



CITY OF MORRO BAY PLANNING COMMISSION MEETING AGENDA

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

209 Surf Street, Morro Bay
Wednesday May 4, 2011

Chairperson Rick Grantham
Vice-Chairperson - Vacant
Commissioner Paul Nagy
Commissioner Jamie Irons
Commissioner John Solu
Rob Livick, Secretary

- I. ESTABLISH QUORUM AND CALL TO ORDER
- II. MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE
- III. ELECTION OF VICE CHAIR
- IV. PLANNING COMMISSIONER ANNOUNCEMENTS
- 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 Planning Commission meeting held on April 6, 2011
- B. Approval of minutes from Planning Commission meeting held on April 20, 2011

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.

A. None

IX. PUBLIC HEARINGS

- A. **Case No.:** CPO-325/UPO-285/SOO-103
Site Location: 593 & 595 Driftwood
Applicant/Project sponsor: Walter & Karen Roza / Cathy Novak, Novak Consulting

Request: The project site, 593 & 595 Driftwood is one parcel, 8,708 square feet in size with two existing homes, one approximately 1000 square feet and one 960 square feet in size. The applicant proposes to subdivide the property into two lots. Parcel one is proposed to be 5,213 square feet and parcel 2 is proposed to be 3,495 square feet. The applicant proposes to utilize the Compact In-fill Development regulations which allows for certain reductions in development standards. The proposed parcels will be 14% (Parcel 1) and 48% (Parcel 2) smaller than required under the R-2 zone district. The present home on Parcel 1 is proposed for demolition and a new two story home approximately 2,816 square feet in size will be constructed with a small secondary unit 640 square feet in size within the same structure on Parcel 1. The project will also include 956 square feet of common open space for the benefit of both properties. The space will be utilized for a horseshoe pit, a barbeque and fire pit area. In addition, the project will provide private open space.

CEQA Determination: Mitigated Negative Declaration.

Staff Recommendation: Approve Coastal Development Permit #CP0-325, Conditional Use Permit #UP0-285, and Parcel Map #SOO-103 with conditions.

Staff Contact: Kathleen Wold, Planning Manager, (805) 772-6211.

X. UNFINISHED BUSINESS

- A. Current and Advanced Planning Processing List

XI. NEW BUSINESS

- A. None

XII. DECLARATION OF FUTURE AGENDA ITEMS

XIII. ADJOURNMENT

Adjourn to the next regularly scheduled Planning Commission meeting at the Veteran’s Memorial Building, 209 Surf Street, on Wednesday, May 18, 2011 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:

This Agenda is available for copying at ASAP Reprographics and at the Public Library

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 within 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.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Public Services’ Administrative Technician at (805) 772-6261. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

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/planningcommission or you can subscribe to Notify Me for email notification when the agenda is posted on the City’s website. To subscribe, go to www.morro-bay.ca.us/notifyme and follow the instructions.

AGENDA ITEM: VII-A

DATE: May 4, 2011

ACTION: _____

CITY OF MORRO BAY
PLANNING COMMISSION
SYNOPSIS MINUTES

(Complete audio- and videotapes of this meeting are available from the City upon request)

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

209 Surf Street, Morro Bay
April 6, 2011

Chairperson Rick Grantham

Vice-Chairperson John Diodati
Commissioner Paul Nagy

Commissioner Jamie Irons
Commissioner John Solu

Rob Livick, Secretary

I. ESTABLISH QUORUM AND CALL TO ORDER

Chairperson Grantham called the meeting to order at 6:00 p.m. and noted all Commissioners are present with the exception of Vice-Chair John Diodati.

Staff Present: Rob Livick, Kathleen Wold and Sierra Davis

II. MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE

Livick led the pledge.

III. PLANNING COMMISSIONER ANNOUNCEMENTS – None.

IV. DIRECTOR'S REPORT/WRITTEN COMMUNICATIONS

Rob Livick briefed the Commission on action taken by the City Council at the March 22nd meeting and for the upcoming April 12th City Council meeting.

V. PUBLIC COMMENT

Chairperson Grantham opened the Public Comment period.

- Ken Vesterfeld of Morro Bay announced Friday, April 8th will be the Tip-a-Cop dinner which is a fundraiser to benefit Special Olympics. Also, on Friday, April 15th is the first Emergency Vehicle car show, a free event and on May 5-8th is the Annual Cruisin' Morro Bay Car Show.

VI. CONSENT CALENDAR

A. Approval of minutes from the Planning Commission meeting held on March 16, 2011.

MOTION: Nagy moved the Planning Commission approve the Consent Calendar. Irons seconded the motion. The motion carried unanimously (4-0).

VII. PRESENTATIONS - None.

VIII. PUBLIC HEARINGS

A. *This item has been continued from the March 16, 2011 meeting.*

Case No.: S00-048/UP0-086/CP0-130

Site Location: 2400 Main Street, Northeast corner of Main and Bonita

Applicant/Project Sponsor: Morro Mist LLC. Steve and Gayla Miller / Cathy Novak

Request: Construction of a 23 unit community housing project on individual lots clustered in six areas and one common lot for access, common landscaping and general common area. The proposed project seeks an exception for the following: interior yard setbacks between units, lot coverage, lot size, reduced open space, reduced parking and the commercial requirement in a mixed-use (commercial/residential) zone. The proposal includes 2.3 units of affordable housing to meet the City's inclusionary requirements with two affordable units at the moderate rate and the .3 unit to be provided via the City's in-lieu fee program.

Recommended CEQA Determination: Mitigated Negative Declaration

Staff Recommendation: Conditionally approve Tentative Subdivision Map S00-048, Conditional Use Permit UP0-086 and Coastal Development Permit CP0-130.

Staff Contact: Kathleen Wold, Planning Manager, (805) 772-6211

Wold presented the staff report.

Commissioners discussed with staff the conflicts between the Zoning Ordinance, General Plan and LCP in addition to the following:

- The lack of a commercial component to the project and the General Plan and zoning requirements for mixed use;
- The affordability condition of 2.3 units and the procedure for developing when there is a fractional requirement. The City Council in the past has allowed fractional units to be paid as an in-lieu fee. Wold clarified how the provision of additional affordable housing units could enable the Applicant to overcome the commercial requirement; and
- The parking requirement of 49 spaces versus the Applicant's proposed 43 spaces.

Chairperson Grantham opened the Public Comment period:

- Cathy Novak, Representative for the Applicant, spoke to clarify details of the proposed project and its conditions;
- Jay Chiasson of Morro Bay urged that commercial development be in the downtown area not in North Morro Bay;

The following persons spoke against the proposed project:

- David Janzen of Morro Bay expressed concern about the lack of adequate parking;
- Brenda Agee of Morro Bay stressed this project is wrong for Morro Bay and stated even more homes are not needed and also was opposed to the high density of this proposed project;
- Conrad Michel of Morro Bay who expressed concern about parking and the numerous exceptions asked for by the Applicant; and
- Roger Ewing of Morro Bay questioned the community benefit to be gained for the exceptions requested by the Applicant.

Commissioners discussed with staff:

- The conflicts in the code between compact infill development and community housing guidelines and the exceptions requested by the Applicant; and
- The parking requirements for the project and whether to condition an additional 3 parking spaces for a total of 46 spaces.

Commissioner Irons asked Wold to clarify if the code will allow a 100% residential project. Wold stated the policies in the General Plan and LCP and Zoning Ordinance do not allow elimination of commercial use based on the fact that market would not support it. Wold clarified the Commission would need to either make the finding that the affordable housing provided is above the minimum requirement or do a General Plan amendment and rezone the property.

Commissioners continued discussion regarding whether to condition a third affordable unit instead of a fractional unit. If a third unit is conditioned, then the project would be consistent with the Municipal Code and could be made 100% residential.

Novak responded to the Commission that the Applicant would be willing to offer 2.4 affordable units instead of the fractional 2.3 affordable units. Wold clarified for the Commission that the additional 0.1 amount equates to an additional approximate \$20,000 that would be paid into the City's affordable housing in-lieu fund.

Commissioner Irons quoted document H17.2 of the Housing Element which discusses neighborhood compatibility and cited the 3100 block of Main Street as an example. Commissioner Irons suggested that based on this Main Street project as an example, that the Commission use the same frontal and side yard setback of 15 feet and 10 feet while allowing the reduced interior setback exceptions and not allow the parking exception. This would require the Commission to continue the project and the applicant to adjust the project accordingly and seek a General Plan Amendment. No discussion by the Commission was followed in support of that suggestion.

Commissioner Solu asked the Applicant to talk about the parking issue.

Novak responded that she asked the Architect to find a way to provide 3 additional compact parking spaces. She presented a design that showed the parking spaces on site in the current common open space area with pavers, instead of asphalt, which would allow this parking space to double as overflow space when not in use as parking.

MOTION: Nagy moved the Planning Commission approve this 23-unit housing project with the findings that the overall project meets the General Plan and with the following conditions:

1. Add 3 extra parking spaces, and they can use it with pavers and so it can be used as also as common outdoor area, sort of overflow parking and;
2. The applicant to be charged the 2.4 housing units for inclusionary in the affordable housing.

Solu seconded the motion. The motion carried 3-1. Irons dissented.

IX. UNFINISHED BUSINESS

A. Current Planning Processing List/Advanced Work Program
Commissioners reviewed the work program.

X. NEW BUSINESS

XI. DECLARATION OF FUTURE AGENDA ITEMS
Commissioners agreed to agendaize a discussion about modifications to the Zoning Ordinance.

XII. ADJOURNMENT
Chairperson Grantham adjourned the meeting at 7:55p.m. to the next regularly scheduled Planning Commission meeting at the Veterans Hall, 209 Surf Street, on Wednesday, April 20th, 2011 at 6:00 p.m.

Rick Grantham, Chairperson

ATTEST:

Rob Livick, Secretary

AGENDA ITEM: VII-B

DATE: May 4, 2011

ACTION: _____

CITY OF MORRO BAY
PLANNING COMMISSION
SYNOPSIS MINUTES

(Complete audio- and videotapes of this meeting are available from the City upon request)

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

209 Surf Street, Morro Bay
April 20, 2011

Chairperson Rick Grantham

Vice-Chairperson John Diodati
Commissioner Paul Nagy

Commissioner Jamie Irons
Commissioner John Solu

Rob Livick, Secretary

I. ESTABLISH QUORUM AND CALL TO ORDER

Chairperson Grantham called the meeting to order at 6:00 p.m. and noted all Commissioners are present with the exception of Vice-Chair John Diodati.

Staff Present: Rob Livick and Damaris Hanson

II. MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE

Commissioner Nagy led the pledge.

III. PLANNING COMMISSIONER ANNOUNCEMENTS – None.

IV. DIRECTOR'S REPORT/WRITTEN COMMUNICATIONS

Rob Livick briefed the Commission on action taken by the City Council at the April 12th meeting and for the upcoming April 26th City Council meeting.

V. PUBLIC COMMENT - None

VI. CONSENT CALENDAR

A. Approval of minutes from the Planning Commission meeting held on April 6, 2011.

Irons asked that the minutes be amended to reflect his summary comments stating his alternate proposal based on an example from the 3100 block of Main Street.

MOTION: Irons moved the Planning Commission send the minutes back for correction to be brought back at the April 20, 2011 Planning Commission meeting. Solu seconded the motion. The motion carried unanimously (4-0).

VII. PRESENTATIONS - None.

VIII. PUBLIC HEARINGS

- A. **AO0-011 City-Wide Text Amendment.** The City of Morro Bay will hold a public hearing to consider adopting an amendment to The City's Municipal Code Title 14 modifying Section 14.48 "Illicit Discharge Detection and Elimination and Stormwater Management" The ordinance is a requirement in the City's Stormwater Management Plan under the National Pollution Discharge and Elimination System (NPDES) phase II permit issued by the Regional Water Quality Control Board. The purpose of this Section will be to ensure the health, safety and general welfare of citizens, and to protect and enhance the water quality of watercourses and water bodies in a manner pursuant to and consistent with the Federal Clean Water Act (33 U.S.C. § 1251 et seq.) by reducing pollutants in stormwater discharges to the maximum extent practicable and by prohibiting non-stormwater discharges to the stormwater conveyance system. The ordinance is statutorily exempt from CEQA under Discharge requirements, Section 15263 of the CEQA regulations.

Staff Contact: Rob Livick Director of Public Services or Damaris Hanson Engineering Technician (805) 772-6261.

Livick presented the staff report explaining the requirement of the Regional Water Board to adopt ordinance modifications to the City's Storm Water Ordinance including:

1. Adopt an ordinance prohibiting illicit discharges and including enforcement provisions;
2. Adopt and enforce a Pet Waste Management Ordinance; and
3. Review existing codes and provide accommodation that would allow implementation of hydromodification control and low impact development (LID).

Livick asked Commissioners to provide comments/recommendations to be forwarded to the City Council.

Commissioners' comments and discussion with staff regarding the draft Storm Water Management Ordinance included:

- The pet waste ordinance;
- The marketing and outreach methods to be used to educate the public, both residents and businesses;
- Maintain consistency with other cities' ordinances;
- The definitions of development and whether it would be beneficial to have our own zoning ordinance definitions and incorporate that into the Storm Water Ordinance document;
- Whether to also incorporate engineering standards from the Municipal Code into the Storm Water Ordinance document;
- Design standards for restaurants and whether it is too restrictive to require mat wash areas to be paved, outdoor and covered; and
- The fine for violations. Livick responded that the process used would be the administrative citation section of the code. The process is progressive which starts as a written warning and then escalates to fines starting at \$100 a day.

MOTION: Nagy moved the Planning Commission approve Item 8A and recommend approval to the City Council of our Storm Water Management.

Irons seconded the motion. The motion carried 4-0.

IX. UNFINISHED BUSINESS

- A. Current Planning Processing List/Advanced Work Program

Commissioners had no discussion.

X. NEW BUSINESS – None.

XI. DECLARATION OF FUTURE AGENDA ITEMS – None.

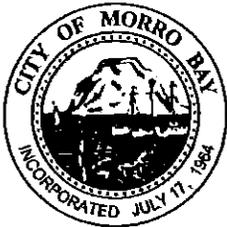
XII. ADJOURNMENT

Chairperson Grantham adjourned the meeting at 6:48p.m. to the next regularly scheduled Planning Commission meeting at the Veterans Hall, 209 Surf Street, on Wednesday, May 4th, 2011 at 6:00 p.m.

Rick Grantham, Chairperson

ATTEST:

Rob Livick, Secretary



AGENDA NO: 1X-A

MEETING DATE: May 4, 2011

Staff Report

TO: Planning Commissioners **DATE:** May 4, 2011

FROM: Kathleen Wold, Planning Manager

SUBJECT: Vesting Tentative Parcel Map (MB-10-0004) (S00-103), Use Permit (UP0-285) and Coastal Development Permit (CP0-325) for a compact infill development at 593 and 595 Driftwood

RECOMMENDATION:

Staff recommends that the Planning Commission forward a favorable recommendation to the City Council to Conditionally Approve Vesting Tentative Parcel Map (S00-103), Use Permit (UP0-285) and Coastal Development Permit (CP0-325) subject to the findings contained in Exhibit A and the Conditions of Approval in Exhibit B.

PROJECT DESCRIPTION:

The property is located at the corner of Driftwood and Shasta Avenues at 593 & 595 Driftwood. The project site, 593 & 595 Driftwood is 8,708 square feet in size and currently there are two existing homes on the site one approximately 1,000 square feet and one 960 square feet in size. The property is zoned Duplex Residential (R-2) and has a General Plan Designation of Medium Density Residential (MDR). The applicant proposes to subdivide the property into two lots. Parcel one (east) is proposed to be 5,213 square feet and Parcel 2 (west) is proposed to be 3,495 square feet.

The applicant proposes to utilize the Compact In-fill Development regulations which allows for certain reductions in development standards under specific circumstances. The project proposes numerous exceptions to the standard regulations contained in the R-2 zone district based on the provisions of the Compact In-fill Development regulations and the waivers that are allowed when a project provides affordable housing beyond that required under code for the project.

