



CITY OF MORRO BAY PLANNING COMMISSION AGENDA

*The City of Morro Bay is dedicated to the preservation and enhancement of the quality of life.
The City shall be committed to this purpose and will provide a level of municipal service and safety
consistent with and responsive to the needs of the public.*

**Regular Meeting - Wednesday, January 18, 2012
Veteran's Memorial Building - 6:00 P.M.
209 Surf Street, Morro Bay, CA**

Chairperson Rick Grantham

Vice-Chairperson John Solu
Commissioner Paul Nagy

Commissioner Jamie Irons
Commissioner Jessica Napier

ESTABLISH QUORUM AND CALL TO ORDER
MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE
PLANNING COMMISSIONER ANNOUNCEMENTS

PUBLIC COMMENT PERIOD

Members of the audience wishing to address the Commission on matters other than scheduled hearing items may do so at this time. 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 comments must observe the following rules to increase the effectiveness of the Public Comment Period:

- When recognized by the Chair, please come forward to the podium and state your name and address for the record. Commission meetings are audio and video recorded and this information is voluntary and desired for the preparation of minutes.
- Comments are to be limited to three minutes so keep your comments brief and to the point.
- All remarks shall be addressed to the Commission, as a whole, and not to any individual member thereof. Conversation or debate between a speaker at the podium and a member of the audience is not permitted.
- The Commission respectfully requests that you refrain from making slanderous, profane or personal remarks against any elected official, commission and/or staff.
- Please refrain from public displays or outbursts such as unsolicited applause, comments or cheering.
- Any disruptive activities that substantially interfere with the ability of the Commission to carry out its meeting will not be permitted and offenders will be requested to leave the meeting.
- Your participation in Commission meetings is welcome and your courtesy will be appreciated.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Public Services' Administrative Technician at (805) 772-6261. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. There are devices for the hearing impaired available upon request at the staff's table.

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.

A. CONSENT CALENDAR

- A-1 Approval of minutes from Planning Commission meeting held on January 4, 2011
Staff Recommendation: Approve minutes as submitted.

B. PUBLIC HEARINGS

Public testimony given for Public Hearing items will adhere to the rules noted above under the Public Comment Period. In addition, speak about the proposal and not about individuals, focusing testimony on the important parts of the proposal; not repeating points made by others.

- B-1 **Case No.:** #AD0-068
Site Location: 2890 Ironwood
Applicant/Project Sponsor: Darrick and Sara Danta / Cathy Novak
Request: Requesting variance for the front and two side yard setbacks. The stairway from the front entry is 1.25' into the required front setback, the exterior side (northern) deck is a zero setback and the interior side (south) is currently 9" from the property line. The applicant proposes to modify the south side deck so that the portion of the deck that exceeds 30" above grade will be two feet from the property line.
CEQA Determination: Categorically Exempt Section 15305, Class 5
Staff Recommendation: Conditionally approve #AD0-068
Staff Contact: Kathleen Wold, Planning and Building Manager (805) 772-6211

C. UNFINISHED BUSINESS

- C-1 Current and Advanced Planning Processing List
Staff Recommendation: Receive and file.

D. NEW BUSINESS

- D-1 Appoint a Planning Commissioner to fill the position on the Subdivision Ordinance Subcommittee vacated by Commissioner Irons.
Staff Recommendation: Appoint a replacement commissioner to Subdivision Ordinance Subcommittee.
- D-2 Discussion regarding attending the March 2012 Planner's Institute.
Staff Recommendation: Discuss and submit request to City Council for consideration.

E. DECLARATION OF FUTURE AGENDA ITEMS

F. ADJOURNMENT

Adjourn to the next regularly scheduled Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on Wednesday, February 1, 2012 at 6:00 p.m.

PLANNING COMMISSION MEETING PROCEDURES

This Agenda is subject to amendment up to 72 hours prior to the date and time set for the meeting. Please refer to the Agenda posted at the Public Services Department, 955 Shasta Avenue, for any revisions or call the department at 772-6261 for further information.

Written testimony is encouraged so it can be distributed in the Agenda packet to the Commission. Material submitted by the public for Commission review prior to a scheduled hearing should be received by the Planning Division at the Public Services Department, 955 Shasta Avenue, no later than 5:00 P.M. the Tuesday (eight days) prior to the scheduled public hearing. Written testimony provided after the Agenda packet is published will be distributed to the Commission but there may not be enough time to fully consider the information. Mail should be directed to the Public Services Department, Planning Division. Materials related to an item on this Agenda are available for public inspection during normal business hours in the Public Services Department, at Mill's/ASAP, 495 Morro Bay Boulevard, or the Morro Bay Library, 695 Harbor, Morro Bay, CA 93442. Materials related to an item on this Agenda submitted to the Planning Commission after publication of the Agenda packet are available for inspection at the Public Services Department during normal business hours or at the scheduled meeting.

This Agenda may be found on the Internet at: www.morro-bay.ca.us/planningcommission or you can subscribe to Notify Me for email notification when the Agenda is posted on the City's website. To subscribe, go to www.morro-bay.ca.us/notifyme and follow the instructions.

The Brown Act forbids the Commission from taking action or discussing any item not appearing on the agenda, including those items raised at Public Comment. In response to Public Comment, the Commission is limited to:

1. Responding to statements made or questions posed by members of the public; or
2. Requesting staff to report back on a matter at a subsequent meeting; or
3. Directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

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 Division 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.
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.

APPEALS

If you are dissatisfied with 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. Pursuant to Government Code §65009, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Commission, at, or prior to, the public hearing. 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 for those projects that are in their appeals jurisdiction. 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.

AGENDA ITEM: A-1

DATE: January 18, 2012

ACTION: _____

SYNOPSIS MINUTES - MORRO BAY PLANNING COMMISSION
REGULAR MEETING – JANUARY 4, 2012
VETERANS MEMORIAL HALL – 6:00 P.M.

Chairperson Grantham called the meeting to order at 6:00 p.m.

PRESENT:	Rick Grantham	Chairperson
	John Solu	Vice-Chairperson
	Jamie Irons	Commissioner
	Paul Nagy	Commissioner
	Jessica Napier	Commissioner
STAFF:	Rob Livick	Public Services Director
	Sierra Davis	Assistant Planner

ESTABLISH QUORUM AND CALL TO ORDER
MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE
PLANNING COMMISSIONER ANNOUNCEMENTS
PUBLIC COMMENT

Chairperson Grantham opened Public Comment period.

Betty Winholtz, resident of Morro Bay, addressed Item D-1 regarding bylaws and stated the Planning Commission cannot be compared to other City Boards and committees since it is a special body under State law with responsibilities that other Boards do not have. Policy development however, belongs with the City Council not the Planning Commission.

Chairperson Grantham closed Public Comment period.

PRESENTATIONS

Unless an item is pulled for separate action by the Planning Commission, the following actions are approved without discussion.

A. CONSENT CALENDAR

A-1 Approval of minutes from the Planning Commission meeting held on December 7, 2011

STAFF RECOMMENDATION: Approve minutes as submitted.

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REGULAR MEETING – JANUARY 4, 2012

Commissioner Irons asked to pull Item A-1 for discussion. Irons noted that on page 3 regarding discussion of item B-3, 2 State Park Road, there was a letter and an email from a resident received which was brought forward and Commissioners discussed the concerns stated in the letter. He asked the minutes be corrected to include that we brought forth the email from the public and discussed the concerns with staff and the applicant.

MOTION: Commissioner Irons moved to approve the minutes as corrected. The motion was seconded by Chairperson Grantham and carried unanimously. (5-0)

B. PUBLIC HEARINGS

B-1 *Continued Item from the December 7, 2011 Meeting*

Case No.: #A00-013

Site Location: Citywide

Applicant/Project Sponsor: City of Morro Bay

Request: Zoning Text Amendment proposing to amend Section 17.48.320 (Secondary Units) modifying the section to be consistent with State regulations.

CEQA Determination: Mitigated Negative Declaration

Staff Recommendation: Forward a favorable recommendation to the City Council to approve the proposed Zoning Text Amendment and adopt the Mitigated Negative Declaration.

Staff Contact: Kathleen Wold, Planning and Building Manager (805) 772-6211

Wold presented the staff report.

Chairperson Grantham opened the Public Comment period.

Amy Perry, resident of Morro Bay, spoke against the zoning text amendment. She stated that on her block the secondary units have caused parking and noise problems and urged the Commission not to ease the current restrictions.

Betty Winholtz, resident of Morro Bay, spoke against the zoning text amendment. Winholtz stated that allowing second units to go from 900 to 1,200 square feet does not take into consideration the impacts to noise, parking, and circulation on neighborhoods and stated the current law is already compliant with State law; just more restrictive. Winholtz disagreed that the proposed changes will further affordable housing.

Dorothy Cutter, resident of Morro Bay, spoke against the zoning text amendment and expressed concern about allowing two large houses on one small lot. Cutter stated that residents will not want rental homes to surround them cutting off their views, light and air. Cutter stated the State law only states the granny units can be up to 1,200 square feet, but can be less. She stated this is not about affordable housing but about greed.

John Barta, resident of Morro Bay, spoke in favor of the zoning text amendment and stated as a former Planning Commissioner, he was involved with granny units. Barta read from the State law which cites that granny units can ease a rental housing shortage, maximize limited land

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REGULAR MEETING – JANUARY 4, 2012

resources, infrastructure and assist low to moderate income homeowners with supplemental rental income. Barta stated he supports staff's proposal.

Dan Reddell, resident of Morro Bay, spoke in favor of the zoning text amendment, stating he supports reducing these restrictions and that rental income from a second unit could help struggling homeowners.

Roger Ewing, resident of Morro Bay, spoke against the zoning text amendment. Ewing stated that while he agrees with Mr. Reddell, he disagrees with Mr. Barta. Ewing stated 1,200 square feet is not affordable housing and questioned why changes are proposed when this was not approved by the Coastal Commission. He said the Commission should not make changes at the expense of neighbors and urged the Commission to consider the whole community.

Hearing no further comment, Chairperson Grantham closed the Public Comment period.

Commissioner Napier stated as a renter, she appreciates the smaller size for its affordability. The increased cost of renting a secondary unit at 1,200 square feet would not be affordable.

Commissioner Solu asked staff to clarify lot size versus home size in terms of the "building envelope." Wold clarified that the State guidelines allow the density to increase, not the lot coverage to increase.

Commissioner Irons asked for Commission support on the following suggested changes:

1. Secondary units to be consistent with the primary unit noting we do not have design guidelines that require neighborhood compatibility and line out "and the neighborhood".
2. Zoning be left as "consistent" and to line out "reasonably compatible."
3. The total floor area for a detached secondary unit shall not exceed 1,200 square feet which is consistent with State law.
4. Restrict attached guest houses to not exceed 30% of the primary existing unit size and limited to owner occupied housing in the primary dwelling.

Solu and Nagy were not in support of dictating design requirements. Nagy stated regarding size, the lot size requirements are still present. Having a requirement which limits size to a percentage of the main house does not work if the main house is small.

Napier stated her support for Irons' suggestion on design requirement and also size limitations, noting that a developer is still limited to the building envelope.

Grantham stated his support and noted that reasonable compatibility provides flexibility.

MOTION: Grantham moved to pass as amended B-1. Solu seconded the motion.

Discussion included:

Commissioner Solu requested to amend the motion secondary unit subsection Item C to include "said unit shall be consistent and/or reasonably compatible."

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Commissioner Irons requested to amend the motion to state the increased floor area of an attached second unit shall not exceed 30% of the existing living area to bring us into conformance with State code and also the guest unit on “A” (Section 17.48.315) for an attached unit. A detached unit shall not exceed 1,200 square feet.

Commissioner Irons amended the motion on the floor and Chairperson Grantham seconded. Rob Schultz confirmed State law.

