

AGENDA ITEM:   A-1  

DATE:   March 3, 2015  

ACTION:   APPROVED  

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION  
REGULAR MEETING – JANUARY 20, 2015  
VETERANS MEMORIAL BUILDING – 6:00 PM

PRESENT:	Robert Tefft	Chairperson
	Gerald Luhr	Vice Chairperson
	Richard Sadowski	Commissioner
	Michael Lucas	Commissioner
	Katherine Sorenson	Commissioner
STAFF:	Scot Graham	Community Development Director
	Joan Gargiulo	Contract Planner

ESTABLISH QUORUM AND CALL TO ORDER  
MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE  
PLANNING COMMISSIONER ANNOUNCEMENTS

Commissioner Sadowski thanked the community who came out to show support for the bike park.

PUBLIC COMMENTS - NONE

PRESENTATIONS – NONE

A. CONSENT CALENDAR

A-1 Approval of minutes from the Planning Commission meeting of December 16, 2014  
**Staff Recommendation:** Approve minutes as submitted.

A-2 Current and Advanced Planning Processing List  
**Staff Recommendation:** Receive and file.

**MOTION:** Chairperson Tefft moved to approve the Consent Calendar and Current and Advanced Planning Processing List. Commissioner Sadowski seconded the motion and The motion passed. (4-0, 1 Lucas abstained)

B. PUBLIC HEARINGS

B-1 **Case No.:** #UP0-391

**Site Location:** 510 Fresno, Morro Bay, CA

**Proposal:** Request for conditional use permit for an addition of more than 25% of existing floor area to a nonconforming single family dwelling. The applicant proposes to add a 444.5 square-foot garage, a 383 square foot second floor shop, and 94.4 square feet of second story decking to an existing 1700 square foot dwelling with an attached 660.7 square foot garage – an increase of 35% in floor area. The project is outside the Coastal Commission Appeal Jurisdiction.

**CEQA Determination:** The project meets the requirements for a Categorical Exemption under CEQA Guidelines Section 15301 Class 1. That exemption

applies to additions to existing structures provided that the addition will not increase the floor area by more than 50% or 2,500 square feet, whichever is less.

**Staff Recommendation:** Approve with conditions.

**Staff Contact:** Whitney McIlvaine, Contract Planner, (805) 772-6211

Graham presented the staff report.

Commissioner Lucas asked staff why was the existing garage was designed with a zero lot line.

Graham stated that the original garage was built on the property line and the later garage addition was granted a variance to allow a side set back to match the existing.

Commissioner Lucas stated the Commission wouldn't be advocating this type of construction of the existing house if anyone came forward today; not a zero lot line structure.

Graham stated this is why we have set backs in order to allow circulation around the house.

Commissioner Lucas asked staff if the home has to be modified to meet code requirements.

Graham stated there are no requirements to modify the existing house. The new addition will need to meet the current code requirements.

Commissioner Lucas expressed concern for the garage, noting he sees an issue with too many cars parking tandem.

Commissioner Sorenson asked staff if there was a code analysis on the plan and wanted to know if there was a third story. Commissioner Sorenson stated there were several structures on the property and asked if there was a code which allows the structures to remain if the plan is approved.

Graham stated we would have to follow the development plans in the codes and the accessory structures outside of the setback he would have to look into.

Commissioner Sadowski stated the planning proposal stated to have one storage structure removed.

Graham stated one of the storage structures would have to be removed due to lot coverage.

Commissioner Luhr asked if the plans would have to go through the Fire Department.

Graham stated the Fire Department reviews all plans.

Vice-Chairperson Luhr asked if there could be a requirement for sprinklers on the zero walls.

Graham stated any requirement would have to apply to the addition.

Vice-Chairperson Luhr stated there are street limitations to the driveway and asked if we had the ability to reduce the width to 12 feet and noted the gravel driveway is a non-conforming material. Commissioner Sadowski concurred with Vice-Chairperson Luhr.

Graham stated the Planning Commission could require a condition that would reduce the driveway width.