The present home on Parcel 1 is proposed for demolition and a new two story home approximately 2,816 square feet in size will be constructed in its place along with a secondary unit approximately 640 square feet. The project will also include 956 square feet of common open space for the benefit of all three units. The space will be utilize for a horseshoe pit, a barbeque and fire pit area. In addition the project with provide private open space.

LEGAL DESCRIPTION	Lot 4 in Block 14 of the Resurvey of a part of the Town of Morro, in the county of San Luis Obispo, State of California according to Map recorded July 3, 1917, in Book 2 Page 11 of records of Surveys.
APN(S)	066-143-008
ZONING	Duplex Residential R-2
GENERAL PLAN	Medium Density Residential (MDR)

APPLICANT: Walter & Karen Roza, P.O. BOX 104, Cayucos, CA 93430

AGENTS: Cathy Novak, Novak Consulting, P.O. Box 296, Morro Bay, CA 93443

BACKGROUND:

The site is currently a single parcel with two existing homes. The first home is approximately 1,000 square feet was built in 1954 and is located where parcel 1 is proposed. The second home is approximately 960 square feet and was built in 1955 and is located where parcel 2 is proposed. The existing home on parcel one is proposed to be demolished and replaced with a new single family home and secondary unit. The house on parcel 2 will remain.

ENVIRONMENTAL DETERMINATION:

A Mitigated Negative Declaration was circulated on March 4, 2011 with a review period that ended on April 4, 2011. Mitigation was recommended for Aesthetics, Air Quality, Cultural Resources, Geology/Soils, Greenhouse Gas Emissions, Hydrology/Water Quality, Noise, Public Services and Recreation. With the incorporated mitigation measures that the applicant has agreed to, the project will have a less than significant impact on the environment, and staff can make the findings to approve the proposed project. The mitigations contained in this document have been incorporated into the conditions of approval (Exhibit B).

PROJECT SETTING AND DESCRIPTION:

The property is located at 593 & 595 Driftwood Avenue and the corner of Driftwood Avenue and Shasta Avenue. This neighborhood is characterized as a residential neighborhood with primarily single-family homes and a church. Homes in this neighborhood are older and in various states of upkeep.

<u>Site Characteristics</u>	
Site Area	.2 acres
Existing Use	Two existing single family homes on one lot
Terrain	Slight slope to the west
Vegetation/Wildlife	Landscaping
Archaeological Resources	None known
Access	Driftwood Avenue and Shasta Avenue

<u>General Plan, Zoning Ordinance & Local Coastal Plan Designations</u>	
General Plan/Coastal Plan Land Use Designation	Medium Density
Base Zone District(s)	Duplex Residential R-2
Zoning Overlay District	n/a
Special Treatment Area	n/a
Combining District	n/a
Specific Plan Area	n/a
Coastal Zone	Yes, non-appealable area

Adjacent Zoning/Land Use

North:	Duplex Residential (R-2)	East:	Duplex Residential (R-2)
South:	Duplex Residential (R-2)	West:	Duplex Residential (R-2)

REGULATIONS

The project will utilize the Compact Infill Development standards contained within the Subdivision Ordinance, the regulations under Chapter 17.50 for affordable housing, the R-2 (Duplex) district regulations as well as other miscellaneous requirements such as parking contained within the Zoning Ordinance.

The intent of the Compact Infill requirement is to allow lots with sizes smaller than those otherwise allowed under the Zoning Ordinance. The code acknowledges that residential small lot subdivisions provide a benefit to the community by expanding the range of choice of housing available. This alternate form provides ownership opportunities for those who may desire less space, less maintenance responsibility, or lower carrying costs than normally would be connected with single-family dwellings.

Compact in-fill development is designed and intended to: encourage creativity and innovation in the design of developments; provide for more efficient use of land; permit special consideration of property with outstanding natural or topographical features; facilitate use of the most appropriate construction techniques in the development of land; and, provide for any individual land use not otherwise specified elsewhere in this Ordinance. By allowing developers to depart from "cookie cutter" lot forms and setback requirements, more creative use of open space and urban design is possible which allows for diversity in design, size, and style of homes.

All compact in-fill development projects shall conform to the requirements of the residential district in which the project is located unless the proposed project utilizes unique residential concepts (such as zero lot line). In addition, all projects shall conform to the following standards, except as noted. In granting a use permit, the Planning Commission may impose appropriate conditions to assure that projects comply with the standards.

- A Compact In-Fill Development may be established only in multiple-family residential and in qualified commercial districts.
- Minimum Project Size. In order to qualify for a compact in-fill development project, the project site size must be a minimum of 8,700 square feet in gross area while meeting the density criteria established in the Zoning Ordinance for the underlying zoning district.
- Affordability. For projects of five or more lots 10% or at least one residential unit must be deed restricted for affordability in accordance with the City's affordability standards.

Overall design and site layout. The following criteria shall be considered in reviewing the overall design and site layout of the project:

- The project should have a comprehensive and integrated design, providing its own open space, off-street parking, and amenities for contemporary living. Open space, walkways, and other areas for people shall be separated from parking areas, driveways, and areas for automobiles;
- Architectural unity and harmony should be achieved both within the project and between the project and the surrounding community so that it does not constitute an adverse disruption to the established fabric of the community;

- The layout of structures and other facilities should effect conservation in street, driveway, curb cut, utility, and other public or quasipublic improvements. Additionally, structures should be designed to minimize, in recognized and published standards, the consumption of natural resources either directly or indirectly; i.e., gas, water, and electricity.

Lots Configuration. The following criteria shall be considered in reviewing the lot sizes and configuration of the project:

- The size and shape of lots shall be shown on tentative maps and shall be in conformance with the City's General Plan/Local Coastal Plan policies.
- In no case shall any lots in a compact in-fill development subdivision be smaller than 2,900 square feet in area and 40 feet in width for detached single-family lots and 1,500 square feet in area and 25 feet in width for attached townhouses.
- Where property is zoned for commercial use, other widths and areas may be permitted at the discretion of the Planning Commission based on applicable zoning ordinances.
- Corner lots shall have a width sufficient to permit the maintenance of building lines on both front and side, or as set forth in zoning ordinance for the district in which they are situated, and shall also be designed so as to have sufficient sight distance at intersections to meet engineering standards.

Provision of private open space for each unit. Each dwelling unit within a project shall have an appurtenant private open space, such as a patio, deck, or atrium. Such space shall be designed for the sole enjoyment of the unit owner, shall have at least two weatherproofed electrical outlets, and shall have a shape and size that will allow for optimal usable space. Such space shall be at approximately the same level as, and immediately accessible from a room within the unit.

- Except as noted below, all units shall be provided with qualifying private open space areas which are, at a minimum, equal in size to 15% of the unit floor area. To qualify as private open space; and
- The proposed space shall be no smaller than six (6) feet in minimum dimension; and
- Yard areas, patios, decks, and ground-level terraces shall have a minimum dimension which is no less than 50% of the maximum dimension; and
- The proposed space shall not include walkways, stairs, or landings intended to provide access to any dwelling unit. Those portions of any porch which extend from any door or from the wall extending for one floor on either side of said door to the outer edge of the porch will be considered as "landings" and will not qualify as private open space. Other portions of a porch however may be designated as qualifying private open space if the minimum dimension is equal to or greater than six (6) feet.
- Common Open Space. Each dwelling unit within a project shall have an appurtenant common open space, such as recreational areas, or landscaped areas. Such space shall be designed and governed for the enjoyment of the entire project owners, and shall have a size, shape and topographical condition that will allow for optimal usable space preferably in a single coherent and contiguous area. Such space shall be accessible to all living units in the project, and outside of the required front setbacks. Not including driveways or parking areas and at least 50% shall not exceed a 10% slope.
- Common open space shall be provided for each project of sufficient size that the total of private and common open space is equal to or greater than the amount required in the Table

below. The minimum width of the common open space area shall not be less than fifteen (15) feet

Unit Floor Area (sq. ft.)	Minimum Total Open Space (% of unit floor area)
Less than 600	30%
600 – 799	32%
800 – 999	34%
1000 – 1199	36%
1200 – 1499	40%
1500 – 1799	45%
1800 or larger	50%

- The parent parcel shall have frontage on a public street, unless a variance is granted.
- Lots shall utilize common access when feasible.
- Residential units adjacent to a public street shall be oriented to the public street.
- Individual lots created by the map approved for the entire site shall not be permitted to be reduced in size by subsequent land division.
- Utilities, including electric, telephone and cable, along the frontage of, and within the Compact In-Fill Development and along the project frontages shall be installed and/or relocated underground where feasible.

Anaylsis:

The Compact Infill Development regulations state that a project must adhere to the standards unless the project utilizes unique residential concepts. The project will utilize standard lot configuration but the project does seek to provide maximum utilization of the site. The R-2 zone district provides for 1 unit for every 2,900 square feet contained within the project site. Currently there are only 2 units on the 8,700 square foot parcel. Reduction in setbacks will provide an opportunity to provide three units.

While the applicant could design the project to provide three smaller units, the reduction in setbacks and lot coverage will provide for three different types of units and various ownership and rental opportunities. The first unit is an existing single family home on Parcel Two. This home is 960 square feet in size and has a one car garage. The second home proposed on Parcel One will be 2, 816 square feet with 2 car garage/workshop approximately 856 square feet and a third unit contained in the same building as the larger home. This unit will have a 220 square foot one car garage. The wide variation of units contained in this proposal is uncommon for a residential development. The Vesting Tentative Parcel Map will provide separate home ownership opportunities for two of the units. The third unit will provide an affordable unit rental opportunity. Therefore due to the wide variety of the units proposed and home ownership/rental opportunities, staff feels that this project does utilize a unique residential concept and therefore can utilize standards outside the R-2 requirements.

The project is within a multiple family residential zone and is of sufficient size but is not large enough to require an affordable unit because the project provides less than 5 units the threshold for the requirement.

The project design includes modification to the existing units to provide some unifying architectural elements. However, since the neighborhood is characterized by older homes of the style of the period

the project architectural design will be different than the surrounding neighborhood. However, the design of the project will not constitute an adverse disruption to the established fabric of the community. The project does provide open space, walkways and other areas for people separate from the parking areas and driveways. The project does not offer any information regarding any design features for the conservation of gas, water or electricity such as a solar feature or demand water heaters.

The lot sizes proposed are over the minimum required and as one lot proposed will be a corner lot staff has reviewed the proposed reduction in setbacks in regards to corner lot site visibility. Staff determined that due to the excess right of way adjacent to the project site that even if the current street was to be widened in the future, additional right-of-way exists therefore the reduced corner setbacks will not create a hazard or jeopardize corner visibility in any manner.

Each unit will be provided with private open space and common open space will be provided as detailed in the following tables:

Private Open Space		
Unit	Percentage required	
Unit 1 on parcel 1, unit is 2,816 square feet	15% of the unit floor area	422 square feet
Unit 2 on Parcel 1, unit is 640 square feet.	15% of the unit floor area	96 square feet
Unit 3 on Parcel 2, unit is 960 square feet.	15% of the unit floor area	144 square feet
Total		662 square feet

Total Open Space		
Unit	Percentage required	
Unit 1 on parcel 1, unit is 2,816 square feet	50% of the unit floor area	1,408 square feet
Unit 2 on Parcel 1, unit is 640 square feet.	32 % of the unit floor area	205 square feet
Unit 3 on Parcel 2, unit is 960 square feet.	34% of the unit floor area	326 square feet
Total		1,939 square feet

The tables above show that the project is required to provide 2,601 square feet in total open space (a combination of common and private open space) along with the individual break downs of space requirements. The project as design meets these requirements.

The parcels proposed all have frontages on a public street and the two units on parcel one utilize common access, however separate access is provided for Parcel Two as it is a preexisting unit. In addition, the residential units are oriented to the street. A condition has been placed that a deed restriction must be recorded on the property restricting further division of the subject properties.

The applicant has submitted documentation which indicates that undergrounding all utilities is not economically feasible. Staff has reviewed this material and has conditioned the project to underground all services to the project only (the drops).

The project is required to provide 2 guest parking. The applicant has requested that these spaces be allowed within the City's right of way (ROW). While the location proposed is unconventional and may not work at many locations throughout the city the excessive ROW existing in this location provides an excellent opportunity to provide additional parking without impacting the site design, the neighborhood or the street function. However, required parking cannot be provided within the Public Right of Way therefore staff has conditioned the project to provide two compact guest spaces in tandem with the garages on Parcel One eliminating the need for the parking to be within the ROW.

Affordable Housing

Under Section 17.49.080 "Community Housing Project Regulations" as an incentive to provide affordable housing, the Planning Commission or the City Council may grant exceptions to standards as deemed appropriate which do not affect the health and safety of the building and if the occupants are not otherwise required by state law or City regulations to provide affordable housing.

The project is not required under the City of Morro Bay's current code to provide an affordable housing unit as such the provision of an affordable housing unit is a feature of this project which is above and beyond the requirements and would qualify the project to have additional exceptions granted. These exceptions include the increase in lot coverage from 50% to 59% on Parcel 1, guest parking spaces to be placed within the City's Right-of-Way, parking spaces to be designed as tandem, the reduction in front yard setback for Parcel 1, side yard and rear yard setback reduction for Parcel 2 The applicant has proposed the unit be restricted at the moderate income level for a period of 15 years. In addition, the applicant requests that the deed restriction not apply to family members. The affordable housing unit is an integral part of the project proposal and without this unit the project would not have a recommendation for approval as such it is imperative that the unit comply with the City of Morro Bay's and the State of California regulations. The City's Housing Element approved by the Housing and Community Development Department of the State of California requires a minimum of 30 years or any other period allowed under state law. There is no exception granted for family members. Staff finds that the applicant's proposal is not consistent with the City's Housing Element and therefore without the proper restrictions on the affordable unit staff would recommend to the Planning Commission that the project be denied.

Exceptions			
	Required	Project Specific/Exception requested	Notes
Interior side setbacks for Parcel 2	5 feet	1 feet	Project has been conditioned to adjust the property line to a minimum of 3 feet or to modify the existing building to accommodate all fire and building codes associate with building separation from property lines.
Interior rear Parcel 2	10 feet	4 feet	Staff supports this reduction.
Front yard setback for Parcel one	20 feet	5 feet	Staff supports this reduction but no further reductions into this reduced setback.
Lot Coverage	50% maximum	Parcel 1 has a lot coverage of 59% Parcel 2 has a lot coverage of less than the maximum	Staff supports this reduction.
Parking	4 covered and enclosed parking spaces for residences, one open and uncovered for the secondary unit plus 2 guest parking spaces	Tandem parking space for parcel 2. One covered and enclosed and one open and uncovered. Allow 2 guest parking spaces in the front yard setback.	Staff has conditioned the project to provide for the guest parking in tandem with the required parking on Parcel 1 and include a deed restriction maintaining the parking in perpetuity. The remaining parking is acceptable.

The above table details the exceptions requested by the applicant from Title 17 standards all other Title 17 requirements shall be adhered to including building height.

The site plan and the project description submitted by the applicant do not detail the second story encroachment into the front yard setback. The south elevation on Sheet A-3 indicates that the second story extends beyond the first floor and over the property line. Staff cannot support encroachment of any portion of this building into the reduced front yard setback or into the

Public Right of Way therefore the project has been condition to revise the second floor to comply with the reduced five foot setback.

CONCLUSION:

As designed, the proposed residential development requires multiple exceptions to City standards including but not limited to reduced setbacks, guest parking in the front yard setback, lot coverage and lot size. The Planning Commission should discuss the design and other merits of the project along with the requested exceptions to determine if the project as conditioned meets the required findings for approval.

Report prepared by: Kathleen Wold, Planning Manager

Attachments:

1. Vesting Tentative Parcel Map date stamped October 12, 2010.
2. Site Plan and Elevations date stamped September 1, 2010.
3. Preliminary Drainage Report dated August 2010. (Triad/Holmes associates).
4. Draft Maintenance Agreement and Grant of Easements.
5. Soils Engineering Report, (Geosolutions, Inc.).
6. Information on Applicant's request to relieve them from undergrounding utilities.
7. Title Report date stamped March 30, 2010 (Fidelity National title Company).
8. Neighborhood correspondence.
9. Revised project description dated September 1, 2010.
10. Environmental packet.
11. Subdivision Review Board Minutes dated October 25, 2009

EXHIBIT A
FINDINGS FOR APPROVAL
Vesting Tentative Parcel Map (S00-103), Use Permit (UP0-285) and Coastal Development
(CP0-325).