VOTE: The motion carried 3-2 with Commissioners Napier and Irons voting no.

B-2 **Case No.:** #S00-109 and #AD0-065

Site Location: 821 Pacific and 700, 710 and 710 ½ Bernardo

Applicant/Project Sponsor: Ruth Viau/ Cathy Novak

Request: Requesting Planning Commission to amend the previously approved project conditions by deleting Planning Commission Condition 1, which requires parking to be provided on parcel two east of the power pole.

CEQA Determination: Categorically Exempt Section 15305, Class 5

Staff Recommendation: Conditionally approve amendment to #S00-109 and #AD0-065

Staff Contact: Kathleen Wold, Planning and Building Manager (805) 772-6211

Wold presented the staff report and discussed with Commissioners the non-conforming status of the property including the previously approved parking exception.

Chairperson Grantham opened the Public Comment period.

Cathy Novak, Applicant’s Representative, explained the Applicant’s request and asked the Commission to support the modified parking request.

Chairperson Grantham closed the Public Comment period.

Commissioners discussed the request with staff.

Irons stated he was not in support of the Applicant’s request to delete the parking condition as it is not an unreasonable condition. Irons addressed his concerns made known at the previous Commission meeting where he had requested the garage setback be made conforming at 5 feet from the existing 1 foot. And also his concern regarding the parking, which could be a safety issue having the parking spot straddle the right of way which he felt was not appropriate.

MOTION: Commissioner Nagy made a motion to approve Lot Line Adjustment #S00-109 and Variance #AD0-065, subject to the modified conditions of approval as stated in Exhibit B. The motion was seconded by Chairperson Grantham and carried 3-2 with Commissioners Napier and Irons voting no.

B-3 **Case No.:** #SP0-141

Site Location: Off premise signs at: Corner of Beach and Market, entry to parking lot of former Virg’s location on the Embarcadero, boat launch ramp.

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Applicant/Project Sponsor: Sharon Moores (Virg's Sport Fishing) / Cathy Novak

Request: Requesting sign exception to place four off-premise signs on the public right-of-way for Virg's Sport Fishing to advertise the sale of fishing licenses. The proposed signs located at Beach and Embarcadero locations will be mounted to the existing poles within the City right-of-way, the launch ramp sign will be posted on the existing wood sign, and Walker's Mobile Home Park on the existing sign supports.

CEQA Determination: Categorically Exempt, Section 15305, Class 5.

Staff Recommendation: Conditionally approve #SP0-141.

Staff Contact: Kathleen Wold, Planning and Building Manager (805) 772-6211

Wold presented the staff report detailing each location where the off premise signs would be located.

Rob Schultz noted that Commissioner Solu may have a conflict of interest due to being within 500 feet of two of the proposed signs. Schultz recommended that the signs be deliberated separately, and have Commissioner Solu leave the dais during the deliberations for the signs located at Beach & Market and Walker's Mobile Home Park at 1105 Morro Ave.

Chairperson Grantham opened the Public Comment period.

Cathy Novak, Applicant's Representative explained the need for the proposed project.

Gary Johnson, resident of Morro Bay, spoke in favor of the proposed project.

Hearing no further comment, Chairperson Grantham closed the Public Comment period.

First discussed were the proposed sign locations of the former Virg's location, 1215 Embarcadero Road and the boat launch area.

Commissioners discussed whether granting the off-premise signs would set a precedent, and whether new businesses should also be allowed off-premise signs.

Napier and Nagy stated support for a temporary sign at the Embarcadero Road location and also stated support for a sign at the boat launch area since it is the State that requires the fishing license. Irons also stated support for signs at the Embarcadero Road location and the boat launch area.

Grantham and Irons discussed alternative sign suggestions such as a sign that directs customers to the Harbor Office for license locations or a sign that has multiple phone numbers to contact for license purchases.

MOTION: Chairperson Grantham moved to allow one temporary sign at the former 1215 Embarcadero Road location stating they have moved and deny a sign at the boat launch area. The motion failed for lack of a second.

Chairperson Grantham opened Public Comment period and asked Cathy Novak to return to the podium.

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Novak clarified that the Applicant does not have permission to post a sign on the old lease site. A sign would need to be put in the public right of way.

Chairperson Grantham closed Public Comment period.

MOTION: Commissioner Nagy moved to approve a temporary sign at the old location, 1215 Embarcadero Road through December 2012. Grantham seconded the motion.

Commissioners discussed whether to require the sign to state “we’ve moved”, instead of “fishing licenses” and what size the sign should be. Commissioners asked Cathy Novak to return to the podium again.

Chairperson Grantham opened Public Comment period.

Cathy Novak, Applicant Representative, stated the appropriate language for the Embarcadero Road location would be “we’ve moved” and the appropriate language for the boat launch area would be “fishing licenses”. Novak further stated that if another business begins selling fishing licenses in May, that the Applicant would add their business phone number to the sign as a public service.

Chairperson Grantham closed Public Comment period.

Commissioner Nagy modified his motion to state:

MODIFIED MOTION: Commissioner Nagy moved to approve two temporary signs, a 24” x 24” sign at the old location, 1215 Embarcadero Road to say “we’ve moved” and a 24” x 18” sign at the boat ramp to say fishing licenses, through December 2012. Commissioner Irons seconded the motion.

Solu stated he was not in support of a sign at the boat ramp area. He stated there are other ways to locate the business or location of fishing licenses.

VOTE: Motion failed 2-3 with Grantham, Napier and Solu voting no.

MOTION: Chairperson Grantham moved to allow one informational sign at the old location, 1215 Embarcadero Road stating the business has moved to a new location with new location and phone number listed. Commissioner Napier seconded and motion carried unanimously. (5-0).

Commissioner Solu recused himself for the deliberation of the proposed signs at Beach and Market Streets and at Walkers Mobile Home Park, 1105 Morro Ave.

MOTION: Commissioner Nagy moved to deny the sign at Beach and Market Streets and the sign at Walkers Mobile Home Park, 1105 Morro Ave. Grantham seconded and motion carried unanimously. (4-0).

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Commissioner Solu rejoined the meeting.

B-4 **Case No.:** Amendment to #S00-089 and #CP0-276

Site Location: 3390 Main Street

Applicant/Project Sponsor: Johnnie Medina

Request: Amend the approved Subdivision Permit #S00-089 and Coastal Development Permit #CP0-276 for 2 parcel subdivision map and to construct a two story single-family residence with attached two car garage. The applicant requests an amendment to the previous Planning Commission approval requiring a 50 foot buffer from the ESH (Environmentally Sensitive Area) allowing only a bio swale with this area. The applicant requests a second driveway approximately 133 feet long, with an area of approximately 2,700 square feet (1,400 square feet of paved area and 1,300 square feet of pavers). The proposed driveway will encroach into the 50 foot buffer setback and 25 foot buffer setback. This site is located inside the Coastal Commission Appeals Jurisdiction.

CEQA Determination: Mitigated Negative Declaration has been adopted for the previously approved for the project. State Clearinghouse #2009061049

Staff Recommendation: Conditionally approve the amendment to #S00-089 and #CP0-276

Staff Contact: Sierra Davis, Assistant Planner, (805) 772-6270

Davis presented the staff report. Rob Livick clarified that the previous Commission approval did not leave enough room for a standard driveway to access the rear house and the LCP policy states that the buffer can be reduced if it renders the property unusable.

Chairperson Grantham opened Public Comment period.

Johnnie Medina Jr., Applicant, stated they have worked with staff to design the home within the requirements and get the driveway as tight as possible. The Fire Department's required driveway width is why the home goes into the buffer and he is requesting approval to access the back home.

Dennis Cook, neighbor of Applicant, spoke against the proposal and stated the Applicant must have known when the property was purchased there would not be room to put in the driveway.

Jan Zerbe, spoke against the amendment and stated buffer setbacks were put in place to protect the ESH and the Commission should not allow a private driveway to encroach into this area.

Michelle Arete, resident of Morro Bay, spoke against the amendment and was also representing 200 petition and letter signers. The LCP and Municipal Code does not provide allowances for development within the ESHA. Arete stated the Applicant has not fulfilled the original conditions from 2002. Arete urged the Commission to uphold the decision made at the July 2010 Planning Commission meeting.

Jim Ross, resident of Morro Bay, spoke against the City staff making exceptions. He stated he sent a letter to the Public Services Dept. where he opposed allowing 17 feet into the 25 foot buffer zone and stated the Applicant should be required to use the common driveway of the

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existing residence. Ross addressed the issue of the conservation easement which should be enforced and maintained.

Roger Ewing, resident of Morro Bay, spoke against the amendment and questioned how a variance could be granted when the current requirements have still not been met. Ewing expressed concern about destroying the ESH and urged the Commission to deny the request.

Laura Mouns, resident of Morro Bay, read a letter from Abe Paregeen, past president of Bay Creek Condominiums stating the owners in the condo complex are upset over the additional requests from the Applicant. The letter further stated the Applicant was aware of the setbacks when the property was purchased. The Bay Creek Condominiums was not allowed exceptions to setbacks and urged the Commission to not allow the Applicant to bend the rules and endanger the creek area.

Betty Winholtz, resident of Morro Bay, spoke against the amendment. Winholtz noted when the law uses the word shall, it is required to be obeyed and urged the Commission to uphold the law.

William Dallick, neighbor of Applicant, spoke against the amendment and opposes any encroachment into the creek bed boundaries.

Hearing no further comment, Chairperson Grantham closed the Public Comment period.

Commissioner Solu noted that the LCP Policy 11.14 specifies the minimum buffer strip along all streams and allows an adjustment in buffer from 100 to 50 to 25 feet if the Applicant can demonstrate the parcel is rendered unusable.

Commissioners discussed clarifications with Wold and Livick regarding:

- The driveway width requirement. Wold clarified the Fire Dept. requirement noting that it is the width, not the location or length of the driveway. Livick noted there is not enough room for a standard driveway to access the rear second house as demonstrated by the Applicant's engineer; The Fire Department condition is to require a fire apparatus road of 20 feet in width until you get within 150 feet of the residence. The Fire Chief can grant an exception to reduce this which does have precedence;
- The retaining wall and the setback of the driveway to the retaining wall. Commissioner Napier questioned if the old wall will need to come out;
- Fish and Game correspondence received;
- The status of the three underlying parcels. Livick noted instead of a lot line adjustment, the Applicant did a parcel map which the final map has not been recorded yet. All conditions would need to be met prior to the final recordation of the map.

Commissioners Irons disagreed that this renders the property unusable, since the Planning Commission worked diligently on this at the July 2010 meeting.

Chairperson Grantham noted there are other properties that go through the ESH area.

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Commissioner Nagy stated he does not support infringing on property rights, however he is not comfortable with the amount of encroachment going into the wetlands area and stated this should be minimized.

Rob Schultz clarified for the Commission that under conditions from the previous Planning Commission the project will not encroach any farther westward than the retaining wall. The driveway is not encroaching into the ESH area but it is whether to allow encroaching into the buffer area.

Chairperson Grantham reopened Public Comment period to ask the Applicant to respond.

Johnnie Medina Jr., Applicant, responded that they cannot adjust the lot line anymore in order to meet the minimum 6,000 square foot lot size. They are agreeable to have the 20 foot driveway width be thinner if Fire Dept. approves it.

Chairperson Grantham closed Public Comment period.

Commissioner Irons suggested whether to require an easement between the two properties since there is only one owner in order to require a shared driveway. Irons noted to Schultz the driveway would still be partially in the buffer anyway. By using one common driveway, it would not be as far into the ESH.

Commissioner Solu disagreed with potentially requiring an easement.

MOTION: Commissioner Solu moved to adopt the findings included as Exhibit A and conditionally approve amendment to Subdivision #S00-089 and Coastal Development Permit #CP0-276, subject to the Conditions included as Exhibit B and the site development plans dated November 21, 2011. The motion was seconded by Commissioner Grantham and passed 3-2 with Commissioners Nagy and Irons voting no.

