

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, July 17, 2006

Chairperson Sarah McCandliss
Vice-Chair Bill Woodson
Commissioner Nancy Johnson
Commissioner Gary Ream
Commissioner Robert Tefft
Michael Prater, Secretary

I. CALL MEETING TO ORDER

McCandliss called the meeting to order at 6:04 p.m.

II. PLEDGE OF ALLEGIANCE

Commissioner Ream led the pledge.

III. ROLL CALL

McCandliss asked that the record reflect Commissioner Johnson was absent.

Staff Present: Bruce Ambo, Michael Prater, Rachel Grossman and Kimberly Peeples.

IV. ACCEPTANCE OF AGENDA

MOTION: Ream, Woodson 2nd to accept the agenda. Vote: 4-0.

V. DIRECTOR'S REPORT/WRITTEN COMMUNICATIONS

Ambo reported at the July 10 meeting, City Council:

- Approved two ballot measures for the November ballot
- Approved to place the sales tax initiative on the ballot
- Had a discussion regarding the concept of a North Main Street moratorium, the motion failed and the item was tabled.

At the August 14 meeting, Ambo said City Council would:

- Discuss and take action on a possible reorganization of the Public Services Department
- Review Sewer System Master Plan Fee Increase
- Review the Sunset Tract Map
- Do the concept review for the RV Park on Atascadero Road
- Hear the appeal of the Planning Commission Denial of the mixed-use project at 555 Main Street
- Review a resolution prepared by the City Attorney regarding vacation rental transient occupancy tax

Ambo also reminded everyone about the Public Meeting for the Parking Management Plan that will be held on Wednesday, July 19 at Rose's Landing.

VI. CONSENT CALENDAR

- A. Approval of minutes from hearing held on July 3, 2006

MOTION: Woodson, Tefft 2nd to approve minutes as presented. VOTE: 4-0.

VII. PRESENTATIONS – None.

VIII. ORAL COMMUNICATIONS – None.

IX. FUTURE AGENDA ITEMS – None.

X. PUBLIC HEARINGS

- A. Site Location: 1155 West Street in the R-2/PD (SP) District. Applicant: Travis Leage. The applicant is requesting a Conditional Use Permit and Coastal Development Permit to allow for the construction of a 3,126 square foot single-family residence and 664 square foot cabana. This site is located inside of the Coastal Appeals Jurisdiction. (Recommended CEQA Determination: Categorical Exemption Section 15303, Class 3). Staff Recommendation: Conditionally approve the project.
Staff Contact: Rachel Grossman, Assistant Planner, 772-6261.

Commissioner Woodson stepped down from this project, due to the proximity of his residence to this project.

Grossman presented the staff report and satisfactorily addressed concerns from the Commissioners about drainage, location of bluff top edge, turning radius for the cabana carport, fence height and bluff top landscaping.

McCandliss opened the Public Hearing and asked the applicant or agent for the project to address the Commission. Jon McAlpin, agent for the applicant, satisfactorily addressed the Commissioners concerns.

McCandliss closed the Public Hearing and brought the item back to the Commission for discussion. During discussion Ream, Tefft and McCandliss all spoke in favor of the project and did not have any further concerns.

MOTION: Ream, Tefft 2nd to approve the project as presented. VOTE: 3-0 (Woodson abstained).

- B. Site Location: 482 Estero Avenue in the R-1 District. Applicant: Dave Ward and Jude Coren. The applicant is requesting a Conditional Use Permit to allow for the construction of a 530 square foot second story addition to a nonconforming residence. This site is located outside of the Coastal Appeals Jurisdiction. (Recommended CEQA Determination: Categorical Exemption Section 15303, Class 3). Staff Recommendation: Conditionally approve the project.
Staff Contact: Rachel Grossman, Assistant Planner, 772-6261.

Grossman presented the staff report reviewing the site history and addressed the Commissioner's concerns of enclosing the carport, water saving devices and if the firewall of the existing garage is up to current code.

McCandliss opened the Public Hearing and asked the applicant or agent for the project to address the Commission. Bob Crizer, agent for the applicant, highlighted the positive improvements this project will bring to this site and satisfactorily addressed the Commissioners concerns about earthquake reinforcement and the number of windows on the rear of the residence.

McCandliss closed the Public Hearing and brought the item back to the Commission for discussion. During discussion Woodson, Tefft, Ream and McCandliss spoke in favor of the project. Ream asked that water saving devices be required throughout the entire residence if they have not already been upgraded.

MOTION: Tefft, Ream 2nd to approve the project as presented. VOTE: 4-0.

