

AGENDA ITEM:     A-4    

DATE:   AUGUST 20, 2019  

ACTION:   APPROVED  

ACTION MINUTES – MORRO BAY PLANNING COMMISSION  
REGULAR MEETING – JULY 16, 2019  
VETERANS MEMORIAL BUILDING – 6:00 PM

PRESENT:	Gerald Luhr Michael Lucas Jesse Barron Joe Ingraffia	Chairperson Vice-Chairperson Commissioner Commissioner
ABSENT:	Susan Stewart	Commissioner
STAFF:	Scot Graham Nancy Hubbard	Community Development Director Contract Planner

ESTABLISH QUORUM AND CALL TO ORDER  
MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE  
PLANNING COMMISSIONER ANNOUNCEMENTS - NONE

PUBLIC COMMENT PERIOD

<https://youtu.be/JJA4A-EmQ?t=2m6s>

Betty Winholtz, Morro Bay, spoke about the Frye's house; she noticed it was elevated and does not remember the Planning Commission approving it. Winholtz didn't know if it was appropriate to register a complaint or ask the question at this meaning.

Chairperson Luhr closed the Public Comment period.

<https://youtu.be/JJA4A-EmQ?t=3m43s>

Commissioner and staff discussed the questions Winholtz addressed.

Graham stated he would investigate the issue Winholtz brought up.

PRESENTATIONS - NONE

A. CONSENT CALENDAR

Vice-Chairperson Lucas asked staff about a lot merger project on the Project Tracking Log.

Chairperson Luhr recused himself due to owning a property near the lot merger.

The Commissioners pulled Item A2 for discussion.

<https://youtu.be/JJA4A-EmQ?t=8m>

- A-1** Current and Advanced Planning Processing List  
**Staff Recommendation:** Receive and file.
- A-3** Approval of minutes from the Planning Commission meeting of May 21, 2019.  
**Staff Recommendation:** Approve minutes as submitted.

**MOTION:** Commissioner Barron moved to approve the Consent Calendar agenda Items A-1 and A-3. Vice-Chairperson Lucas seconded, and motion passes 4-0.  
<https://youtu.be/JJA4A-EmQ?t=8m9s>

- A-2** Approval of minutes from the Planning Commission meeting of May 7, 2019.  
**Staff Recommendation:** Approve minutes as submitted.

Commissioners discuss Item A-2.

**MOTION:** Commissioner Barron moved to continue item A-2. Commissioner Ingraffia seconded, and motion passes 4-0.  
<https://youtu.be/JJA4A-EmQ?t=9m5s>

## 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.:** CDP 19-008  
**Site Location:** 3200 Beachcomber Drive, Morro Bay, CA  
**Proposal:** An application was filed on March 29, 2019 for approval of a bank stabilization project along the westerly bank of an unnamed drainage ditch. The property is located in the R-1/S.2A zoning district. The site is within the appeals jurisdiction of the California Coastal Commission.  
**CEQA Determination:** Categorically Exempt, Section 15304.  
**Staff Recommendation:** Conditionally Approve  
**Staff Contact:** Nancy Hubbard, Contract Planner, (805) 772-6211  
<https://youtu.be/JJA4A-EmQ?t=9m25s>

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS – Chairperson Luhr spoke to a neighbor who was in favor of the project.

Hubbard presented the staff report.

The Commissioners presented their questions to staff.

Chairperson Luhr opened the Public Comment period.  
<https://youtu.be/JJA4A-EmQ?t=24m5s>

Daniel Sotelo, Project Civil Engineer for the applicant stated he is available to answer any questions.

Betty Winholtz, Morro Bay, stated she appreciated the project was being brought back to the Commission as a major modification permit instead of a minor modification permit. Winholtz noted she was in favor of the project.

The Commissioners presented their questions to the applicant.

Chairperson Luhr closed the Public Comment period.

<https://youtu.be/JJA4A-EmQ?t=30m53s>

Discussion between Commissioners.