UNFINISHED BUSINESS

C-1 Current and Advanced Planning Processing List
Staff Recommendation: Receive and file.

Wold reviewed the Work Program with Commissioners.

C-2 Discussion on Title 16 (Subdivision Ordinance) Streamlining Procedures and Identifying Issues with Document Implementation
Staff Recommendation: Per City Council direction, provide comments to staff.

Commissioner Nagy discussed the goal is to identify areas of the Housing Element and Zoning Ordinance that do not align well for future process.

Commissioner Irons suggested with his term expiring a replacement committee person be identified. It was agreed to discuss that under declaration of future agenda items.

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NEW BUSINESS

D-1 Discussion on Planning Commission Bylaws

Staff Recommendation: Review bylaws in Exhibit A and provide recommendations to the City Council.

Commissioners reviewed the bylaws' recommended changes with City Attorney Rob Schultz. Schultz stated he would bring forward the Commission's recommendations to the City Council. Schultz also recommended a review of the City Council's Policies and Procedures manual be done in order to avoid conflicts, especially in regards to rules of public hearing items.

D-2 Schedule of Meeting Dates

Staff Recommendation: Approve schedule of 2012 meeting dates.

Commissioners reviewed the 2012 calendar and agreed to cancel the Planning Commission meetings scheduled for July 5, 2012, November 21, 2012 and December 19, 2012.

DECLARATION OF FUTURE AGENDA ITEMS

Commissioners agreed to agendaize for the next meeting nominating a subcommittee replacement person for the Subdivision Ordinance and a discussion of attending the 2012 Planners Institute to be held March 20-22, 2012 in San Jose.

ADJOURNMENT

The meeting adjourned at 10:00 pm to the next regularly scheduled Planning Commission meeting at the Veteran's Hall, 209 Surf Street, on Wednesday, January 18, 2012 at 6:00 pm.

Rick Grantham, Chairperson

ATTEST:

Rob Livick, Secretary



AGENDA NO: B-1
MEETING DATE: January 18, 2012

Staff Report

TO: Planning Commissioners

DATE: January 10, 2012

FROM: Kathleen Wold, Planning and Building Manager

SUBJECT: Requesting variance for the front and two side yard setbacks. The stairway from the front entry is 1.25' into the required front setback, the exterior side (northern) deck is a zero setback and the interior side (south) is currently 9" from the property line. The applicant proposes to modify the south side deck so that the portion of the deck that exceeds 30" above grade will be two feet from the property line.

RECOMMENDATION:

CONDITIONALLY APPROVE THE PROJECT by making the following motion:

- A. Adopt the Findings included as Exhibit "A";
- B. Conditionally approve Variance AD0-068, subject to the Conditions included as Exhibit "B".

APPLICANT: Darrick and Sara Danta

AGENT: Cathy Novak

LEGAL DESCRIPTION/APN (ADDRESS):

City of Morro Bay Tract 174, Block 5, Lot 20- APN-068-393-020

BACKGROUND

City of Morro Bay records indicate that a permit was issued for a single family residence in 1976. The plot plan for this original construction did not include decks on the sides of the home but did show a seven foot deck along the front of the building with stair access. Plans contained within the City's file shows that the house was constructed at the twenty foot setback, that the deck along the front encroaches 7 feet into the twenty foot setback and the staircase extends into the front setback another 4 feet beyond the deck. The City's Zoning Ordinance in effect at the time (1976) provided for a 20 foot setback for the house and allowed decks to encroach 6 feet into the required front yard setback. The house was remodeled with a room addition in 1998 and then in 2003 another permit

Prepared By: <u> <i>KW</i> </u>	Dept Review: <u> <i>R</i> </u>
City Manager Review: _____	
City Attorney Review: _____	

was issued for decks along the sides of house. The deck along the north side wraps around into the front yard setback increasing the encroachment of the decks into the front yard setback another two feet for a total of 9 feet. Both side decks were approved to the side property lines.

The issuance of a building permit to allow encroachment of these decks so close to the property lines was in error. Only decks below 30 inches which are made of noncombustible material are allowed to go to the property lines (MBMC section 17.48.120).

Sometime after the decks where built a complaint was received by the city regarding the close proximity of the decks to the adjacent properties. The City followed up on this complaint and was able verify that the decks were not built in compliance with the City of Morro Bay’s zoning regulations. The City followed up with the property owners regarding the violations. This variance application is in response to those actions.

PROJECT SETTING:

<u>Adjacent Zoning/Land Use</u>			
North:	R-1, Single-family residential	South:	R-1, Single-family residential
East:	County	West:	R-1, Single-family residential

<u>Site Characteristics</u>	
Site Area	6200 Square feet
Existing Use	Single Family residence
Terrain	Sloping
Vegetation/Wildlife	Urban landscape
Archaeological Resources	Not within 300 feet of a known archaeological resource
Access	Ironwood

<u>General Plan, Zoning Ordinance & Local Coastal Plan Designations</u>	
General Plan/Coastal Plan Land Use Designation	MDR (Medium Density Residential)
Base Zone District	R-1 (Single-Family Residential)
Zoning Overlay District	NA
Special Treatment Area	NA
Combining District	NA
Specific Plan Area	NA

Coastal Zone	Yes, outside of the Coastal Appeal area
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PROJECT ANALYSIS:

Variations are intended to grant relief for the strict application of zoning regulations when specific circumstances are found to apply. They are as follows:

Not a Special Privilege. That any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zoning district in which the subject property is situated.

Special Circumstances with project. That because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications, and

Consistent with General Plan and LCP. That the variance is found consistent with the intent of the General Plan and Land Use Plan of the Local Coastal Plan.

The subject property is zoned R-1, approximately 62 feet by 100 feet and is rectangle in shape with sloping topography. These characteristics are consistent for the properties along Ironwood in this vicinity. The size of the lot exceeds the minimum required in the R-1 zone district. One unusual characteristic of the property is its location adjacent to a twenty foot public right of way area. Although this area is public right of way it is not a street thoroughfare and only used for public utilities. It will never be used as a thoroughfare due to topographic constraints. Therefore the subject lot would be considered an interior lot. The following table contains the required setbacks and those proposed in the applicant's variance.

Zoning Requirements

<i>Development Standards</i>	R-1	Proposed Setbacks
Front yard setback	20 feet	20 feet
Projection of decks over 30 inches into front yard setback (17.48.120)	5 feet into 20 foot setback or 15 feet (In 1976 the code provided for a 6 foot encroachment)	6.25 feet projection into front yard setback or 13.75 feet (via survey)
Side yard (Interior) setback	5 feet	5 feet
Projection of decks over 30 inches into side yard setback (17.48.120)	2 feet into 5 foot setback, no closer than 3 feet to side property line	3 feet into 5 foot setback on the south side for a 2 foot setback and 5 feet into the 5 foot setback for a zero setback on the north side.
Side yard (Exterior)	10 feet	N/A

The applicant has applied for a variance to the front yard and side yard setbacks. As part of the applicant's submittal they provided a survey performed by a land surveyor that indicates where the actual structures were built. The actual setbacks differ from those indicated on the plot plan provided for the issuance of the permits. The survey indicates that the front stairs encroach into the front yard setback approximately 6.25 feet, that the deck on the north side is built to the property line and the deck on the south side is approximately 9 inches from the property line.

The applicant has requested a variance to allow the north deck to remain at a zero setback, the south deck to be two feet from the property line and that the stairs at the front of the property be allowed to remain as built approximately 6.25 feet from the property line. After reviewing the materials submitted by the applicant and the variance regulations staff has determined that only the applicant's request for a reduction to the north setback can be supported. This request can be supported due to the specific location of the subject property adjacent to San Jacinto Lane, a twenty foot public right of way. This situation constitutes a special circumstance applicable to the subject property. Setbacks are regulated on property to ensure sufficient separation between structures of properties because this twenty foot wide property will not have development occur on it there is no need for a setback. Since the twenty feet will affectively act as a setback area it is redundant to require the applicant to maintain yet another 3 feet of setback area on their property.

Staff can not recommend approval of a reduction in the south side setback area as there are no special circumstances associated with the property which affect the south side area. Granting a variance for a reduction where there are no special circumstances associated with the actual land would constitute a granting of a special privilege.

Staff would point out that there is no need for a variance to the front setback as the house, the front deck and the stairs to the front deck which were built in 1976 comply with the regulations in place at the time they were built and the 0.25 foot excessive encroachment is de minimus and therefore not relevant. In addition, the applicant has the ability to modify the deck along the south side of the property to comply with Section 17.48.120. Section 17.48.120 allows for decks less than 30 inches in height to encroach into the required side setback provided that the decks terminate at a noncombustible wall or fence which extends at least thirty inches above the deck. Placing a deck at grade level or between 30 inches and grade level is common practice within the City of Morro Bay when the property owner desires a wider deck.

Staff acknowledges that an error was made in the granting of a building permit to allow construction of the side decks into the required side setbacks, however, this error would not qualify as a special circumstance (physical land limitations) which would allow for the granting of a variance.

ENVIRONMENTAL DETERMINATION

The project has been found to be categorically exempt from CEQA pursuant to Section 15305, Class

5. Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to: minor lot line adjustments, side yard and set back variances not resulting in the creation of any new parcel.

PUBLIC NOTICE: Notice of this item was published in the San Luis Obispo Tribune newspaper on January 6, 2012 and all property owners of record within 300 feet of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application.

CONCLUSION: Staff has detailed within this staff report the findings required for granting a variance to specific zoning regulations. Based on the required findings and the special circumstances associated with 2890 Ironwood staff has conditioned the project to approve the granting of a variance for the setback reduction for the deck at the north side of the property only.

ATTACHMENTS:

1. Findings, Exhibit A
2. Conditions, Exhibit B
3. Graphics/Plan Reductions, Exhibit C
4. Project Description, Exhibit D
5. 1971 Zoning Ordinance Excerpt, Exhibit E

EXHIBIT A

FINDINGS

SITE: 2890 IRONWOOD

Project description: Variance to allow the reduction of the north side yard setback to zero for the purposes of constructing a deck at 2890 Ironwood.

California Environmental Quality Act (CEQA)

A. The project has been found to be categorically exempt from CEQA pursuant to Section 15305, Class 5. Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to: minor lot line adjustments, side yard and set back variances not resulting in the creation of any new parcel. The project as proposed is within an area characterized as a relatively flat residential area. The project proposes a lot line adjustment as well as a variance both of which qualify under this exemption as no new lot will be created.

Variance Findings

A. That the granting of the variance as conditioned will not be contrary to the intent of this title or to the public safety, health and welfare; and

The granting of the variance will not be contrary to the intent of this title or the public safety, health and welfare. Variance granted for the north side property line to allow a side setback of zero feet will not impair the intent of the title and will not compromise the public safety, health or welfare due to this property line's location adjacent to a public right of way.

B. That due to special conditions or exceptional characteristics of the property, or its location, the strict application of this title would result in practical difficulties and unnecessary hardship; and
The property is located adjacent to a public right of way (not a street) which creates a special condition whereby a setback is unnecessary.

C. That the variance request is consistent with the intent of the Coastal Land Use Plan and the General Plan.

The variance as granted does not affect any Coastal Land Use Plan or General Plan policies but rather involves a minor reduction in a setback to a property line adjacent to a public right of way.

EXHIBIT B

CONDITIONS OF APPROVAL SITE: 2890 IRONWOOD

Project description: Variance to allow the reduction of the north side yard setback to zero for the purposes of constructing a deck at 2890 Ironwood.