California Environmental Quality Act (CEQA)

That for purposes of the California Environmental Quality Act, for the project described as "Roza Compact Infill Project"—Vesting Tentative Parcel Map (S00-103), Use Permit (UP0-285) and Coastal Development Permit (CP0-325) a Mitigated Negative Declaration has been adopted, finding that with the incorporation of mitigations the project will not have a significant effect on the environment.

Conditional Use Permit (UP0-285) and Coastal Development Permit (CPO-325).

That the project is an allowable use in its zoning district and is also in accordance with the certified Local Coastal Program and the General Plan for the City of Morro Bay based on the analysis contained within the staff report; and

The establishment, maintenance, or operation of the use applied for will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use as the project is consistent with all applicable zoning and planning requirements; and

The use will not be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the City since the project, as conditioned, will be consistent with all applicable City regulations; and

Compact In-fill Development

Modification of development standards is warranted to promote orderly and harmonious development. *The modifications of development standards promotes a creative reuse of the property which provides for maximization of the site.*

Modification of development standards will enhance the opportunity to best utilize special characteristics of an area and will have a beneficial effect on the area. *The project as designed will provide home ownership opportunities as well as one rental opportunity. In addition, the project as proposed provides for full utilization of the site in the number of units on site.*

Benefits derived from the project cannot be reasonably achieved through existing development standards. *The project as proposed could not be achieved without the modifications requested.*

Proposed Plans, if any, offer certain redeeming features to compensate for requested modifications. *The project has many redeeming features which are detailed within the analysis of the staff report.*

Subdivision Map Act Findings

The proposed Vesting Tentative Parcel Map to create 2 residential lots is consistent with General Plan and the City's Local Coastal Plan.

The site is physically suitable for the type and density of development proposed because the site is zoned as R-2 (Duplex) which allows for up to 3 units. The project as proposed exceeds the minimum but not the maximum density allowed.

The design of the subdivision and related improvements will not cause substantial environmental damage or substantially injure fish or wildlife or their habitat because all precautions will be implemented to catch and direct all runoff.

The design of the subdivision and improvements will not cause serious public health problems.

The design of the subdivision and related improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision because no easements are required for the public.

As conditioned, the design, architectural treatment, and general appearance of all buildings and open space areas will be in keeping with the character of the surrounding area pursuant to 17.48.200, and will not be incompatible with the uses permitted in the surrounding areas and zoning district.

The City has available adequate water to serve the proposed subdivision based upon the water regulations and the annual water report, enforced at the time of approval of the Vesting Tentative Parcel Map pursuant to the certified Water Management Plan and General Plan LU-22.1.

EXHIBIT B
CONDITIONS OF APPROVAL

**Tentative Subdivision Map (S00-103), Use Permit (UP0-285) and Coastal Development (CP0-325).
Roza Compact Infill Project**

STANDARD CONDITIONS

1. This Conditional Use /Concept Plan permit is granted for the use as described in the staff report dated May 4, 2011 and the plans received September 1, 2011 by the Public Services Department, ("Attachment 1" of the staff reports) and subject to these conditions of approval. The Vesting Tentative Parcel Map (MB-10-0004) dated June 29, 2011 is granted approval subject to these conditions of approval.
2. Inaugurate Within Two Years: If the approved use is not established within two (2) years of the effective date of this approval, this approval will automatically become null and void. However, upon written request by the applicant prior to the expiration date of this approval, up to two (2) one-year time extensions may be granted. Said extensions may be granted by the Public Services Director, upon finding that the project complies with all applicable provisions of the Morro Bay Municipal Code, General Plan and Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.
3. Changes: Minor changes to the project description and/or conditions of approval shall be subject to review and approval by the Public Services Director subject to a Minor Amendment. Any changes to this approved permit determined not to be minor by the Director shall require the filing of an amendment subject to Planning Commission review. Minor changes will be subject to Minor Amendment.
4. Compliance with the Law: All requirements of any law, ordinance or regulation of the State of California, City of Morro Bay, and any other governmental entity shall be complied with in the exercise of this approval. This project shall meet all applicable requirements under the Morro Bay Municipal Code, and shall be consistent with all programs and policies contained in the certified Coastal Land Use Plan and General Plan for the City of Morro Bay.
5. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicants failure to comply with conditions of approval. This condition and agreement shall be binding on all successors and assigns.
6. Compliance with Conditions: The applicant's establishment of the use and/or development of the subject property constitutes acknowledgement and acceptance of all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Public Services Director and/or as authorized by the Planning Commission. Failure to comply with these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the Morro Bay Municipal Code and is a misdemeanor.
7. Utility Services: All water and sewer impact fees shall be paid at the time the building permit is issued.
8. Property Line Verification. It is owner's responsibility to verify lot lines. Prior to foundation inspection the lot corners shall be staked and setbacks marked by a licensed professional.

9. Park In-lieu Fee. Prior to recordation of the Final Map requirements of the City of Morro Bay for dedication of land for park purposes and/or payment of fee-in-lieu thereof shall be met (MBMC Section 16.13.005).

PUBLIC WORKS CONDITIONS

1. Provide water quality treatment for the runoff resulting from a two year storm event either through retention (infiltration) or an alternative Water Quality BMP such as biofiltration, mechanical filtration or hydrodynamic separation. Provide peak runoff rate control for the runoff resulting from the two, ten and one- hundred year rainfall events. For the purposes of stormwater management the pre-construction condition shall be that of native soil and vegetation. The project shall incorporate Low Impact Development (LID) measures. The entire project site, both parcels, shall be included in the Drainage analysis, runoff calculations, design and justification of drainage facilities shall be preformed by a Registered Civil Engineer and submitted with the building permit application. The responsible Soils Engineer shall review all proposed infiltration or storage systems for site suitability.
2. The Street pavement along Shasta and Driftwood shall be a minimum of 18 feet from the centerline (36 feet total) to allow for parking.
3. At the time of building permit submittal, the applicant shall submit a landscape/ hardscape plan for review by staff. Plan shall conform to the engineered drainage plan and include BMP's that will serve to permanently stabilize the site and prevent erosion.
4. Show proposed sewer lateral and sewer main extension on building permit plans. Provide a detail on the sewer main extension and lateral connection.

The following are Code requirements that apply to the project:

5. A sewer backwater valve and downstream cleanout, extended to grade, shall be installed on the sewer lateral. Note and show the proposed locations on the site plan.
6. City standard driveway approaches and curb shall be constructed along the frontages of the property. Applicant shall plant, from the City Master Tree List, one street tree along Driftwood and Shasta.
7. Provide a standard erosion and sediment control plan and show erosion and sediment controls to prevent any sediment from migrating off the site. The guidelines for a erosion and sediment control plan are defined in the City of Morro Bay's Erosion and Sediment control Manual (available online). These controls shall be shown on the plans at building submittal time and installed if any ground disturbance occurs during the rainy season, October 1st to April 30th.
8. Provide a maintenance agreement for maintenance of and access to common areas, common drainage improvements, and access for maintenance of privately owned improvements, etc.

FIRE CONDITIONS

1. Project shall comply with all City of Morro Bay fire codes and regulations.

PLANNING CONDITIONS

1. Archaeology: In the event of the unforeseen encounter of subsurface materials suspected to be of an archaeological or paleontological nature, all grading or excavation shall immediately cease in the

immediate area, and the find should be left untouched until a qualified professional archaeologist or paleontologist, whichever is appropriate, is contacted and called in to evaluate and make recommendations as to disposition, mitigation and/or salvage. The developer shall be liable for costs associated with the professional investigation and implementation of any protective measures as determined by the Director of Public Services.

2. Maintenance of Common Area: Provision for a Home Owners Association (HOA) or similar entity to hold responsibility for maintenance of common areas. Maintenance responsibilities, schedules, routine and standards, and fee sharing shall be established in the maintenance agreements. Agreements shall include provisions to maintain all common facilities by qualified professionals including roads, drainage and detention structures, tract landscaping, and mitigation and monitoring for conservation areas. The final agreement shall be submitted to the City for review and shall be recorded prior to the final map recording.
3. Undergrounding of Utilities: Pursuant to MBMC Section 17.48.050, prior to final occupancy clearance, all on-site utilities services (drops) to both parcels including electrical, telephone and cable television shall be installed underground.
4. Landscape and Irrigation Plan: Prior to the issuance of a building permit, a final landscaping plan, prepared and stamped by a licensed Landscape Professional, (i.e., Landscape Architect, Architect, or Landscape Contractor) shall be submitted for review and approval by the Director of Public Services. Said plan shall be consistent with the preliminary landscape plan and include a planting plan showing the species, number, size, water usage, and location of all plant materials. An irrigation plan shall include the proposed method and location of irrigation. Native and/or drought tolerant plant and tree species shall be used to the maximum extent feasible. Street trees shall be selected from the Master City Street Tree List. The landscape plans shall also include fencing details.
5. Timing of Landscaping: Prior to issuance of any final Certificate of Occupancy associated with the project all required landscaping and irrigation systems associated with the common areas shall be installed. Landscaping associated with each individual unit shall be installed prior to the issuance of the Certificate of Occupancy for that unit.
6. Occupancy of a Unit: No unit shall be occupied until all conditions of approval have been satisfied and a Certificate of Occupancy has been issued by the City.
7. Maintenance of Landscaping: All landscaping shall be cared for, maintained, watered, pruned and kept in a healthy growing condition for the life of the project. Where required plant(s) have not survived, it shall be promptly replaced with new plant materials of similar species, functional, size, and characteristics as specified in the approved landscape plant notes.
8. Conditions of Approval on Building Plans: Prior to the issuance of a Building Permit, the final Conditions of Approval shall be attached to the set of approved plans. The sheet containing Conditions of Approval shall be the same size as other plan sheets and shall be the last sheet in the set of Building Plans.
9. Affordable Housing Units: The project shall provide 1 affordable housing unit. A deed restriction shall be recorded indentifying the unit as an affordable unit at the Moderate Income level restricted as such for a minimum of 30 years. Said restriction shall be reviewed and approved by the City Attorney prior to recordation and recordation shall occur prior to the issuance of any building permits associated with this project.

10. Private Open Space: Each private open space shall have at least two weatherproofed electrical outlets.
11. Deed Restriction: A deed restriction shall be recorded on the property indicating that no further subdivision of the property can occur (MBMC-16-10.003(K))
12. Modification of House Design: The house design for Parcel One shall be revised to comply with the following setback Front yard (along Shasta) 5 feet, exterior side setback (Driftwood) 10 feet, interior side setback-5 feet and rear yard setback 10 feet. No projections will be allowed in the reduced front yard setback including any portion of the building, columns or architectural projections.
13. Adjustment of Property Line: The property between the Parcel One and Parcel Two shall be adjusted to provide a three foot clearance to the existing building on Parcel Two OR the existing building shall be modified to incorporate a fire wall or compliance with all fire and building codes pertaining to building proximity to property line. At no time shall any portion of any building cross property lines or shed water onto adjacent property. If the applicant desires to modify the building this must occur prior to recordation of the final map and satisfactory evidence must be submitted to the City to verify the action.
14. Guest Parking: The two guest parking spaces shall be designed as compact spaces and shall not overhand into the Public Right-Of-Way.

ENVIRONMENTAL CONDITIONS

1. AESTHETICS

Mitigation and Residual Impact:

1-1. Mitigations Aesthetics c-d. The project shall comply with all code requirements relating to lighting and glare. A photometric plan shall be submitted at the time of building plan submittal to demonstrate that the project's light meets all code requirements and project conditions. With the incorporation of this mitigation the residual impact will be less than significant.

Monitoring. The Public Services Planning Divisions shall be responsible for review and approval of these details prior to issuance of permits for any site or construction work, as applicable and that the resulting lighting and building constructed on site as shown on the approved building plans prior to the granting a final approval.

Acceptance of Mitigation Measures by Project Applicant:

3. AIR QUALITY

Mitigation and Residual Impact:

- 3-1. The project construction has the potential to exceed APCD thresholds for the emission of ROG, NO_x, Diesel Particulate Matter, and Fugitive Particulate Matter (PM₁₀). The following are the standard mitigation measures required to be in compliance with the San Luis Obispo APCD Clean Air Plan:
- a. Maintain all construction equipment in proper tune according to manufacturer's specifications.
 - b. Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
 - c. Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation.
 - d. Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation.

- e. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance.
- f. All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit.
- g. Diesel idling within 1,000 feet of sensitive receptors is not permitted.
- h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors.
- i. Electrify equipment when feasible.
- j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible.
- k. Use alternatively fueled construction equipment on-site where feasible.
- l. Reduce the amount of disturbed area where possible.
- m. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency is required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used if available.
- n. All dirt stock-pile areas shall be sprayed daily as needed.
- o. All access ways to be paved shall be completed in the initial project phases, and building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- p. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.

With the implementation of these mitigation measures potential impacts to air quality resulting from the project would be reduced to less than significant levels.

Monitoring: All required mitigation measures shall be included as notes on project-related plans, to the satisfaction of the Public Services Department. Public Services staff shall verify compliance during routine site inspections.

5. CULTURAL RESOURCES

Mitigation and Residual Impact:

5-1. If archeological resources are discovered during construction all activities shall cease, resuming only once the Public Service Director makes findings established in Section 17.48.310 of the Municipal Code.

With the implementation of this mitigation measure potential impacts to cultural resources would be reduced to less than significant levels.

Monitoring: No monitoring required unless resources are discovered. If resources are discovered the City will ensure that the project is in compliance with Section 17.48.310 and all State requirements.

6. GEOLOGY/SOILS

Mitigation and Residual Impact:

6-1. The applicant shall submit a soil erosion control plan and a storm water management plan for the treatment of the runoff resulting from a two year storm event prior to the issuance of any building permit. With the incorporation of this mitigation the residual impact will be less than significant.

Monitoring: The Public Works and Building divisions shall be responsible for reviewing and approval of all permits and plans and including site inspections to ensure compliance.

7. GREENHOUSE GAS EMISSIONS

Mitigation and Residual Impact:

7-1 Compliance with Municipal Code standards and mitigation measures included in Section 3: Air Quality, pertaining to vehicle maintenance and operations, will reduce any potential impacts to a level of insignificance.

Monitoring: All required mitigation measures for air quality and greenhouse gas mitigation shall be included as notes on project-related plans, to the satisfaction of the Public Services Department. Public Services staff shall verify compliance during routine site inspections.

9. HYDROLOGY/WATER QUALITY

Mitigation and Residual Impact:

9.1 A storm water drainage plan demonstrating the control runoff rates and volumes to prevent negative impacts caused by quantity and quality of the runoff prior to the issuance of any building permit. With the incorporation of this mitigation the residual impact will be less than significant.

Monitoring: Public Services will review and approve the plan prior issuance of a building permit and perform inspections during construction to ensure that construction activities are in conformance with the approved plan.

12. NOISE

Mitigation and Residual Impact:

12-1. Project construction shall be limited to the hours of 7 a.m. to 7 p.m. on Monday through Friday and all large construction equipment will be equipped with "critical" grade noise mufflers. Engines will be tuned to insure lowest possible noise levels. Back up "beepers" will also be tuned to insure lowest possible noise levels. All necessary measures to muffle, shield or enclose construction equipment shall be implemented in order to insure that noise levels at the property line of the nearest parcels do not exceed 70 dBA. Construction timing shall be noted on the grading and construction plans.

12-2. Power generating and other noise generating machinery used for construction shall be partially or completely surrounded by temporary acoustical shelters if within 300 feet of a sensitive receptor.

With the implementation of these mitigation measures potential impacts to air quality resulting from the project would be reduced to less than significant levels.

Monitoring: The Public Services Department will review the above required mitigation and ensure the project complies.

