

AGENDA ITEM:   A-1  

DATE:   February 3, 2015  

ACTION:   APPROVED  

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION  
REGULAR MEETING – FEBRUARY 3, 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 Manager
	Joan Gargiulo	Contract Planner
	Rob Livick	Public Works Director

ESTABLISH QUORUM AND CALL TO ORDER  
MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE  
PLANNING COMMISSIONER ANNOUNCEMENTS - NONE

PUBLIC COMMENTS - NONE

PRESENTATIONS – NONE

A. CONSENT CALENDAR

A-1 Approval of minutes from the Planning Commission meeting of January 6, 2014  
**Staff Recommendation:** Approve minutes as submitted.

Chairperson Tefft stated the motion for PC 1-15 was moved by Vice-Chairperson Luhr and Commissioner Lucas seconded the motion. He asked staff to review.

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

**MOTION:** Commissioner Sorenson moved to approve the Consent Calendar and Current and Advanced Planning Processing List. Commissioner Sadowski seconded the motion and the motion passed unanimously (5-0)

B. PUBLIC HEARINGS

B-1 **Case No.:** #UP0-399  
**Site Location:** 430 Nassau, 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 second floor addition of 1,200 square feet of habitable floor area, a 71 square-foot second story deck, 122 square feet of exterior open staircase, and a 622 square-foot roof deck. The project proposal also includes the conversion of 241 square feet of existing first floor living area to create a second single-car garage.  
**CEQA Determination:** The project meets the requirements for a Categorical Exemption under CEQA Guidelines Section 15303 Class 3. That exemption applies to new single-family residences located in residential zone.  
**Staff Recommendation:** Approve with conditions.  
**Staff Contact:** Joan Gargiulo, Contract Planner, (805) 772-6270

Gargiulo presented the staff report.

Commissioner Lucas stated there was 55.9 percent of lot coverage and the applicant was moving the front wall. He asked staff if they considered asking the applicant for 50 percent coverage.

Gargiulo stated with the applicant was already at 56.4 percent lot coverage and therefore did not consider asking for 50 percent.

Commissioner Lucas asked staff if other parcels were looked at to see if they met the 50 percent lot coverage.

Gargiulo stated she was unaware if other parcels were looked at.

Vice-Chairperson Luhr asked if there were conditions for restricting usage of third floor deck to keep movable structures below maximum allowable height.

Gargiulo stated there were no conditions.

Chairperson Tefft asked staff if the structure was built in conformance when first built or was a variance provided.

Gargiulo stated the only document found was a building permit for the construction of the home. Chairperson Tefft asked if there were different codes when the home was built.

Graham stated the codes would be have been the same as today and noted their research brought up only a building permit.

Commissioner Sorenson asked staff if there were sprinklers for fire safety.

Gargiulo stated yes there were sprinklers.

Commissioner Sadwoski asked staff if they could explain more about the new resolution regarding the driveway. He wanted to be sure the driveway would be functional for both garages.

Gargiulo stated with one or more driveways the maximum coverage is 50 percent of the frontage and noted there is enough space in the area.

Commissioner Lucas asked staff requested the second floor for the 50 percent.

Graham stated the second floor was not included for reduction because it was not the process of adding lot coverage. Chairperson Tefft stated the second floor could be 50 percent of the lot coverage.

Vice-Chairperson Luhr asked if the exterior stairs were included in the calculation.

Gargiulo stated the stairs were not calculated in. Graham stated open, uncovered stairs were excluded. Gargiulo read ordinance 17-12-92 regarding lot coverage and noted the stairs was not in the setback area, therefore it was not calculated in.

Commissioner Sorenson asked staff if the stairs were included in the calculation. Gargiulo stated it was not.

Clint, Architect, stated he was here for any questions.

Commissioner Sadowski stated he noticed across the street it was all single story and where the project is, all the homes are two stories. He liked the stepped garage and feels the project falls in with the neighborhood compatibility.