STANDARD CONDITIONS

1. This permit is granted for the land described in the staff report referenced above, dated January 18, 2011 as modified by these conditions of approval.
2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this approval and is diligently pursued thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Said extensions may be granted by the Public Services Director, upon finding that the project complies with all applicable provisions of the Morro Bay Municipal Code, General Plan and Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.
3. Changes: Minor changes to the project description and/or conditions of approval shall be subject to review and approval by the Public Services Director. Any changes to this approved permit determined not to be minor by the Director shall require the filing of an application for a permit amendment subject to Planning Commission review.
4. Compliance with the Law: (a) All requirements of any law, ordinance or regulation of the State of California, City of Morro Bay, and any other governmental entity shall be complied with in the exercise of this approval, (b) This project shall meet all applicable requirements under the Morro Bay Municipal Code, and shall be consistent with all programs and policies contained in the certified Coastal Land Use Plan and General Plan for the City of Morro Bay.
5. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicants failure to comply with conditions of approval. This condition and agreement shall be binding on all successors and assigns.

6. Compliance with Conditions: The applicant's establishment of the use and/or development of the subject property constitutes acknowledgement and acceptance of all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Public Services Director and/or as authorized by the Planning Commission. Failure to comply with these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the Morro Bay Municipal Code and is a misdemeanor.

7. Compliance with Morro Bay Standards: This projects shall meet all applicable requirements under the Morro Bay Municipal Code, and shall be consistent with all programs and policies contained in the certified Coastal Land Use plan and General Plan for the City of Morro Bay.

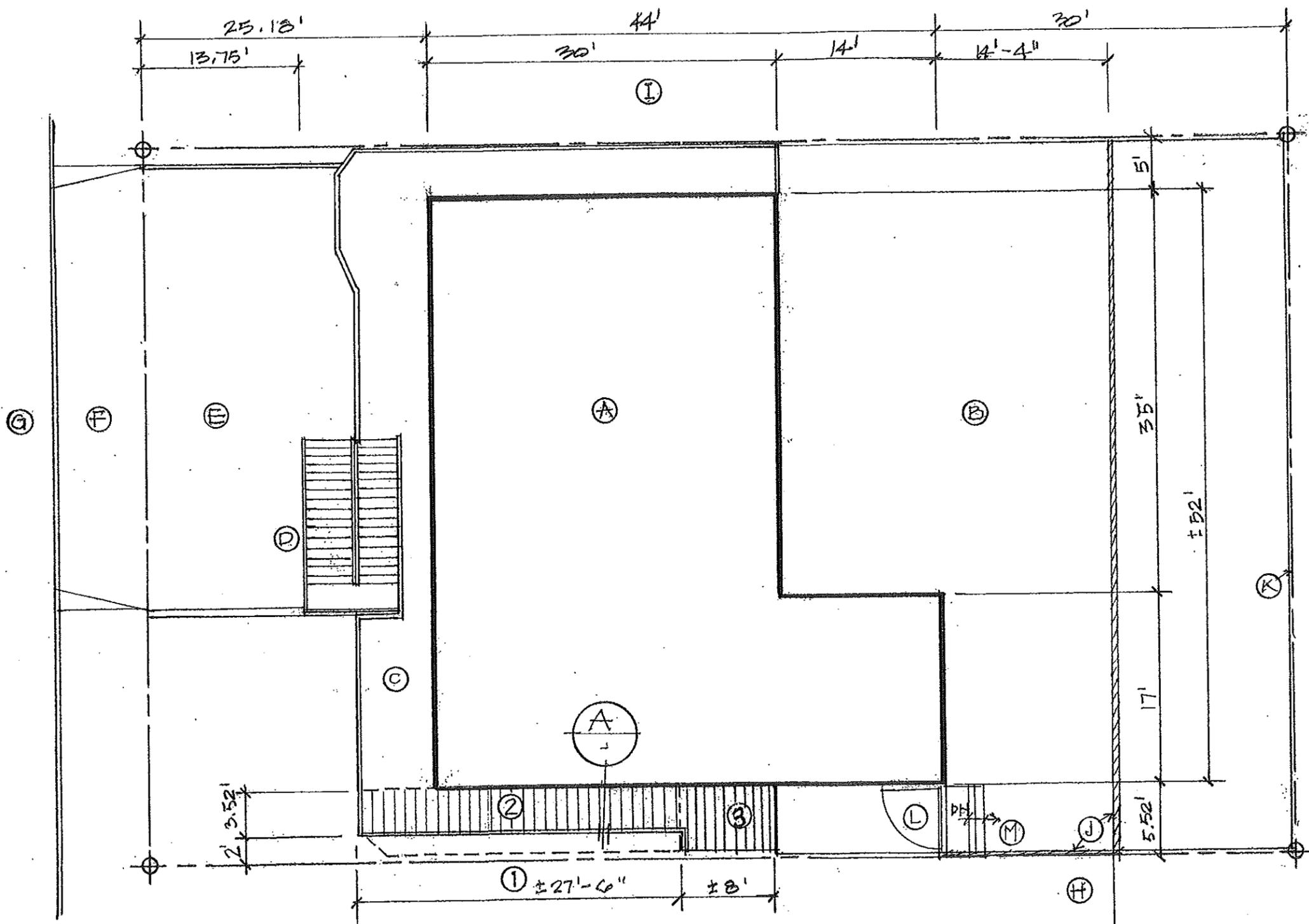
PLANNING CONDITIONS

1. The variance approved shall be as follows:
A reduction to the North property line side yard setback from 5 feet to zero for the construction of a deck and stairs only. All other buildings shall adhere to the required 5 foot side yard setback.

BUILDING CONDITIONS

1. Prior to construction, the applicant shall obtain a building permit for the proposed scope of work.

EXHIBIT C





 SITE PLAN

 1" = 10'-0"

RECEIVED

 OCT 11 2011

RESIDENCE DECK MODIFICATION

 DARRICK AND SARA DANTA

 2890 IRONWOOD

 MORRO BAY, CA 93442

474-A-11

TITLE SHEET /
SITE PLAN

REVISED: 1 OCT 2011

DATE: 25 SEPT 2011

SHEET

T1

1 OF 2

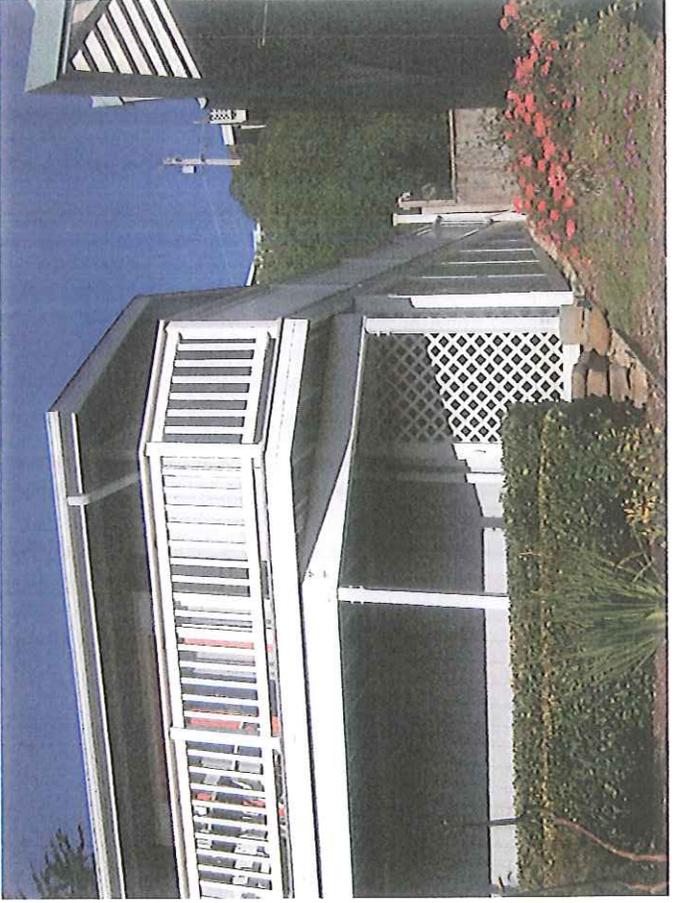
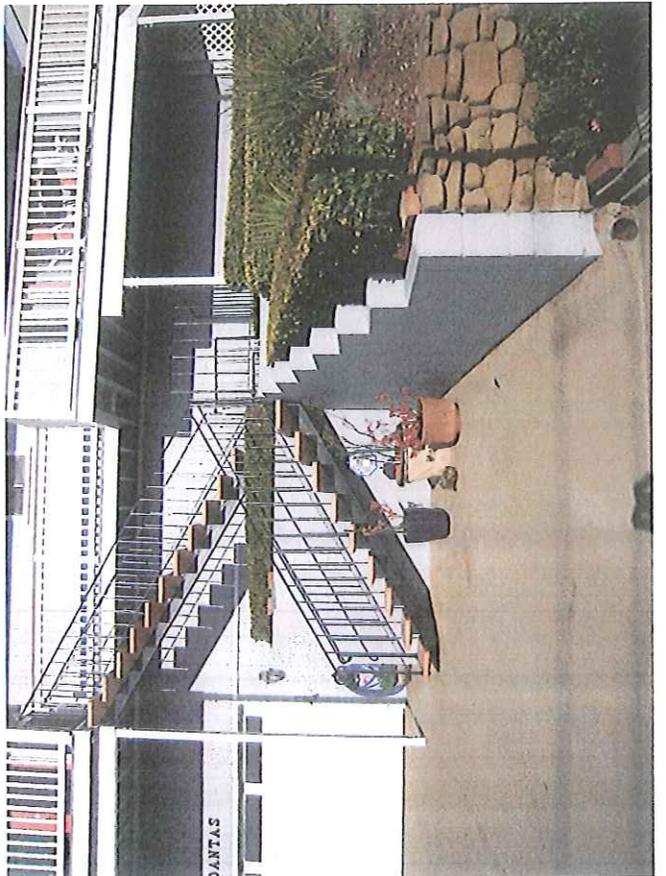
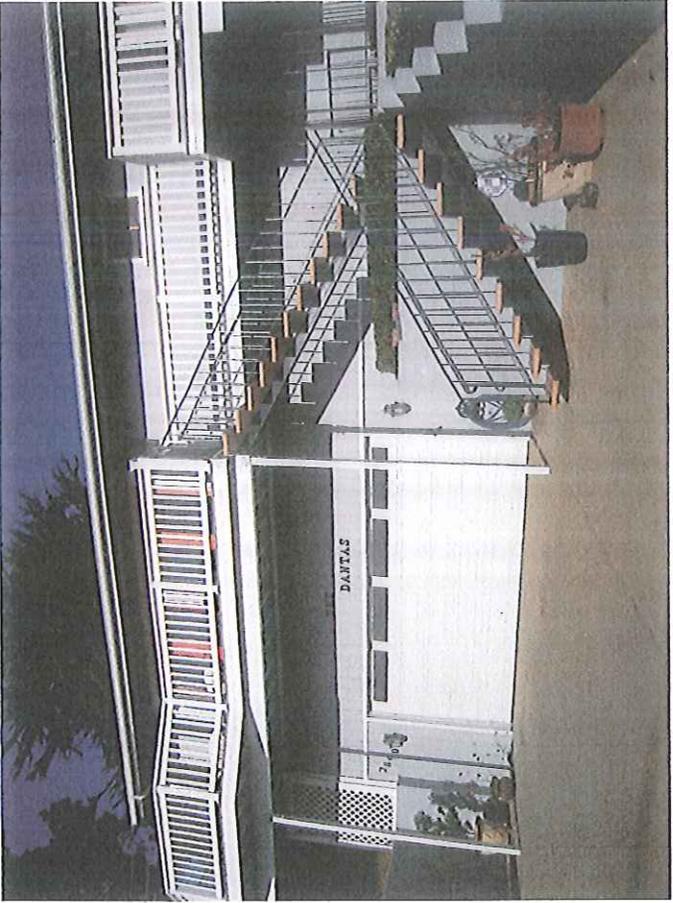
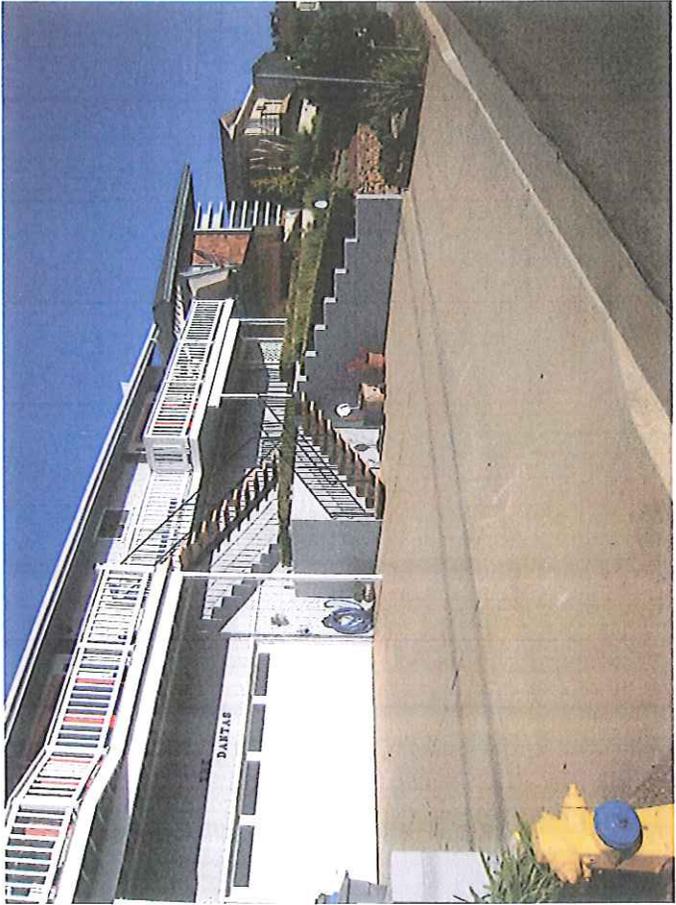




