

AGENDA ITEM: A-1

DATE: May 29, 2013

ACTION: APPROVED

SYNOPSIS MINUTES - MORRO BAY PLANNING COMMISSION
REGULAR MEETING – MAY 15, 2013
VETERANS MEMORIAL HALL – 6:00 P.M.

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

PRESENT:	Rick Grantham	Chairperson
	John Solu	Vice-Chairperson
	Michael Lucas	Commissioner
	Robert Tefft	Commissioner
	John Fennacy	Commissioner
STAFF:	Rob Livick	Public Services Director
	Kathleen Wold	Planning Manager
	Cindy Jacinth	Associate Planner

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

PUBLIC COMMENT

Chairperson Grantham opened Public Comment period and hearing none, closed Public Comment period.

PRESENTATIONS – None.

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

CONSENT CALENDAR

A-1 Approval of minutes from Planning Commission meeting of April 3, 2013
Staff Recommendation: Approve minutes as submitted.

MOTION: Commissioner Solu moved to approve the Consent Calendar.

The motion was seconded by Chairperson Grantham and the motion passed (4-0), with Commissioner Fennacy abstaining.

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A. PUBLIC HEARINGS

B-1 *Continued from the December 3, 2007 Planning Commission meeting*

Case No.: Coastal Development Permit #CP0-246

Site Location: 360 Cerrito in the R-1 zoning district

Proposal: Appeal of Administrative Coastal Development Permit #CP0-246 approval for the demolition of an existing 1,183 square foot single-family residence and removal of two trees, and the subsequent construction of a 2,155 square foot single-family residence and an associated 648 square foot garage. This site is located outside of the appeals jurisdiction of the California Coastal Commission.

CEQA Determination: Categorically exempt, Class 1 and Class 3

Staff Recommendation: Deny the appeal and uphold the Director's conditional approval of the project.

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

Wold presented the staff report.

Wold stated the applicant is requesting a continuance to the July 17, 2013 Planning Commission meeting to allow time to address the issues the City outlined in the staff report and that were previously identified. The project has been continued since approximately 2007. Staff has been instructed by City management to bring the project to a close.

Commissioner Lucas asked staff if the Fire Chief allows rooftop fire pits in the City. Wold stated the 2007 project file did not identify the proposed fire pit as an issue.

Wold stated the City should either address the appellant's concerns as of 2007 or decide the applicant needs to reapply. The staff report presented tonight sought to address the issues that existed in 2007. If the Commission determines there are issues that need to be addressed again, Wold stated staff would recommend the Commission deny the project and send it back through or remand it back to the applicant to work with staff as an administrative approval.

Commissioner Lucas asked for clarification regarding the nature of the setbacks for the proposed development. Wold noted the Municipal Code states that lots oriented west to east (as this one is) must establish the west side as the front yard. Wold agreed to revisit the proposed plans to determine the orientation of the front yard and the associated setbacks.

Commissioner Solu asked Wold to further clarify her discussion of corner lots and required setbacks. Wold explained how the proposed site plan relates to the City's current code with regard to front, side, and rear yard setbacks.

Commissioner Tefft expressed concern that the proposed setbacks are too shallow and would thus create serious visibility issues at this corner.

Chairperson Grantham opened Public Comment period and, hearing none, closed Public Comment period.

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MOTION: Chairperson Grantham moved to continue the appeal for Coastal Development Permit #CP0-246 to the July 17, 2013 Planning Commission meeting with direction to revise the plans to reflect the Volbrecht Land Survey, show the edge of pavement line, and show that the setting of the house complies with all R-1 setbacks.

The motion was seconded by Commission Fennacy.

Discussion of the motion:

Commissioner Solu noted the applicant will be installing story poles which should help them meet the conditions imposed by the City.

Commissioner Tefft stated it may be difficult for the applicant to determine the appropriate setback requirements for through-lots in R-1 zones as they are not defined by the City's code.

The motion passed (3-2), with Commissioners Lucas and Tefft dissenting.

B-2 *Continued from April 3, 2013 meeting*

Case No.: Coastal Development Permit #CP0-383

Site Location: nearest address 499 Little Morro Creek Road

Proposal: Request to install a 29 foot wood pole in public right-of-way for purpose of installation of a solar-powered data collector unit for the Advanced Meter project. This site is located outside of the appeals jurisdiction of the California Coastal Commission.

CEQA Determination: Categorical exempt, Class 3

Staff Recommendation: Continue item to May 1, 2013.

