

AGENDA ITEM NO: VII-A  
DATE: 1-19-2010

CITY OF MORRO BAY  
PLANNING COMMISSION ACTION: \_\_\_\_\_  
SYNOPSIS MINUTES

(Complete audio- and videotapes of this meeting are available from the City upon request)

City of Morro Bay Community Center  
Regular Meeting, 6:00 p.m.

1001 Kennedy Way, Morro Bay  
Monday, January 4, 2010

Chairperson - Nancy Johnson  
Vice-Chairperson - Gerald Luhr      Commissioner - Michael Lucas  
Commissioner - Jamie Irons      Commissioner - John Diodati

Bruce Ambo - Secretary

I. CALL MEETING TO ORDER

Johnson called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

Ambo led the pledge.

III. ROLL CALL

Staff Present: Bruce Ambo, Kathleen Wold, Genene Lehotsky and Kay Merrill.

IV. ACCEPTANCE OF AGENDA

MOTION: Agenda accepted as presented.

V. DIRECTOR'S REPORT/WRITTEN COMMUNICATIONS

Ambo reported at the December 14, 2009 meeting, City Council:

- Approved a resolution authorizing the Harbor Department to Acquire and Abandon Watercraft Grant from the Department of Boat and Waterways
- Approved a resolution authorizing the Capital Projects Manager to apply for Proposition 84 Water Treatment Grant Funds for the desal plant
- Approved for the Rec & Parks Department, through the California Energy Commission, to do an energy audit and apply for grant funds
- Heard a report regarding funding cuts to Dial-A-Ride and authorized the compensation of the Reduced Transit Development Act Funds to come from the sale of the surplus trolley and additional funds from the Stimulus Act funding
- Will adopt a resolution to participate in the AB-811 Renewable Energy Financing Package pilot program
- Adopted a resolution authorizing the sale of City property at Market and Pacific Street along the Embarcadero
- Discussed placing adjustments to the Transient Occupancy Tax (TOT) for the next election and continue hearing to next week
- Extended Mandatory Water Conservation to a moderate level
- Heard an update on the floor to area ratio (FAR) and staff will begin the code update process for neighborhood compatibility
- Heard an update on the Climate Action Plan
- Discussed housing in- lieu fee fund studies
- Authorized funding for the Visioning Study

- Reduced the parking in-lieu fees for 600 Morro Bay Blvd.

At the upcoming meeting on January 11, 2010 Ambo said City Council will:

- Consider a resolution for the 600 Morro Bay Blvd. parking in-lieu fees project
- Be given the Annual Water Report and discuss water quality testing legal requirements
- Hear a 2009 year-end report on the trolley
- Review A-Frame signs

Chairperson Johnson wanted to know if there were any bids on the trolley and Ambo stated yes. Johnson asked for moderate water conservation to be defined. Ambo replied there are pamphlets in the office which outlines water conservation practices and is defined in the code. Diodati asked if there is a timeline for the Neighborhood Compatibility Code Update and if the Planning Commission is involved in the code update. Ambo replied the process begins with the Planning Commission and is anticipating starting within the next six months.

VI. PUBLIC COMMENT - None

VII. CONSENT CALENDAR

- Approval of minutes from hearing held on November 30, 2009
- Approval of minutes from hearing held on December 7, 2009

MOTION: Diodati/Irons 2<sup>nd</sup> to approve the minutes as presented. VOTE: 5 – 0

MOTION: Diodati/Irons 2<sup>nd</sup> to approve the minutes as presented. VOTE: 5 – 0

VIII. 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.

IX. FUTURE AGENDA ITEMS

- Downtown Visioning (Planning Commission Subcommittee).
- Restrictions/rules on installing gates on driveways for residential and commercial properties.
- Research information on allowing front porches within the front setback.
- Presentation from Rob Livick, City Engineer, on the Pedestrian Plan.
- Presentation from Dan Doris, Building Official, on Graywater systems.
- Staff presentation on the Affordable Housing Rehabilitation Program and general affordable housing issues

X. PUBLIC HEARINGS

- Continued from the December 7, 2009 Planning Commission Meeting  
**Site Location:** 612 Agave Drive  
**Applicant:** Cathy Novak  
**Request:** Tentative Parcel Map #S00-101 and Coastal Development Permit #CP0-321 subdividing one parcel into three parcels along with a subdivision exception request to

include the square footage of the access easement into the overall lot square footage. This site is located outside the Coastal Commission Appeals Jurisdiction.

**Recommended CEQA Determination:** Categorically Exempt, Class 32, Section 15332.

**Staff Recommendation:** Conditionally approve.

**Staff Contact:** Genene Lehotsky, Associate Planner, 772-6270

Michael Lucas excused himself, because he had not reviewed the tape. Lehotsky presented the staff report.

Johnson asked if the Commission had questions for staff.

Diodati asked when the City's Subdivision Ordinance was amended and Lehotsky replied in 2007. Irons asked if there were findings of approval made for Parcel Map 07-0232 and Lehotsky replied yes.

Irons asked Lehotsky to go over them and she replied there are similar findings for proposed Parcel Map 09-0091, as there were for Parcel Map 07-0232, including Coastal Development Permit, Subdivision Map Act, and CEQA findings.