EXHIBIT D

OCT 11 2011

City of Morro Bay
Public Services Department**Project Description and Variance Findings: 2890 Ironwood Project**

The house was built in approximately 1976 and based upon conversation with a long-time contractor; the decks were also constructed at the same time. The decks were repaired over the years and in approximately the early 2000's; the prior owners of the property built a small extension on the front portion of the deck.

The current owners (Danta) purchased the property in January 2010 with the decks in place and were also unaware that any code violations existed on the property. In September 2010 the Danta's were notified by the City that portions of the deck did not meet CA Building Code and City Planning regulations and therefore a code violation existed and must be remedied.

During research and meetings with the City it came to light that the City had issued a building permit for the decks which would legally permit the decks. However the City is unable at this time to provide the necessary documentation and therefore the Danta's are now requesting a variance from the City for the decks.

Variance Request:

The applicant is requesting a variance for the front and two side yard setbacks at 2890 Ironwood. Specifically, the stairway for the front entry is 1.25' into the required front setback, the exterior side (northern) deck is a zero setback and the interior side (south) is currently 9" from the property line however, the south side deck will be modified so that the portion of the deck that exceeds 30" above grade will be two feet from the property line.

The allowable setbacks are provided for in section 17.24.040 with exceptions allowed in section 17.48.120. The proposed setbacks are as follows:

	Chapter 17	Proposed
Front	20'	Garage complies with standard – no changes
Front	Section 17.48.120 stairway & deck projections - Open, uncovered or outside stairways in excess of thirty inches: No more than 5' into front yard setback. 20'	1.25' into required setback area for stairs. Deck complies with standard. Deck support posts are 1.5' into required setback.
Interior side	Section 17.48.120 stairway & deck projections - Open, uncovered or outside stairways in excess of thirty inches: No more than 3' into side yard setback.	1' of decking into the required setback for approximately 27' 6".

Exterior side	Section 17.48.120 stairway & deck projections - Open, uncovered or outside stairways in excess of thirty inches: No more than 3' into side yard setback.	2' into required setback area.
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Explanation of Findings:

A.

This exception request does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and land use category.

In this case similar properties in the vicinity would include the residential development on the surrounding streets. Many of these developed and permitted parcels are similar in nature in that the properties are located on significantly sloped lots that require deviation for standards to allow for access.

Front: The house has been designed to locate the living area on the second floor. This requires an entry access from the driveway which is via the stairway. The stairway encroaches into the front setback area approximately 6.25' however the Zoning Ordinance allows for stairway projections to project into the front yard setback 5 feet leaving an encroachment of 1.25'. Due to the slope of the lot and the front entry on the second floor, a stairway is necessary. Other properties located on this street and adjacent neighbors with extreme elevation changes may require similar modifications to the zoning ordinance in order to provide access. In addition, the deck supports encroach 1.5' into the required 20' setback. The deck support posts are necessary to support the main deck beam. The deck posts in the present location do not interfere or encroach in the garage entrance or additional parking areas.

Exterior side yard: The applicant is requesting that the northern exterior side deck be a zero foot setback which is an encroachment of 2' into the exterior side yard setback. This deck boundary parallels an unpaved portion of San Jacinto, an unbuildable section of right-of-way. Where property abuts a public way, section 503.1 of the 2001 CA Building Code (CBC) provides that the center line of the street shall be the assumed "property line" for the purposes of determining allowable locations of a building or non-building structure on the property. The deck as built meets the 2001 CBC.

Interior side yard: The deck on the southern side of the house was constructed approximately 9" from the property boundary. As mentioned previously, the City had issued a building permit for this deck section in the current configuration.

The project as proposed will be to remove a section of the deck approximately 27' 6" in length so that the deck will be 2' from the property line and only encroach into the side yard setback area by 1'. This section of the deck is allowed under the CBC to be constructed within 2' of the property line as long as it is constructed for a one hour fire rating. The project as proposed will incorporate the necessary elements to meet the one hour rating.

The remaining deck which does not exceed 30' above grade will remain in the present location. This portion of the deck is allowed to extend to the property boundary when it is less than 30" above grade and terminates at a noncombustible wall. This portion of the deck is approximately 8' feet long and terminates at a concrete block wall along the side and rear yards. Furthermore, the project as proposed will replace the deck boards with fire resistant synthetic decking material along the existing and remaining approximately 8' section of deck which will provide for additional fire safety in this area.

Modifications to the deck along the side yard allows for continuous access to this portion of the house and rear yard area. Any further reductions to the deck width would make access problematic and potentially unsafe for use.

Due to the significant topography, severe limitations exist and prevent the property owner from accessing this side of the house in a reasonable manner as others with similar limitations would on their properties. This exception does not authorize a use that would not otherwise be permitted within this land use category. This exception is also consistent with the City's LCP.

B.

There is a special circumstance applicable to this property related to location, topography and surroundings that does not apply to other properties and would deprive the property of privileges enjoyed by other property in the vicinity that is in the same land use category.

There are several reasons why this property should be granted a deviation from the front and side yard setbacks. They are as follows:

Front:

1. The stairs in the current configuration do not interfere with the driveway or entry into the garage which meets the 20 foot setback standard.
2. The stairs in the front setback could potentially be reconstructed however, because of the elevation differences between the driveway and raised front yard area a new set of stairs could not be built without the construction of one or more

retaining walls and the provision for handrails that would exceed the height limitations within the setback area. This new configuration would encroach further into the front setback area than the existing stairway encroachment.

3. The deck posts are necessary for supporting the upper deck. Reconfiguration to the posts will require additional engineering and result in major changes to the entire support system.

Exterior side yard:

1. The deck is along the property adjacent to an unpaved portion of San Jacinto, an unbuildable section of right-of-way.

Interior side yard:

1. Given the fact that the decks have existed for over 30 years and that the City had previously issued a permit, it is an undue financial hardship for the current owners to reconstruct the entire length of deck.
2. The proposed project will modify the deck so that the portion that exceeds 30" above grade will be brought into better compliance with the Zoning Ordinance and meet CBC standards.
3. Any further reduction in the deck width will result in an unusable deck and limit access to this side of the house thereby restricting the applicant's full enjoyment of uses similar to those with property in adjoining areas.
4. The proposed project will reconstruct this portion of the deck to meet the one hour rating for fire safety purposes.

Due to the special property conditions, the strict interpretation of the zoning regulations will result in practical difficulties and unnecessary hardships for the property owner.

C.

The granting of this exception does not adversely affect public health or safety or would it be detrimental to nearby property or improvements.

The project as proposed will reconstruct approximately 27.6' of the southern side deck and replace existing materials with one hour rated materials to conform to CBC standards. In addition the project as proposed will replace the deck boards with fire resistant synthetic decking material along the existing and remaining approximately 8' section of deck. Lastly, the deck section will be further from the property line. These three changes will provide additional safety measures above the existing conditions and therefore will not adversely affect health or safety. Additionally since the proposed

modification will increase the setback area, it will not be detrimental to nearby property or other improvements.

The front yard and exterior side yard exceptions do not adversely affect public health or safety and are not detrimental to nearby property or improvements due to the distance from any other improved site in the area.

DISTRICT	A.	B.	C.	D.	E.	F.	G.	H.	I.	J.	K.	L.
		None but the following uses, or uses which in the opinion of the Planning Commission are similar, will be allowed. See Sect. 5106.2.	Use Permit Required	Allowable Gross Floor Area, and Height Limit	Minimum Building Site Required (Square Feet)	Min. Lot Width Required (Feet)	Maximum Lot Coverage, All Structures	Min. Front Yard Required (Feet)	Corner Lot, Street Side	Interior Lot Line, Any Lot	Minimum Rear Yard Required (Feet)	Minimum Lot Area per Family Unit (Square Feet)
R-A Section 5104.2.1 Suburban Residential District		Single family dwelling	No	25'	20,000	120	45%	20'	10'	10% of average width with 6' maximum requirement.	5'	20,000
		Crop and tree farming, viticulture, small livestock farming, grazing of livestock, EXCLUDING commercial dairies, kennels, rabbit, chicken ranches or any hog raising.	No			35' on cul-de-sac at property line.						
		Accessory uses and buildings normally incidental to uses allowed in this district. This is not to be construed as permitting any commercial use.	No						10'	10% Average width, 5' maximum requirement.	5'	
		Additional single family dwellings for agricultural employees when farm or ranch contains not less than ten (10) acres.	No		10 Acre			20'	10'		5'	
		Churches, public and parochial schools, other public uses. Public and non-profit private recreation uses. Home Occupations.	Yes	Not to exceed 1/3 of building site area if over 25' in height. maximum height 50'.	20,000 except for public utility uses	120 except for public utility uses	45%	20'	10'	10'	10'	10'
R-1 Section 5104.2.2 Single Family Residential District		Riding stables	Yes	25'	20,000	120						
		One single family dwelling	No	25'			45%	20'	10'	10% average width, 5' maximum requirement	5'	1 Lot
		Accessory uses and buildings and uses normally incidental to uses allowed in this district. This is not to be construed as allowing commercial use.	No	25'					10'			
										NOT PERMITTED WITHIN 200' FEET OF NEIGHBORING RESIDENCES		
										See General Provisions 5' -- Section 5105		

5106.12 Architectural features on the main building, such as cornices, eaves and canopies may not extend closer than six (6) inches to any side lot line. Eaves and canopies may extend a maximum of four (4) feet into the required front yard. Fire places, not exceeding eight (8) feet in breadth, may extend not closer than three (3) feet to any side lot line.

5106.13 Open, uncovered, raised porches, landing places or outside stairways in excess of thirty (30) inches above ground elevation may project not closer than three (3) feet to any side or rear lot line, and not exceeding six (6) feet into any required front yard. Projections less than thirty (30) inches above the ground elevation may not extend closer than six (6) inches from the side or rear lot lines.