Commissioner Lucas stated it's a nice looking project. He stated if we have a 50 percent limit we shouldn't let anyone exceed the footprint in volume. He also stated moving forward, we should pull decks away from the setback.

Vice-Chairperson Luhr stated he also has similar concerns as Lucas regarding adding volume. He would like to see a condition that would restrict furniture below the maximum height. Graham stated he hasn't seen a condition for that but will add to the code since it's a concern with the Commission.

Vice-Chairperson Luhr is concerned with heaters or umbrellas on decks especially on a windy day.

Chairperson Tefft stated he approves the garage doors and noted the second story meets the lot coverage requirements. Chairperson Tefft stated he has no issues with the project.

Commissioner Lucas complimented the designer. He stated this was a very clean way to present the project.

Chairperson Tefft stated the house does not appear to be out of scale for the neighborhood and noted the Commission would like to add a condition stating furniture not to exceed height approved for the home.

Chairperson Tefft asked staff if they wanted to provide the language for the condition.

Graham stated the condition would be related to furniture or other improvements which are not allowed to exceed height approved for the home.

Chairperson Tefft asked the applicant to respond.

Ryan Garcia, Applicant stated he had no comments and noted the Commission is bringing up issues that will probably never develop.

Vice-Chairperson Luhr stated he wants to make it clear on the conditions so there's no confusion later.

Commissioner Lucas stated if there were no conditions people would place too many things on the deck and it could infringe on their neighbors view.

Chairperson Tefft stated privacy is less of an issue because the neighborhood is not conducive to outdoor activities like other neighborhoods and noted the neighborhood mitigates that.

Chairperson Tefft closed Public comment period.

**MOTION:** Vice-Chairperson Luhr moved to adopt Resolution PC 5-15 with the amended conditions of driveway and height limitations of furniture on deck. Commissioner Sadowski seconded the motion and the motion passed unanimously. (5-0)

C. UNFINISHED BUSINESS - NONE

D. NEW BUSINESS – Design Guidelines

D-1 Consideration of Planning Commission letter to City Council requesting inclusion in Department work program the development of commercial and solar guidelines.

Vice-Chairperson Luhr stated he would like to include streetscape in the commercial guidelines.

Graham stated it would be included in the list.

Chairperson Tefft stated the letters looked great.

**MOTION:** Commissioner Lucas moved to direct staff to send letters to City Council. Vice-Chairperson Luhr seconded the motion and the motion passed unanimously. (5-0)

D-2 Review of 2014 Annual Water Report – *Report to be provided at the February 3 Planning Commission meeting*

Livick presented the Annual Water Report to the Commission.

Commissioner Sadowski and Livick had a discussion on the gallons used for the Morro Basin.

Commissioner Lucas asked staff if the gray water was included in Recommendation 5.

Livick stated it may include any of the following and noted it was not an all-inclusive list.

Livick stated any innovative water saving ideas would be accepted.

Vice-Chairperson Luhr asked staff if it would be better to place the greywater back into the system which we could reclaim instead of putting it back out as greywater.

Livick stated it would cost more to process graywater and noted water conservation is more efficient than reclaimed water. The closer you could treat it at the source would be more efficient.

Commissioner Sadowski concurred with Livick.

Commissioner Lucas stated if a grey water concept was used, we might be able to increase the number of residents by using the same amount of water.

Livick concurred with Commissioner Lucas.

Chairperson Tefft asked staff how long Morro Bay have been receiving State water and asked if water was not regularly pumped out of the basin, how would it impacted the basin.

Livick stated water has been received since the mid 1990's and noted he did not see a recovery due to city pumping. Livick stated if we start over pumping, there would be more of a tendency to pump salt water in the overdraft basin. Chairperson Tefft asked staff if it has impacted the basin by not regularly pumping out from the basin

Vice-Chairperson Luhr asked staff where the new recommendation from the Governor fit in.