14. PUBLIC SERVICES

Mitigation and Residual Impact:

14-1. The applicant shall pay all park in-lieu fees prior to recordation of the final map. The park-in-lieu fees shall be calculated as established by ordinance. With the incorporation of this mitigation the residual impact will be less than significant.

Monitoring: Prior to recording of tract map Recreation and Parks and Public Services departments shall ensure fees have been paid.

15. RECREATION

Mitigation and Residual Impact:

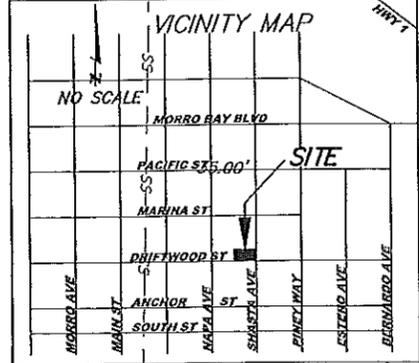
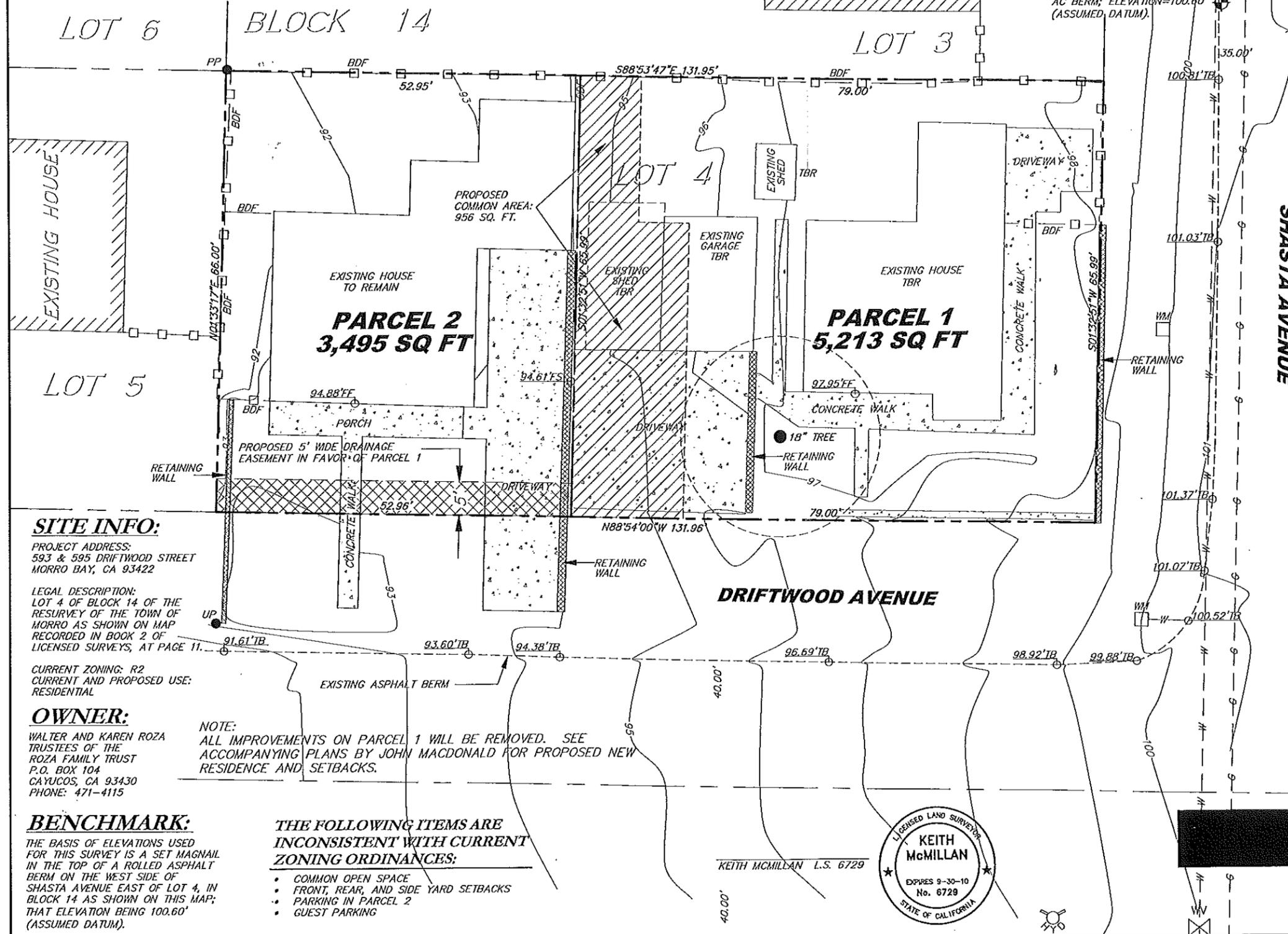
15-1. The applicant shall pay all park in-lieu fees prior to recordation of the final map. The park-in-lieu fees shall be calculated as established by ordinance. With the incorporation of this mitigation the residual impact will be less than significant.

Monitoring: Prior to recording of tract map Recreation and Parks and Public Services departments shall ensure fees have been paid.

**VESTING
TENTATIVE
PARCEL MAP**

VESTING TENTATIVE PARCEL MAP MB-10-0004

BEING A PROPOSED SUBDIVISION OF LOT 4 IN BLOCK 14 OF THE RESURVEY OF A PART OF THE TOWN OF MORRO, IN THE CITY OF MORRO BAY, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, ACCORDING TO MAP RECORDED JULY 3, 1917 IN BOOK 2 OF LICENSED SURVEYS, AT PAGE 11, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.



LEGEND

- EP DENOTES EDGE OF PAVEMENT
- TB DENOTES TOP OF BERM
- FF DENOTES FINISH FLOOR
- FS DENOTES FINISH SURFACE
- WM DENOTES WATER METER
- BDF DENOTES BOARD FENCE
- PP DENOTES POWER POLE
- UP DENOTES UTILITY POLE
- TBR DENOTES TO BE REMOVED
- SS DENOTES SANITARY SEWER
- G DENOTES GAS LINE
- W DENOTES WATER LINE
- ⊕ DENOTES FIRE HYDRANT
- ⊗ DENOTES WATER VALVE
- SSMH DENOTES SANITARY SEWER MANHOLE

SITE INFO:

PROJECT ADDRESS:
593 & 595 DRIFTWOOD STREET
MORRO BAY, CA 93422

LEGAL DESCRIPTION:
LOT 4 OF BLOCK 14 OF THE
RESURVEY OF THE TOWN OF
MORRO AS SHOWN ON MAP
RECORDED IN BOOK 2 OF
LICENSED SURVEYS, AT PAGE 11.

CURRENT ZONING: R2
CURRENT AND PROPOSED USE:
RESIDENTIAL

OWNER:

WALTER AND KAREN ROZA
TRUSTEES OF THE
ROZA FAMILY TRUST
P.O. BOX 104
CAYUCOS, CA 93430
PHONE: 471-4115

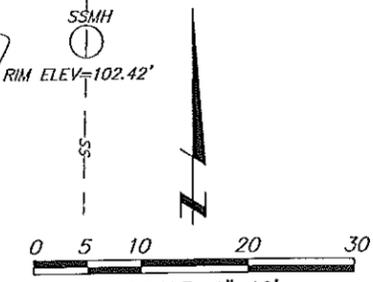
NOTE:
ALL IMPROVEMENTS ON PARCEL 1 WILL BE REMOVED. SEE
ACCOMPANYING PLANS BY JOHN MACDONALD FOR PROPOSED NEW
RESIDENCE AND SETBACKS.

BENCHMARK:

THE BASIS OF ELEVATIONS USED
FOR THIS SURVEY IS A SET MAGNAIL
IN THE TOP OF A ROLLED ASPHALT
BERM ON THE WEST SIDE OF
SHASTA AVENUE EAST OF LOT 4, IN
BLOCK 14 AS SHOWN ON THIS MAP;
THAT ELEVATION BEING 100.60'
(ASSUMED DATUM).

THE FOLLOWING ITEMS ARE INCONSISTENT WITH CURRENT ZONING ORDINANCES:

- COMMON OPEN SPACE
- FRONT, REAR, AND SIDE YARD SETBACKS
- PARKING IN PARCEL 2
- GUEST PARKING

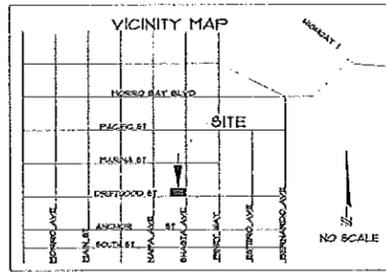


MAP PREPARED BY:

McMillan
LAND SURVEYS

2306 BROAD STREET
SAN LUIS OBISPO, CA. 93401
(805) 541-1663 FAX 541-1664
DATE: 09-01-2010 JOB #472-01

Plan Reductions



EXISTING SINGLE-STORY RESIDENCE

EXISTING SINGLE-STORY RESIDENCE

VACANT

PROPERTY LINE RETAINING WALL - HEIGHT VARIES TO 6'-0" - TYP.

BENCHMARK: SET MAGNAIL AT TOP OF ROLLED AC BERM; ELEVATION: 100.60' (ASSUMED DATUM).

PRIOR TO EITHER ROOF OR FRAMING INSPECTION, A LICENSED SURVEYOR IS REQUIRED TO REASURE THE STRUCTURE AND CERTIFY IN WRITING THAT THE HEIGHT COMPLIES WITH CITY OF MORRO BAY HEIGHT REQUIREMENTS, PUB. M.C. 11.0.3.0

IF CLEARING OF LAND IS TO OCCUR DURING RAINY SEASON, NOV. 1 - MAR. 30, AN EROSION CONTROL PLAN SHALL BE SUBMITTED AND APPROVED

ALL UTILITIES SHALL BE UNDERGROUND IN AN APPROVED MANNER

PROVIDE LOU FLOW PURGING FIXTURES: TOILETS - 1.5 GAL/FLUSH BATHROOMS - 2.0 GAL/FLUSH KITCHEN & LAVATORY FAUCET FLOW 2.2 GAL/FLUSH

HOSE BIBBS SHALL BE PROTECTED BY APPROVED NON-REMOVABLE BACKFLOW PREVENTION DEVICE

LATER PRESSURE 80 PSI MAX.

IT IS OWNER'S RESPONSIBILITY TO VERIFY LOT LINES, PRIOR TO FOUNDATION INSPECTION. LOT CORNERS SHALL BE MARKED AND SETBACKS MARKED BY LICENSED PROFESSIONAL

John MacDonald, Architect
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Cajucos, CA 93430
Office 805.995.1398
FAX 805.995.1544

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STRUCTURAL ENGINEER:

PROJECT DATA

OWNER:

WALTER AND KAREN ROZA
TRUSTEES OF THE
ROZA FAMILY TRUST
P.O. BOX 104
CAJUCOS, CA 93430
PHONE: 411-4115

SITE INFO:

PROJECT ADDRESS:
593 & 595 DRIFTWOOD STREET
MORRO BAY, CA 93422

LEGAL DESCRIPTION:
LOT 4 OF BLOCK 14 OF THE
RESURVEY OF THE TOWN OF MORRO
AS SHOWN ON MAP RECORDED IN
BOOK 2 OF LICENSED SURVEYS, AT
PAGE 11.

CURRENT ZONING: R2
CURRENT AND PROPOSED USE:
RESIDENTIAL

SQUARE FOOTAGE:

RESIDENCE	820 S.F.
LOWER LIVING	1326 S.F.
UPPER LIVING	2816 S.F.
TOTAL LIVING	
GARAGE	856 S.F.
UPPER DECK	411 S.F.
SECONDARY UNIT	
LIVING	640 S.F.
GARAGE	220 S.F.
LOT SIZE	5213 S.F.
LOT COVERAGE	45.8%

SHEET INDEX:

SITE PLAN	T-1
OPEN SPACE EXHIBIT	T-2
CONCEPTUAL DRAINAGE	T-3
LOWER FLOOR PLAN	A-1
UPPER FLOOR PLAN	A-2
EXTERIOR ELEVATIONS	A-3
EXTERIOR ELEVATIONS	A-4
EXTERIOR ELEVATIONS	A-5

SEE SHEET T-2 FOR
OPEN SPACE CALCULATIONS

ENERGY ANALYSIS:

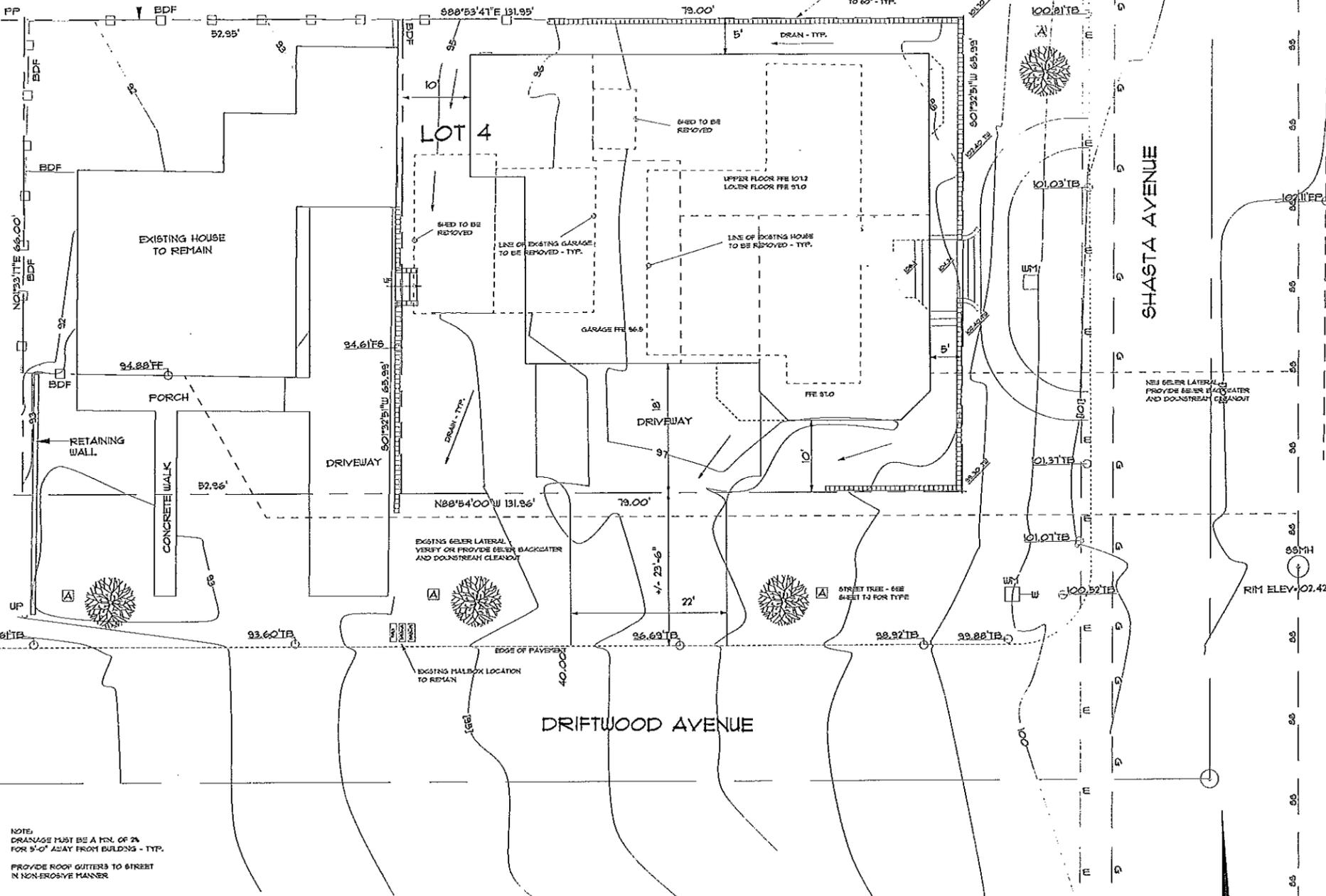
SOILS ENGINEER:

NEW RESIDENCE
FOR
WALTER & KAREN ROZA
595 DRIFTWOOD
MORRO BAY, CA

**SITE PLAN
PROJECT DATA**

DRAWN BY:	JM1
DATE:	2.8.10
REVISIONS	DATE
	2.21.10

SHEET
T-1
OF 8 SHEETS



NOTE:
DRAINAGE MUST BE A MIN. OF 2%
FOR 5'-0" AWAY FROM BUILDING - TYP.

