

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  
May 17, 2010

Chairperson Nancy Johnson

Vice-Chairperson Gerald Luhr  
Commissioner Jamie Irons

Commissioner Michael Lucas  
Commissioner John Diodati

Rob Livick, Secretary

I. CALL MEETING TO ORDER

Chairperson Johnson called the meeting to order at 6:03 p.m.

II. PLEDGE OF ALLEGIANCE

Rob Livick led the pledge.

III. ROLL CALL

Chairperson Johnson noted Jamie Irons is absent. All other Commissioners are present.  
Staff Present: Rob Livick, Kathleen Wold, Sierra Davis and Cindy Jacinth

IV. ACCEPTANCE OF AGENDA

MOTION: Agenda accepted as presented.

V. DIRECTOR'S REPORT/WRITTEN COMMUNICATIONS

Livick briefed the Commission on action taken at the May 10, 2010 City Council meeting and also on items scheduled for the May 24, 2010 City Council meeting.

VI. PUBLIC COMMENT

Johnson opened public comment. Hearing no comments, Johnson closed public comment.

VII. CONSENT CALENDAR

A. Approval of minutes from hearing held on May 3, 2010

Lucas noted the following corrections:

On page 2, Lucas asked to add "as being Class I" after his comments on the bike path.

On page 3, where it states Steve Goschke clarified plant capacity and it states "plant usage" is one gallon per minute should be amended to read "current plant usage..."

On page 3, he asked to clarify whether the motion was missing one additional condition that the "power plant would be the sole client of the water company". Johnson asked staff to check the tape to confirm whether this condition was mentioned at the May 3<sup>rd</sup> meeting.

Diodati noted on page 4, to add a bullet regarding specific economic benefits to state "studies indicate that bicycle tourism is a growing tourism segment and that these tourists have more discretionary income and are more likely to return to an area if adequate dedicated trails are available."

MOTION: Lucas/ Diodati 2<sup>nd</sup> to approve the minutes as amended. VOTE: 3-0-1. Luhr abstained.

VIII. PRESENTATIONS – None

IX. FUTURE AGENDA ITEMS

A. Downtown Visioning (Planning Commission Subcommittee).

Luhr announced the Committee will present three separate plans for the Planning Commission on June 7<sup>th</sup>.

B. Restrictions/rules on installing gates on driveways for residential and commercial properties.

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

X. PUBLIC HEARINGS

Continued from the May 3, 2010 Planning Commission Meeting

A. **Site Location:** 571 Embarcadero

**Applicant:** Abba Imani, applicant/ Cathy Novak, agent

**Request:** The applicant has submitted for a Use Permit (UP0-260) to allow modifications to an existing commercial building located 571 Embarcadero. The building, known as the Salt building, is approximately 2,996 square feet. The proposed additions/modifications will add approximately 40 square feet for the relocation of the patio and approximately 80 square feet for a new walkway. The existing sidewalk along Embarcadero Road will be widened to eight feet in order to meet City standard compliance.

**Recommended CEQA Determination:** Adopt a Mitigated Negative Declaration

**Staff Recommendation:** Review and take action on Use Permit and Mitigated Negative Declaration.

**Staff Contact:** Sierra Davis, Planning Intern (805) 772-6297

Davis presented the staff report and noted the second motion has been amended which seeks to approve the project as a Precise Plan instead of a Concept Plan as shown in the staff report.

Luhr asked staff to clarify the lack of detail that would normally be included in a Precise Plan. Wold responded they did not receive this detail from the applicant because the amount of proposed modification is minor.

Johnson opened the Public Hearing.

Cathy Novak, Applicant Representative, presented the project and addressed the lack of project details. She noted that additional project details have not been submitted because they are waiting until the engineering design is completed.

Johnson asked for additional public comment. Hearing none, Novak returned to the podium.

Commissioners asked Applicant to clarify the type of materials, the trash enclosure location, construction set up area, signage and frosted glass design. Abba Imani, the leaseholder of the building came forward to explain the proposed trash location will still be enclosed. Novak clarified they hope the project to the north proceeds at the same time to allow for an economy of scale in construction costs and the signage and glass design are Coastal Commission requirements.

Johnson closed the public hearing and brought it back to Commissioners for discussion.

Commissioners discussed concerns regarding:

- The proposed patio location in the back
- The lack of detail that would normally be included with a Precise Plan
- The front signage changing
- Potential ADA modifications to the front of the building

Luhr objected to the layout of the patio in the back. Luhr noted that due to the concern regarding the patio being on the Bayside of the walkway, he would rather have the walkway exterior to the patio or exterior to the commercial space in order to ensure public access. Commissioners discussed the issues with the lack of detail and therefore suggested a continuance to bring the project back with additional detail which would be needed in order to approve it as a Precise Plan.

