

AGENDA ITEM: A-2

DATE: February 16, 2016

ACTION: APPROVED

ACTION MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – JANUARY 5, 2016
VETERANS MEMORIAL BUILDING – 6:00 PM

PRESENT:	Robert Tefft	Chairperson
	Katherine Sorenson	Vice-Chairperson
	Michael Lucas	Commissioner
	Richard Sadowski	Commissioner
	Gerald Luhr	Commissioner
STAFF:	Scot Graham	Community Development Manager
	Cindy Jacinth	Associate Planner
	Joan Gargiulo	Assistant Planner
	Whitney McIlvaine	Contract Planner

ESTABLISH QUORUM AND CALL TO ORDER

MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE

PLANNING COMMISSIONER ANNOUNCEMENTS - Commissioner Sadowski announced a fundraiser at the Pizza Port for the Morro Bay Bike Park.

PUBLIC COMMENT PERIOD – NONE

PRESENTATIONS – NONE

A. CONSENT CALENDAR

<https://youtu.be/dRubRO9IhmQ?t=3m28s>

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

Chairperson Tefft asked the Planning Commissioners if there were any questions regarding the Current and Advanced Planning Processing List, seeing none it was received and filed.

B. PUBLIC HEARINGS

<https://youtu.be/dRubRO9IhmQ?t=3m53s>

B-1 *(continued from the December 15, 2015 Planning Commission meeting)*

Case No.: #UP0-359

Site Location: 725 Embarcadero, Morro Bay, CA

Proposal: Conditional use permit for construction of new gangway, dock, and seven (7) boat slips which will be 6 private month-to-month rentals and 1 public slip controlled by the Harbor Dept. The dock and slips would be supported by eleven (11) new guide piles consisting of 35 – 55-foot by 16-in diameter 0.375 wall steel. The upper 25 feet of the exterior surface that would be exposed will be coated with a marine grade epoxy/polyurethane coating. All on-site work would occur from a barge stocked and prepared at the APC dock in Morro Bay, and tugged into position for pile installation. The project also includes expansion of

Water Lease Site 82-85W from approximately 50-feet to 93.71-feet. In addition, the project proposes a second story dining deck expansion along the west side of the building. This project is located in the original jurisdiction of the California Coastal Commission.

CEQA Determination: Mitigated Negative Declaration, State Clearinghouse #2015011002

Staff Recommendation: Adopt the Mitigated Negative Declaration and Forward Favorable Recommendation to City Council to Conditionally Approve Concept Plan

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

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS –
Commissioner Sadowski called State Lands Commission staff and asked about the width on the leases.

Chairperson Tefft opened Public Comment period.

<https://youtu.be/dRubRO9lhmQ?t=56m17s>

Steve Puglisi representative for applicant, introduced the project team member who came to the meeting tonight. Puglisi also answered questions the Planning Commission had.

Betty Winholtz, Morro Bay resident, added her comment regarding the eel grass. She asked why do the lease holders have to get bigger and move into more space; noted bigger is not better. She suggested this issue should be discussed sometime.

Chairperson Tefft closed the Public Comment period.

<https://youtu.be/dRubRO9lhmQ?t=1h8m2s>

Chairperson Tefft opened Public Comment period.

<https://youtu.be/dRubRO9lhmQ?t=1h5m37s>

Scott Kimura, Tenera Environmental, stated a comprehensive management plan for eel grass is needed in Morro Bay. Kimura stated eelgrass management for permits are taken on an individual basis as they come in. Kimura clarified what the habitat for eel grass was and covered the allowances for them.

Chairperson Tefft closed the Public Comment period.

<https://youtu.be/dRubRO9lhmQ?t=1h36m44s>

MOTION: Commissioner Lucas moved to approve Resolution PC 04-16 as modified by new conditions 10 through 14.

<https://youtu.be/dRubRO9lhmQ?t=2h23m12s>

10. Improve connections between lateral access on north side of building and existing pedestrian amenities on street end.

11. Public access space and private dining shall be clearly delineated and enclosed with

railing as required by Waterfront Master Plan.

12. Glass windscreen and/or roof of bayside lateral access walkway shall be removed to the extent compatible with outdoor first floor dining facilities located at southwest end of building.
13. Precise Plan shall include a specific sign plan with both commercial tenant and public access signs shown, including but not limited to, plans denoting size and material of sign, location of signs and method of attachment.
14. Plans shall be revised to the greatest extent feasible, to ensure lateral access at the south end of the lease site is able to accommodate a connection point to future lateral access to Lease Site 18.