PROVIDE ROOF GUTTERS TO STREET
IN NON-EROSIVE MANNER

SITE PLAN

1/8" = 1'-0"

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STRUCTURAL ENGINEER:

ENERGY ANALYSIS:

SOILS ENGINEER:

NEW RESIDENCE
 FOR
 WALTER & KAREN ROZA
 595 DRIFTWOOD
 MORRO BAY, CA

PROPOSED OPEN
 SPACE

DRAWN BY:	JBT
DATE:	2.8.10
REVISIONS	DATE
	8-11-10

SHEET
T-2
 OF 8 SHEETS

LANDSCAPE PALLETTE

PROJECT TREES
 HELEBRICA QUINQUELOBA/CAJUPUT TREE
 METROSIDEROS EXCELLSANS/NEW ZEALAND CHRISTMAS TREE

SHRUBS
 CORREA 'DUSTY BELLS'/ AUSTRALIA RUCSA
 D'ETREVEQUA/FORTNIGHT LILY
 BRYTOPH PECTINATUS 'VIRIDIS'
 PITTOSPORUM CRASSIFOLIA 'COMPACTUM'
 PITTOSPORUM TOBIIRA 'VARIEGATA'
 SALVIA LUCANTHA 'MEXICAN SAGE'

GROUND COVER
 CEANOETHUS 'YANKEE POINT'
 ACHILLEA VARIETES 'YARRROW'
 ERGEROU KARVANSKANIS 'SANTA BARBARA DAISY'
 LANTANA 'SPREADING SUNSHINE'

OPEN SPACE AREAS

PRIVATE OPEN SPACE REQUIRED
 RESIDENTIAL UNIT - 28% O.F.
 5% REQUIRED PRIVATE OPEN SPACE - 42 O.F.
 OPEN SPACE PROVIDED - 41 O.F.

SECONDARY UNIT - 44% O.F.
 5% REQUIRED PRIVATE OPEN SPACE - 56 O.F.
 OPEN SPACE PROVIDED - 290 O.F.

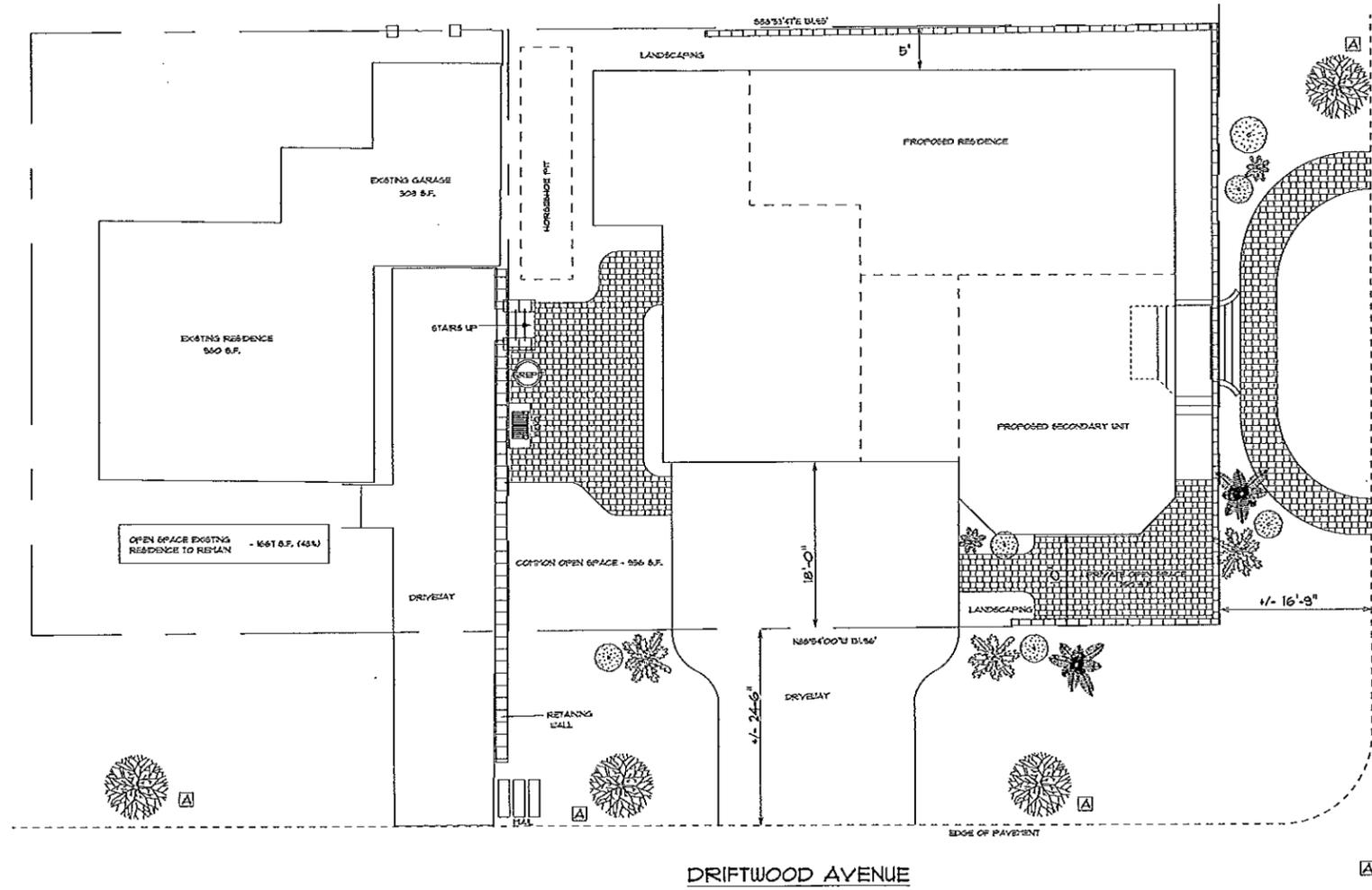
TOTAL OPEN SPACE REQUIRED

RESIDENTIAL UNIT 28% O.F. X 30% = 140% O.F.

SECONDARY UNIT 44% O.F. X 32% = 309% O.F.

TOTAL OPEN SPACE REQUIRED = 449% O.F.

OPEN SPACE PROVIDED
 PRIVATE OPEN SPACE - RESIDENCE 41 O.F.
 PRIVATE OPEN SPACE - SECONDARY 290 O.F.
 COMMON OPEN SPACE - USABLE 536 O.F.
 LANDSCAPING OPEN SPACE 335 O.F.
TOTAL OPEN SPACE PROVIDED 1202 O.F.



OPEN SPACE

1/8" = 1'-0"

▲ HELEBRICA QUINQUELOBA/CAJUPUT TREE OR EQUAL
 STREET TREE PER CITY OF MORRO BAY
 MASTER TREE LIST - TYP.

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STRUCTURAL ENGINEER:

ENERGY ANALYSIS:

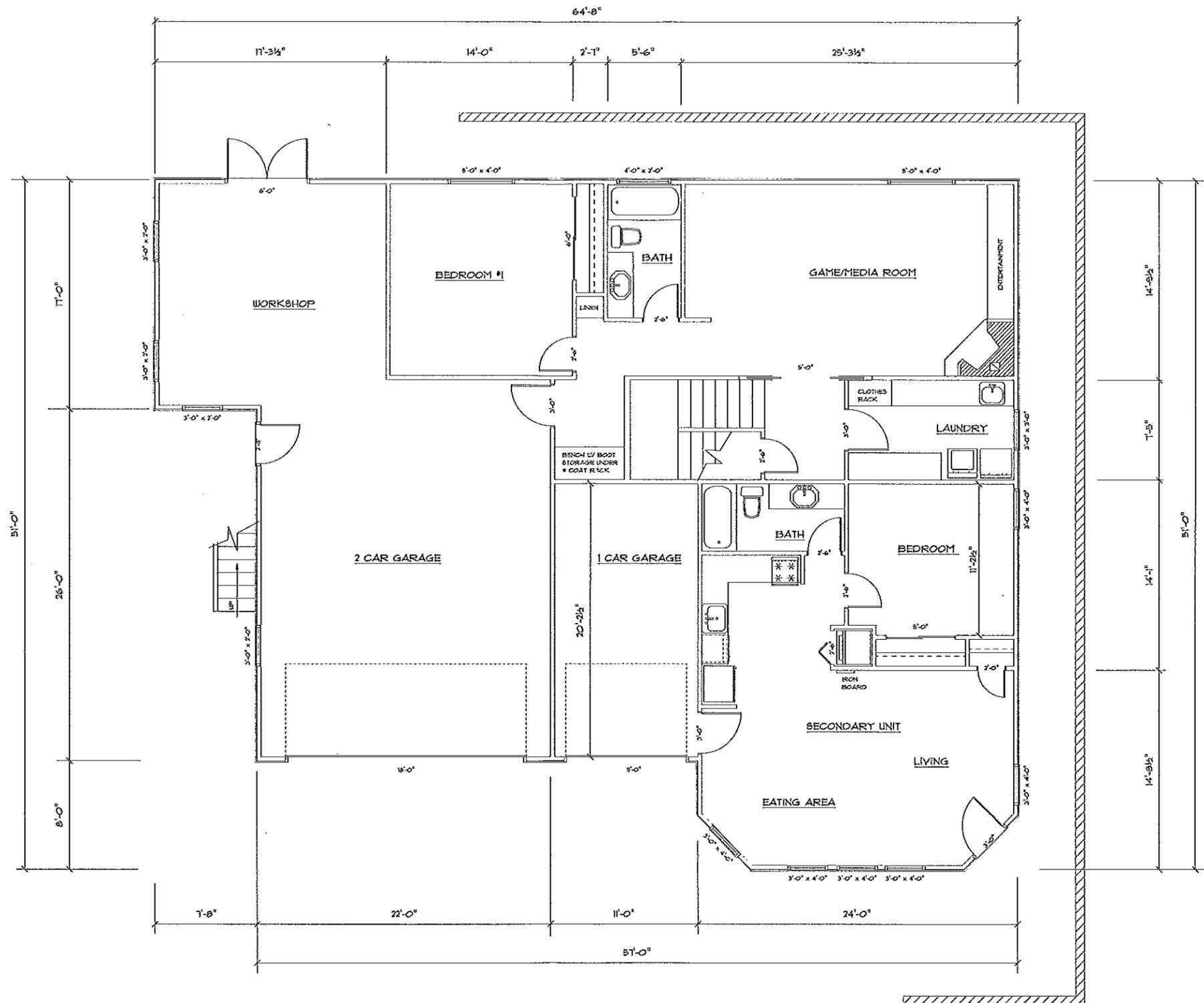
SOILS ENGINEER:

NEW RESIDENCE
 FOR
 WALTER & KAREN ROZA
 595 DRIFTWOOD
 MORRO BAY, CA

LOWER FLOOR
 PLAN

DRAWN BY:	JEM
DATE:	2.8.10
REVISIONS	DATE
	8-31-10

SHEET
A-1
 OF 8 SHEETS



LOWER FLOOR PLAN

1/4" = 1'-0"

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STRUCTURAL ENGINEER:

ENERGY ANALYSIS:

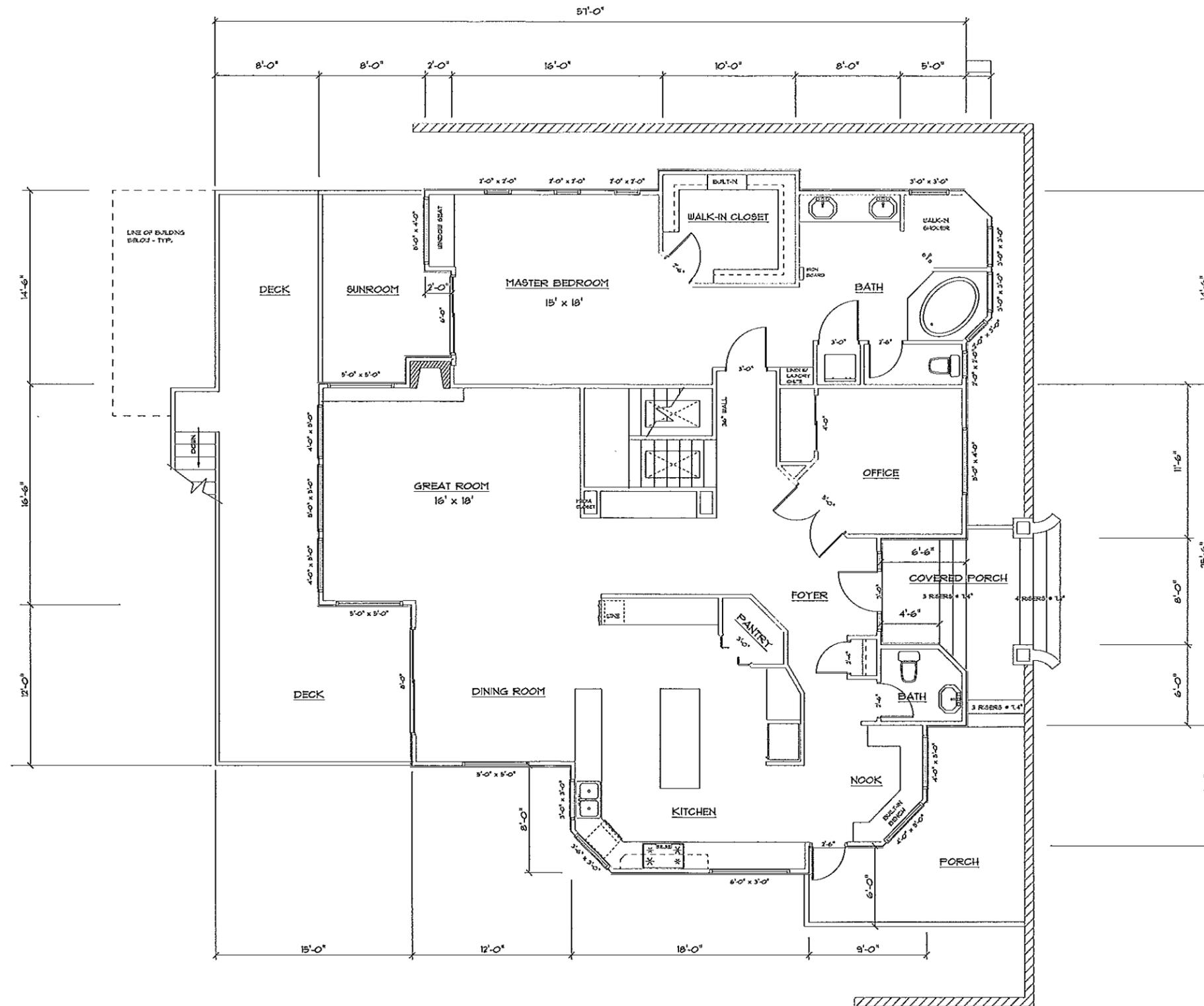
SOILS ENGINEER:

NEW RESIDENCE
 FOR
 WALTER & KAREN ROZA
 595 DRIFTWOOD
 MORRO BAY, CA

UPPER FLOOR
 PLAN

DRAWN BY:	JM1
DATE:	2.8.10
REVISIONS	DATE
	8-21-10

SHEET
A-2
 OF 8 SHEETS



UPPER FLOOR PLAN

1/4" = 1'-0"

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STRUCTURAL ENGINEER:

ENERGY ANALYSIS:

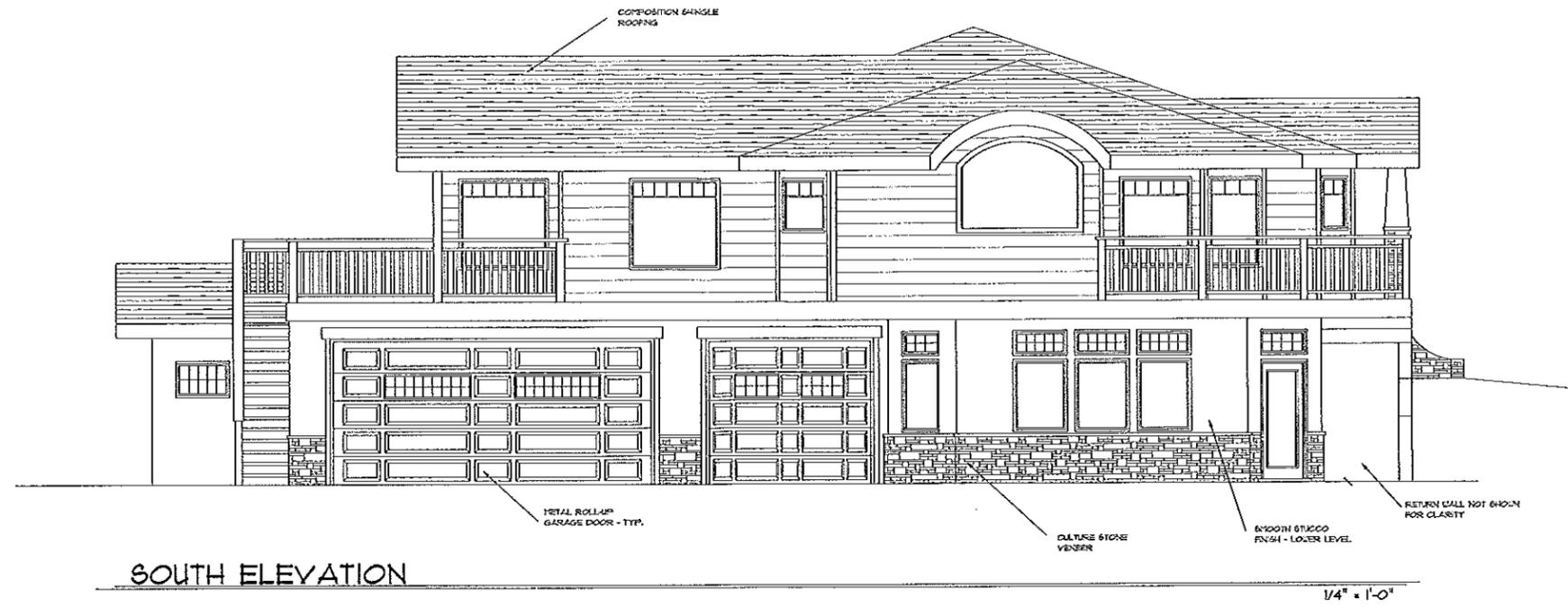
SOILS ENGINEER:

NEW RESIDENCE
 FOR
 WALTER & KAREN ROZA
 595 DRIFTWOOD
 MORRO BAY, CA

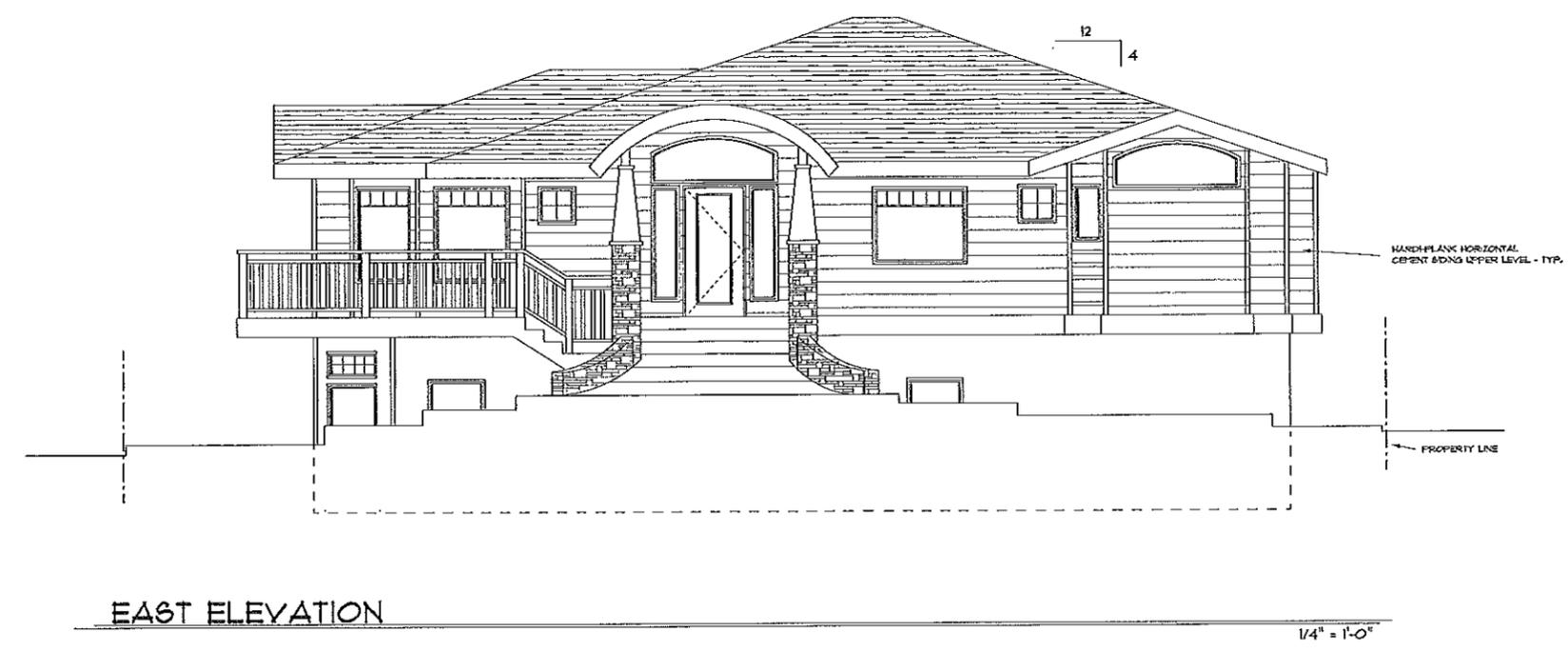
EXTERIOR
 ELEVATIONS

DRAWN BY:	JEM
DATE:	2.8.10
REVISIONS	DATE

SHEET
A-3
 OF 8 SHEETS



SOUTH ELEVATION



EAST ELEVATION

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ENERGY ANALYSIS:

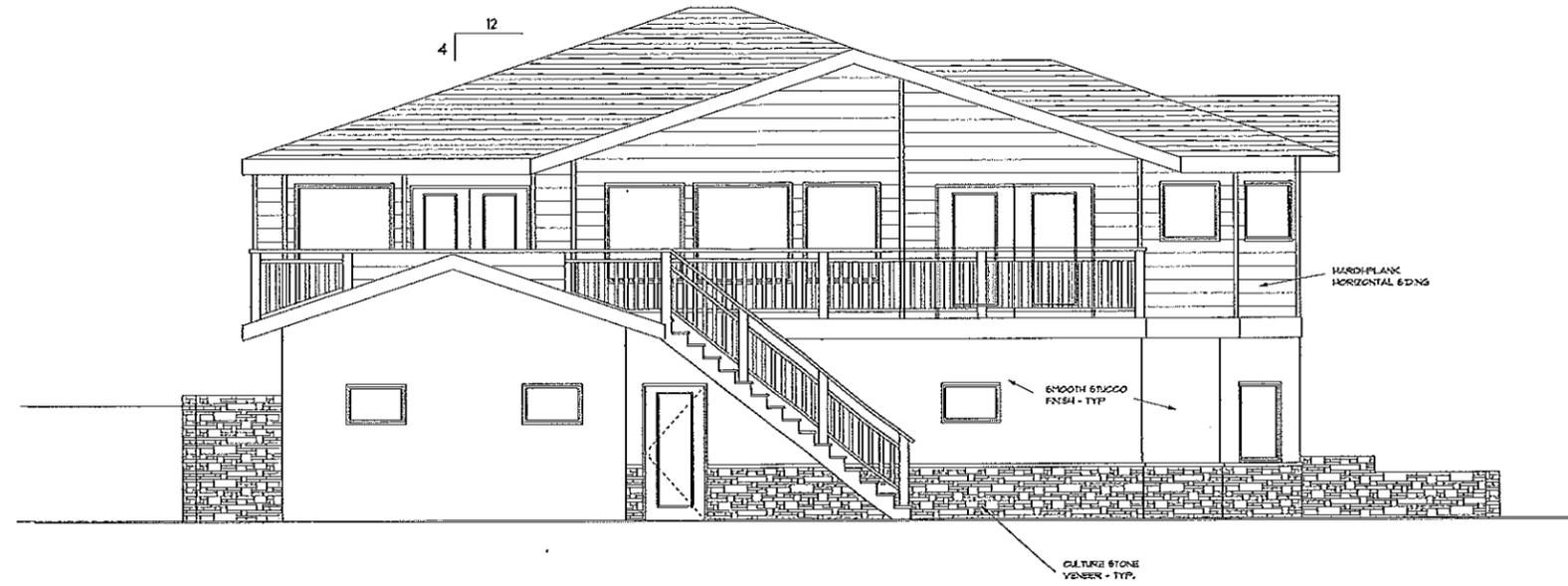
SOILS ENGINEER:

NEW RESIDENCE
 FOR
 WALTER & KAREN ROZA
 595 DRIFTWOOD
 MORRO BAY, CA

EXTERIOR
 ELEVATIONS

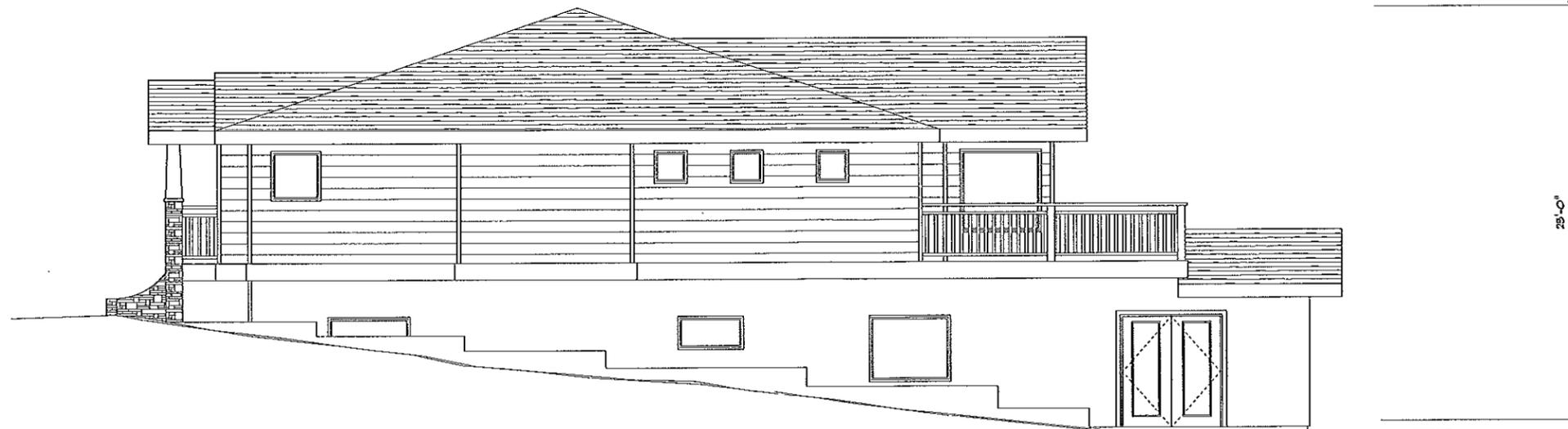
DRAWN BY:	JM1
DATE:	2.8.10
REVISIONS	DATE
	8-21-12

SHEET
A-4
 OF 8 SHEETS



WEST ELEVATION

1/4" = 1'-0"



NORTH ELEVATION

1/4" = 1'-0"

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STRUCTURAL ENGINEER:

ENERGY ANALYSIS:

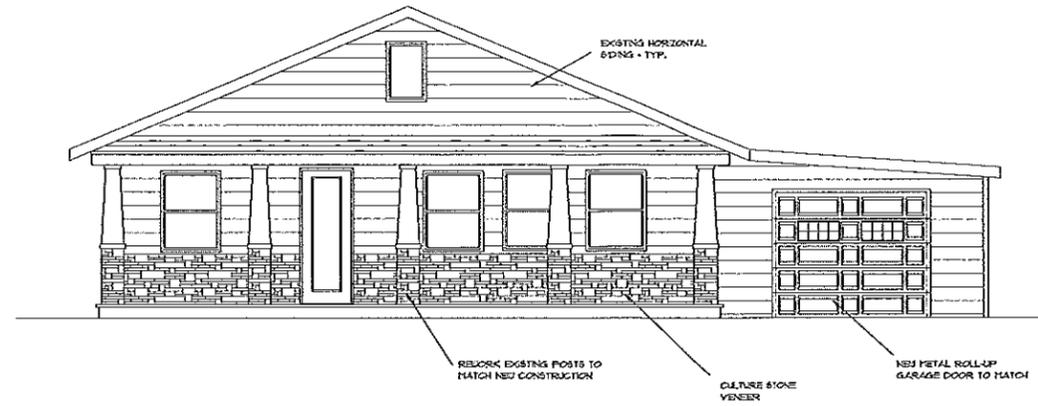
SOILS ENGINEER:

NEW RESIDENCE
 FOR
 WALTER & KAREN ROZA
 595 DRIFTWOOD
 MORRO BAY, CA

EXTERIOR
 ELEVATIONS

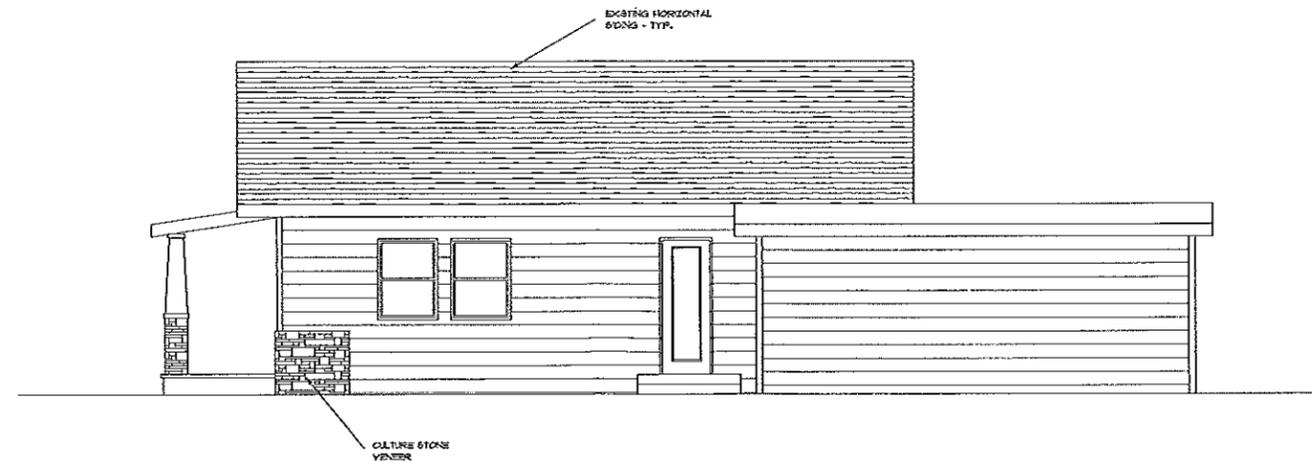
DRAWN BY:	JCM
DATE:	2.8.10
REVISIONS	DATE
	8-27-10

