm Water Control Criteria, he addressed curbs, gutters and sidewalks. The municipal code (Chapter 14.44) specifies where curb, gutters and sidewalks are required. They are required everywhere except for single-family zoning districts.

Rob Livick (City Engineer) gave a presentation on Storm Water Control Criteria highlighting the following:

- Building Permits vs. Planning Permit
- The different stormwater requirements
- Discussed Municipal Code 14.48
- Water Quality vs. Water Quantity

Luhr asked if infiltration will be required in the slip plane zones and Livick clarified infiltration will not be required and site specific zoning will be reviewed and interim standards will be adopted.

Livick stated fertilizer and phosphate control would be handled through public education and there is no plan for building a treatment plant for storm water.

Livick clarified the pay car washes in town recycle their water.

Livick stated the City is not required to tear out existing facilities and replace or modify storm drains.

Livick clarified a project less than 500 square feet of new or redeveloped impervious surface are exempt from storm water requirements.

Woodson asked what is a 2-year storm? Livick replied a 2-year storm is a recurrence interval and is about an inch of rainfall over a 24-hour period.

Livick clarified the majority of storm water regulations will be Morro Creek, Alva Paul Creek and a few unnamed creeks at the northern end of the City.

Diodati asked if the Hydro modification TAC is a subset of the Water Resources Advisory Committee or is it its own group? Livick replied it came out of SLO Partners for Water Quality.

Livick clarified the City is not responsible to regulate the County land and NPDES Phase II primary focus is urbanized area, not focused on agricultural or undeveloped areas within the County.

Lucas was concerned about the Men's Colony sewer problems and asked how are they separated from us? Livick stated as part of their Wastewater Permit they have requirements that have to met

Luhr asked about the changed sphere of influence and has it affected our ability to regulate or improve the water quality for the watersheds? Livick stated it did not have any affect on the water quality.

Woodson spoke about the National Estuary Program being sensitive to these issues and asked if the City is coordinating with them and do they have input? Livick responded water quality data is being shared.

Johnson stated the National Estuary Program does the first flush and asked if the City gets the information from them or does the City do the first flush? Livick stated the City gets the information from the National Estuary Program.

Johnson asked if more pervious work would be done in the City and Livick stated pervious work would be done behind the Police Station. Pervious sidewalks are not good for walking and may have a problem with ADA.

Diodati stated creek near Morro Strands State Beach consistently tested high for bacteria; will this program have an impact on the cleaning of this creek? Livick responded there is very little urbanized watershed that drains to the creek; most of the watershed is outside the City urban area.

Johnson asked when will the paving be completed on Morro Bay Blvd.? Livick stated there is a meeting with the contractor's to see what the status will be prior to the car show and will be completed by Memorial Day.

IX. FUTURE AGENDA ITEMS

- A. NONE

X. PUBLIC HEARINGS

A. NONE

XI. OLD BUSINESS

A. Current Planning Processing List

XII. NEW BUSINESS

A. Agendize request by Michael Lucas for approval of summer absences at the next regular meeting.

XIII. ADJOURNMENT

Johnson adjourned the meeting at 7:04 p.m. to the next regularly scheduled Planning Commission meeting at the Veterans Hall, 209 Surf Street, on Monday, May 4, 2009 at 6:00 p.m.

Nancy Johnson, Chairperson

ATTEST:

Bruce Ambo, Secretary