Irons asked if there were findings for a Subdivision Exception made for Parcels 2 and 3 of Parcel Map 07-0232, since those parcels were undersized just as the three parcels on proposed Parcel Map 09-0091 are and Lehotsky said there were no Subdivision Exception findings made for Parcel Map 07-0232, only for 09-0091.

Irons asked how the Subdivision Exception to allow undersized parcels is justifiable for Parcel Map 09-0091 and Lehotsky replied that the parcels are justifiable because when Parcel Map 07-0232 was approved the turnaround was depicted on an adjacent parcel (Parcel Map 09-0091).

Johnson opened public hearing asking the applicant or their agent to address the Commission

Cathy Novak, representing the applicant, gave a presentation.

Roger Ewing urged the Planning Commission to deny this project.

Seeing no further comment, Johnson closed the public hearing

Johnson asked Novak to come back and answer questions.

Irons asked Novak to explain the condition of the driveway and turnaround easement and asked if compensation was exchanged. Novak replied all the parties involved decided to create a cost share agreement for construction of the driveway and turnaround easement.

Luhr asked if the southern adjacent parcel would be able to utilize the turnaround where it is currently proposed on this Parcel Map's property. Lehotsky stated that Fire staff indicated that as proposed the turnaround could serve Parcel Map 07-0232, Parcel Map 09-0091, and the southern adjacent parcel.

Johnson asked if there were any other questions for staff.

Diodati asked if there was no access or turnaround easement on Parcel Maps 07-0232 and 09-0091 would there be room on the southern adjacent parcel to provide a turnaround to serve all three properties. Lehotsky replied that yes that could potentially occur.

Ambo stated that the southern adjacent property is not included with this request and should not be considered in the decision of the project.

The Planning Commission discussed the turnaround, required lot size, neighborhood compatibility and flag lots.

MOTION: Luhr/Diodati 2<sup>nd</sup> to continue to the January 19, 2010 Planning Commission meeting.

VOTE: 4-0

B. **Site Location:** 401 Panay Street

**Applicant:** Jon Wickstrom

**Request:** Conditional Use Permit #UP0-277 for a second story addition to a non-conforming residence and Parking Exception #AD0-046 to reduce required parking to one stall. This site is located outside the Coastal Commission Appeals Jurisdiction.

**Recommended CEQA Determination:** Categorically Exempt, Class 1, Section 15301.

**Staff Recommendation:** Conditionally approve.

**Staff Contact:** Kathleen Wold, Senior Planner, 772-6211

Wold presented the staff report.

Johnson asked if the Commission had questions for staff.

Lucas asked if the office is associated with a business and if there is a vehicle associated with the Business. Wold stated she assumed it is a residential office and you need to ask the applicant. Lucas asked if the upper deck was in the setback and Wold stated decks are allowed to project up to 5 ft. into the front yard setback

Diodati asked about widening the garage into the office area to accommodate the required 20 ft. width and Wold stated no and that the existing bedroom projects into the 10 foot setback. 1,000 sf. can be added an existing non-conforming residence without providing a second parking space.

Luhr asked if a survey was prepared for this site and Wold responded no.

Johnson asked if graveled area that wraps around the edge of the property is in the City's right-of-way and Wold stated yes.

Johnson opened public hearing asking the applicant or their agent to address the Commission.

Jon Wickstrom stated that Wold sufficiently covered the project. There is no survey for this project; however, an adjacent property recently surveyed their property so the location of the shared property line should be correct.

Seeing no further comment, Johnson closed the public hearing.

Johnson asked Wickstrom to come back and answer questions.

Lucas asked if there was a vehicle associated with the office space proposed in the residence and Wickstrom replied no.

Diodati asked if Wickstrom's truck could fit in the existing garage and Wickstrom replied yes.

Irons inquired about the gravel swale and how it is working. Wickstrom responded that the gravel is working well, especially since new homes adjacent to his home have recently been constructed and the sites were graded, which improved the drainage.

Lucas stated that a more permanent driveway should be constructed on-site to remove any vehicles currently parking on the street.

Wold stated that any parking to be relocated on-site may encroach into the right-of-way due to the limited area on the property. Encroachment into the right-of-way will also require liability insurance and an encroachment permit. However, this was not part of the applicant's request.

Diodati stated that he would like to see an additional parking space on-site.

Luhr requested a survey be conducted on this site to verify the corners.

Discussion continued regarding the deck, garage, gravel swale drainage and parking.

Johnson asked if there were any other questions before the discussion.

Discussion continued among the Commissioners.

MOTION: Lucas/Luhr 2<sup>nd</sup> to approve the project subject to the findings in Exhibit A and Conditions of Approval in Exhibit B with the following additional conditions:

- A 10 foot strip adjacent to the existing driveway be executed with pervious pavers and that at the owners option with our preference the existing drive be taken up and done with pervious pavers
- The lot survey be executed prior to the building permit application and be submitted with the building permit application by a licensed surveyor with the corners set

VOTE: 5-0

XI. OLD BUSINESS

- A. Current Planning Processing List

XII. NEW BUSINESS

- A. None

XIII. ADJOURNMENT

Johnson adjourned the meeting at 8:15 p.m. to the next regularly scheduled Planning Commission meeting at the Veterans Hall, 209 Surf Street, on Tuesday, January 19, 2010 at 6:00 p.m.

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Nancy Johnson, Chairperson

ATTEST:

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Bruce Ambo, Secretary