5106.14 Whenever an Official Plan Line has been established for any street or proposed street, yards required by this Ordinance shall be measured from such Plan Line and in no case shall the provisions of this Ordinance be construed as permitting any encroachment upon any Official Plan Line.

5106.15 Where an accessory building is attached to the main building, it shall be made structurally a part of and have a common roof with the main building, and shall comply in all respects with the requirements of this Ordinance applicable to the main building. Unless so attached, an accessory building in an "R" District shall be located on the rear one-half (1/2) of the lot and at least eight (8) feet from any dwelling building existing or under construction on the same lot, or any adjacent lot. Such accessory building, when used as a garage, shall not be located within five (5) feet of any alley or, in the case of a corner lot, to project beyond the front yard required or existing on the adjacent lot but may extend to within one foot of the property line. Notwithstanding

ANG USED
SWIMMING POOLS
SEWBACK VARIANCES
USE PERMITS C.M.R-3, R-4
CONDOMINIUM



City of Morro Bay
Public Services/Planning Division
Current Project Tracking Sheet

Agenda No: C-1

Meeting

Date: 1/18/12

This tracking sheet shows the status of the work being processed by the Planning Division

New items or items which have been recently updated are italicized. Approved projects are deleted on next version of log.

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
Hearing or Action Ready							
1	Danta	2890 Ironwood	10/11/11	AD0-068	Variance for decks encroaching into setbacks.	KW	PC
2	Dengate	2230 Hemlock	11/28/11	CP0-368	Demo/Reconstruct SFR	SD	AD
3	Virg's	1169 Market	11/1/11	SP0-141	Sign Variance for 4 Off Premise Signs. Planning Commission at their 1/4/2012 meeting approved one sign and denied three. Applicant has appealed the P.C. decision to C.C.	KW	CC
30 -Day Review, Incomplete or Additional Submittal Review							
4	Frantz	499 Nevis	9/27/2010, resubmittal date of 1/3/12	CP0-337	New SFR. Incomplete Letter 10/7/10. Meeting with applicant's representative on 11/16/2010. Applicant has indicated that he is redesigning project-project placed on hold. Applicant resubmitted building permit plans but has not completed the submittal for the Coastal Development Permit 11/14/11. Incomplete letter, applicant needs to submit for CDP and pay associated fees 12/13/11. Payment recieved 1/3/12. Plans received 1/3/12.	SD	AD
5	Sturgill	1885 Ironwood	3/23/11	CP0-349 /UP0-316 /S00-107	Multifamily 16 Townhouses. Incomplete letter 4/21/11. Resubmittal and redesign 7/5/11. Project submitted to consultant to begin environmental. Project redesigned to a 14 townhouse project. Letter sent by SWCA (consultant). Environmental Noticed for 30 day review ending 1/12/2012. SCH 2011121046	KW	PC
6	Chevron Pipeline	4600 Hwy1	7/11/11	S00-110	Certificate of Compliance. Waiting on applicant to submit property owner authorization	KW	AD
7	Held	901-915 Embarcadero	7/21/11	UP0-342	Application for improvements to existing building. Proposes new unit, bathroom and water improvements. Met with applicant on September 2011 and again in November 2011. Project routed for initial review.	SD	PC
8	Perry	3202 Beachcomber	9/8/11	AD0-067	Variance. Demo/Reconstruct. New home with basement in S2.A overlay. Public Works requested flood study. Planning requested status of CDP for house and LLA for parcels	KW	PC
9	Valleyly	460 Olive	10/24/11	CP0-363	Demo/Rebuild. Resubmittal 11/11/11.	SD	AD
10	Loomis	660 Bay	10/27/11	UP0-340 & AD0-069	Remodel and Addition with a Parking Exception. Incomplete letter 11/23/11.	SD	PC

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
11	McDonalds	780 Quintana	10/31/11	CP0-364 & UP0-341	Remodel and Addition.	SD	PC
12	LaPlante	3093 Beachcomber	11/3/11	CP0-365	New SFR. Incomplete Letter 12/12/11. Phase 1 Arch Report required and Environmental Document.	SD	AD
13	Taylor	3128 Beachcomber	11/9/11	CP0-366	2 Car Garage. Letter going out to applicant indicating project within 300 feet of an arch site requires environmental review.	SD	AD
Projects in Process							
14	City of Morro Bay	Citywide	5/1/2010	AD0-047	Text Amendment Modifying Section 17.68 "Signs". Planning Commission placed the ordinance on hold pending additional work on definitions and temporary signs. 5/17/2010. A report on the status of this project brought to PC on 2/7/2011. Planning Commission made recommendations and forwarded to Council. Anticipate a City Council public hearing on the draft ordinance on May 2011. Scheduled for 5/10/11 CC meeting, item was continued. Item heard at 5/24/11 City Council Meeting. Interim Urgency Ordinance approved to allow projecting signs. The item shall be brought back to City Council first meeting in November. Workshops scheduled September 29, 2011 and October 6, 2011. Workshop results going to City Council December 13, 2011. Continued to 1/10/12 CC meeting.	KW	PC/CC
15	City of Morro Bay	Citywide			City of Morro Bay Bicycle and Pedestrian Master Plan. Administrative Draft Plan was reviewed during a Public Workshop on August 30, 2011. The 2nd draft plan is currently on the October 21, 2011 PWAB agenda. Project being revised. Revised document 1/10/2012	KW	PC/CC
Environmental Review							
16	Larry Newland	Embarcadero	11/21/05	UP0-092 & CP0-139	Embarcadero-Maritime Museum (Larry Newland). Submitted 11/21/05, Incomplete 12/15/05 Resubmitted 10/5/06, tentative CC for landowner consent 1/22/07 Landowner consent granted. Incomplete 3/7/07. Resubmitted 5/25/07 Incomplete Letter sent 6/27/07 Met to discuss status 10/4/07 Incomplete 2/4/08. Met with applicants on 3/3/09 regarding inc. later. Applicant resubmitted additional material on 9/30/2009. Met with applicants on 2/19/2010. Environmental documents being prepared. Applicant working with City Staff regarding an lease for the subject site. Applicants enter into an agreement with City Council on project. Meeting held with city staff and applicants on 2/3/2011. Meeting held with applicant on 2/23/2011. Applicant to provide revised site plan. Staff is processing a "Summary Vacation (abandonment)" for a portion of Surf Street. Staff waiting on applicant's resubmittal	KW	PC
17	Chevron	3072 Main	12/31/08	CP0-301	Remove Underground Pipes. Submitted 12/31/08, environmental reports submitted for review 5/8/09. Project under review. Project routed to other agencies for comment. Environmental being processed. Requested additional documentation 4/29/10. Requested Information submitted 2/9/11. Submitted requested documents 2/9/11. Contacted consulting firm to process environmental document. Consulting firm responded in the process of putting together proposal 6/20/11. Accepted proposal 6/29/11. Staff mail request letter for fees 7/19/11. Received Environmental Document and is under review 9/16/11. Sent document back for comments and corrections 10/14/11. Consulting firm making final changes and corrections 10/24/11. APCD submitted comments 11/1/2011. Sent to applicant for review 11/7/11. Applicant't returned comments 12/7/11. Staff will address comments. Comments sent to consultant 1/10/12	SD	PC

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
Coordinating with Other Jurisdictions							
18	City of Morro Bay & Cayucos	160 Atascadero	7/1/08	EIR	WWTP Upgrade. Submitted 7/1/08, Preparing Notice of Preparation, Staff reviewing Ad Min Draft EIR. Modifications to project description underway and subsequent renoticing. Staff reviewing screencheck document. Public draft out for review and comments. Comment period open until 11/4/2010. Project scheduled for 12-6-2010 P.C. Project rescheduled for 12/20/2010. City Council Meeting on January 11, 2011. Project heard before CCC on March 11, 2011, and additional studies and materials are required. City working with consultant to provide information. Workshops held on 6/27/2011 and 6/28/2011 to receive comments on the proposed Wastewater Treatment Plant (WWTP) Upgrade Project alternatives analysis process, candidate evaluation criteria, and preliminary site identification. Adm. draft of fine screen analysis completed. Staff and consultants currently working with CCC staff for De Novo hearing tentatively scheduled for April 2012	RL	PC/CC/RW QCB
Projects Continued Indefinitely, No Response to Date on Incomplete Letter or inactive							
19	Kenneth & Lisa Blackwell	2740 Dogwood	07/20/07	UP0-178	Addition to nonconforming residence. Submitted 7/20/07, Complete, tentative PC 9/17/07 Continued, date uncertain Resubmitted 10/31/07, PC 12/17/07 Continuation requested by the applicant to a date uncertain. Building permit routed to planning staff and incomplete memo sent to Cathy Weaver. Project was to address an illegally converted garage. Rob S looking into file. Current owner shall address parking issues on site by providing 2nd parking space. Letter to current owner to withdraw UP0-178, 1/3/12.	KW	PC
20	Nicki Fazio	360 Cerrito	08/15/07	CP0-246	Appeal of Demo/Rebuild SFR and 2 trees removal. Planning Commission continued to a date uncertain. Project folder given to Rob S.	KW	PC
21	Burt Caldwell, (Embarcadero 801 LLC)	801 Embarcadero	5/15/08	UP0-212	Conference Center. Submitted 5/15/08, Inc Ltr 5/23 Resubmitted MND Circulating 7/15/08 PC 9/2 Approved, CC 9/22/08 Approved, CDP granted by CCC. Waiting for Precise Plan submittal. Applicant has submitted a request for a time extension on November 4, 2010. Extension granted, now expires 12/11/11. No active submittal. Applicant has requested a second one year extension which is scheduled for action at the 12/7/2011 P.C. meeting. Planning Commission approved time extension, will expire on December 11, 2012.	KW	PC
22	Ron McIntosh	190 Olive	8/26/08	UP0-232 & CP0-288	New SFR. Submitted 8/26/08, Inc. Letter 9/24/08; Resubmitted 12/10/08, 1/9/09 request for more information. Applicant resubmitted on 2/06/09. Environmental under review. Applicant and City agree to continuance. Applicant put project on hold.	SD	PC
23	Pina Noran	2176 Main	10/3/08	CUP-35-99 & CDP-66-99R	Convert commercial space to residential use. Submitted 10/03/08, Inc. Later 10/22/08, resubmitted 2/5/09. Project still missing vital information for processing 11/30/09. Called applicant 3/22/10 and requested information. Applicant is considering a redesign of the project.	KW	PC
24	James Maul	530, 532, Morro Ave 534	3/12/10	SP0-323 & UP0-282	Parcel Map. CDP & CUP for 3 townhomes. Incomplete letter sent 4/20/10. Met with applicant 5/25/10. Resubmittal 11/8/10. Resubmittal did not address all issues identified in correction letter.	SD	PC