**MOTION:** Commissioner Ingraffia moved to approve Resolution PC 17-19, Coastal Development CDP19-008 with added conditions listed below. Commissioner Barron seconded.

<https://youtu.be/JJA4A-EmQ?t=53m41s>

Chairperson Luhr continued the discussion on the motion and brought up the signage near the drainage ditch. Luhr suggested it would be approved by the Community Development Director.

Commissioner Ingraffia approved Chairperson Luhr's condition for signage. Barron seconded and the motion passes 4-0

***Bold, italic section added to the following conditions by the Planning Commission:***

5. Facility Design: Bank Stabilization shall be constructed as shown on plans approved by the Planning Commission and on the plans submitted for a Building Permit there shall be an analysis by a licensed civil engineer addressing any changes to the flow direction or rate of the storm water in the drainage ditch, any effects on the water flow location related to the existing drainage ditch easement and especially considering the impact of and to the retaining wall recently constructed on the north and east bank of the proposed project area. ***Additionally, the engineering study should address any impact the proposed bank stabilization project will have on sediment transport.*** Such plans and engineering analysis shall be to the satisfaction of the Community Development Manager.
7. Landscaping: Plans shall include a landscape restoration plan for any disturbed area ***including plantings at or near the top of the Gabion baskets of a native species that will grow to fill-in on and over the disturbed areas.*** If any trees are being removed an arborist report is required to assess the condition of the tree (s) proposed for removal and to determine the species, quantity, size and placement mitigation for the tree removed.

***Condition added by the Planning Commission:***

10. ***Any signage proposed by Applicant shall be approved by the Community Development Director.***

**B-2 Case No.:** MIN19-06 (Text Amendment)

**Site Location:** Cloisters Subdivision Tract 1996; Mixed Use Area G-2

**Applicant/Project Sponsor:** City of Morro Bay

**Request:** The City of Morro Bay is proposing a Local Coastal Program amendment modifying the Coastal Land Use Plan (LUP) to provide for the following change:

- Modify the language in Chapter II. LAND USE PLAN MAP AND GENERAL LAND USE POLICIES; D. SPECIFIC LAND USE POLICIES; 1.b. Coastal Resource Residential to clarify that the Density Credit derived from the overall land area designated as Coastal Resource (Limited Density) Residential on the Land Use Plan Map allows up to 125 residential dwelling units.

**CEQA Determination:** The proposed changes are exempt from environmental review pursuant to Section 15061(b)(3)

**Staff Recommendation:** Recommend adoption of Resolution No. 15-19, recommending approval of the Local Coastal Program Amendment to the City Council

**Staff Contact:** Nancy Hubbard, Contract Planner, (805) 772-6211

<https://youtu.be/JJA4A-EmQ?t=56m>

Hubbard presented the staff report.

The Commissioners presented their questions to staff.

Chairperson Luhr opened the Public Comment period.

<https://youtu.be/JJA4A-EmQ?t=1h12m24s>

Dawn Beattie, Cloisters, presented her concerns with the modification and would like the Commission to deny the request and have it re-written to increase the Cloisters density by four (4) homes, not five (5).

Steven Stephens, Design Committee for Cloisters, stated his concerns regarding the change in density to the Cloisters. Stephens believes four lots would suffice.

Melanie Williams-Mahan, Cloisters Design Committee stated her concerns regarding the lot. Williams-Mahan noted the Committee hasn't heard from the developer or the City and stated the Committee couldn't make decisions for the neighborhood if they were not provided with any information.

Kerrigan Mahan, Cloisters/Citizen of Morro Bay concurred with everything that was stated by the other neighbors. Mahan also stated his concerns with the parking issues and the dangers of the corner of the lot.

Roger Ewing, Morro Bay, stated placing five (5) 2-Story homes would destroy the scenic view along Highway 1 in the north and south direction. Ewing noted we should appreciate the beauty of Morro Bay and keep it as it is.

