

AGENDA ITEM: A-1

DATE: January 4, 2012

ACTION: APPROVED

SYNOPSIS MINUTES - MORRO BAY PLANNING COMMISSION
REGULAR MEETING – DECEMBER 7, 2011
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 – None.
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 November 2, 2011

STAFF RECOMMENDATION: Approve minutes as submitted.

MOTION: Commissioner Irons moved to approve the Consent Calendar. The motion was seconded by Commissioner Nagy and carried unanimously. (5-0)

B. PUBLIC HEARINGS

B-1 **Case No.: #A00-012 (Amendment to Conditional Use Permit) & #CP0-361 (Conditional Use Permit)**
Site Location: 399 Errol
Applicant/Project Sponsor: Mission Linen
Request: Proposes awning over existing outdoor loading area to protect loading activities from the weather.

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CEQA Determination: Mitigated Negative Declaration

Staff Recommendation: Conditionally Approve Amendment #A00-012 to Conditional Use Permit and Coastal Development Permit #CP0-361 and adopt Mitigated Negative Declaration.

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

Chairperson Grantham opened the Public Comment period.

Josh Offill, General Manager of Mission Linen, presented a brief background of the proposed project requesting approval from the Planning Commission.

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

Davis presented the staff report.

Commissioners stated their support for the project.

MOTION: Commissioner Nagy moved to conditionally approve the project with the Conditions listed in Exhibit B. The motion was seconded by Commissioner Solu and carried unanimously. (5-0)

B-2 Case No.: #UP0-212 time extension

Site Location: 801-833 Embarcadero

Applicant/Project Sponsor: Burt Caldwell (Embarcadero 801 LLC)

Request: Applicant has requested a time extension for the time period allowed to submit a Precise Plan. The request is for a one year extension with the expiration date to be December 11, 2012.

CEQA Determination: None required

Staff Recommendation: Approve the one year time extension.

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

Davis presented the staff report.

Chairperson Grantham opened the Public Comment period and hearing no comment, closed the Public Comment period.

Commissioners stated their support for the extension request.

MOTION: Chairperson Grantham moved to grant a one-year extension for the time period allowed to submit a precise plan until December 11, 2012. The motion was seconded by Commissioner Irons and carried unanimously. (5-0).

B-3 Case No.: #CP0-359

Site Location: 2 State Park Road

Applicant/Project Sponsor State of California

Request: Install a 2,500 square foot pre-fab modular office building at the Eucalyptus grove complex within the State Park at Morro Bay.

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CEQA Determination: Categorically exempt for CEQA under Class 3
Staff Recommendation: Approve Coastal Development Permit #CP0-359
Staff Contact: Kathleen Wold, Planning and Building Manager (805) 772-6211

Davis presented the staff report.

Chairperson Grantham opened the Public Comment period.

Doug Barker, Applicant Representative, presented a brief background of the proposed project and noted that the request to install the pre-fab office building is due to State budget cuts. Additionally, Mr. Barker noted the favorable economic impact that will be created from the 8-10 employees who will now be working in Morro Bay rather than Los Osos.

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

Commissioners stated their support for the project. Commissioners also discussed an email letter received from a Morro Bay resident which the concerns stated were discussed with staff and the applicant.

MOTION: Chairperson Grantham moved to approve #CP0-359 stipulating a 2,500 square foot pre-fab modular office building. The motion was seconded by Commissioner Solu and carried unanimously. (5-0)

B-4 **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

Livick and Davis presented the staff report.

Davis noted that secondary units, previously known as granny units, required a minor use permit and deed restriction, but that does not meet State Code. Davis explained the purpose of the Zoning Text Amendment is to bring the City's Zoning Ordinance in conformance with the State's requirements. Davis continued to explain the proposed changes to the Zoning Text Amendment including areas such as progressive zoning, lot coverage, design, size, parking, compliance with Title 14, and use limitation.

Commissioners discussed with Davis the various details of the Zoning Ordinance which cover secondary units and why the current ordinance is not currently in conformance with State code.

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Commissioners Irons read from the State code language and questioned the interpretation stating the Zoning Ordinance is out of conformance. Irons stated the State code just says cannot build more than 1,200 square feet, but it also says that the City can impose standards on the second unit, including maximum size of the unit. Davis responded that City Council has directed to impose the maximum allowable square footage. Livick responded that the State dictates that a jurisdiction cannot limit how a property is rented.

Commissioner Irons asked if the Housing Element currently states a conditional use permit is needed, will that require a General Plan amendment to modify the Housing Element. Livick replied yes and stated the Planning Commission can choose to vote to recommend approval, but a General Plan amendment will have to be brought back at a later date.

Chairperson Grantham opened the Public Comment period.

Roger Ewing, resident of Morro Bay, spoke against the proposed changes urging the Planning Commission not to approve. Ewing stated the reasons we have the current code was due to past overbuilding and in order to give the City a sense of community. Mr. Ewing also stated that 1,200 square feet is too big and said the City Attorney should be here.

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

Commissioners discussed continuing this item to allow the City Attorney to be present and to also allow additional time to review the proposed zoning changes.

MOTION: Chairperson Grantham moved to continue this item to the January 4, 2012 Planning Commission meeting and to have the City Attorney present to answer any of the technical questions. The motion was seconded by Commissioner Solu.

Commissioner Irons suggested making a different motion to continue on working through the proposed changes. No consensus was reached for that suggestion.

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

UNFINISHED BUSINESS

C-1 Current Planning Processing List/Advanced Work Program

Livick reviewed the Work Program with Commissioners.

NEW BUSINESS

D-1 Terms of current Planning Commissioners, application procedures for open positions and procedures/timing for the nomination of officers.

Chairperson Grantham reviewed the terms expiration dates of the Commissioners.

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D-2 Discussion on Streamlining Procedures within Title 16 (Subdivision Ordinance) and identifying issues with implementing the document.

Commissioner Irons started the discussion and stated the Subdivision Ordinance was first brought up at the Joint City Council/ Planning Commission meeting. Irons noted that resolving internal inconsistencies within the Subdivision Ordinance would help to streamline projects. Irons stated by forming a subcommittee which can have discussions with Kathleen Wold, the Planning and Building Manager, the areas that need improvement can then be identified so this background information will be done when the Subdivision Ordinance is ready to be redrafted.

Chairperson Grantham suggested that since Commissioner Irons' term is expiring, to meet with Wold before the second meeting in January.

DECLARATION OF FUTURE AGENDA ITEMS

Commissioners agreed to agendize again the discussion on streamlining procedures in the Subdivision Ordinance.

ADJOURNMENT

The meeting adjourned at 8:00 pm to the next regularly scheduled Planning Commission meeting at the Veteran's Hall, 209 Surf Street, on Wednesday, January 4, 2012 at 6:00 pm.

Rick Grantham, Chairperson

ATTEST:

Rob Livick, Secretary