

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, March 1, 2010

Vice-Chairperson Gerald Luhr
Commissioner Jamie Irons

Chairperson Nancy Johnson

Commissioner Michael Lucas
Commissioner John Diodati

Rob Livick, Secretary

I. CALL MEETING TO ORDER

Johnson called the meeting to order at 6:05 p.m.

II. PLEDGE OF ALLEGIANCE

Jacinth led the Pledge of Allegiance.

III. ROLL CALL

All Commissioners are present.

Staff Present: Rob Livick, Kathleen Wold, Genene Lehotsky and Cindy Jacinth

IV. ACCEPTANCE OF AGENDA

MOTION: Agenda accepted as presented.

V. DIRECTOR'S REPORT/WRITTEN COMMUNICATIONS

Livick reported at the February 22, 2010 City Council:

- Discussed water quality testing for contaminants in the City's water
- Redefined job duties for the City Attorney to attend Planning Commission meetings when there has been an appeal of the Director's decision

Livick stated at the March 8, 2010 City Council will:

- Revisit the 2010-2011 Budget priorities and take public comment for the upcoming budget hearings
- Consider an Amendment to the Morro Bay Municipal Code Title 5 to establish regulations and procedures entitled "Medical Marijuana Collectives"
- Consider an appeal of the Tentative Parcel Map and Coastal Development Permit restricting the residential square footage at 612 Agave Drive
- Consider an appeal of a Minor Use Permit to allow the conversion of a Commercial Unit to a Residential Unit at 2300 Main Street, Unit #1

Livick reported the City's water crew is replacing two broken valves at King's Tank.

Johnson asked when will the City's budget hearings be held and Livick stated the next budget hearings will be on March 16th and March 17th.

VI. PUBLIC COMMENT

Johnson asked if there was any public comment. There was none.

VII. CONSENT CALENDAR

A. Approval of minutes from hearing held on February 16, 2010

MOTION: Diodati/Lucas 2nd to approve the minutes as amended.

VOTE: 4-0 Johnson abstained

VIII. PRESENTATIONS – None

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

D. Presentation from Rob Livick, City Engineer, on the Pedestrian Plan

E. Staff presentation on the Affordable Housing Rehabilitation Program and general affordable housing issues

X. PUBLIC HEARINGS

A. **Site Location:** 2248 Emerald Circle, MMR/CCR/GC (PD) zone

Applicant: Todd Schnack

Request: Request for a Coastal Development Permit (CP0-313) and a Conditional Use Permit (UP0-273) to construct a 550 square foot second story guesthouse and a 35 square foot deck. The site is located within the Coastal Commission Appeal Jurisdiction.

Recommended CEQA Determination: Categorically Exempt, Class 1, Section 15301.

Staff Recommendation: Conditionally approve.

Staff Contact: Genene Lehotsky, Associate Planner, 772-6270

Lehotsky presented the Staff Report.

Johnson asked if the Commission had questions for staff.

Lucas asked staff to clarify the parking requirements. Lehotsky responded the zoning ordinance does not require additional parking for a guesthouse, as it is not rentable.

Diodati asked if other guesthouse additions had been approved in the Cloisters. Lehotsky replied no.

Luhr asked if the applicant's plan is within the requirement for maximum floor area for a 2nd story and if this project is within the viewshed corridor. Lehotsky replied yes, the project is within the 50% maximum floor area and this project is not within the viewshed corridor.

Irons asked staff to clarify why this is before the Commission as a guesthouse. Lehotsky replied a guesthouse addition requires a Conditional Use Permit and the property falls within the Coastal Commission Appeals jurisdiction. Irons asked if there are instances where an administrative level permit could be applied and Lehotsky responded yes, if the project is outside the Coastal Commission Appeals jurisdiction.

Johnson opened the Public Hearing asking the applicant or their agent to address the Commission.

