

AGENDA ITEM: A- 1

DATE: October 7, 2014

ACTION: APPROVED

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – SEPTEMBER 2, 2014
VETERAN’S MEMORIAL BUILDING – 6:00 PM

PRESENT:	Robert Tefft	Chairperson
	Gerald Luhr	Vice Chairperson
	Michael Lucas	Commissioner
	Richard Sadowski	Commissioner
STAFF:	Rob Livick	Public Services Director
	Scot Graham	Planning Manager
	Whitney McIlvaine	Contract Planner

ESTABLISH QUORUM AND CALL TO ORDER
MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE
PLANNING COMMISSIONER ANNOUNCEMENTS

Commissioner Sadowski announced the CAL EPA clean drinking water state revolving fund seminar will be on October 16 in Sacramento and via webinar.

Chairperson Tefft announced Commissioner Fennacy has voluntarily resigned due to absences.

PUBLIC COMMENT

Chairperson Tefft opened Public Comment period.

Bill Martony, Morro Bay resident, stated that last year FEMA revised the flood plain map and it may impact building on the Embarcadero.

Roger Ewing, Morro Bay resident, stated there is a difference between a variance and an exemption, noting regarding neighborhood compatibility, the Commission should either eliminate exemptions altogether or attach the same three requirements as a variance.

Sandy Rowe, stated she and her husband are looking at leasing space for his pottery studio in a portion of the former Morro Bay Furniture building, noting they do not meet the parking space requirements, asked whether a variance could be issued for commercial parking requirements and requested the Commission direct staff to work with them to make this happen.

Chairperson Tefft closed Public Comment period.

PRESENTATIONS - None

CONSENT CALENDAR

A-1 Approval of minutes from the Planning Commission meeting of August 19, 2014

Staff Recommendation: Approve minutes as submitted.

MOTION: Vice Chairperson Luhr moved to approve the consent calendar. Commissioner Lucas seconded the motion and the motion passed unanimously. (4-0)

PUBLIC HEARINGS

B-1 **Case No.:** #CP0-419 & UP0-383 Coastal Development Permit & Conditional Use Permit
Site Location: 3420 Toro Lane, Morro Bay, CA

Project Description: The applicant proposes to construct a 2,065 square-foot dwelling, a 656 square-foot garage, and approximately 300 square feet of patio and deck area on a vacant beach front parcel. The project will require disturbance of approximately 9,000 square feet including approximately 360 cubic yards of grading, landscaping, and driveway improvements within the Public Right-of-Way. The project is located in the Single Family Residential zone with an S.2.A special treatment overlay zone. The height of the structure is limited to a maximum of 17 feet by the overlay zone. The site is also covered by an Environmental Sensitive Habitat overlay zone due the presence of a stream drainage and associated habitat. The project is in the City's ocean bluff review area and located within the Coastal Commission appeal jurisdiction.

CEQA Determination: A Mitigated Negative Declaration (MND) has been prepared for the project pursuant to the requirements of the California Environmental Quality Act. The document can be viewed at the Public Services Dept. and on the City's website <http://www.morro-bay.ca.us/index.aspx?nid=771>. The MND recommends mitigation measures to ensure environmental impacts are reduced to a less-than-significant level. Adoption of the MND will also be considered at the hearing.

Staff Recommendation: Hear public testimony on the project and continue review to a date uncertain.

Staff Contact: Whitney McIlvaine, Contract Planner, (805) 772-6211

McIlvaine presented the staff report.

Vice Chairperson Luhr and McIlvaine discussed the site boundaries.

Commissioner Lucas asked if the plans are available for public review. McIlvaine noted the file is available for the public to review and the mitigated negative declaration is on the City's website.

Chairperson Tefft opened Public Comment period.

Bill Martony, Morro Bay resident, stated his concern is the City owned land next to the site that would be used for additional overflow parking or a mini park might be impacted by encroachment from the project, and recommended requiring one driveway if there are two houses built on the site.

Betty Winholtz, Morro Bay resident, stated the owner has chalked the boundary of the property that provides a good visual and is concerned about prescriptive rights for the trail, noting State Parks has even acknowledged access of the trail with signage.

Dorothy Cutter, Morro Bay resident, requested Vice Chairperson Luhr to speak into the microphone and Commissioner Lucas to speak up as everyone wants to hear what they say.

Greg Frye, Applicant, stated he is working on a response to comments from the Coastal Commission and described the project, noting the chalk line set up shows the size of the house.

Chairperson Tefft closed Public Comment period.

Commissioner Sadowski stated the Coastal Commission has issues with the MND regarding the EHSA and sensitive habitat.

Commissioner Sadowski and Livick discussed the proposed abandonment of a portion of Torro Lane right-of-way.

MOTION: Commissioner Lucas moved to continue CP0-419 and UP0-383 to a date uncertain. Vice Chairperson Luhr seconded the motion and the motion passed unanimously. (4-0)

Vice Chairperson Luhr requested to hear New Business before Unfinished Business. There was consensus by the Commission to move Unfinished Business to the end of the agenda.

