

AGENDA ITEM:     A-3    

DATE:     FEBRUARY 15, 2022    

ACTION:     APPROVED    

**ACTION MINUTES – MORRO BAY PLANNING COMMISSION  
REGULAR MEETING – DECEMBER 7, 2021  
HELD VIA TELECONFERENCE – 6:00 PM**

PRESENT:	Susan Stewart Bill Roschen Joe Ingraffia Mike Rodriguez Asia King	Chairperson Vice-Chairperson Commissioner Commissioner Commissioner
STAFF:	Scot Graham Cindy Jacinth Alison MacCarley	Community Development Director Senior Planner Planning Intern
CONSULTANT:	Martha Miller	Miller Planning Associates

ESTABLISH QUORUM AND CALL TO ORDER

MOMENT OF SILENCE

PLANNING COMMISSIONER ANNOUNCEMENTS - NONE

PUBLIC COMMENT PERIOD

<https://youtu.be/NtAmGjSMTCl?t=72>

Ryan Garcia, Morro Bay, stated his public correspondence was not going to be made public due to a change in policy per City Clerk staff. Garcia found it inappropriate for city staff to make a policy change a day before a scheduled board meeting.

Garcia voiced his concerns on the zoning update regarding city wide allowance for the encroachment of sheds and assessor structures to lateral in front lot lines of a residential property. Garcia stated the current city zoning does not allow for this and limits the distance structures could be placed on adjacent properties.

Sean Green, Morro Bay, agreed with Mr. Garcia regarding the handling of public correspondence. Green commented on the draft Plan Morro Bay Zoning Code update. Green also voiced his concerns regarding short term rentals.

Betty Winholtz, Morro Bay, asked staff for clarification on the new process for public correspondence. Winholtz, read her concerns regarding the changes made from the current zoning ordinance to the draft zoning ordinance.

Cindy Betonte, Morro Bay, voiced her concerns regarding the height requirement for street to street lots. Betonte requests rear interior and corner side fences have the same requirement of six and half feet. Betonte also asked for clarification of where the measurements would start.

Chairperson Stewart closed the Public Comment period.  
<https://youtu.be/NtAmGjSMTCl?t=970>

The Commissioners discussed and agreed to review Item C-1 before Item B-1

**Public Participation:**

*In order to prevent and mitigate the effects of the COVID-19 pandemic, and limit potential spread within the City of Morro Bay, in accordance with Executive Order N-08-21, the City will not make available a physical location from which members of the public may observe the meeting and offer public comment. Remote public participation is allowed in the following ways:*

- *Community members are encouraged to submit agenda correspondence in advance of the meeting via email to the Community Development office at [planningcommission@morrobayca.gov](mailto:planningcommission@morrobayca.gov) prior to the meeting and will be published on the City website with a final update one hour prior to the meeting start time. Agenda correspondence received less than an hour before the meeting start time may not be posted until after the meeting.*
- *Members of the public may watch the meeting either on cable Channel 20 or as streamed on the City [website](#).*
- *Alternatively, members of the public may watch the meeting and speak during general Public Comment or on a specific agenda item by logging in to the Zoom webinar using the information provided below. Please use the “**raise hand**” feature to indicate your desire to provide public comment. Each speaker will be allowed three minutes to provide input.*

*Please click the link below to join the webinar:*

- <https://us02web.zoom.us/j/82722747698?pwd=aWZpTzcwTHlRTk9xaTlmWVNWRFWFUQT09>  
Password: 135692

*Or Telephone Attendee: (408) 638-0968 or (669) 900 6833 or (346) 248 7799; Webinar ID: 827 2274 7698; Password: 135692; Press \* 9 to “**Raise Hand**” for Public Comment*

PRESENTATIONS – NONE

A. CONSENT CALENDAR

<https://youtu.be/NtAmGjSMTCl?t=1029>

- A-1** Current and Advanced Planning Processing List  
**Staff Recommendation:** Receive and file.
- A-2** Approval of minutes from the Planning Commission meeting of August 3, 2021.  
**Staff Recommendation:** Approve minutes as submitted.
- A-3** Approval of minutes from the Planning Commission meeting of September 7, 2021.

**Staff Recommendation:** Approve minutes as submitted.

**MOTION:** Commissioner Rodriguez moved to approve the Consent Calendar. Commissioner Ingraffia seconded, and the motion passes 4-0, with Stewart, Roschen, Ingraffia, and Rodriguez voting yes. Commissioner King abstained.

