



CITY OF MORRO BAY
CITY COUNCIL/
PLANNING COMMISSION
JOINT MEETING
SYNOPSIS MINUTES

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

Veteran's Memorial Building
Joint Meeting, 5:00 p.m.

209 Surf Street, Morro Bay
Monday, February 6, 2006

Janice Peters, Mayor	Sarah McCandliss, Chairperson
Thad Baxley, Vice-Mayor	Bill Woodson, Vice-Chair
Betty Winholtz Council Member	Robert Tefft, Commissioner
Bill Pierce, Council Member	Nancy Johnson, Commissioner
Melody DeMeritt, Council Member	
Michael Prater, Secretary	

I. CALL JOINT MEETING TO ORDER

Mayor Peters called the meeting to order at 6:02 p.m.

II. PLEDGE OF ALLEGIANCE

Michael Prater led the pledge.

III. ROLL CALL

Peters asked that the record show all City Council and Planning Commission members were present.
Staff Present: Bob Hendrix, Rob Schultz, Bruce Ambo, Michael Prater, Rachel Grossman, Joan Drake

IV. ACCEPTANCE OF AGENDA

DeMeritt announced that as of February 9, 2006 florescent bulbs, batteries and computers must be deposited at hazard waste disposal facilities such as the one at the Morro Bay Waste Water Treatment Plant on Saturdays from 11 a.m. to 3 p.m.

V. DISCUSSION ITEMS

Peters explained there would be a public comment period during the Planning Commission meeting and another at the City Council meeting on February 14, 2006. She said the purpose of this meeting was to get Planning Commission input before City Council made policy decisions.

1. City Budget Constraints

Peters stated there is no money in the current budget for additional staff or travel, but local training opportunities are encouraged.

2. Policy Issues

Definitions

Following discussion, it was determined the City Council definition should be expanded to include subdivisions, tract maps, PD overlays and appeals.

PC Agenda

McCandliss said she is again meeting with staff to set the agendas.

There was consensus Planning Commissioners should feel free to share information items among themselves and information on topics already under review with staff, but new topics for research and discussion need to be submitted to City Council, who will decide if staff time is warranted. There was a clarification made that City staff works for the City Council and Planning Commission “bodies” as a whole, not the individual members.

Staff Reports

There was agreement to use the format.

3. Priorities/Work Program

Vacation Rental Regulations, View Protection Ordinance and Private Property Tree Ordinance were removed from the list until Council makes decisions later this year on whether they should go to Planning Commission.

Interim Actions

Peters asked for Planning Commission input so City Council could take action.

Community Open Space – define, delete, moratorium?

Commissioners Tefft favored a moratorium; Woodson favored a moratorium until a definition is established; Johnson favored a time-limited moratorium; McCandliss favored a definition, to be addressed very soon. Baxley and Winholtz favored a moratorium, DeMeritt a time-limited moratorium and Pierce setting a goal. Council agreed to address the moratorium on Community Housing Projects at their meeting on February 14, 2006. Peters instructed the Planning Commission to hold a Public Hearing on the Subdivision Ordinance in March, get input on Community Housing Projects to Council and they will resolve the issue.

Mixed Use Projects/Mixed Use Standards – 25% - 75% ratio?

Winholtz pointed out the current ordinance states 50% - 50% in the commercial/visitor serving areas. Schultz pointed out there is nothing in writing about the other areas. Action was tabled until City Council addresses Downtown Visioning.

MOTION: DeMeritt, Winholtz 2nd to introduce an Emergency Agenda Item regarding the State Lands Commission meeting. Vote: 5-0.

MOTION: DeMeritt, Winholtz 2nd to ask City Attorney Schultz to attend the State Lands Commission meeting in Sacramento on February 9, 2006, be frugal in expenditures, make his presence known and bring back information. Vote: 5-0.