Staff Contact: Cindy Jacinth, Associate Planner, (805) 772-6577

Jacinth presented the staff report for Items B-2 through B-4.

Commissioner Lucas asked for clarification from staff regarding whether a change in the radio frequency associated with the data collector units unit would be considered a minor or major modification to the permit. Wold stated the amount of radio frequency is not a land use issue, but the Commission could add a condition to the permit if the applicant decides to change the radio frequency.

Chairperson Grantham opened Public Comment period.

Timothy Mahoney, Applicant's Representative, stated the applicant does have a license with the Federal Communications Commission for a specific bandwidth and they stay within the limits for what they are licensed.

Commissioner Lucas asked Mahoney to clarify whether the applicant intends to change the number of times per day that the data collector is used. Mahoney stated the units will only be used four times per day.

Livick stated the City has imposed a condition on the project which will allow the City to co-locate water meter readings in the future if it decides to implement this infrastructure.

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Chairperson Grantham closed Public Comment period.

Chairperson Grantham, Commissioner Solu, and Commissioner Tefft expressed support for the project.

Commissioner Lucas expressed concern that additional devices may be installed in the future and stated he would like to hold more public hearings before the nature of the equipment changed. Wold confirmed with Lucas that she would like the City to bring any modifications before the Commission for approval even though there is a condition on the permit which would allow the City to co-locate for automatic meter readings in the future.

Commissioners and staff discussed the nature of major versus minor amendments to the permit in the future. Livick confirmed that any major modifications would be brought before the Commission for approval.

Commissioner Fennacy expressed support for the project.

MOTION: Commissioner Fennacy moved to approve Coastal Development Permit #CP0-383 and adopt the Findings included as Exhibit “A” subject to the conditions included as Exhibit “B” and the site development plans dated May 3, 2013.

The motion was seconded by Chairperson Grantham and the motion passed unanimously. (5-0).

B-3 *Continued from the April 3, 2013 Planning Commission meeting – location change*

Case No.: Coastal Development Permit #CP0-384

Site Location: intersection of Morro Bay Blvd & Harbor Streets

Proposal: Request to co-locate on an existing PG&E street light pole, a photo-cell powered data collector unit for the Advanced Meter project. Formerly proposed to be located at 781 Quintana. This site is located outside of the appeals jurisdiction of the California Coastal Commission.

CEQA Determination: Categorically exempt, Class 3

Staff Recommendation: Conditionally approve.

Staff Contact: Cindy Jacinth, Associate Planner, (805) 772-6577

Chairperson Grantham opened Public Comment period and, hearing none, closed Public Comment period.

MOTION: Commissioner Fennacy moved to adopt the Findings included as Exhibit “A,” approving the Coastal Development Permit #CP0-384, subject to the conditions included as Exhibit “B,” and the site development plans dated May 3, 2013.

The motion was seconded by Chairperson Grantham and the motion passed unanimously. (5-0).

B-4 *Continued from the April 3, 2013 Planning Commission meeting – location change*

Case No.: Coastal Development Permit #CP0-385

Site Location: Kings Water Tank, Kings Avenue

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Proposal: Request to install a 29 foot wood pole on property at Kings Water Tank for purpose of installation of a solar-powered data collector unit for the Advanced Meter project. Formerly proposed to be located at 255 Driftwood. This site is located outside of the appeals jurisdiction of the California Coastal Commission

CEQA Determination: Categorically exempt, Class 3

Staff Recommendation: Conditionally approve.

Staff Contact: Cindy Jacinth, Associate Planner, (805) 772-6577

Chairperson Grantham opened Public Comment period and, hearing none, closed Public Comment period.

MOTION: Commissioner Fennacy moved to adopt the Findings included as Exhibit “A,” approving the Coastal Development Permit #CP0-385, subject to the conditions included as Exhibit “B,” and the site development plans dated May 3, 2013.

The motion was seconded by Chairperson Grantham and the motion passed unanimously. (5-0).

UNFINISHED BUSINESS

C-1 Current and Advanced Planning Processing List

Staff Recommendation: Receive and file.

Upcoming Projects: Lemos Pet and Feed Supply

Wold presented the staff report.

NEW BUSINESS

None

DECLARATION OF FUTURE AGENDA ITEMS

ADJOURNMENT

The meeting adjourned at 6:58 pm to the next regularly scheduled Planning Commission meeting at the Veteran’s Hall, 209 Surf Street, on Wednesday, May 29, 2013 at 6:00 pm.

Rick Grantham, Chairperson

ATTEST:

Rob Livick, Secretary