<https://youtu.be/NtAmGjSMTCl?t=1059>

B. PUBLIC HEARING

**B-1 Case No.:** *Plan Morro Bay: Zoning Code Update / Coastal Implementation Plan (IP)*

**Site Location:** Citywide

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

**Proposed Project:** The Plan Morro Bay update project includes a comprehensive update to the City's Zoning Code/Implementation Plan. The draft Zoning Code was released for public review in 2018 and was reviewed by the General Plan Advisory Committee (GPAC) and Planning Commission. The Public Hearing Draft of the Zoning Code has been updated to reflect Planning Commission input and state law changes from the 2018 Public Review Draft.

**CEQA Determination:** Environmental Impact Report

**Staff Recommendation:** Review staff report and draft Zoning Code as updated from PC direction, hear presentation by consultant, open public hearing and take public comment, discuss, and provide feedback to staff.

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

<https://youtu.be/NtAmGjSMTCl?t=3142>

Graham provided an update for the review of the zoning code.

Martha Miller provided an update on where the Planning Commission left off from the last review.

Graham added his comments to Miller's review.

Discussion and comments from the Commissioners and staff.

Chairperson Stewart opened the Public Comment period.

<https://youtu.be/NtAmGjSMTCl?t=7130>

Winholtz, Morro Bay, wants to know how the Planning Commissioners will be noticing the public on the changes they've made to the zoning code.

Graham responded to Winholtz's question.

Chairperson Stewart closed the Public Comment period.

<https://youtu.be/NtAmGjSMTCl?t=7277>

Miller provided an overview of what she does, the work she provides other cities, and how her experience helps with Morro Bay's General Plan/LCP.

C. NEW BUSINESS

**C-1 Case No.:** CUP19-15

**Site Location:** 1001 Front Street, Morro Bay, CA

**Project Description:** Review of Special Use Permit for the annual Waterfront Market event between Giovanni's Fish Market and Stax Wine bar to take place fifteen days of the year, on specified weekends approved ahead of time. Review of permit pursuant to Planning Commission condition 13 of CUP19-15 as approved on January 7, 2020.

**Staff Recommendation:** Review and provide feedback to staff

**Staff Contact:** Alison MacCarley, Planning Intern (805) 772-6213

<https://youtu.be/NtAmGjSMTCI?t=1098>

MacCarley presented the staff report.

The Commissioners presented their questions to staff.

Chairperson Stewart commented on the correspondence from Mr. Green.

Chairperson Stewart opened the Public Comment period.

<https://youtu.be/NtAmGjSMTCI?t=1676>

Casey Tench, applicant, stated he would be available to answer questions.

Commissioner Rodriguez presented his questions to the applicant.

Tench responded to Commissioner Rodriguez questions.

Sean Green, Morro Bay, would like the Commission to consider parking availability on the days of the scheduled events and to evaluate the application for non-compliant issues at the parcel.

Chairperson Stewart closed the Public Comment period.

<https://youtu.be/NtAmGjSMTCI?t=2059>

Discussion and comments from the Commissioners and staff.

**MOTION:** Vice-Chairperson Roschen moved to approve staff recommendation with the adjustment to not accept the additional five (5) days through administrative approval, but to bring it back to the Planning Commission. The Planning Commission will review request in order to improve the Harborwalk and other areas of concern. The Commission would like the applicant to provide a reason for the requested additional five (5) days. Commissioner Rodriguez seconded, and the motion passes 5-0, with King, Ingraffia, Roschen, Rodriguez and Stewart voting yes.

<https://youtu.be/NtAmGjSMTCI?t=3027>

D. UNFINISHED BUSINESS

<https://youtu.be/NtAmGjSMTCI?t=7530>

Graham provided information on the new procedure for public comments received for the Planning Commission.

E. PLANNING COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS – NONE

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENTS

<https://youtu.be/NtAmGjSMTCl?t=7825>

Graham announced the City Council placed a presentation for the new housing legislation on the December 14<sup>th</sup> meeting agenda. Graham noted the legislative update memo will be in the staff report.

Graham provided an update on what will be presented at the next Planning Commission meeting.

G. ADJOURNMENT

The meeting adjourned at 8:12 p.m. to the next scheduled Planning Commission meeting via teleconference, on December 21, 2021, at 6:00 p.m.

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Susan Stewart, Chairperson

ATTEST:

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Scot Graham, Secretary