- C. Site Location: 780 Monterey Street in the C-1 District. Applicant: Charles Lynch. The applicant is requesting a Conditional Use Permit to occupy an existing 60 square-foot for the purposes of adding cannabis plants classified under the nursery land use category of an existing medical dispensary business. This site is located outside of the Coastal Appeals Jurisdiction. (Recommended CEQA Determination: Categorical Exemption Section 15301, Class 1). Staff Recommendation: Conditionally approve the project.
Staff Contact: Mike Prater, Senior Planner, 772-6261.

Prater reviewed the staff report noting the 150 plus letters of support that were received in the Public Services Department. McCandliss asked that the conditions of this project be further explained and if there have been any complaints of loitering from this business. Woodson asked about sales tax revenues from this business and the sale of the marijuana. Prater satisfactorily addressed the Commissioners concerns.

McCandliss opened the Public Hearing and asked the applicant for the project to address the Commission. Charles Lynch addressed the Commission and the following questions from the Commissioners:

- The intended set up of the nursery
- How the applicant intends to handle the growth of the plants
- If the City receives sales tax revenue from the sales of the cannabis
- If the applicant would be opposed to paying sales tax to the City
- Where are they currently getting their products and plants
- How the watering of the new plants will be handled
- If one of his verified patients could be a patient of another cooperative or club

Kevin Carroll, Morro Bay resident spoke against the project and asked this proposal be denied.

Dorothy Cutter, Morro Bay resident, spoke neutrally about the proposal, noting the State of California voted in favor of the benefits of medicinal cannabis use.

Candy Botich, Morro Bay resident offered her support of the business.

McCandliss closed the Public Hearing and brought the item back to the Commission for discussion. During discussion it was noted by the Commissioners that the item they are reviewing tonight is very limited in scope and based on what was presented they spoke in favor of the proposal. It was suggested by the Commissioners to add the following conditions to the permit:

- An annual report from the applicant as a way of monitoring the compliance of the conditions as stipulated in Exhibit B
- No waste products containing active cannabinoids will be deposited in the municipal waste system or place in a location accessible to the general public

MOTION: Tefft, Woodson 2nd to approve the proposal as amended with the conditions suggested during discussion. VOTE: 4-0.

McCandliss called for a break at 7:50 p.m. and called the meeting back to order at 8:00 p.m.

D. Site Location: 217 - 221 Main Street in the R-1/PD District. Applicant: Crizer Design. The applicant is requesting a Conditional Use and Coastal Development Permit. The current proposed project involves construction of two new single-family residences and an addition of a single-car garage on three legal lots. One of the lots already has an existing legal non-conforming residence. The other two lots have already been cleared. This site is located inside of the Coastal Appeals Jurisdiction. (Recommended CEQA Determination: A Mitigated Negative Declaration has been adopted & Categorical Exemption Section 15303, Class 3). Staff Recommendation: Conditionally approve the project. Staff Contact: Mike Prater, Senior Planner, 772-6261.

Prater presented the staff report, briefly highlighting the project history, noting concerns the City Council expressed have been addressed in this new proposal.

McCandliss opened the Public Hearing and asked the applicant or agent for the project to address the Commission. Bob Crizer, agent for the applicant, presented the project noting the changes made based upon the concerns of this Commission and the City Council. Concerns from the Commissioners addressed by Bob Crizer were; access to the docks, construction of the retaining wall, the size of the existing house at 221 Main, size of the addition and distance between the corner of the single car garage and the lot line.

Dorothy Cutter, Morro Bay resident spoke against the project with concerns about parking.

Candy Botich, Morro Bay resident spoke about parking concerns for this project and the liability of her property if it is used as parking for the new houses and not as it is intended for just the docks.

McCandliss closed the Public Hearing and brought the project back to the Commissioners for discussion, at which time all of the Commissioners spoke in favor of the project and the attention to their previous concerns.

MOTION: Woodson, Ream 2nd to approve the project as amended with the under grounding of utilities between the utility poles adjacent to the project and to reword items 21 and 22 in Exhibit B to include wording for the existing bike pathway to remain. VOTE: 4-0.

XI. OLD BUSINESS

A. Current Planning Processing List

Projects submitted for Administrative Approval (not single-family residential)

1. None

Woodson suggested adding the Safety Element to the Advanced Planning Project List.

XII. NEW BUSINESS – None.

XIII. ADJOURNMENT

McCandliss adjourned the meeting at 8:53 p.m. to the next regularly scheduled Planning Commission meeting at the Veterans Hall, 209 Surf Street, on Monday, August 7, 2006, at 6:00 p.m.

Sarah McCandliss, Chairperson

ATTEST:

Michael Prater
Secretary