

AGENDA ITEM: A-3

DATE: OCTOBER 1, 2019

ACTION: APPROVED

ACTION MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – SEPTEMBER 03, 2019
VETERANS MEMORIAL BUILDING – 6:00 PM

PRESENT:	Gerald Luhr Michael Lucas Joe Ingraffia Susan Stewart Jesse Barron	Chairperson Vice-Chairperson Commissioner Commissioner Commissioner
STAFF:	Scot Graham Willow Urquidi Damaris Hanson Rob Livick	Community Development Director Assistant Planner Environmental Programs Manager Public Works Director

ESTABLISH QUORUM AND CALL TO ORDER
MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE
PLANNING COMMISSIONER ANNOUNCEMENTS
<https://youtu.be/BUYst0qTiFA?t=1m28s>

Commissioner Barron expressed his condolences for the lives lost on the vessel Conception and the head-on collision in Paso Robles.

PUBLIC COMMENT PERIOD - NONE

PRESENTATIONS - NONE

A. CONSENT CALENDAR
<https://youtu.be/BUYst0qTiFA?t=2m28s>

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

MOTION: Commissioner Barron moved to approve the Consent Calendar A-1. Commission Stewart seconded, and the motion passes 5-0.

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.:** CDP19-021/CUP19-06/PKG19-02
Site Location: 1105 Las Tunas Street, Morro Bay, CA
Proposal: Coastal Development Permit, Conditional Use Permit, and Parking Exception to allow construction of an accessory dwelling unit over an existing attached garage with a non-conforming interior width. The existing primary residence is also non-conforming with regards to the front setback. The project is located in within the R-1 zoning district and outside of the Coastal Commission Appeals Jurisdiction.
CEQA Determination: Categorically Exempt, Section 15303, Class 3(a).
Staff Recommendation: Conditionally Approve
Staff Contact: Willow Urquidi, Assistant Planner, (805) 772-6270
<https://youtu.be/BUYst0qTiFA?t=3m9s>

Chairperson Luhr recused himself due to owning a property near the project. Vice-Chairperson Lucas will take over the item.

Urquidi presented the staff report.

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS – NONE

Chairperson Lucas opened the Public Comment period.
<https://youtu.be/BUYst0qTiFA?t=10m25s>

Tim Becher, architect for the applicant, stated he is available for any questions.

Chairperson Lucas closed the Public Comment period.
<https://youtu.be/BUYst0qTiFA?t=11m16s>

The Commissioners presented their questions to staff and to the applicant.

MOTION: Commissioner Barron moved to approve Coastal Development Permit CDP19-021, Conditional Use Permit CUP19-06 and Parking Exception Permit PKG19 02, with the conditions as detailed. Commissioner Ingraffia seconded, and the motion passes 4-0.
<https://youtu.be/BUYst0qTiFA?t=15m27s>

- B-2 Case No.:** TRE19-068
Site Location: 445 Main, 455 Main, Morro Bay, CA
Proposal: Appeal of proposed tree removal located in public right of way at Morro Cove, adjacent to 445 and 455 Main Street. The Morro Cove Homeowners Association (HOA) applied for tree removal on 5/13/2019. City Public Works Department posted a Notice of Tree Removal on 6/20/19 based on an Arborist report dated 1/7/2019. Appellant filed appeal on 6/29/19 requesting tree to be retained. The project is located in within the R-2 zoning district and outside of the Coastal Commission Appeals Jurisdiction.
Staff Recommendation: Deny Appeal
Staff Contact: Damaris Hanson, Environmental Programs Manager, (805) 772-6265
<https://youtu.be/BUYst0qTiFA?t=16m50s>

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS –

Commissioner Barron spoke to Betty Winholtz.

Chairperson Luhr spoke to a member of the audience earlier.
Commissioner Stewart spoke to one of the residents in the neighborhood.
Chairperson Luhr opened the Public Comment period.
<https://youtu.be/BUYst0qTiFA?t=18m4s>

Nancy Bast requested the item be moved back due to Betty Winholtz not being in attendance.

Chairperson Luhr closed the Public Comment period.
<https://youtu.be/BUYst0qTiFA?t=18m40s>

Hanson presented the staff report.

The Commission presented their questions to staff.

Chairperson Luhr opened the Public Comment period.
<https://youtu.be/BUYst0qTiFA?t=28m59s>

Nancy Bast, MB, presented her report.

Betty Winholtz, MB, presented her report.

Roger Ewing, MB, read comments for Morro Bay resident, Mr. Gary Broering. Ewing added his own comments.

Melody DeMeritt, former Council member, stated reasons why the tree shouldn't be removed.

Phil Hornburg, President of the Morro Cove HOA, presented his issues and concerns with the trees.

Richard Laymon, Treasurer for the Morro Cove HOA, stated the City is responsible for any damages the trees cause. Laymon is in the process to determine if the HOA would be liable for the trees.

Ed Krovitz, Morro Bay, stated his concerns regarding the trees. Krovitz would like the Commission to deny the appeal.

Laurie Park, Secretary for the Morro Cove HOA, stated her concerns with the trees.

Chairperson Luhr closed the Public Comment period.
<https://youtu.be/BUYst0qTiFA?t=57m37s>

The Commissioners presented their questions to staff.

Chairperson Luhr opened the Public Comment period.
<https://youtu.be/BUYst0qTiFA?t=1h6m45s>

Park answered the Commissioners questions.

The Commissioners spoke to Betty Winholtz and Nancy Bast regarding an agreement.

Chairperson Luhr closed the Public Comment period.

<https://youtu.be/BUYst0qTiFA?t=1h30m5s>

Comments from the Commissioners.

MOTION: Chairperson Luhr moved to approve a 30-day continuance or to the next Planning Commission meeting, to allow the negotiation between the City, HOA and appellants to try and come to an agreement on the landscape plan, removal of trees, and the selection and replacement of the trees. If an agreement is not made it will come back to the Planning Commission for a decision. Commissioner Stewart seconded.

<https://youtu.be/BUYst0qTiFA?t=1h54m59s>

The Commissioners discussed the motion. The appellants agree for more time to reach an agreement.

The motion passes 3-2, for a continuance to a date certain. Commissioners Stewart and Barron voted no.

C. NEW BUSINESS - NONE

D. UNFINISHED BUSINESS - NONE

E. PLANNING COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS

<https://youtu.be/BUYst0qTiFA?t=2h4m53s>

Chairperson Luhr commented he would like to see more tree removals, Right-of-way projects, etc. come to the Planning Commission.

Commissioner Stewart asked staff for the status on wayfinding signs.

Commissioner Barron updated the Commissioners and staff regarding the WRFAC (Water Reclamation Facility Citizen Advisory Committee) meeting.

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENT - NONE

G. ADJOURNMENT

The meeting adjourned at 8:16 p.m. to the next special scheduled Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on September 17, 2019 at 6:00 p.m.

Gerald Luhr, Chairperson

ATTEST:

ACTION MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – SEPTEMBER 3, 2019

Scot Graham, Secretary