Staff was asked to clarify if there was any benefit to approving this tonight as a Concept Plan. Wold clarified the process and timeline of Concept Plan approval.

Commissioners discussed concern regarding the lease negotiation with the Harbor Department. Applicant responded that due to lease negotiations timing impacts, he is willing to have it accepted as a Concept Plan.

Discussion continued on the following:

- Ways to improve seat signage in the back
- The need to educate the public regarding the availability of seating
- How to more clearly define the walkway area and improve access to the edge
- The urgency created by the tight timeframe associated with the lease expiration

**MOTION:** Lucas/Diodati 2<sup>nd</sup> moved to favorably recommend the project as a Concept Plan subject to the conditions included as Exhibit B in the site plan dated May 5, 2010.

VOTE : 3-1.

#### **B. Site Location: Citywide**

**Applicant:** City of Morro Bay

**Request:** AO0-010 City-Wide Text Amendment. The City of Morro Bay will hold a public hearing to consider adopting an amendment to the City's Municipal Code Title 17 amending Section 17.68 "Signs". The purpose of this amendment will be to update the City's current sign regulations to provide regulations that result in an information system that expresses the character and environment of the City of Morro Bay and its community. The new sign regulations will recognize the importance of business activity to the economic vitality of the City. Specifically, these regulations are intended to:

- A. Encourage communications which aid orientation and identify businesses and activities.
- B. Preserve and enhance the aesthetic character of the City.
- C. Apply basic principles of good design and sensitivity to community appearance to signage.
- D. Restrict signs that overload the public's capacity to receive information, violate privacy or which increase the probability of accidents by distracting driver's attention or obstructing a driver's vision.

**Recommended CEQA Determination:** No further environmental review necessary beyond that previously approved for the 2005 Zoning Ordinance Update.

**Staff Recommendation:** Review and forward a recommendation to the City Council on the proposed Text Amendment.

**Staff Contact:** Kathleen Wold, Senior Planner (805) 772-6211

Wold presented the staff report.

Commissioners asked staff to clarify the details of the Sign ordinance. Wold clarified sign terms, size and height definitions.

Johnson asked staff to clarify permit fees for A-frame sign permit exception and encroachment permit. Livick said the current sign exception process does not require an encroachment permit for a sign.

Johnson opened the Public Hearing for public comment.

The following persons spoke:

- Ken Vesterfelt, resident of Morro Bay, urged the Commission to take time to properly review.
- John Barta, resident of Morro Bay and former Planning Commissioner gave a short history of this ordinance from his prior experience on the Planning Commission
- Bill Yates, resident of Morro Bay and former Mayor encouraged the Planning Commission to be business-friendly
- Bob Shandrup, resident of Los Osos and tourist, likes the signs as they are
- Patrick Bietz, owner of Top Dog Coffee Bar encouraged the Planning Commission to be business-friendly
- Kay Crocker, business owner, stated signs have been effective for her business
- Vicky Battles, owner of Morro Bay Battles, needs signs to help their advertising and stay in business

Johnson then closed the public hearing and brought it back to Commissioners for discussion.

Commissioners discussed the following:

- Importance of the ordinance and the need to review it
- The benefits of seeking additional input on the Ordinance at the Downtown Visioning presentation
- Appreciation for the business community's input
- Compared the benefits of effective sidewalk advertising with the need to ensure pedestrian safety
- San Luis Obispo's experience with their A-frame ordinance
- Need to do additional research and possibly set aside the A-frame portion of the ordinance as a separate item

**MOTION:** Luhr/ Diodati 2<sup>nd</sup> moved to continue the Public Hearing to a date uncertain. VOTE: 4-0

XI. OLD BUSINESS

- A. Current Planning Processing List/Advanced Work Program
- B. Presentation from Rob Livick, City Engineer, on the Pedestrian Plan (continued to the June 7, 2010 Planning Commission Meeting)

XII. NEW BUSINESS

XII. ADJOURNMENT

Johnson adjourned the meeting at 9:06 p.m. to the next regularly scheduled Planning Commission meeting at the Veterans Hall, 209 Surf Street, on Monday, June 7, 2010 at 6:00 p.m.

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Nancy Johnson, Chairperson

ATTEST:

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Rob Livick, Secretary