D. NEW BUSINESS

D-1 Interpretation of Site Development Standards for Accessory Structures and Buildings

McIlvaine presented the staff report.

Commissioner Lucas and McIlvaine discussed the proposed dimension standards for a structure in the side yard.

Commissioner Sadowski and staff discussed code enforcement aspects of the standard. Graham noted the Commission has the option to interpret the code to allow sheds or accessory structures 120 square feet or smaller in areas that would otherwise not be allowed.

Vice Chairperson Luhr stated support of the Resolution but indicated 12 feet might be a little tall for what the City is trying to achieve and would suggest a 10 foot maximum.

Chairperson Tefft and McIlvaine discussed the 12 feet height standard.

Chairperson Tefft, Vice Chairperson Luhr, and McIlvaine discussed the square footage calculation.

Chairperson Tefft opened Public Comment period.

Robert Krause, Morro Bay resident, requested the Commission dismiss the Warning of Administrative Citation he received even if the Commission does not adopt the proposed standards, and request the City adopt guidelines for temporary, non-habitable structures.

Reva Virginio, Morro Bay resident, asked if this would include a grandfather clause for existing structures that are 12 feet high.

Paul Rockenbach, Morro Bay resident, stated he supports the Krauses and requests the Commission reduce the setback to 1 foot.

Chairperson Tefft closed Public Comment period.

Vice Chairperson Luhr stated support for the Resolution and reducing the height to 10 feet, but not reducing the setback to 1 foot due to fire issues as the structure would not be required to obtain a permit.

Commissioner Sadowski concurred with Vice Chairperson Luhr regarding reducing the height standard, but would like to reduce the setback to 1 foot.

Commissioner Lucas stated he is against the proposed a height requirement and reducing the setback to 1 foot, noting smaller, shorter and farther from the fence is better. He stated support for the lot coverage requirement.

Chairperson Tefft stated that California Fire Code exempts sheds from fire regulations but does require a 6 foot separation, noting separation from the fence should be shared equally by the neighbors. He stated support for lowering the height to 8, 9 or 10 feet, keeping the setback at 3 feet, and having the lot coverage requirement.

Vice Chairperson Luhr suggested an 8 foot wall and a 10 foot maximum at the peak.

MOTION: Vice Chairperson Luhr moved to adopt PC Resolution No. 21-14 with the following change: structure to have 8 foot maximum for walls and 10 foot height maximum at the peak. Commissioner Lucas seconded the motion.

Commissioner Lucas, Vice Chairperson Luhr, Chairperson Tefft and Livick discussed fire issues in relation to setback distance and the City's insurance liability rating.

Chairperson Tefft called the question.

The motion passed. (3-1; Commissioner Sadowski voting no)

D-2 Discussion of Neighborhood Compatibility and Design Guideline Options

Graham presented the staff report.

Chairperson Tefft opened Public Comment period.

Dorothy Cutter, Morro Bay resident, stated she thinks the Commission needs more tools to keep the City nice and small, noting she encourages this process.

KC Caldwell, Morro Bay resident, requested that Public Comment be opened again after the specifics have been presented by staff. She stated there were a lot of people at the 1000 Ridgeway hearing discussing this issue and they are not here tonight, noting she hopes the Commission will not be adopting anything tonight.

Bill Martony, Morro Bay resident, suggested the guidelines should be by area as each neighborhood as a different character, noting that one size fits all would not work.

Chairperson Tefft closed Public Comment period.

Chairperson Tefft stated this is a first in a series of meetings on this encouraged anyone interested in this process to participate in the discussion.

Vice Chairperson Luhr stated the discussion tonight should be more of a general scope before getting into specific plans for specific neighborhoods.

Commissioner Sadowski stated in regard to the general scope it comes down to size, bulk and articulation, noting an issue to look at is second story overhangs.

Commissioner Lucas concurred with Vice Chairperson Luhr regarding defined neighborhoods that have defined characteristics. He suggested three areas for more detailed discussion: second floor massing and redefine to upper floor massing, radius for noticing a project, and façade articulation.

Commissioner Lucas and Graham discussed enforcement of upper floor setbacks without using FAR or percentage of upper level coverage.

Chairperson Tefft stated he did not like the idea of general guidelines, wanting more specific guidelines with regard to concepts that have to do with the neighborhood the house is in.

Vice Chairperson Luhr stated the crux is how to do this without stifling innovation. He stated the guidelines should be as viewed from the street, noting interior side yards are not as critical. He stated requiring step backs for the upper story would preclude using stair towers that would visually help to break up the bulk, roof planes should be such that would allow for solar panels and guidelines should include landscape plans.

Commissioner Sadowski stated Santa Cruz has a FAR program that is successful and should look at other coastal communities with successful programs.

Graham presented the specific design guideline for relationship to specific homes.

Commissioner Lucas stated it should be a burden on the architect to show compatibility.