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
25	Hamrick Associates	1129 Market	6/10/10	UP0-291	Remodel and Addition. Incomplete letter 6/23/10. Submitted additional information 6/30/10. Submitted additional information 7/7/10. Building Comments. 7/9/10. Met with agent 7/15/10. Applicant will resubmit addressing fire/building comments.	SD	PC
26	Romero	291 Shasta Ave	1/19/11	CDP-341	Coastal Development Permit for single family residence. Incomplete Letter 2/18/11.	SD	AD
27	Hoover/Hough	301 Main	7/6/11	S00-108	Lot Line Adjustment. Letter sent indicating project can not be supported as submittal advised to redesign 9/21/11. Received letter from agent requesting to place project on hold.	KW	AD
28	Randell	300 Piney	7/20/11	S00-111	Tentative Parcel Map. 4 lot subdivision. SRB. Incomplete letter 10/4/11.	SD	AD
Projects in Building Plan Check							
29	Frantz	499 Nevis	9/27/10	Building	New SFR. Incomplete Memo 10/7/10. Resubmitted 11/14/11. Coastal Development Permit Required. Incomplete Letter sent 12/13/11 requesting CDP submittal. Resubmitted CDP plans and paid monies.	SD	N/A
30	Viole/Held	575 - 591 Embarcadero	11/1/10	Building	New Commercial Building. Incomplete Memo 12/2/10. No response from applicant (2/3/11). Applicant had issues to resolve with the CCC and those have now been resolved. Based on the CCC's action a redesign is being pursued. Resubmittal 9/13/11. Project on hold until applicant submits Coastal Development Permit.	SD	N/A
31	Lapp	1548 Main Street	3/1/11	Building	Express Check. Wind and solar System. Incomplete Submittal 3/15/11. Resubmittal 3/3/11. Incomplete letter 3/24/11. Resubmittal 3/28/11. Incomplete letter 4/14/11.	SD	N/A
32	Rowland	2630 Maple	4/14/11	Building	Elevator. Denied project because elevator was located in 20'x20' garage, where 2 covered and enclosed parking spaces are required, letter sent 4/18/11. Resubmittal 5/25/11. Incomplete memo 6/9/11.	SD	N/A
33	Kimbrell	323 Shasta	4/15/11	Building	Stairs and Railing Replacement. Incomplete Letter 4/18/11.	SD	N/A
34	Olson	2740	5/4/11	Building	SFR Remodel and Addition. Incomplete Memo 5/17/11. Incomplete Memo 12/12/11. Letter sent to app	SD	N/A
35	Calandra	2749 Coral	8/31/11	Building	New SFR in Cloisters. Incomplete letter 9/30/11. Resubmitted plans 12/05/2011	SD	N/A
36	Hoover	301 Main	9/13/11	Building	Single Family Addition to a non-conforming property. Lot Line adjustment in process, not shown on plans. Incomplete memo. Resubmittal 11/9/11. Issues were not addressed in incomplete memo. Incomplete memo 11/14/11. Multiple additions to a non-conforming property, CUP required.	SD	N/A
37	Mclean	2230 Emerald	9/20/11	Building	Photovoltaic System.	SD	N/A
39	Williams	2920 Cedar	10/27/11	Building	SFR Addition. Does not conform to existing approvals/permits on file. Incomplete Memo 11/14/11.	SD	N/A
40	LaPlante	3093 Beachcomber	11/3/11	Building	New SFR. Incomplete Letter 12/12/11. Phase 1 Arch Report required and Environmental Document.	SD	N/A
41	Moscardi	2768 Alder	11/10/11	Building	New SFR.	SD	N/A
42	Ravin	485 Estero	11/13/11	Building	Conversion of Non-habitable Area to Habitable. Incomplete Memo 12/14/11.	SD	N/A
43	Burger King	781 Quintana	11/29/11	Building	Parking Lot. Incomplete Memo 12/19/11.	SD	N/A
44	Botich	206 Main	12/7/11	Building	Addendum: Structural Modification to Deck. Incomplete Memo 12/19/11. Incomplete Memo 1/5/12.	SD	N/A
45	Swanson	690 Sequoia	12/7/11	Building	6ft Extension to an Existing Upper and Lower Deck.	SD	N/A
46	Carlstrom	482 Kern	12/21/11	Building	SFR Demo/Reconstruct.	SD	N/A

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
Aging Building Permits - No response from applicant in more than 90 days.							
47	Don Doubledee	360 Morro Bay Blvd	5/15/09	Building	Mixed Use Project - Ciano. Comments sent 2/25/10.	SD	N/A
48	Valori	2800 Birch Ave	2/10/10	Building	Remodel/Repair. Sunroom, garage, and study. Comments sent 2/24/10	SD	N/A
49	Colhover	2800 Dogwood	3/8/10	Building	New SFR. Comments sent 3/25/10.	SD	N/A
50	Hall	2234 Emerald Circle	12/2/10	Building	New SFR. Incomplete Memo 12/21/10.	SD	N/A
51	Romero	291 Shasta Ave	1/19/11	Building	New single family residence. Incomplete Letter 2/18/11.	SD	N/A
52	Viole/Held	575 - 591 Embarcadero	8/9/11	Building	New Dock and Gangway. Incomplete/Clarification Memo 8/19/11. Resubmittal 9/13/11.	SD	N/A
53	Viole/Held	575 - 591 Embarcadero	11/1/10	Building	New Commercial Building. Incomplete Memo 12/2/10. No response from applicant (2/3/11). Applicant had issues to resolve with the CCC and those have now been resolved. Based on the CCC's action a redesign is being pursued. Resubmittal 9/13/11. Project on hold until applicant submits Coastal Development Permit.	SD	N/A
54	Markowity	589 Morro Avenue	8/17/11	Building	Roof Deck. Plans returned to Brian, because the plans were incomplete. Resubmittal 9/20/11. A major modification shall be pursued, incomplete memo 10/3/11.	SD	N/A
Final Map Under Review							
55	Zinngarde	1305 Teresa	5/9/11	Map	Final Map. Public Works review of the final map, CCR's and conditions of approval. Plans 8/5/11. Comments given to applicant, held meeting on 9/27/2011 regarding comments. Applicant resubmitted CCRS	KW	CC
56	Medina	3390 Main	10/7/11	Map	Final Map. Issues with ESH restoration. Meeting with applicant regarding ESH Area and Biological Study. Applicant proposing administrative amendment.	KW	CC
Projects & Permits with Final Action							
57	Ortega	525/527 Atascadero	9/26/11	Map	Final Map. Reviewed Maintenance Agreement and Deed Restriction. Approved Maintenance Agreement and Map.	KW	CC
58	City of Morro Bay	Citywide	3/22/11	A00-013	Zoning Text Amendment proposing to amend Section 17.48.320 (Secondary Units) modifying the section to be consistent with State regulations. Eliminating the need for a conditional use permit and other minor changes. Staff working on environmental review. Environmental complete and at the State Clearinghouse for review period. Project scheduled for 12/7/2011 P.C. Continued to a date certain, 1/4/11 PC Meeting.	KW	PC/CC
59	Medina	3390 Main	11/15/11	S00-089	Amendment to to Driveway Plan. Project Noticed 11/21/11. Received substantive comments, and project was elevated to Planning Commission Hearing. Scheduled for January PC meeting.	SD	PC
60	Viau	821 Pacific	11/28/11	S00-109 and AD0-065	Amendment to PC Approvals. Request to delete condition for parking space.	KW	PC
61	Barnard	427 Morro Bay Blvd	11/28/11	Building	Tenant Improvements.	SD	N/A



City of Morro Bay

Public Services/Planning Division

Advanced Planning Work Program

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Work Item	Requested by	Date Requested	Comments	Estimated Staff Hours	Planning Commission	City Council	Coastal Commission
Updating the Strategic plan matrix for managing the greening process	City Council	2009	Original green matrix went to P.C. on 7/6/09 and then to C.C. on 12/14/09. Now subject to annual updates	20 to 40	Annual Updates	Annual Updates	
Draft Urban Forest Management Plan	City Council	2007		200 to 300	TBD	TBD	
CEQA Implementation Guidelines	City Council	2006		120 to 160	TBD	TBD	NA
Downtown Visioning	City Council	2010		120 to 160	TBD	TBD	
PD Overlay	City Council	2006		80	TBD	TBD	
Annexation Proceeding for Public Facilities (Chorro Valley well sites)	City Council	2007		TBD		TBD	
Sign Ordinance Update	City Council	2010	Workshops Scheduled for September 29 and October 6, 2011	150 to 250 + consultant hrs	2/16/11	11/1/11	
Pedestrian Plan	Planning Commission	2008	City of Morro Bay Bicycle and Pedestrian Master Plan. City hired consultant to draft the plan. Administrative Draft Plan was reviewed during a Public Workshop on August 30, 2011. The 2nd draft plan is currently on the October 21, 2011 PWAB agenda. Project is now being revised. Revised document submitted 1/10/2012 to Planning Department for	550 Hours	TBD		
Subdivision Ordinance Clean up	Planning Commission	2011	Commissioner Irons is lead. Two meeting held on identifying issues. Irons/Nagy/Wold	100-150	TBD	TBD	TBD
Updated Zoning Ordinance	CC based on CCC letter	2010		1,800	TBD	TBD	TBD
Updated General Plan/LCP	CC based on CCC letter	2010	Subcommittee formed. Meetings held are: 11/9/11 to develop plan of action ecreation Element, 12/7/11 to review Access & Recreation Element. Changes were made but not yet finalized. 1/9/12 to review Harbor Resources Element Next meeting scheduled for 1/30/12 to discuss Visual Resources	1,800	TBD	TBD	TBD



AGENDA ITEM NO: D-2
DATE: 1-18-2012
ACTION: _____

Planners Institute & Mini Expo 2012

Tuesday, March 20 – Thursday, March 22
★ New Weekdays for 2012 ★
Fairmont Hotel, San Jose

REGISTRATION AND HOUSING DEADLINE:
Wednesday, February 22
www.cacities.org/events

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CITY FINANCE 101
GREEN CITY
LESSONS
ECONOMY
DEVELOPMENT
PLANNING TOOLS
ETHICS
FINANCE GAINING PROJECT COLLABORATION
PUBLIC TRUST

TUESDAY, MARCH 20

REGISTRATION

10:00 a.m. - 5:00 p.m.

FIRST-TIMER'S ORIENTATION

11:00 a.m. - Noon

Are you a new commissioner or planner? Is this your first Planner's Institute? Learn about the League and what it has to offer you. Get tips on maximizing your first conference experience.

OPENING GENERAL SESSION

1:00 - 1:45 p.m.

League of California Cities & Legislative Update

Receive an update on the League's strategic goals and issues. Hear about legislation impacting planners and what may be on the horizon.

PRESIDING OFFICER:

Donna Kerger, Planning Commissioner, San Ramon, President, Planners Department

SPEAKERS:

Kirstin Kolpitzke, Legislative Representative, League of California Cities
Dwight Stenbakken, Deputy Executive Director, League of California Cities

CONCURRENT SESSIONS

2:00 - 3:15 p.m.

City Finance 101 for Planners

Land use decisions have fiscal implications. Learn the basics of municipal taxes, fees and intergovernmental revenues. Discuss hot topics, recent changes in state law and the state budget, as well as the relationship between municipal finances and community development.

SPEAKER:

Michael Coleman, Fiscal Policy Advisor, League of California Cities, CaliforniaCityFinance.com, Davis

Economic Development, Planning and Sustainability: Creating Vibrant Communities

In today's tough economic climate, local officials are finding that sustainable cities are communities that foster and maintain a high quality of life. These cities are also more prosperous and fiscally sound. Learn how different cities are using sustainability principles to plan and create vibrant communities enhancing their local economies while also conserving resources, improving the environment, and strengthening the fiscal bottom line.

SPEAKERS:

Paul M. Gorte, Acting Community Development Director/
Redevelopment Manager, Taft
Ron Loveridge, Mayor, Riverside

TUESDAY, MARCH 20

The New Normal Requires New Rules for Success

While a collapse of the financial system and downfall of market capitalism has been averted, conditions are still weak and fragile. The new normal requires a new set of rules for success. No longer can prosperity depend on excessive consumption, supported by asset inflation, and the use of leverage. Gain information and insight about what the foundation for a more prosperous and sustainable future requires. Discover suggestions on how successful cities and regions will contribute to and benefit from a more productive and sustainable economy through changes in their land use mix and other policies.

MODERATOR AND SPEAKER:

Frank Benest, Ed.D., ICMA Senior Advisor

SPEAKER:

Aaron Gruen, Principal, Gruen Gruen + Associates

CONCURRENT SESSIONS

3:45 - 5:00 p.m.

A Simple Approach to CEQA — Is that Possible?

The California Environmental Quality Act (CEQA) is one of the most important state laws affecting local planning decisions. It requires cities to examine and disclose potential environmental effects of projects before they are considered for approval. Demystify CEQA by looking at the primary objectives, describing the process and offering advice on how to avoid common mistakes.