Livick stated the recommendation doesn't affect the Morro Basin because it's not on the list for regulation because of the size of the basin. Other regulations are for the use of reclaim water for indirect re-potable water.

Chairperson Tefft asked staff what would be the effect if we would exceed the allocated amount.

Livick stated there would be a moratorium to stop issuing building and planning permits, based on the availability of water. Livick discussed the impact of using state allocated water and drought conditions.

Commissioner Sadowski asked staff if an EIR would be required.

Livick stated they have an existing Environmental Document they are using.

Chairperson Tefft asked staff if the Commission needed to take any action.

Livick stated Commission would take action if they had any comments or concerns, then he could take it to City Council.

Commissioner Sadowski stated there was testing for sucralose and asked staff if the public should be notified at the City Council Meeting.

Livick stated there were testing for sucralose and caffeine and the test will be presented to City Council.

Commissioner Sadowski asked staff what was the status on the permit with the CCC.

Livick stated the plant is permitted but is still working with the CCC, noting the plant is operating on an emergency permit.

Chairperson Tefft asked staff if there was any action to be taken.

Livick stated he will need comments in order to present to Council.

Commissioner Sadowski asked staff if the public will be notified regarding chemicals, i.e. sucralose and caffeine.

Livick stated he will be presenting the information to Council.

#### F. PLANNING COMMISSIONER COMMENTS

There was a discussion between Commissioner Sadowski, Chairperson Tefft & Graham regarding having an outreach at the school.

Commissioner Lucas asked staff when the memos will go to City Council.

Graham stated he will speak to the City Clerk tomorrow regarding the report.

Commissioner Sorenson stated no one is coming out for public comment. She would like to have a discussion for some kind of an outreach to the public.

Graham stated people are more dialed in to the City Council meetings than the Planning Commission meetings.

Vice-Chairperson Luhr commented on the public interaction with the public when they did a public meeting regarding design guidelines in the Downtown area.

Commissioner Lucas stated he doesn't think the neighborhoods are concerned unless it's a hot topic.

Graham stated there will be more interesting items in the future, noting Council has been setting goals.

Chairperson Tefft stated how important it is to have public interested and noted there needs to be an outreach as well.

Graham stated there will be options for the public, noting survey monkey, workshops, surveys, etc.

Chairperson Tefft asked Tefft if there was a citizen's email

Livick stated there was a "Notify Me" on the website.

Chairperson Tefft asked staff if there was a percentage of how many households have signed up.

Graham stated the information is available.

Chairperson Tefft asked about LCP mailing.

Graham stated online for LCP.

Commissioner Sorenson asked staff how the Commission should proceed when emails and letters are received from citizens.

Graham stated the Commission should be specific, forward to City staff and himself.

Commissioner Sadowski asked staff if the Commissioners could show up together at a meeting. Asked how this would be affected by the Brown Act.

Graham stated the Commissioners should not discuss the issue and cautioned no more than two Commissioners go to a meeting.

#### E. DIRECTOR AND PLANNING MANAGER COMMENTS

Graham announced the following:

- Reservations have been made for the Planning Commission Academy. He will be putting together a package for the Commissioners.
- The tentative date for the Joint Powers Meeting is March 24<sup>th</sup>, 4:30 PM – 5:30 PM – Roll out plan for the Plan.

Livick announced the following:

- Traffic Concerns - "Let Us Know" module is on the website. Requests would be forwarded to engineering first.

Commissioner Sadowski asked staff if Greenwood Avenue is a safety corridor.

Livick stated Greenwood was designated as a pedestrian pathway and noted there were three types of streets that would require sidewalk improvements. Livick stated as properties redevelop or more external dollars were acquired, Greenwood would get sidewalks.

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F. ADJOURNMENT

The meeting adjourned at 7:31 p.m. to the next regularly Planning Commission meeting at the Veteran’s Memorial Building, 209 Surf Street, on February 17, 2015, at 6:00 p.m.

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Robert Tefft, Chairperson

ATTEST:

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Rob Livick, Secretary