VI. ADJOURN CITY COUNCIL

Peters adjourned the meeting at 7:00 p.m. to the regularly scheduled City Council meeting at the Veterans Hall, 209 Surf Street, on Tuesday, February 14, 2006, at 6:00 p.m.

VII. CALL REGULAR PLANNING COMMISSION MEETING TO ORDER

McCandliss called the meeting to order at 7:12 p.m.

VIII. ACCEPTANCE OF AGENDA

MOTION: Johnson, Tefft 2nd to accept the agenda. Vote: 4-0.

IX. DIRECTOR’S REPORT/WRITTEN COMMUNICATIONS

A. Status of driveway, flood, and erosion control improvements for Miner’s Hardware

Ambo highlighted January 14, 2006 City Council agenda items that pertained to the Planning Commission. He also provided an update on the memorandum regarding the follow up status of Miner's Hardware driveway, grading and ADA improvements. Ambo said CalTrans indicated no other improvements beyond those proposed would be approvable without the City accepting the maintenance and liability, despite the fact that it is their property. Woodson expressed his extreme disappointment with the decision of CalTrans.

X. CONSENT CALENDAR

A. Approval of minutes from hearing held on January 17, 2006

MOTION: Tefft, Johnson 2nd to approve the minutes as presented. Vote: 4-0.

XI. PRESENTATIONS – None

XII. ORAL COMMUNICATIONS

McCandliss announced applications were being accepted for the Planning Commissioner opening until February 17, 2006. So far only two have been submitted. Interviews will be held February 23, 2006.

James Davis, representing God's Haven for Children, announced a fundraiser cruise on February 19, 2006.

XIII. FUTURE AGENDA ITEMS – None

XIV. PUBLIC HEARINGS

A. Site Location: 465 Fresno Avenue in the R-1 District. Appellant: James B. Schemmer. The appellant is appealing Minor Use Permit UPO-096 granted by the Director of the Public Services Department for the installation of solar panels on the roof of an existing single-family residence. This site is located outside of the Coastal Appeals Jurisdiction. (Recommended CEQA Determination: Categorical Exemption, 15301, Class 1). Staff Recommendation: Deny the appeal and approve UPO-096

Grossman presented the Staff Report. She read into the record City Attorney Rob Schultz's January 25, 2006 memorandum regarding AB 2473 (included in the report) and his email stating a city could impose reasonable restrictions if they do not significantly increase the cost of the system or decrease its efficiency.

McCandliss opened the Public Hearing.

Chris Oestreich, designer of the solar system, explained that mounting the solar panels flat on the roof would cause an 11 percent decrease in production and maintenance problems. There was discussion about the system design, operation cost and government rebate.

Grossman read additional information from AB 2473 that states significantly means not to exceed an amount of \$2000 or a decrease in efficiency exceeding 20 percent.

Appellant Jim Schemmer stated he made the appeal to maintain the 25-foot height limit in the neighborhood and explained his case.

Owner Bill Black stated he would direct the panels to be mounted not to exceed the 25-foot limit.

Roger Ewing suggested the City get Black's statement in writing.

Roger Line, attorney for Schemmer, suggested the MUP be withdrawn.

McCandliss closed the Public Hearing.

MOTION: Woodson, McCandliss 2nd to deny appeal the appeal UPO-096, amend Condition 10 to read not to exceed 25 feet and adopt the Findings included as Exhibit "A". Vote: 4-0.

- B. *This Item was continued from the August 15, 2005 meeting*
Site Location: 1840 Main Street in the MCR/R-4 (SP) District. Applicant: Citicom Development, John DeFrenza agent. The applicant requests a Conditional Use Permit and Coastal Development Permit to construct two multi-retail buildings with a single two-story tower element for storage or office. This site is located outside of the Coastal Appeals Jurisdiction. (Recommended CEQA Determination: A Mitigated Negative Declaration has been Prepared). Staff Recommendation: Conditionally Approve the Project.

