



CITY OF MORRO BAY PLANNING COMMISSION MEETING AGENDA

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

209 Surf Street, Morro Bay
Monday November 2, 2009

Nancy Johnson, Chairperson
Vice-Chairperson – Gerald Luhr
Commissioner Michael Lucas
Commissioner John Diodati
Commissioner Jamie Irons
Bruce Ambo, Secretary

- I.** CALL MEETING TO ORDER
- II.** PLEDGE OF ALLEGIANCE
- III.** ROLL CALL
- IV.** ACCEPTANCE OF AGENDA
- V.** DIRECTOR'S REPORT/WRITTEN COMMUNICATIONS

A. Oral Report.

VI. PUBLIC COMMENT:

Members of the audience wishing to address the Commission on matters other than scheduled hearing items may do so when recognized by the Chairman, by standing and stating their name and address. Comments should be limited to three minutes.

VII. CONSENT CALENDAR

A. Approval of minutes from hearing held on October 19, 2009.

VIII. PRESENTATIONS

Informational presentations are made to the Commission by individuals, groups or organizations, which are of a civic nature and relate to public planning issues that warrant a longer time than Public Comment will provide. Based on the presentation received, any Planning Commissioner may declare the matter as a future agenda item in accordance with the General Rules and Procedures. Presentations should normally be limited to 15-20 minutes.

IX. FUTURE AGENDA ITEMS

- A. Downtown Visioning (Planning Commission Subcommittee).
- B. Restrictions/rules on installing gates on driveways for residential and commercial properties.
- C. Research information on allowing front porches within the front setback.

X. PUBLIC HEARINGS

- A. **Applicant requests item to be continued to date uncertain.**

Site Location: 575 & 591 Embarcadero Rd., WF/PD/S.4 Zone.

Applicant: Smith Held.

Request: Precise Plan for Conditional Use Permit UP0-140 to demolish existing residential, retail, and related decking development and construct a new mixed-use project including two retail spaces, six hotel suites, public lateral access and associated improvements. This site is located within the original jurisdiction of the California Coastal Commission.

CEQA Determination: Adopted Mitigated Negative Declaration.

Staff Recommendation: Continue.

Staff Contact: Genevieve Lehotsky, Associate Planner, 772-6270.

XI. OLD BUSINESS

- A. Current Planning Processing List/Advanced Work Program.

XII. NEW BUSINESS

- A. Potential topics for the Planning Commission/City Council joint meeting on November 30, 2009.

XIII. ADJOURNMENT

Adjourn to the next regularly scheduled Planning Commission meeting at the Veterans Hall, 209 Surf Street, on Monday, November 16, 2009 at 6:00 p.m.

PLANNING COMMISSION MEETING PROCEDURES

Materials related to an item on this Agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Public Services Office at 955 Shasta Avenue, during normal business hours, Mill's ASAP, 495 Morro Bay Boulevard, or Morro Bay Library, 695 Harbor, Morro Bay, CA 93442. Planning Commission meetings are conducted under the authority of the Chair who may modify the procedures outlined below. The chair will announce each item. Thereafter, the hearing will be conducted as follows:

1. The Planning Department staff will present the staff report and recommendation on the proposal being heard and respond to questions from commissioners.
2. The Chair will open the public hearing by first asking the project applicant/agent to present any points necessary for the commission, as well as the public, to fully understand the proposal.
3. The Chair will then ask other interested persons to come to the podium to present testimony either in support of or in opposition to the proposal.

This Agenda is available for copying at Mills Copy Center and at the Public Library

4. Finally, the Chair may invite the applicant/agent back to the podium to respond to the public testimony. Thereafter, the Chair will close the public testimony portion of the hearing and limit further discussion to the commission and staff prior to the commission taking action on a decision.

RULES FOR PRESENTING TESTIMONY

Planning Commission hearings often involve highly emotional issues. It is important that all participants conduct themselves with courtesy, dignity and respect. All persons who wish to present testimony must observe the following rules:

1. When you come to the podium, first identify yourself and give your place or residence both orally and on the sign in sheet at the podium. Commission meetings are audio and video tape-recorded and this information is required for the record.
2. Address your testimony to the Chair. Conversation or debate between a speaker at the podium and a member of the audience is not permitted.
3. Keep your testimony brief and to the point. Speak about the proposal and not about individuals. On occasion, the Chair may place time limits on testimony: Focus testimony on the important parts of the proposal: do not repeat points made by others. Please, no applauding or making comments from the audience during the testimony of others.
4. Written testimony is encouraged so they can be distributed in the packets to the Planning Commission. However, letters are most effective when presented at least a week in advance of the hearing. Written testimony provided after the staff reports are distributed and up to the meeting will also be distributed to the Planning Commission but there may not be enough time to fully consider the information. Mail should be directed to the Public Services Department, attention: Planning Commission Secretary.

APPEALS

If you are dissatisfied with any aspect of an approval or denial of a project, you have the right to appeal this decision to the City Council up to 10 calendar days after the date of action. The appeal form is available at the Public Services Department and on the City's web site. If legitimate coastal resource issues related to our Local Coastal Program are raised in the appeal, there is no fee if the subject property is located within the Coastal Appeal Area. If the property is located outside the Coastal Appeal Area, the fee is \$250 flat fee. If a fee is required, the appeal will not be considered complete if the fee is not paid. If the City decides in the appellant's favor then the fee will be refunded.

City Council decisions may also be appealed to the California Coastal Commission pursuant to the Coastal Act Section 30603 and the City Zoning Ordinance. Exhaustion of appeals at the City is required prior to appealing the matter to the California Coastal Commission. The appeal to the City Council must be made to the City and the appeal to the California Coastal Commission must be made directly to the California Coastal Commission Office. These regulations provide the California Coastal Commission 10 working days following the expiration of the City appeal period to appeal the decision. This means that no construction permit shall be issued until both the City and Coastal Commission appeal period have expired without an appeal being filed.

The Coastal Commission's Santa Cruz Office at (831) 427-4863 may be contacted for further information on appeal procedures.

HEARING IMPAIRED: There are devices for the hearing impaired available upon request at the staff's table.

COPIES OF VIDEO, CD: Copies of the video recording of the meeting may be obtained through AGP Video at (805) 772-2715, for a fee.

ON THE INTERNET: This agenda may be found on the Internet at: www.morro-bay.ca.us/planning/planningCommission.htm#plan