Chairperson Tefft stated there was a laundry platform in the garage which reduces the area that was where a car could park and asked how to deal with the actual parking exception granted.

Graham stated the parking exception wasn't accepted, noting conditions could be added to the project to improve the driveway surface.

Chairperson Tefft asked if the current permit was not accepted by the Planning Commission, would the applicant have to get a parking exception.

Graham stated because the City is aware of the garage, the owner would have to remove it.

Vice-Chairperson Luhr asked if there were future conversion of the second story shop, what would be required for parking if it would be converted into a living space.

Graham stated the owner could get a secondary unit permit if they wanted to, noting the owner could configure the laundry room or park outside of the area.

Chairperson Tefft asked staff if the space was converted into a secondary unit, would heating and air have to be rectified.

Commissioner Sadowski asked staff if the area called "storage" would require a higher load capacity.

Graham stated in a commercial situation yes it would be a requirement. For residential he was not sure and would have to look into this, noting also would be reviewed when the owner submitted a building permit.

Chairperson Tefft opened Public Comment period.

Rick Low, Architect, reviewed the staff report and agrees with conditions of approval and staff recommendation.

Chairperson Tefft closed Public Comment period.

Chairperson Tefft re-opened Public Comment period.

Vice-Chairperson Luhr stated he has no problems with the gravel driveway but is concerned with its migration as vehicles pass over it. He asked Low if it was the owner's preference to use gravel in the driveway.

Low stated brick or pavers would probably be used in the driveway.

Vice-Chairperson Luhr asked Low how he felt on reducing the driveway width.

Low stated in order to have the reduced driveway; it would have to be wider near the house and narrow back down, noting this would create a problem backing up a vehicle.

Vice-Chairperson Luhr stated he would like to see more articulation on the south side since it's exposed, and would like to reduce the driveway to 16 feet maximum.

Low stated the carport was built close to the lot line and the wall on the carport has a one hour fire wall.

Chairperson Tefft closed Public Comment period.

Commissioner Sorenson stated she is concerned there was a lot going on the lot. She would like the owners to pick material for the walkway which would blend in. She stated removing the shed in the front it would give better visibility to the entrance.

Commissioner Sadowski stated his main concern was the driveway. He would like to see landscaping incorporated with the neighborhood.

Commissioner Lucas stated he was concerned with the garage sequence, ventilation and fire safety. Regarding elevations he noted rails over 5 feet are not visible from the street and the code for the front yard gate is 4 feet so he would like to know if this is considered a front gate since the railing system continues into fencing.

Graham stated it would be reviewed when it goes through the planning review.

Commissioner Lucas stated he is concerned with the narrow side yards with the amount of vehicles.

Chairperson Tefft stated he understands the home was built before setbacks or codes noting the home already exceeds the maximum length and width of today's standards. He understands this is an existing situation and feels structures built this way seem to be using it to their advantage. He doesn't think the design is appropriate for the character of the neighborhood.

Commissioner Sadowski concurs with Tefft.

Commissioner Lucas stated he likes the design.

Vice-Chairperson Luhr asked staff if another owner wanted to make changes what would be the requirements for the structure.

Graham stated the footprint of the building is not going to get bigger. There would be more issues if changes were made to the second story unit.

Vice-Chairperson Luhr asked staff if they could condition this project with a deed restriction.

Graham stated the Commission could come up with deed restrictions and could review and see where they could go with it.

Chairperson Tefft stated this property is at 45 percent lot coverage, which is already maxed out. There should be some sensitivity to the neighborhood. He would like to see some vertical articulation in the front and see breaking up the mass of the door.

Commissioner Sorenson stated she thinks the vegetation on the property will soften the effect and doesn't feel it would be overwhelming.

Vice-Chair Luhr asked staff what the minimum requirement for square footage was before fire sprinklers are required and what was the final square footage.

Graham stated it was almost 3300 square feet. He was not sure on the additions and will need to follow up.