Ms. Davis, Cloisters, stated she and most of the neighbors feel four (4) homes is appropriate and noted it would be appropriate if it had a real street and not a driveway/parking. Davis strongly suggested the setback rules for garages and driveway be enforced.

Chairperson Luhr closed the Public Comment period.

<https://youtu.be/JJA4A-EmQ?t=1h30m13s>

The Commissioners presented their questions to staff.

**MOTION:** Commissioner Barron moved to adopt PC Resolution 15-19 recommending the City Council adopt the amendment to the Coastal Land Use Plan (LUP) as indicated. Vice-Chair Lucas seconded, and the motion passes 4-0.

<https://youtu.be/JJA4A-EmQ?t=1h46m3s>

**B-3 Case No.: #MIN19-009**

**Site Location:** 27.6-acre portion of a 396.3-acre parcel (APN 073-101-017), located north of the South Bay Boulevard/State Route 1 interchange in unincorporated San Luis Obispo County

**Applicant/Project Sponsor:** City of Morro Bay

**Request:** The City of Morro Bay is proposing to prezone the 27.6-acre portion of parcel APN 073-101-017 as a Public Facility zone district in anticipation of a new Water Reclamation Facility to be built at this location. The current zoning in the County is Agriculture. Prezoning is required to process an application for annexation of the site with the San Luis Obispo Local Agency Formation Commission (LAFCO). Once annexed, the Planning Commission will initiate proceedings for permanent zoning within 90 days after the effective date of annexation, unless action has been taken to establish permanent zoning simultaneously with annexation.

**CEQA Determination:** The impacts of the new Water Reclamation Facility, which will be facilitated by the proposed Public Facility zoning, were considered in a Final EIR for that project, certified in June 2018. No additional CEQA review is required for the prezoning action.

**Staff Recommendation:** Recommend approval and forward this recommendation to the City Council for approval of the prezoning of the site.

**Staff Contact:** Scot Graham, Community Development Director (805) 772-6291

<https://youtu.be/JJA4A-EmQ?t=1h48m1s>

Graham presented the staff report.

The Commissioners presented their questions to staff.

Chairperson Luhr opened the Public Comment period.

<https://youtu.be/JJA4A-EmQ?t=1h58m28s>

Betty Winholtz, Morro Bay, stated her concerns regarding the annexation. Winholtz noted this is the only public hearing regarding this project. Winholtz opposes the project.

Steve Stephens, Morro Bay, expressed his concerns about the process and limited input from the public. Stephens also noted his concerns about the road access to the plant.

Chairperson Luhr closed the Public Comment period.

<https://youtu.be/JJA4A-EmQ?t=2h1m56s>

Discussion between the Commissioners and staff.

**MOTION:** Commissioner Barron moved the Planning Commission forward a favorable recommendation to the City Council for approval by the option of motion putting the following action and adopt PC Resolution 18-19 for the project as described in the staff

report and depicted in Exhibit B. Vice-Chairperson Lucas seconded, and the motion passes 4-0.

<https://youtu.be/JJA4A-EmQ?t=2h11m22s>

C. NEW BUSINESS – NONE

D. UNFINISHED BUSINESS - NONE

E. PLANNING COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS

<https://youtu.be/JJA4A-EmQ?t=2h12m17s>

Commissioner Barron updated the Commission on the upcoming Water Reclamation Facility Citizen Advisory Committee meeting on August 6<sup>th</sup> at 3 p.m.

Chairperson Luhr asked staff for an update on Plan Morro Bay and Design Guidelines.

Vice-Chairperson Lucas stated he read somewhere the Coastal Commission had rejected not being able to use the secondary dwelling unit as a vacation rental.

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENT - NONE

G. ADJOURNMENT

The meeting adjourned at 8:25 p.m. to the next special scheduled Planning Commission meeting at the Veteran’s Memorial Building, 209 Surf Street, on August 6, 2019 at 6:00 p.m.

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Gerald Luhr, Chairperson

ATTEST:

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Scot Graham, Secretary