Vice Chairperson Luhr and Graham discussed the general guidelines and if it would have enough teeth to tell an applicant they need another look at their project.

Chairperson Tefft stated his concern is the guidelines only look at one way to address an issue, rather than show people they have more options.

Vice Chairperson Luhr concurred and stated he would like to see encouragement for architectural expression.

Commissioner Sadowski stated scale and mass is the key that need to focus on.

Chairperson Tefft stated there needs to be privacy provisions and provisions to prohibit blocking solar access related to a neighbor's house.

Vice Chairperson Luhr stated there are concerns with privacy provisions related to views and decks for homes on a hill or are west facing.

Commissioner Lucas stated a square footage trigger point may be needed for the guidelines. Graham stated this would be something found in the zoning code.

Commissioner Sadowski stated staff should look at what was there compared to what is proposed as a trigger of what would come to the Commission.

Graham presented the specific design guideline for scale and mass.

Commissioner Lucas and Graham discussed the difference between items C and E. Commissioner Lucas stated item E was easier to understand.

Commissioner Sadowski stated he liked the numbers in item E, noting that would give people something to work with.

Vice Chairperson Luhr and Graham discussed the numbers in relation to small and sloped lots. Vice Chairperson Luhr stated he preferred 80% to what is proposed.

Commissioner Lucas stated a sliding scale is important for small lots.

Vice Chairperson Luhr and Chairperson Tefft discussed setting a square footage trigger, with Chairperson Tefft noting a review of lots sizes in the City should occur before setting a trigger amount.

Chairperson Tefft stated item 3 is too stringent and item 2 should be like item 3 giving options of what could be done. He stated he would like to discourage second stories over the garage and would like to see lowered eave lines.

Chairperson Tefft and Vice Chairperson Luhr discussed stepping down or excavating into the hill for hill properties with Vice Chairperson Luhr stating he would be against making stepping down a requirement, noting it should be an option.

Commission took at 10 minute break.

Graham presented the specific design guidelines for surface articulation.

Commissioner Sadowski stated surface articulation is a key aspect to visually reduce the bulk and scale of a second story.

Vice Chairperson Luhr stated the focus should be on street facades, not side and back yards.

Commissioner Lucas stated support for item C1 and did not know how C2 could be maintained.

Graham asked the Commission if there was consensus to Vice Chairperson Luhr's comment to focus on the front elevation.

Commissioners Lucas and Sadowski stated the front is more important.

Chairperson Tefft stated ideally would be talking about open space as well as the structure and is something that should be talked about in the General Plan.

Vice Chairperson Luhr agrees with Commissioner Lucas that colors and textures can change but building articulation is more important.

Graham presented specific design guidelines for building orientation.

Commissioner Lucas and Graham discussed secondary units related to the entry.

Graham presented specific design guidelines for garage placement.

Commissioner Sadowski and Graham discussed setbacks for a second story over a garage.

Commissioner Lucas stated he does not like the strategy proposed as the only option.

Chairperson Tefft stated City should encourage new development be consistent in the placement of the garage with what is in the existing neighborhood and encourage using two garage doors instead of one large door to soften it up. He also stated driveway placement should be done to avoid damage to street trees and encourage having a narrow entrance from the street.

Graham presented specific design guidelines for building materials.

Vice Chairperson Luhr stated he liked having the materials be consistent with the building.

Chairperson Tefft stated in areas that are visible we should avoid changes in material at the corners.

Graham presented specific design guidelines for architectural elements.

Commissioner Sadowski stated the key is proportion and balance.

Commissioner Lucas stated this guideline is not as important as the others, noting that more attention needs to be on the mass and articulation than the basics of the building.

Chairperson Tefft stated he wanted to eliminate number 2, noting he wants opportunity for more options. He also stated should include if a home is being built in an architecturally cohesive neighborhood, the building should be consistent with the style of the neighborhood.

Commissioner Lucas and Graham discussed historical preservation guidelines.

Graham presented specific design guidelines for additions to existing homes.

Vice Chairperson Luhr stated he generally agreed with the proposed guidelines, noting he did not want to close off innovative solutions.

Commissioner Lucas agreed with Vice Chairperson Luhr’s comments.

Chairperson Tefft stated that for number 4 materials should be of equal quality.

Commissioner Sadowski stated the key is bulk and scale and how that fits in with the neighborhood.

Vice Chairperson Luhr and Graham discussed ways to encourage public participation.

E. DECLARATION OF FURTUE AGENDA ITEMS – None

C. UNFINISHED BUSINESS

C-1 Current and Advanced Planning Processing List
Staff Recommendation: Receive and File

Graham reviewed the work program with the Commissioners.

F. ADJOURNMENT

The meeting adjourned at 9:20 p.m. to the next regularly scheduled Planning Commission meeting at the Veteran’s Memorial Building, 209 Surf Street, on Tuesday, September 16, 2014 at 6:00 p.m.

Robert Tefft, Chairperson

ATTEST:

Rob Livick, Secretary