Commissioner Sorenson stated she would like to discuss fire safety in the garage and making it a condition.

Graham stated it would be inconsistent with current building and fire codes noting it should be compliant with codes that were adopted.

Commissioner Sadowski, Lucas, Vice-Chairperson Luhr and Chairperson Tefft had a discussion regarding carbon monoxide detectors and its requirements. Commissioner Lucas stated he felt the fire access should be brought up to the Fire Department.

Graham stated the building and fire code would have to be reviewed and agreed there are requirements for carbon monoxide detectors but he is not familiar with them due to the new requirements.

Vice-Chairperson Luhr asked the Commission if it would consider conditioning further square footage which would have to be brought back to the Planning Commission.

Graham asked if it would be a recorded condition.

Vice-Chairperson Luhr stated it would need to be recorded to place future buyers on notice.

Graham stated this would be good for reference and know what future permits came after. Chairperson Tefft stated there was a general consensus on this.

Commissioner Lucas discussed set backs on properties with odd configurations noting he hopes future Commissioners will be able to look at this on behalf of the residents.

Commissioner Sorenson stated when the owners remove the shed in the front, there will be an additional eighty square feet and this would go against the 45 percent.

Graham stated there could be a condition to limit the expansion and require any future expansions to require Planning Commission review and approval.

Commissioner Luhr stated his thoughts on the requirements for further articulation and reduction for the driveway width. He recommended double front doors and windows on the north side for the project.

Chairperson Tefft would like to see the recommendations implemented but would feel uncomfortable dictating them. He would prefer to ask the applicant to bring back better articulations and more concern for the character of the neighborhood.

Commissioner Luhr stated his concern is the time factor and money situation. He would like to give staff direction so they wouldn't have to go through this process again.

Commissioner Lucas stated there should be some consideration for articulation regarding the large garage doors.

Chairperson Tefft opened Public Comment period.

Commissioner Sorenson asked the home owner how they would feel about incorporating the garage doors into the plan.

Low stated there would be no problem with incorporating the garage doors in the plan.

Chairperson Tefft stated he would like to see a greater articulation for the front façade and asked staff if they would work with the applicant to help achieve this.

Graham wanted to confirm with the Commission what they wanted to achieve.

Vice-Chairperson Luhr stated the articulation with the structure is fine; the issue is with the garage door because most of the garages in the neighborhood are in the rear of the properties. He also has an issue with the windows on the north side.

Commissioner Sadowski stated he feels they shouldn't place a condition regarding the garage doors. He is not convinced about the windows and feels they don't need to do anything with it.

Chairperson Tefft stated what he feels should be done to the garage doors for better articulation. He would like to see it less imposing from the street. He understands it would be hard to place his preferences under a condition.

Graham stated he could get part of the conditions requested by the Commission i.e. applicant should place window on north elevation or applicant to provide a more architecturally detailed door. Maybe contact applicant to see what they would like to do.

Chairperson Tefft stated the applicant should be given directions and asked what they are able to implement in order to be consistent with the neighborhood.

Commissioner Lucas stated if the design didn't have the articulation in it he would ask them to take it back. He wants to be sure the neighborhood compatibility guidelines are followed even if the guidelines haven't been recorded yet.

Commissioners Sorenson and Sadowski concurred with Lucas on the garage doors and the additional windows.

Chairperson Tefft closed Public Comment period.

**MOTION:** Vice-Chairperson Luhr moved to adopt Resolution PC 03-15 with the amended conditions of deed restriction required for future development be brought to the Planning Commission, the applicant to work with staff on garage doors and window on the north elevation, and driveway reduction to a maximum of 16 feet. Commissioner Lucas seconded the motion and the motion passed. (4-1, Tefft voting no)

B-2 **Case No.:** #CP0-444

**Site Location:** 176 Java, Morro Bay, CA

**Proposal:** Request for coastal development permit in the Coastal Commission Appeal Jurisdiction for an addition of more than 10% of existing floor area to a single family dwelling. The applicant proposes to add 571 square feet of habitable floor area to an existing 1,706 square foot dwelling while converting 162 square feet to enlarge the garage – an increase of approximately 37%. The project proposal illustrates a total of 2,115 square feet of habitable floor area with a 590 square foot attached garage, 110 square foot front porch and 507 square feet of deck.