SHEET
A-5
 OF 8 SHEETS



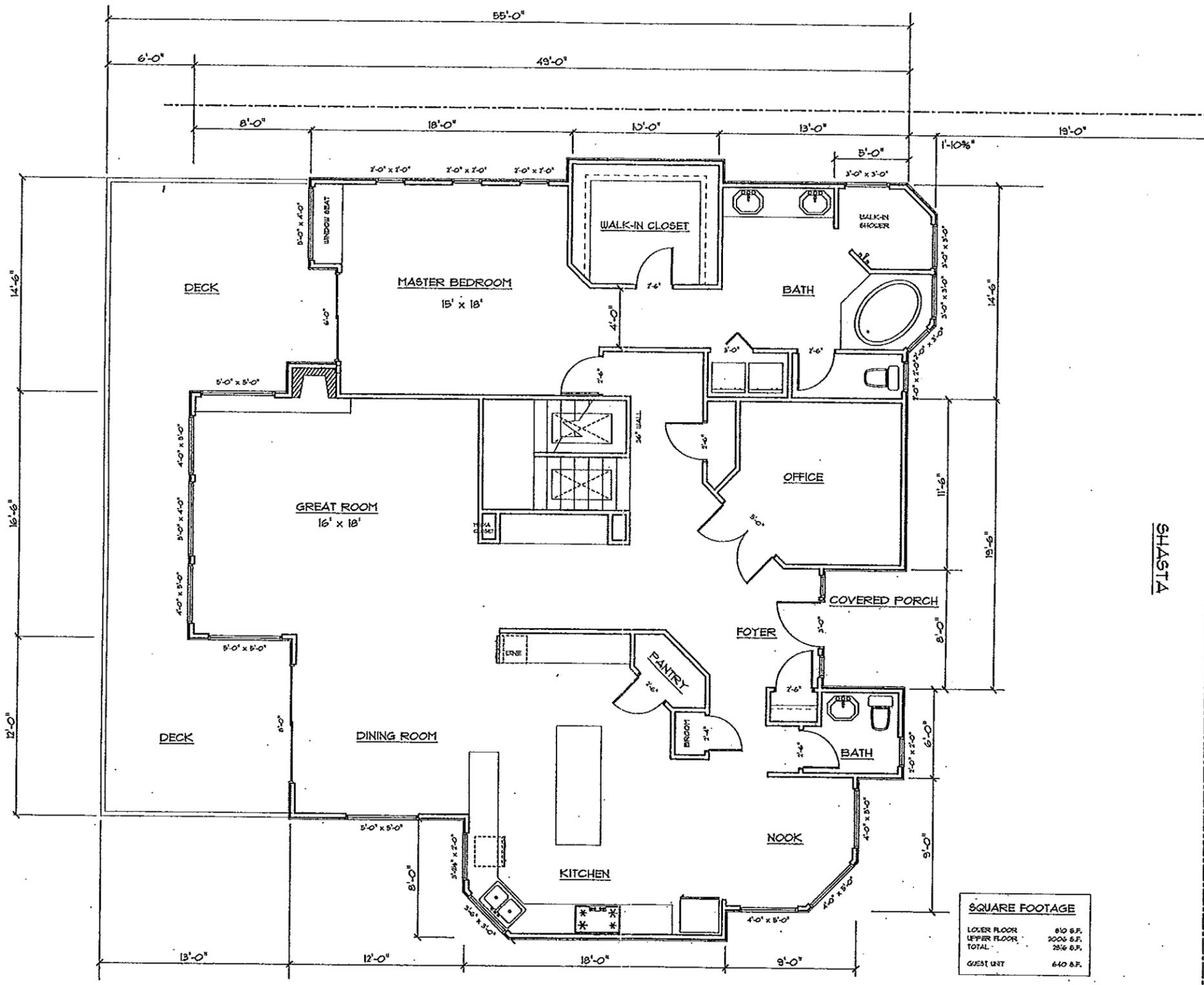
SOUTH ELEVATION - 593 DRIFTWOOD

1/4" = 1'-0"



EAST ELEVATION - 593 DRIFTWOOD

1/4" = 1'-0"

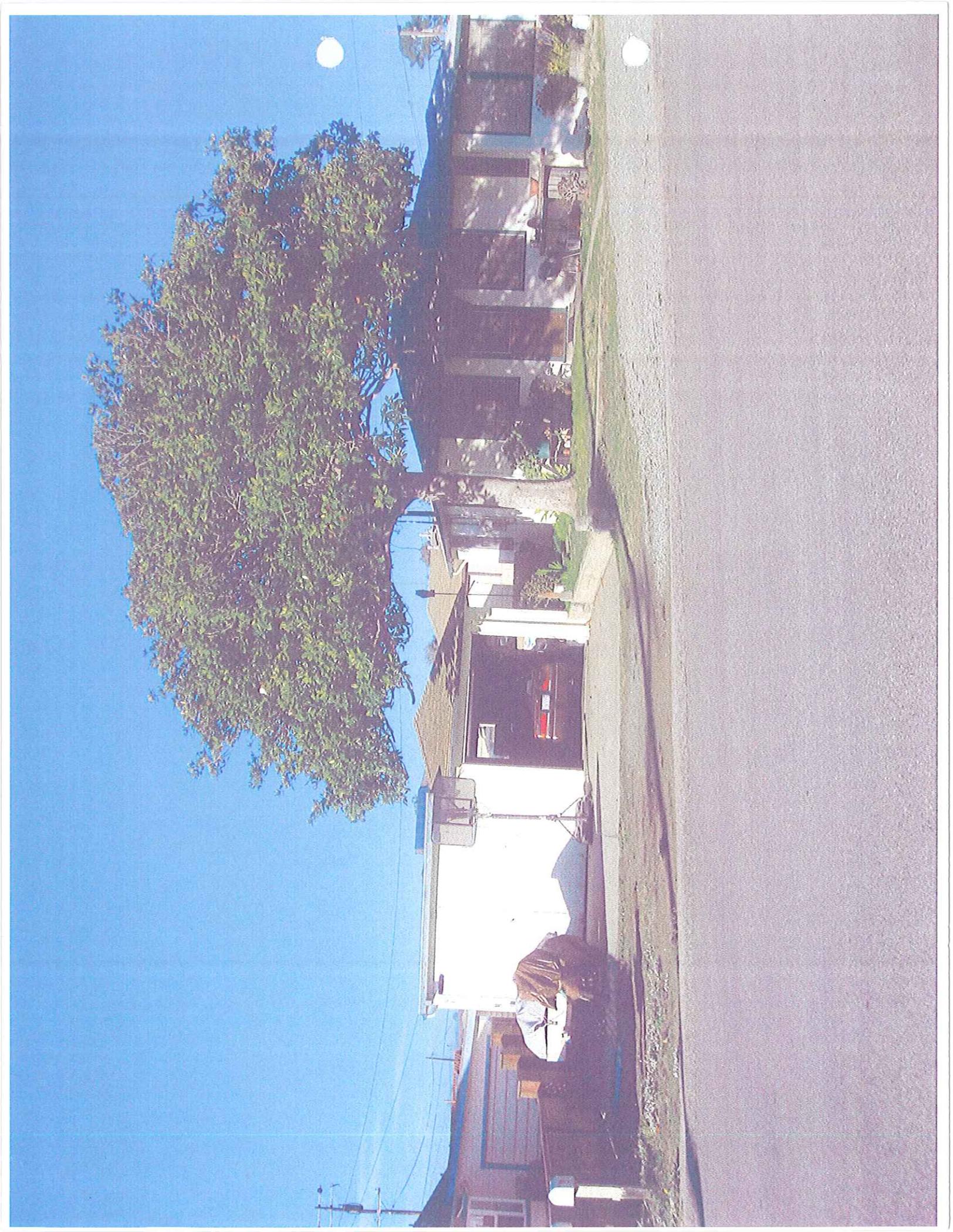


UPPER FLOOR PLAN

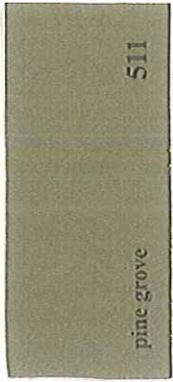
driftwood

SQUARE FOOTAGE	
LOWER FLOOR	810 S.F.
UPPER FLOOR	2006 S.F.
TOTAL	2816 S.F.
GUEST UNIT	640 S.F.









pine grove
HORIZONTAL SIDING



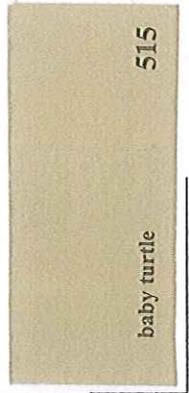
COMPOSITION SHINGLE



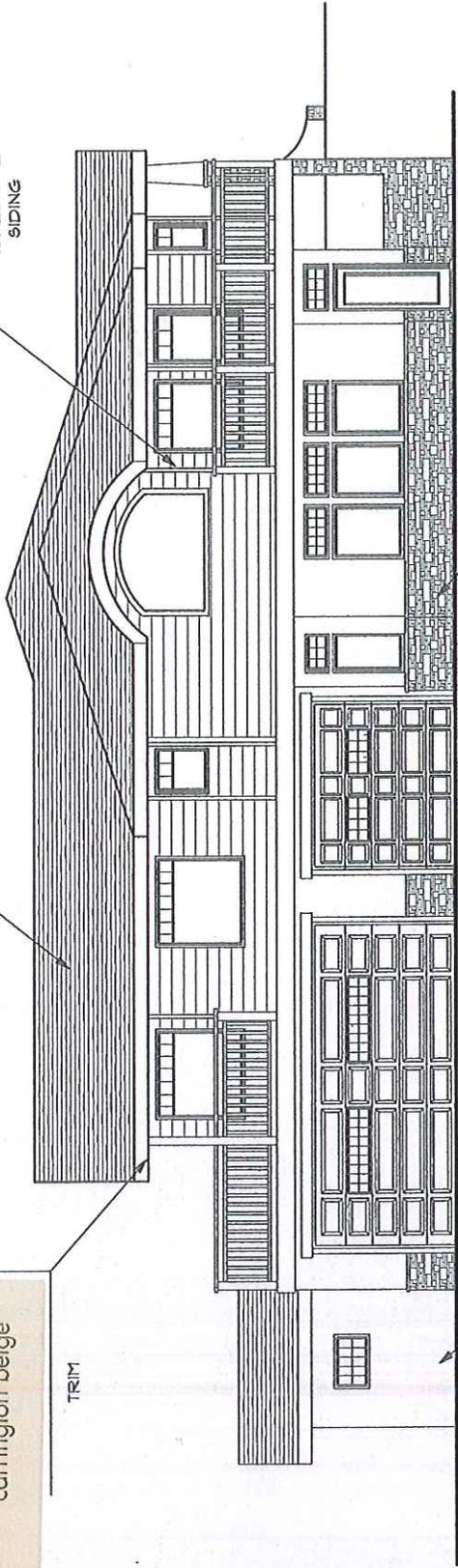
carrington beige
TRIM



STONE VENEER



baby turtle
STUCCO



595 DRIFTWOOD
COLOR PALETTE

ATTACHMENT 3

Drainage Report



triad/holmes associates

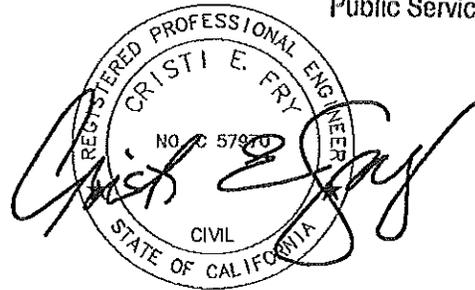
civil engineering
land surveying
mammoth lakes • bishop • redwood
napa • san luis obispo

RECEIVED

SEP 1 2010

City of Morro Bay
Public Services Department

August 2010
Preliminary Drainage Report
Vesting Tentative Parcel Map – MB 10-0004
595 Driftwood Street, Morro Bay



Introduction

The existing, approximately 8,700 square foot lot on the corner of Shasta Avenue and Driftwood Street is currently developed with two single family residences and their associated site improvements. The project proposes to split the lot into two parcels, with the existing house and improvements on the westerly 3,485 square foot parcel, Parcel 2, to remain. The existing house and improvements on the easterly 5,215 square foot parcel, Parcel 1, are proposed to be demolished and the site redeveloped with a new single family residence.

This report analyzes the redevelopment proposed for Parcel 1 and shows how the project complies with the City's Interim Stormwater Requirements effective May 20, 2008 and the Incompleteness Letter for the proposed Vesting Tentative Parcel Map dated April 29, 2010. A comparison of the stormwater runoff for the pre-development site condition versus the post redevelopment condition was done to determine the stormwater volume reduction and stormwater treatment requirements for the project. This study considers the project site to include all of Parcel 1 as well as approximately 3,040 square feet in the adjacent right of way area between the south and east property lines and the edge of the paved public streets. Parcel 2 and its adjacent right of way area is considered existing, with no modifications proposed, and no analysis of it is included in this report.

All site characteristics were based on field observations by our firm, topographic information provided by McMillan Land Surveys, the Conceptual Site Plan provided by John MacDonald, Architect and the Soils Engineering Report prepared by GeoSolutions dated August 27, 2009.

Existing Site (Pre-development)

Per the Interim Stormwater Requirements and the Incompleteness Letter, the preconstruction condition of the site was considered that of native soil and vegetation, before grading for the existing residences was ever performed. The gradient of the natural topography was estimated to be a constant slope of approximately 6% to the west, based on the elevations between the high side of the original lot and the low side, which is also consistent with the adjacent road slope of Driftwood Street. The Soils Engineering Report indicates the insitu soils are composed of Dune Sand Deposits and the surface material is comprised of silty sand. Based on the soils type, the native condition of the site is assumed to have been be poorly vegetated.

Per the USDA's Natural Resource Conservation Service, the soils in the north part of the site are classified as Hydrologic Soils Group A which has a high infiltration rate and low runoff rate. The USDA Hydrologic Soils Map and associated output information for the site location can be found in the Appendix A.

Proposed Site Redevelopment

A new single family residence with ground level permeable paver patios, a concrete driveway and landscaping are proposed to be constructed on the site. Average slopes across the redeveloped site will be approximately 2%. The finished grade elevations on the west side of the parcel are proposed above existing ground of the adjacent properties to the north and west and on the east side are below adjacent existing grades. Retaining walls/curbs are proposed to be placed along the west, north, east and a portion of the south property lines to hold up the difference in elevation. Surface and subsurface drainage will be directed as is historical to the west. The retention/detention system will be located beneath the paver patio. To mitigate the increased runoff resulting from the site's redevelopment and address water quality, a retention/detention facility is proposed for the project. In order to achieve gravity flow, the detention will be outlet near the southwest corner of Parcel 2. A safe overland flow route is provided around the proposed structure in surface swales. The proposed improvements for the project and the post-redevelopment runoff patterns are shown in Figure 1.

Proposed Methodology and Assumptions

The computer program "Hydroflow Hydrographs 2004©" by Intelisolve which incorporates the SCS Runoff Unit Hydrograph Method was used to determine the runoff volume and storage requirement from the project site for the increase in runoff for the 2, 10 and 100-year design storms given a 24-hour duration. Precipitation data for the design storms was interpolated from NOAA Atlas 2 - Precipitation Frequency Atlas of the Western United States, Volume XI – California with a rainfall distribution of Type 1 as shown on the Geographic Boundary map for SCS rainfall distributions. The CN values used for developing runoff hydrographs for detention design are from Table 2-2a of USDA Soil Conservation Service (SCS) Technical Release 55 (TR-55). The NOAA Atlas, SCS rainfall distribution map and CN table are included in the Appendix A.

For the predevelopment hydrograph, due to the assumed poorly vegetated condition, the CN value chosen was 66. Based on the project's proposed site redevelopment of 3,778 square feet of impervious area and 4,468 square feet of pervious pavers and landscaping, a composite CN value was estimated to be 72.

For volume reduction, the basin was sized to detain the increase in peak flow for each storm frequency for the required duration. For stormwater treatment purposes, the basin was designed to retain and infiltrate the 2-year design storm. Based on the Hydrologic Soils Group, a minimum soil infiltration rate of 0.3 in/hr. from TR-55 Appendix A was used. The basin outflow structure was then set at an elevation greater than that needed to retain the volume of the 2-year design storm, and sized so the allowable release rate is maintained equal to, or less than, the predevelopment rates for both the 10-year and 100-year design storms. See Appendix B for runoff hydrographs and basin and outlet sizing.