SPEAKER:

Patricia Curtin, Land Use Lawyer, Morgan Miller Blair, Planning Commissioner, Lafayette

Are You More Than a Gatekeeper? Planning Commissioners as Agents of Change

Do you want to actively advocate for change in your community, but wonder how much freedom you have to do so? How can you lead a community through change while having little or no power? Discuss with others who have made that successful leap.

SPEAKERS:

Lois Fisher, CNU, LEED AP ND, President, Fisher Town Design, Planning Commissioner, Windsor
Hank Koning, Architect, Koning/Elzenberg Architects, Former Planning Commissioner, Santa Monica

TUESDAY, MARCH 20, *Continued*

Doing More with Less — Success Stories

These have been the toughest economic times many cities have had to endure. Hear success stories of how service to the public and commissions can be maintained with diminishing resources. Real solutions include the use of technology to increase service levels, how zoning can play a role in attracting business and reducing the time to obtain permits, and creative staffing solutions.

SPEAKERS:

Randy Tsuda, Director of Community Development, Mountain View Planning Commissioner, Milpitas

Planners Mini Expo and Reception

5:00 - 7:00 p.m.

Join your colleagues from the Public Works Officers Institute for networking and light fare. Exhibitors will be on-hand to showcase cost-effective methods and products to benefit your city.

WEDNESDAY, MARCH 21

REGISTRATION

7:30 a.m. - 2:00 p.m.

GENERAL SESSION WITH PUBLIC WORKS

9:00 - 10:30 a.m.

Transformational Technology — Gaining Project Collaboration

Get a firsthand look and real-time experience on a new piece of technology that can improve your projects and plans. Experience how this technology could revolutionize the way that public works, planners and the public can all weigh-in through a creative, constructive manner to achieve an end result that is beneficial to all.

FACILITATOR:

Darin Dinsmore, CEO, Crowdbright

CONCURRENT SESSIONS

11:00 a.m. - 12:30 p.m.

Mountain Communities to Urban Centers — the Benefits of Specific Plans for Sustaining Cities

Specific plans are tools used by cities to develop unique places that can promote sustainability and enhance their communities. Identify how small communities promote sustainability through the use of specific plans. Hear a developer's perspective on how to make projects like these work and what cities can do to foster a public/private relationship.

SPEAKERS:

Darcy Forsell, AICP, Planner, San Mateo
Denyelle Nishimori, Associate Planner, Truckee

No Stupid Questions

Join your colleagues for a lively, interactive and open discussion. Share your questions, vent your frustrations and hear how others have solved similar problems or suffered similar dilemmas. There are no stupid questions or talking heads.

SPEAKER:

Robert Combs, Planning Commissioner, Danville

Tips to Help You Read and Understand an Environmental Impact Report (EIR)

The purpose of the environmental review process in California is not to generate paper, but to compel government at all levels to make decisions with environmental consequences in mind. How can you meet this challenge when Environmental Impact Reports are often 300+ pages long, full of jargon, acronyms and technical information? Do you even know what you're supposed to look for? Practical tips for reading EIRs will help focus on the most important issues in your role as Planning Commissioner.

SPEAKER:

Larry Wiener, Richard Watson and Gershon, City Attorney, Beverly Hills

Networking Lunch

12:45 - 2:00 p.m.

Network with your colleagues. Make connections and share experiences.

MOBILE TOURS

\$25 sign-up fee

2:00 - 5:00 p.m.

To attend the mobile tours you need to register online. The tours will be on a first-come, first-served basis. Your tour coupon will be included in your registration packet. Once a tour is filled, it will be marked online as "Not Available." There will be no refunds.

Retail Grows Up: Santana Row (Bus Tour)

Old tired retail centers are dotted across the state that, if thought about differently, provide opportunities for communities to rethink how growth happens. San Jose is reshaping the traditional suburb with its newly adopted Envision 2040 General Plan that creates over 70 new mixed use villages around the city. Learn about the grand plan and tour Santana Row, the ultimate "from the ground up" village. Visit this well-seasoned mixed-use community with over 70 shops, 20 restaurants, 6 spas, one hotel, and high density residences. Is it a hip neighborhood or a faux main street? Come debate and see what you can learn to bring home to your community.

TOUR GUIDE:

Jeannie Hamilton, Division Manager with the Department of Planning, Building and Code Enforcement, San Jose

What's Going Down (and UP) in Downtown San Jose Walking Tour

As the State's first settlement in 1777, downtown San Jose is continuing to evolve as a vibrant mixed use district. The skyline and urban fabric are being transformed by adaptive reuse of historic buildings and recent high-rise mixed-use development. Focus on downtown revitalization, transit-oriented development, and historic preservation. Hear the stories that preserved city landmarks such as the California Theater, Jose Theater, and Montgomery Hotel and see historic districts such as the Downtown Commercial and St. James Square Historic Districts. Visit high-rise mixed-use residential projects such as 360 Residences and the 88. During this one-mile walk, learn about the challenges balancing downtown entertainment with other uses, and the innovative partnerships with neighboring San Jose State University.

CONCURRENT SESSIONS

2:30 - 4:30 p.m.

Essential Planning Tools: General Plans, Specific Plans, and the Zoning Code



Effective Planning Commissioners must understand the basics of key planning tools. Receive an overview of General Plans (including the Housing Element), Specific Plans, and the Zoning Code. Discover their roles in the preparation and implementation of these tools. Investigate how these planning efforts are being used to address emerging issues (such as climate adaptation and public health). Discover how all the pieces fit together.

MODERATOR AND SPEAKER:

Donna Kerger, Planning Commissioner, San Ramon

SPEAKERS:

David Early, Principal, The Planning Center/DC&E

Laurel Prevetti, Assistant Planning Director, San Jose

Ethics and the Public's Trust in Your Planning Decisions: AB 1234 Training

Satisfy the state ethics education requirements for local officials, requiring two hours, every two years. Learn public service ethics laws and principles applicable to your role in the planning process. You must attend the full two-hours to receive a certificate of attendance.

SPEAKER:

Michael D. Martello, Special Counsel, Ethics Project, Institute for Local Government

Partnerships: Transportation Trifecta and City School Partnerships

Urban and transportation planners from regional and state levels have not always agreed on transportation corridor solutions related to local land uses. Hear about experiences that ultimately led to success for a majority of the stakeholders. Cities and schools also have difficulty in finding common ground in order to leverage resources to the benefit of both students and citizens. Examine a unique concept that helped meet multiple goals.

PRESIDING OFFICER:

Peter Pirnejad, Asst. Director ECD, Daly City, 2nd Vice President, Planners Department.

SPEAKERS:

Corinne Goodrich, Strategic Development Manager, San Mateo County Transit District Planning & Development

Beth Thomas, Community Planning Branch Chief / Pedestrian Coordinator, Office of Transit & Community Planning, Caltrans District

NETWORKING BREAKFAST

8:00 - 9:15 a.m.

CONCURRENT SESSIONS

8:15 - 9:45 a.m.

Lessons Learned from Creating a Sustainable Communities Strategy

Communities are in the midst of creating the first ever sustainable communities strategy (SCS) since the passage of SB 375 and regions are in various stages of development and adoption. This is an opportunity to learn about the expectations, pitfalls, and patience needed to create a successful SCS for each step of the process. Learn how potential changes at the state level may affect your SCS.

SPEAKERS:

Gary Gallegos, Executive Director, San Diego Association of Governments

Planning Commissioners Roles & Responsibilities



What is a planning commissioner's role in the community? What is the relationship between the city council and the planning commission? What tools and resources will help commissioners make the best planning decisions? Join the discussion on how to improve work effectively.

SPEAKERS:

Ananya Choudhuri, Planning Commission Chair, Davis
Renee Gurza, Sr., Deputy City Attorney, San Jose

Parking Requirements in Transit Intensive Areas

In recent years, legislation has been introduced regarding parking standards for transit intensive areas. Cities must strike a delicate balance between promoting infill development and ensuring adequate parking for a community. Who should determine what the right amount of parking is? Are there incentives for cities to provide the right amount of parking? Is there a better way to plan for parking? Gain new insights from different perspectives and determine how this issue impacts your city and community.

SPEAKERS:

Kirstin Kolpitcke, Legislative Representative, League of California Cities
Donald Shoup, Dept. of Urban Planning, UCLA

Closing General Session — The 2012 Economy — Will It Delight, Disappoint or Dismay?

10:00 - 11:00 a.m.

What will the economy look like this year? Carole Rodoni, returns back by popular demand and excellent reviews, to speak about the financial markets and hot topics.

PRESIDING OFFICER:

Mark Persico, Director of Development Services, Seal Beach, 1st Vice President, Planners Department

SPEAKER:

Carole Rodoni, Bamboo Consulting, San Mateo

Adjourn

11:00 a.m.

Save the Date:

League of California Cities
Annual Conference

September 5-7, 2012

SAN DIEGO CONVENTION CENTER

★ *American Institute of Certified Planners (AICP) credits will be available.*

LOCAL PROPOSAL
 ENHANCE THRIVE LEADERSHIP SKILLS BUSINESS GIVE
 SUSTAINABLE
 POSITIVE SOCIAL MEDIA
 DEVELOPMENT CITY GREEN BUDGET
 HOUSING CITY
 INTERNATIONAL SOURCES
 WATER STATE OF ECONOMY LIFE
 LEARN LESSONS
 MANAGE SOLUTION ORGANIZATION
 FINANCE DEVELOPMENT
 CLEAN AIR PUBLIC TRUST
 GAINING PROJECT COLLABORATION
 STRATEGIES WATER
 COMMUNITY
 CITY FINANCE 101
 ENVIRONMENTAL
 IMPACT REPORT PLANNING TOOLS
 AFFORDABLE
 GROWTH

GENERAL INFORMATION

Register for the conference

All attendees must register for the conference online prior to reserving a hotel room. Registration is not complete until full payment is received. Once registration is complete, you will be directed to the housing registration page.

- For online registration, or to download a form if paying by check, please visit our website at www.cacities.org/events.
- Registration badges must be worn at all times during the conference.

COSTS/FEES



If you require special accommodations related to facility access, tour transportation, communication and/or diet, please contact our Conference Registrar at 916/658-8291 before February 22.

Full Conference – includes one breakfast, one lunch and a mini-expo reception

City Staff/Officials	\$525
All Others	\$650
Non Member City.....	\$1525

NEW! One day registration (Select Tuesday only or Wednesday only)

City Staff/Officials	\$275
All Others	\$425
Non Member City.....	\$1275

Spouse Reception Registration (on-site only) \$35

Note: it is not advisable to use city funds to register a spouse. See 75 Ops. Cal. Atty. Gen. 20 (1992). Consult your city attorney for more information.

Optional Mobile Tours:

The following tours are offered at \$25 per person. Pre-registration and payment for the tours is required (first-come, first-served). One tour per attendee only. Spouses are not eligible for educational tours due to limited space.

Retail Grows Up: Santana Row (Bus Tour)	\$25
What's Going Down (and UP) in Downtown San Jose (Walking Tour)	\$25

Cancellations

Refunds will be made for cancellations submitted in writing to mdunn@cacities.org and received by Wednesday, February 29, subject to a \$75 processing charge. Sending a substitute onsite will avoid the financial penalty. No refunds are available after this date.

Hotel Information & Reservations

Hotel reservation changes must be done directly through the hotel's online reservation system, prior to Wednesday, February 22. After this date, all changes may incur a financial penalty, a minimum of a one-night room charge and attrition fees.

The Fairmont Hotel San Jose

170 South Market Street, San Jose, CA 95113

Event Rate (per night): \$169 (plus tax and fees).

Valet parking only \$26 per day (subject to change without notice)

* Please DO NOT book outside of the League hotel block. This will cause an increase in event costs, liabilities and higher registration rates.