Nelson R. Bernal, the applicant's representative, gave the presentation. Todd Schnack was also present. Johnson asked if anyone in the public wanted to make public comments. There were none.

Seeing no further comment, Johnson closed the Public Hearing

Johnson asked Commissioners if they had any questions.

Irons asked if the proposed vinyl windows, exterior plaster trim and garage door color will match the existing residence and the applicant said yes. Irons asked the applicant to clarify the proposed landing and deck. The applicant stated the deck size was limited due to the 20-foot easement in the rear and a side setback minimum of 5 feet.

Luhr asked what the current use is underneath the addition. The applicant responded the first story is 2 bedrooms and 1 bathroom. Luhr asked about gabled vents and the ability to provide faux vents on the front and rear elevations. The applicant stated this is because the addition includes a cut and stack roof. Luhr suggested front elevations should be consistent with rear elevations and the applicant agreed to modify the front and rear.

Luhr asked staff if the applicant would be required to conform to the new storm water runoff requirements and Livick replied no.

Johnson asked if there were any additional comments. Hearing none, Johnson closed the Public Hearing.

Lucas had concerns about design guidelines of the Cloisters and stated the maximum build-out has not been met at this location and stated the project fits within the CC & R's and the guidelines. Although he is concerned about the parking requirements, he supports the project.

Irons spoke about the identified differences between a guesthouse and a secondary dwelling unit. Irons shared Lucas' concern regarding the parking requirement and lack of addition parking spaces required.

Diodati spoke in favor of the project and Johnson reinforced Diodati's comments.

MOTION: Luhr/Diodati 2nd to approve the project with the following conditions:

- A. Adopt the findings included in the Exhibit A,
- B.** Approve the Conditional Use Permit and Coastal Development Permit subject to the conditions in Exhibit B in the site development plans dated February 19, 2010 with the addition of additional vents on the front and rear elevations.

VOTE: 5-0

XI. OLD BUSINESS

- A. Current Planning Processing List/Advanced Work Program

XII. NEW BUSINESS –

- A. Discussion of Potential Topics for the March 15, 2010 Joint Council/Planning Commission Meeting

Johnson asked Commissioners to state their proposed topics for the Joint Council/Planning Commission Meeting.

Diodati stated the County of San Luis Obispo staff has offered to do a presentation on the Land Use Element update process.

Luhr suggested an update on the downtown revitalization plan.

Irons suggested a pro/con analysis on City property and the City's 2 for 1 tree replacement program.

Johnson would like the City Council to fund a lobbyist to assist facilitating the Coastal Commission's review of the update to the Zoning Ordinance and General Plan.

Commissioners asked staff to clarify the process for submitting Agenda topics to City Council. Livick stated the joint topics list will be shared at the next City Council meeting and an Agenda will develop from that.

Irons asked if the items should be prioritized and Johnson replied yes.

Johnson confirmed that the two main priority Agenda items proposed for the joint City Council / Planning Commission meeting will be:

1. A presentation from the County on the Land Use Element Update Process plus time for question and answer.
2. The Downtown Visioning / Revitalization Plan plus time for question and answer.

Other proposed Agenda items are:

3. The Pro/Con Analysis of City property.
4. The Tree Replacement program and how it coordinates with the Tree Committee.
5. To ask the City to hire a lobbyist to assist in securing the General Plan and Zoning Ordinance.

Johnson stated items three through five would be proposed Agenda items for discussion if there were time during the meeting. Johnson asked for a voice vote from the Commissioners. Commissioners unanimously agreed to submit the proposed Agenda list to the City Council for the Joint Meeting on March 15, 2010.

XIII. ADJOURNMENT

Johnson adjourned the meeting at 6:55 p.m. to the next regularly scheduled Planning Commission meeting at the Veterans Hall, 209 Surf Street, on Monday, March 15, 2010 at 6:00 p.m following the 5:00 joint meeting with City Council.

Nancy Johnson, Chairperson

ATTEST:

Rob Livick, Secretary