**CEQA Determination:** The project meets the requirements for a Categorical Exemption under CEQA Guidelines Section 15301 Class 1. That exemption applies to additions to existing structures provided that the addition will not increase the floor area by more than 50% or 2,500 square feet, whichever is less.

**Staff Recommendation:** Approve with conditions.

**Staff Contact:** Joan Gargiulo, Contract Planner, (805) 772-6270

Gargiulo presented the staff report.

Gargiulo stated the item was entered as a Conditional Use Permit when it should be a Coastal Development Permit.

Commissioner Luhr asked staff if the garage met the two parking requirements and if the water heater doesn't infringe on the space.

Gargiulo stated the garage meets the requirements and the water heater does not infringe on the space.

Chairperson Tefft opened Public Comment period.

Joe Cannon, Agent, stated there were no issues at this time.

Chairperson Tefft closed Public Comment period.

Commissioner Sadowski stated the project is good and it meets the guidelines. Commissioner Lucas and Luhr concurred with Sadowski.

Commissioner Sorenson stated she like the design and it doesn't impact the neighborhood.

Chairperson Tefft stated he also likes the design and has no negative remarks.

**MOTION:** Commissioner Sadowski moved to adopt Resolution PC 4-15 with amendment to correct permit type. Commissioner Lucas seconded the motion and the motion passed unanimously. (5-0)

C. UNFINISHED BUSINESS - NONE

D. NEW BUSINESS – NONE

E. DIRECTOR AND PLANNING MANAGER COMMENTS

Graham stated he was working on re-organizing departments and will be working on the design guidelines and solar request letter soon. If he wasn't able to draft the letter on time, Graham suggested the Planning Commission draft the letter to City Council. Vice-Chairperson Luhr suggested a two person sub-committee for the task. Vice-Chairperson Luhr and Commissioner Sorenson will be the two who will work on the letter.

There was a discussion between Vice-Chairperson Luhr, Commissioner Sorenson, Chairperson Tefft and Graham on items the Planning Commission will be writing to City Council with directions to the sub-committee on putting the packet together and not communicating with other Commissioners.

Graham updated the Planning Commission on the re-organization in Public Services and Recreation and Parks. Graham stated he will be directing the Community Development Department and reviewed the staff structure with Commissioners.

Vice-Chairperson Luhr asked Graham what the hours for inspections were. Graham stated the hours are typically 10 am – 3 pm, but his main concern was getting a permanent full time inspector.

Vice-Chairperson Luhr was concerned if the fees go up, there will be more compliance issues. Graham stated he is aware of the issue and is working on projections to see what the revenues would be and how it would affect the building side. Graham stated he would like to have plan reviews in house. Luhr stated by bringing in small projects it would cut down staff time.

Graham stated he is focusing on streamlining processes to reduce the time frame.

Commissioner Sadowski commented on the knowledge and staff noting Graham is a big asset to Morro Bay.

Chairperson Tefft asked staff if the City will be hiring a Code Enforcement Officer. Graham explained the budget and how the responsibility is now shared between different departments. The City would like for people to be in compliance rather than fining them.

Graham announced the following:

- Appeal at the City Council meeting for 1000 Ridgeway. The time extension for the parking exception was denied.
- Working on budget for the Planning Commission Academy; asked who was interested in going.
- The design guidelines will be two meeting out; working to complete.

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION  
REGULAR MEETING –JANUARY 20, 2015

F. ADJOURNMENT

The meeting adjourned at 7:51 p.m.to the next regularly Planning Commission meeting at the Veteran’s Memorial Building, 209 Surf Street, on February 3, 2015 at 6:00 p.m.

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Robert Tefft, Chairperson

ATTEST:

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Rob Livick, Secretary