



CITY OF MORRO BAY PLANNING COMMISSION MEETING AGENDA

Veteran's Memorial Building
Regular Meeting 6:00 p.m.

209 Surf Street, Morro Bay
Monday, November 6, 2006

Acting Chairperson Bill Woodson
Vice-Chairperson Nancy Johnson Commissioner Robert Tefft
Commissioner Vacant Commissioner Gary Ream
Mike Prater, Secretary

I. CALL MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. ACCEPTANCE OF AGENDA

V. DIRECTOR'S REPORT/WRITTEN COMMUNICATIONS

VI. CONSENT CALENDAR

A. [Approval of minutes from hearing held on October 16, 2006](#)

VII. 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 Oral Communications 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.

VIII. ORAL COMMUNICATIONS:

Members of the audience wishing to address the Commission on matters other than scheduled hearing items may do so when recognized by the Chairman, by standing and stating their name and address. Comments should be limited to three minutes.

IX. FUTURE AGENDA ITEMS

X. PUBLIC HEARINGS

A. [Continued From October 16, 2006](#)

[Site Location:](#) 810 Morro Bay Blvd in the C-1/S.4 Zoning District. Applicant: David Armentrout. The applicant is requesting a Conditional Use, Coastal Development Permit, Parking Exception and Lot Merger to remodel and occupy an existing building to establish a restaurant with live music. The restaurant requires a total of seventeen (17) parking spaces. The proposed parking plan would provide eleven (11) on-site spaces, five (5) off-site spaces, and request In-Lieu-Payment for one (1) space. Modifications are requested for the angle and aisle width along with the need to back out into the alley before moving in a forward direction. This site is located outside of the Coastal Commission's Appeal jurisdiction. (Recommended CEQA Determination: Categorically Exempt, Classes 1, 3, and 5).
[Staff Recommendation:](#) Conditionally approve the project and Deny the Parking Exception.
[Staff Contact:](#) Mike Prater, Senior Planner, 772-6261.

- B. Site Location: 2840 Birch Street in the R-1/S.2 Zoning District. Applicant: The applicant requests Conditional Use Permit and Coastal Development Permit approval to demolish an existing garage and storage sheds and subsequently construct a 1,895 square foot primary residence. This site is located outside of the Coastal Commission's Appeal jurisdiction. (Recommended CEQA Determination: Categorically Exempt, section 15301 and section 15303).
Staff Recommendation: Conditionally approve the project.
Staff Contact: Rachel Grossman, Assistant Planner, 772-6261.

- C. Site Location: 418 A Main Street in the R-3 Zoning District. Applicant: The applicant is requesting Conditional Use Permit approval to authorize the use of employees at a home-based business. This site is located outside of the Coastal Commission's Appeal jurisdiction. (Recommended CEQA Determination: Categorically Exempt, Class 1).
Staff Recommendation: Staff recommends that the Planning Commission considers the request and determine if it is consistent with the intent of section 17.48.260 (Home Occupation Requirements) of the Municipal Code.
Staff Contact: Rachel Grossman, Assistant Planner, 772-6261.

- D. Site Location: 630 Avalon in R1/S.2 Zoning District. Applicant: Julie Kelly. The applicant requests approval of three separate variances 1) for the construction of the second floor that was not built in accordance with the approved plans which now lie within the exterior setback as an as-built condition 2) because the upper floor was constructed in the setback the upper deck was also constructed too far within the exterior setback 3) the applicant also requests the construction of a staircase that leads from the deck to be constructed in the exterior setback as an alternate entry into the secondary unit on the second floor. If the third variance is granted then the second variance for the deck is not needed. This site is located outside of the Coastal Commission's Appeal jurisdiction. (Recommended CEQA Determination: Categorically Exempt 3).
Staff Recommendation: Conditionally approve the project
Staff Contact: Mike Prater, Senior Planner, 772-6261.

XI. OLD BUSINESS

- A. Current Planning Processing List
Projects submitted for Administrative Approval (not single-family residential unless in MCR)
 - 1. 2840 Main Street, Medical Marijuana dispensary

XII. NEW BUSINESS

XII. ADJOURNMENT

Adjourn to the next regularly scheduled Planning Commission meeting at the Veterans Hall, 209 Surf Street, on Monday, December 4, 2006, at 6:00 p.m. Reminder the November 20, 2006 meeting will be canceled.

PLANNING COMMISSION MEETING PROCEDURES

Planning 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 Department 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.

RULES FOR PRESENTING TESTIMONY

Planning 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 testimony must observe the following rules:

1. When you come to the podium, first identify yourself and give your place or residence both orally and on the sign in sheet at the podium. Commission meetings are audio and video tape-recorded and this information is required for the record.
2. Address your testimony to the Chair. Conversation or debate between a speaker at the podium and a member of the audience is not permitted.
3. Keep your testimony brief and to the point. Speak about the proposal and not about individuals. On occasion, the Chair may place time limits on testimony: Focus testimony on the important parts of the proposal: do not repeat points made by others. Please, no applauding or making comments from the audience during the testimony of others.
4. Written testimony is encouraged so they can be distributed in the packets to the Planning Commission. However, letters are most effective when presented at least a week in advance of the hearing. Written testimony provided after the staff reports are distributed and up to the meeting will also be distributed to the Planning Commission but there may not be enough time to fully consider the information. Mail should be directed to the Public Services Department, attention: Planning Commission Secretary.

APPEALS

If you are dissatisfied with any aspect of an approval or denial of a project, you have the right to appeal this decision to the City Council up to 10 days after the date of action. 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 with the Coastal Appeal Area. If the property is located outside the Coastal Appeal Area, the fee is one-half of the base fee of the permit application. If a fee is required, the appeal will not be considered complete if the fee is not paid.

Planning Commission decisions may also be appealed to the California Coastal Commission pursuant to the Coastal Act Section 30603 and the City Zoning Ordinance. 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.

HEARING IMPAIRED: There are devices for the hearing impaired available upon request at the staff's table.

COPIES OF VIDEO, CD: Copies of the video recording of the meeting may be obtained through AGP Video at (805) 772-2715, for a fee.

ON THE INTERNET: This agenda may be found on the Internet at: <http://www.morro-bay.ca.us/public.html#plan>.

This Agenda is available for copying at Mills Copy Center and at the Public Library