Vice-Chairperson Sorenson seconded and the motion passed (4-1) with Commissioner Sadowski voting no.

B-2 Case No.: #UP0-433

Site Location: 430 Olive Street, Morro Bay, CA

Proposal: Conditional Use Permit approval for a 500 sq. ft. addition to an existing 2,212 sq. ft. nonconforming single-family residence in the R-1 Residential Zoning District. Specifically, the Applicant proposes to extend the existing living room, bedroom, and bathroom into the existing patio space. The project is located outside of the Coastal Commission Appeals Jurisdiction.

CEQA Determination: Categorically Exempt, Section 15301, Class 1

Staff Recommendation: Conditionally Approve

Staff Contact: Joan Gargiulo

<https://youtu.be/dRubRO9lhmQ?t=2h24m22s>

Chairperson Tefft recused himself due to residing within the 500 feet proximity of the project.

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS –
NONE

Gargiulo presented staff report.

Vice-Chairperson Sorenson opened Public Comment period and seeing none closed the Public Comment period.

https://youtu.be/QnU_gRWRPvU?t=7m19s

MOTION: Commissioner Lucas moved to continue to a date uncertain. Commissioner Luhr seconded and the motion passed unanimously (4-0).

https://youtu.be/QnU_gRWRPvU?t=20m17s

B-3 Case No.: A00-029 (Local Coastal Program and Zoning Text Amendment)

Site Location: Citywide

Applicant/Project Sponsor City of Morro Bay

Request: Local Coastal Program and Zoning Text Amendment proposing to amend Section 17.48.320 (Secondary Units) modifying the section to be consistent with State law and other related sections in the Morro Bay Municipal Code for internal consistency, as well as Section 17.48.315 (Guesthouses/Quarters and Accessory Areas).

CEQA Determination: Negative Declaration.

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

Staff Contact: Whitney McIlvaine, Contract Planner (805) 772-6211

https://youtu.be/QnU_gRWRPvU?t=21m16s

McIlvaine presented staff report.

Chairperson Tefft opened Public Comment period and seeing none, closed the Public Comment period.

https://youtu.be/QnU_gRWRPvU?t=47m16s

Commissioners recommended the following changes to the draft resolution attached to the staff report:

- Align guesthouse description in Section 17.48.315 with the definition in Chapter 17.12 of the zoning ordinance.
- List standards for guesthouse development similar to standards for secondary dwelling units.
- Prohibit both the primary dwelling and secondary dwelling on the same site from being used as a vacation rental.
- Require a deed restriction for guesthouses and secondary dwelling units to provide constructive notice to future property owners.
- Prohibit subdivision and sale of secondary dwelling unit separate from primary unit except where such subdivision meets all subdivision and zoning ordinance requirements.
- Address nonconforming secondary dwelling units.
- Provide an amnesty program for illegal and potentially nonconforming secondary dwelling units.
- Include any garage in the 900 SF size limit for detached secondary dwelling units (parking for secondary dwelling units is not required to be covered).
- Require an administrative permit for guesthouses.

MOTION: Commissioner Luhr moved to approve Resolution PC 01-16 with changes discussed. Commissioner Lucas seconded and the motion passed unanimously (5-0).

https://youtu.be/QnU_gRWRPvU?t=2h28m40s

MOTION: Commissioner Lucas moved to continue the meeting until 11 p.m.

Commissioner Sadowski seconded and the motion passed unanimously (5-0).

https://youtu.be/QnU_gRWRPvU?t=2h29m41s

C. NEW BUSINESS

C-1 Planning Commission review of General Plan conformity in relation to disposition of the vacant City owned property located on the adjacent lot west of Lemos; APN: 068-168-022.

Staff Recommendation: Adopt Resolution

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Staff contact: Scot Graham, Community Development Manager
https://youtu.be/QnU_gRWRPvU?t=2h21m9s

Graham presented staff report.

MOTION: Commissioner Lucas moved to approve Resolution PC 03-16. Commissioner Sadowski seconded and the motion passed unanimously (5-0).
https://youtu.be/QnU_gRWRPvU?t=2h28m45s

D. UNFINISHED BUSINESS - NONE

E. PLANNING COMMISSIONER COMMENTS - NONE

F. COMMUNITY DEVELOPMENT MANAGER COMMENTS - NONE

G. ADJOURNMENT

The meeting adjourned at 11:00 p.m. to the regular Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on January 19, 2016, at 6:00 p.m.

Robert Tefft, Chairperson

ATTEST:

Scot Graham, Secretary