



# CITY OF MORRO BAY PLANNING COMMISSION AGENDA

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*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.*

**Special Meeting - Wednesday, March 12, 2014  
Veteran's Memorial Building - 4:30 P.M.  
209 Surf Street, Morro Bay, CA**

## **PLEASE NOTE SPECIAL TIME**

Chairperson Rick Grantham

Vice-Chairperson Vacant  
Commissioner Michael Lucas

Commissioner John Fennacy  
Commissioner Robert Tefft

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 not on the agenda may do so at this time. In a continual attempt to make the public process open to members of the public, the City also invites public comment before each agenda item. 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) 772-6291. 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 - None

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.:** N/A

**Site Location:** Citywide

**Proposal:** City of Morro Bay Housing Element Update

The State of California requirements for the Housing Element update will be presented and feedback will be solicited from residents and property owners. The State of California requires updates of the City of Morro Bay’s Housing Element generally every five years. As part of the Housing Element update process, the California Department of Housing and Community Development requires that the City conduct a public workshop to provide interested parties an opportunity to participate in the process of obtaining information and setting goals and policies. The purpose of public participation is (1) to educate the public that the City is required by law to provide housing opportunities to all socioeconomic groups, and (2) to engage the public to get their opinions and determine the preferred methods of achieving the requirements that provide housing opportunities to families and individuals from all income segments of the population.

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

C. UNFINISHED BUSINESS - None

D. NEW BUSINESS - None

E. FUTURE AGENDA ITEMS - None

F. ADJOURNMENT

Adjourn to the regular Planning Commission meeting at the Veteran’s Memorial Building, 209 Surf Street, on Wednesday, March 19, 2014, 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](http://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](http://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 No: B-1  
Meeting Date: March 12, 2014

## Memorandum

**TO:** PLANNING COMMISSION           **DATE:** MARCH 7, 2014  
**FROM:** CINDY JACINTH, ASSOCIATE PLANNER  
**SUBJECT:** HOUSING ELEMENT (HE) 2014-2019 PUBLIC WORKSHOP

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### **BACKGROUND/DISCUSSION:**

The City has contracted with the consulting firm PMC to assist in the preparation of the City's 2014-2019 Housing Element update. The City's previous 2009-2013 Housing Element was certified by the State Department of Housing and Community Development (HCD) in 2009. State law requires Housing Elements to be updated every five years. The 2014-2019 Housing Element Update is required to be certified by HCD before June 30, 2014 including a 60 day public review and comment period. To accommodate this deadline, HCD recently released a "Streamlined Housing Element Review Process" that allows jurisdictions a more efficient process for updates.

Staff has provided below a brief overview of what Housing Elements are and detail on the Streamlined Review process.

### **What is a Housing Element?**

State law recognizes the vital role local governments play in the supply and affordability of housing. Each governing body (City Council) of a local government in California is required to adopt a comprehensive, long-term general plan for the physical development of the jurisdiction. The Housing Element (HE) is one of seven mandatory elements of the local general plan. HE law, enacted in 1969, mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The law acknowledges that, in order for the private market to adequately address housing needs and demands, local governments must adopt land use plans and regulatory systems which provide opportunities for, and not unduly constrain, housing development. As a result, housing policy in the State rests largely upon the effective implementation of local general plans and, in particular, local Housing Elements. HE law also requires that State HCD review local HEs for compliance with State law.

It should be recognized that this Housing Element is not:

- A comprehensive amendment to other elements of the General Plan, including but not limited to long-term land uses in the city, jobs-housing balance or fit, growth management, or circulation.
- An ordinance that requires specific components in developments beyond what is stated in the policies, and would be reviewed by the Planning Commission and/or City Council on projects that require legislative review and action, discretionary review projects.
- A requirement that the City develop housing, but rather a requirement that the City identify and make available sites for housing development that serves a variety of income levels.

The consequences for a City without a certified Housing Element include:

- Ineligibility for various types of State funding (e.g. transportation and other infrastructure, affordable housing, etc.); and
- A reduced ability to deny affordable and dense housing projects that would fulfill housing needs otherwise addressed in a certified HE.

### **What is “Streamlined Update” Review and What Makes the City Eligible**

The City of Morro Bay will seek a Streamlined Update review because the City has satisfied HCD’s requirements regarding implementation of the 2009-2013 Housing Element programs in order to be eligible for Streamlined Review. HCD has introduced the Streamlined Review Process as a more efficient option for jurisdictions that have implemented key programs from their previous Housing Elements. Much of the information found in compliance with the State statute for the previous planning period is still current and / or particular conditions and circumstances have not significantly changed since the last update.

### **RECOMMENDATION**

The purpose of the public workshop will be to provide an overview of the Housing Element update process to the community and the Planning Commission as well as seek public input and comment. Staff recommends that the Planning Commission open the public workshop for presentation by the consultant with feedback and input from the Commission and public.