Prater presented the Staff Report. He said the issues were the height of the tower and parking places on the perimeter that are designed at 17 rather than 18 feet in length. Prater said a parking exception could be granted based on the amount of parking exceeds the requirement or they could be modified by moving the building. There were no questions from Commissioners.

McCandliss clarified the tower is open, not office or retail space. Johnson established the location of the tower. Woodson established the location of the walkway and asked about undergrounding area utilities.

McCandliss opened the Public Hearing.

Agent John DeFrenza said they could modify the parking spaces to 18 feet, but he felt 17 feet with the overhang works well. He said the tower was an important focal point to draw the two buildings together.

McCandliss closed the Public Hearing and opened Commissioner discussion. There was consensus it was a vast improvement from the original project and the parking variance was warranted. After discussion, Commissioners left the decision about undergrounding the utilities up to the applicant and staff.

MOTION: Tefft, Woodson 2nd to approve UPO-071/CPO-108 by adopting the Findings included as Exhibit "A" subject to the Conditions included as Exhibit "B" and the site development plans dated January 9, 2006 with the following additional Conditions to be numbered consequently with the existing Conditions. Applicant will diligently work with CalTrans to secure removal of the existing asphalt driveway, replace landscaping and add curb, gutter and sidewalk adjacent to State Highway 41; the applicant will provide pedestrian connections between the sidewalks along Main Street to building number one and along Sunset as feasible; applicant will work with staff to determine the feasibility of removing the two existing power poles; and the parking exception is granted to permit the 9x17 foot parking places. Vote: 4-0

- C. Site Location: 590 Morro Avenue. Applicant: Cingular Wireless. Agent: Gordon Bell, Strategic Real Estate Services. The applicant requests a Conditional Use Permit and Coastal Development Permit to install an unmanned telecommunications facility (i.e. cell site) on the roof, and northeast and southeast sides of an existing hotel. This site is located outside of the Coastal Appeals Jurisdiction. (Recommended CEQA Determination: a Mitigated Negative Declaration has been prepared). Staff Recommendation: Conditionally Approve the Project

Grossman presented the Staff Report. There were no questions of staff.

McCandliss opened the Public Hearing. Gordon Bell, agent for Cingular Wireless, made a presentation showing the increased coverage this site would bring to the Embarcadero and downtown areas.

Woodson pointed out a statement in the application that said, "area of the roof of subject building may exceed applicable exposure limits," and asked how much area and if it would penetrate to areas where there are visitor rooms. Bell replied the sectors were redesigned to penetrate outwards, not downwards, so they will not create an exposure sector exceeding the limits. He said the required signage would be placed on the roof hatch and roof.

McCandliss closed the Public Hearing and asked for Commissioner comments. There was consensus to approve the project.

MOTION: Woodson, Johnson 2nd to approve UPO-084/CPO-124 as recommended by staff and approve attachment A and the Conditional Use Permit and Coastal Development Permit subject to the Conditions as stated in the Staff Report and find the Mitigated Negative Declaration prepared for the project is complete and adequate. Vote: 4-0.

XV. OLD BUSINESS

- A. Current Planning Processing List
 - Projects submitted for Administrative Approval (not single-family residential)
 - 1. 981 Las Tunas; Lot Line Adjustment

Woodson asked if staff had heard from the Coastal Commission regarding the General Plan/Local Coastal Plan and Zoning Ordinance. Prater replied a response letter asking for more time to review the submittal was received and additional information from staff. In response to Woodson's questions, Prater estimated a three- to six-month time frame and that they would be asking for substantial changes.

XVI. NEW BUSINESS

XVII. ADJOURN PLANNING COMMISSION

McCandliss adjourned the meeting at 9:35 p.m. to the next regularly scheduled Planning Commission meeting at Veterans Hall, 209 Surf Street, on Tuesday, February 21, 2006, at 6:00 p.m.

Sarah McCandliss, Chairperson

ATTEST:

Secretary
Michael Prater