



CITY OF MORRO BAY PLANNING COMMISSION MEETING AGENDA

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

209 Surf Street, Morro Bay
Monday, September 15, 2008

Chairperson Nancy Johnson
Vice-Chairperson Bill Woodson Commissioner Gary Ream
Commissioner Michael Lucas Commissioner Gerald Luhr
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

A. Oral Report

VI. PUBLIC COMMENT:

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.

VII. CONSENT CALENDAR

A. [Approval of minutes from hearing held on September 2, 2008](#)

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

A. Planning Commission interpretation on decks in the front yard setback and what elements are allowed on them.

X. PUBLIC HEARINGS

- A. Site Location: 247 Main Street (Lease site 35W-36W) in the H District. Applicant: Frank Loving. The applicant proposes to re-occupy a water lease site 35W-36W for tying up boats. The dock structure already exists and following this approval the applicant will sign an agreement with the City. The reason a Conditional Use Permit is required is because the docking of vessels has not occurred for greater than 6 months and the use has been voided. (Recommended CEQA Determination: Categorical Exemption, Class 1, Section 15301).
Staff Recommendation: Conditionally approve the project.
Staff Contact: Mike Prater, Planning Manager, 772-6261.
- B. Site Location: 3460 Toro Lane in the R-1/S.2A District. Applicant: Derrel Ridenour. The applicant requests to demolish an existing single-family residence and construct a new residence. The property is just outside of the North Point development, which creates some unique circumstances and resides within the coastal appeals zone that requires the Planning Commission to act on the application. An interpretation is requested by the applicant to decide if the lot configuration and surrounding elements functionally make this site a flag lot. This would allow the structure to be within 5-feet of the property line rather than the district stand of 15-feet, however the garage is setback 40-feet. The applicant has filed for a variance if the Planning Commission decides the lot is not a flag to deviate from the front setback due to site constraints justified by their supplemental findings and analyzed in the staff report. (Recommended CEQA Determination: Categorical Exemption, Class 3, Section 15303).
Staff Recommendation: Conditionally approve the project.
Staff Contact: Mike Prater, Planning Manager, 772-6261.
- C. Site Location: 1080 Balboa Street in the R-1 zoning district. Applicant: An Nguyen. The applicant requests Conditional Use Permit approval to construct a 249 square foot habitable floor area addition on an existing single-family residence that will result in a structure in excess of 2,500 square feet. This site is located outside of the appeals jurisdiction of the California Coastal Commission. (Recommended CEQA Determination: Categorical Exemption, Class 1, Section 15301).
Staff Recommendation: Conditionally approve the project.
Staff Contact: Rachel Grossman, Associate Planner, 772-6261.
- D. Site Location: 285 Main Street in the R-1 (PD) District. Applicant: John & Alair Hough. The applicant's are proposing a Tentative Parcel Map 08-0019 and Coastal Development Permit for the demolition of an existing garage and reconfiguration of the existing lot into two lots with the potential for future single-family residential homes. The map would also record the relinquishment of 1,370 square feet of City right-of-way and acquisition of 1,400 square feet of private property for use as right-of-way. An easement across the northerly boundary line of Parcels 3 & 2 would facilitate vehicle access, and utilities for all three lots. Parcel A would be 7,690 square feet with an average cross slope of 10.8 percent. Parcel B would be 8,630 square feet with an average cross slope of 13.7 percent. (Recommended CEQA Determination: Categorical Exemption, General Rule, Section 15061.b.3).
Staff Recommendation: Conditionally approve the project.
Staff Contact: Mike Prater, Planning Manager, 772-6261.

XI. OLD BUSINESS

- A. Current Planning Processing List
Projects submitted for Administrative Approval (not single-family residential unless in MCR)
1. None

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XII. NEW BUSINESS

A. None

XIII. ADJOURNMENT

Adjourn to the next regularly scheduled Planning Commission meeting at the Veterans Hall, 209 Surf Street, on Monday, October 6, 2008, at 6:00 p.m.

PLANNING COMMISSION MEETING PROCEDURES

Materials related to an item on this Agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Public Services Office at 955 Shasta Avenue, during normal business hours, Mill's ASAP, 495 Morro Bay Boulevard, or Morro Bay Library, 695 Harbor, Morro Bay, CA 93442. 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 calendar 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 \$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 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: www.morro-bay.ca.us/planning/planningCommission.htm#plan

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