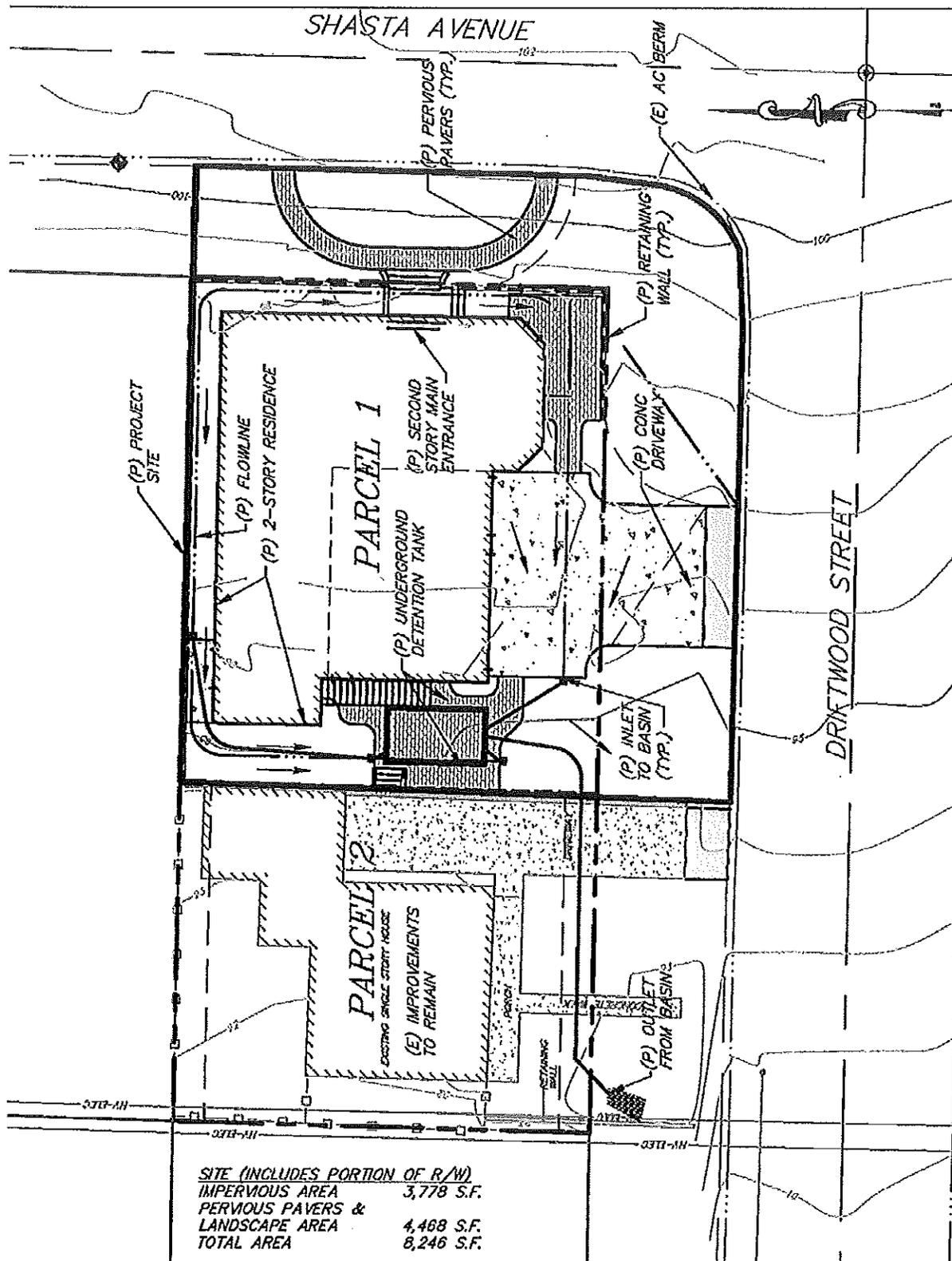


Figure 1 – Post - Redevelopment Storm Water Runoff Patterns

Stormwater Volume Reduction and Water Quality Treatment

As shown in the Appendix A, the retention/detention basin size for the project to mitigate the 100-year design storm is 300 cubic feet and is proposed to be provided in an 8-foot by 15-foot by 30-inch deep concrete tank. Post construction stormwater volume reduction is achieved by detention and restricting the size of the outlet from the basin. Outflow for both the 10 and 100 year storms is equal to or less than the predevelopment runoff rate by using a 4-inch plastic pipe outfall, metered by a 2.75 inch orifice plate. Water quality treatment for the 2-year storm is achieved for the project by retention or infiltration, as the outlet from the basin is located at above the level of the 2-year storm volume of 167 cubic feet.

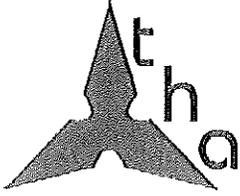
Conclusions

This report shows how the project complies with the City's Interim Stormwater Requirements for the redevelopment proposed on the Parcel 1 project site. All storm water runoff from the two year storm can be retained and infiltrated onsite meeting requirements of volume reduction and filtration to the two year storm. All increased runoff from the 10 and 100 year storms can be detained onsite and released at a rate less than or equal to the predevelopment condition for each respective storm, meeting the requirement of volume reduction for the 10 and 100 year storms. Analysis of Parcel 2 was considered existing and was not included in this report.

Recommendations

The following recommendations should be incorporated into the final grading and drainage design and construction documents:

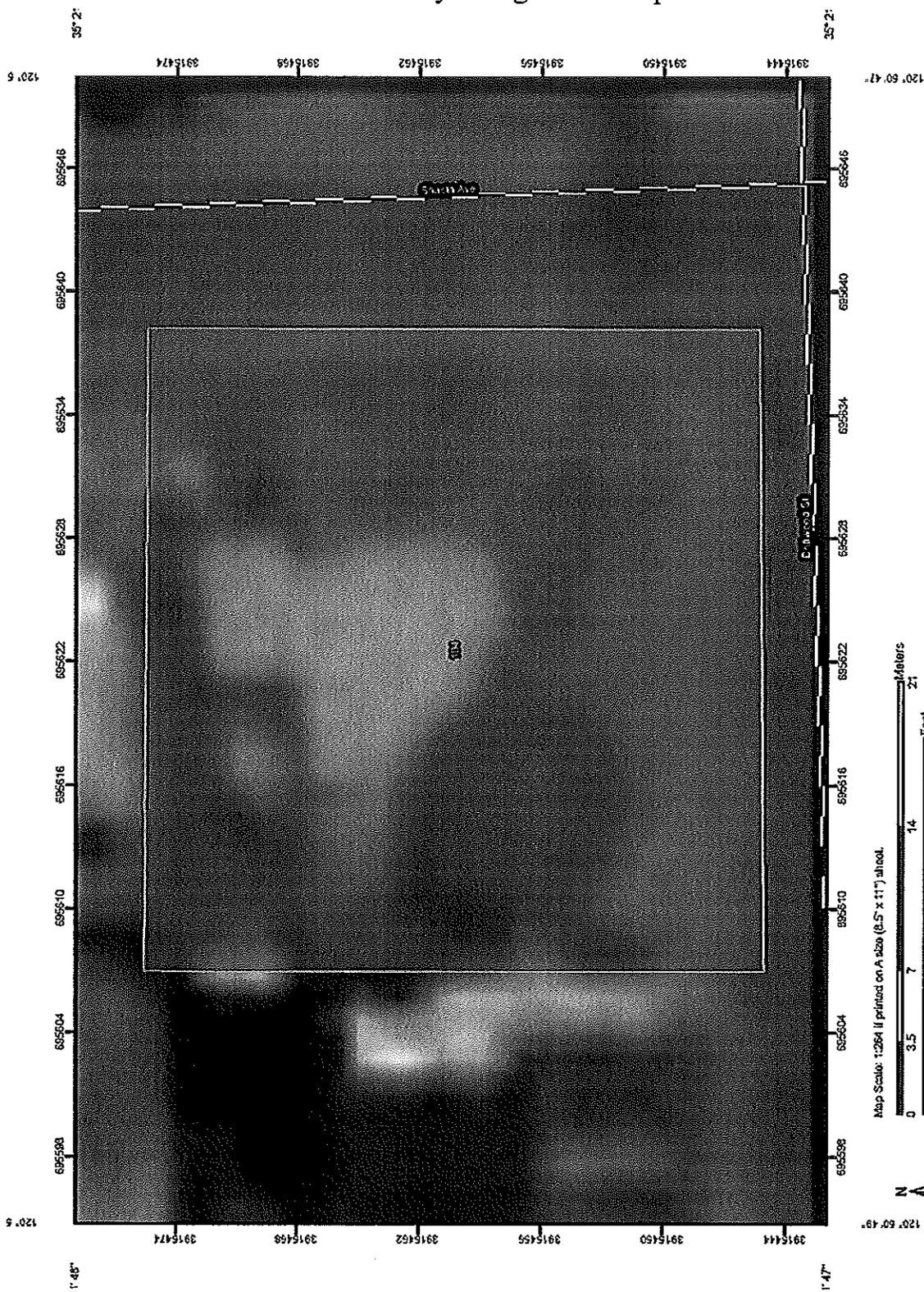
1. A percolation test should be performed at the time of construction in the exact area of the proposed retention/detention basin to verify the minimum infiltration rate of the soils. If less than 0.3 in/hr, the basin should be resized to ensure the 2 year design storm is retained.
2. Proper maintenance of the basin and of the metered outflow device is necessary to maintain proper function of these facilities. The final design should allow for maintenance access to both the basin and the metering device.
3. The safe overland flow route should be sized to adequately convey the 100-year post development storm event runoff in case the inlets to the basin become clogged. Final design could include extending the underground storm drain pipes, tributary to the basin, to tie in roof downspouts and reduce surface drainage around the structure.
4. Wall drains should outlet separately and not tied into the same subsurface drainage system as the retention/detention system.



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napa • san luis obispo

APPENDIX A

USDA Hydrologic Soil Map



(Note: Map Unit Symbol = 104)

MAP LEGEND

- Area of Interest (AOI)
 - Area of Interest (AOI)
- Soils
 - Soil Map Units
 - Soil Ratings
 - A
 - A/D
 - B
 - B/D
 - C
 - C/D
 - D
 - Not rated or not available
- Political Features
 - Cities
- Water Features
 - Oceans
 - Streams and Canals
- Transportation
 - Rails
 - Interstate Highways
 - US Routes
 - Major Routes
 - Local Roads

MAP INFORMATION

Map Scale: 1:264 If printed on A size (8.5" x 11") sheet.
 The soil surveys that comprise your AOI were mapped at 1:24,000.
 Please rely on the bar scale on each map sheet for accurate map measurements.
 Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
 Coordinate System: UTM Zone 10N NAD83
 This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.
 Soil Survey Area: San Luis Obispo County, California, Coastal Part
 Survey Area Data: Version 4, Jan 2, 2008
 Date(s) aerial images were photographed: 6/6/2005
 The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Hydrologic Soil Group— Summary by Map Unit — San Luis Obispo County, California, Coastal Part				
Map unit symbol	Map unit name	Rating	Acres In AOI	Percent of AOI
104	Baywood fine sand, 2 to 9 percent slopes	A	0.2	100.0%
Totals for Area of Interest			0.2	100.0%

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Culoff: None Specified

Tie-break Rule: Lower

NOAA ATLAS 2

Precipitation-Frequency Atlas of the Western United States

J. F. Miller, R. H. Frederick, and R. J. Tracy

Volume XI—California



U.S. DEPARTMENT OF COMMERCE
Frederick B. Dent, Secretary

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
Robert M. White, Administrator

NATIONAL WEATHER SERVICE
George P. Cressman, Director
Silver Spring, Maryland—1973

Prepared for U.S. Department of Agriculture, Soil Conservation Service, Engineering Division

For sale by the Superintendent of Documents, U.S. Government Printing Office
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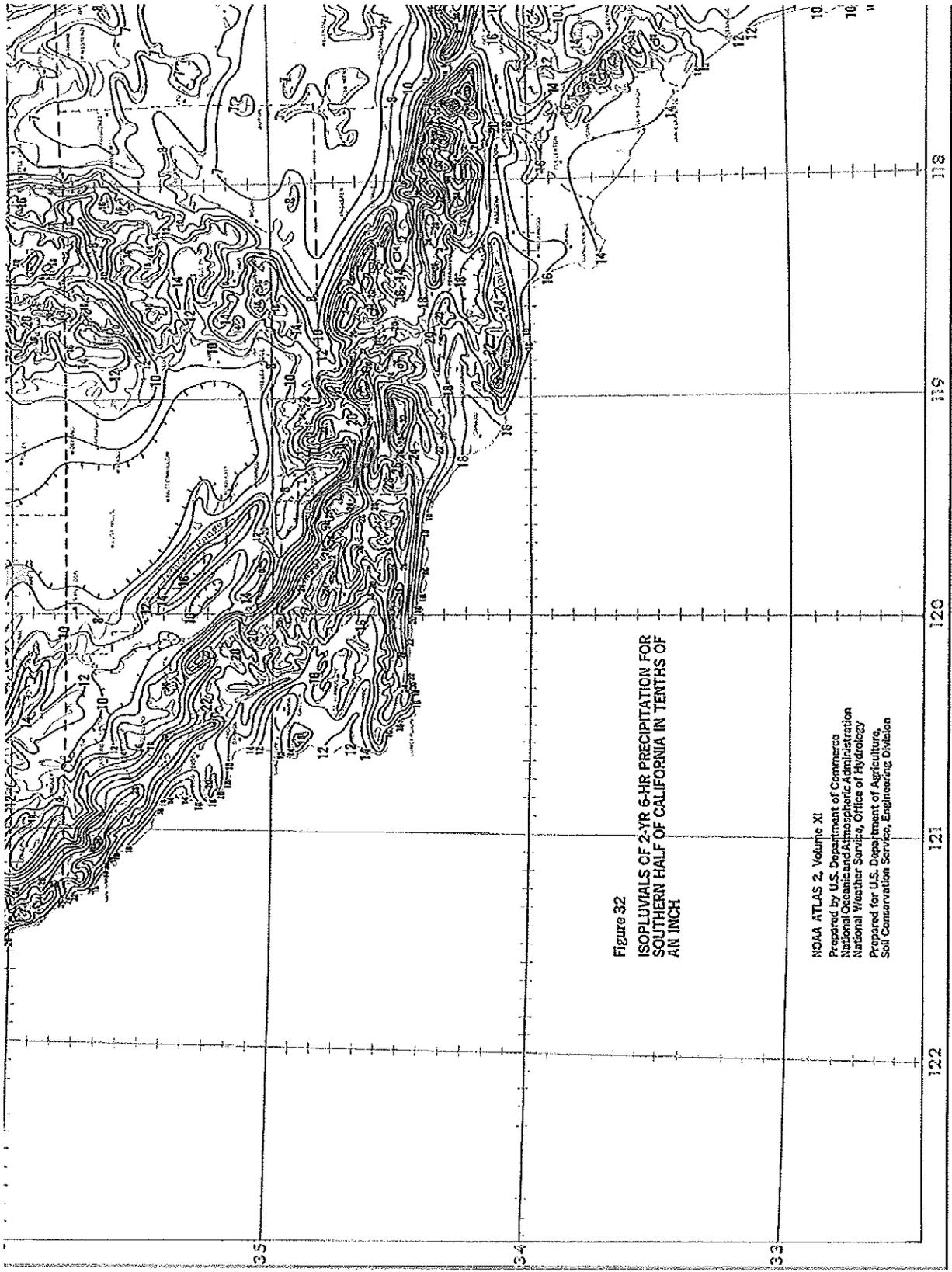


Figure 32
 ISOPLUVIALS OF 2-YR 6-HR PRECIPITATION FOR
 SOUTHERN HALF OF CALIFORNIA IN TENTHS OF
 AN INCH

NOAA ATLAS 2, Volume XI
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 National Oceanic and Atmospheric Administration
 National Weather Service, Office of Hydrology
 Prepared for U.S. Department of Agriculture,
 Soil Conservation Service, Engineering Division

122	121	120	119	118
-----	-----	-----	-----	-----

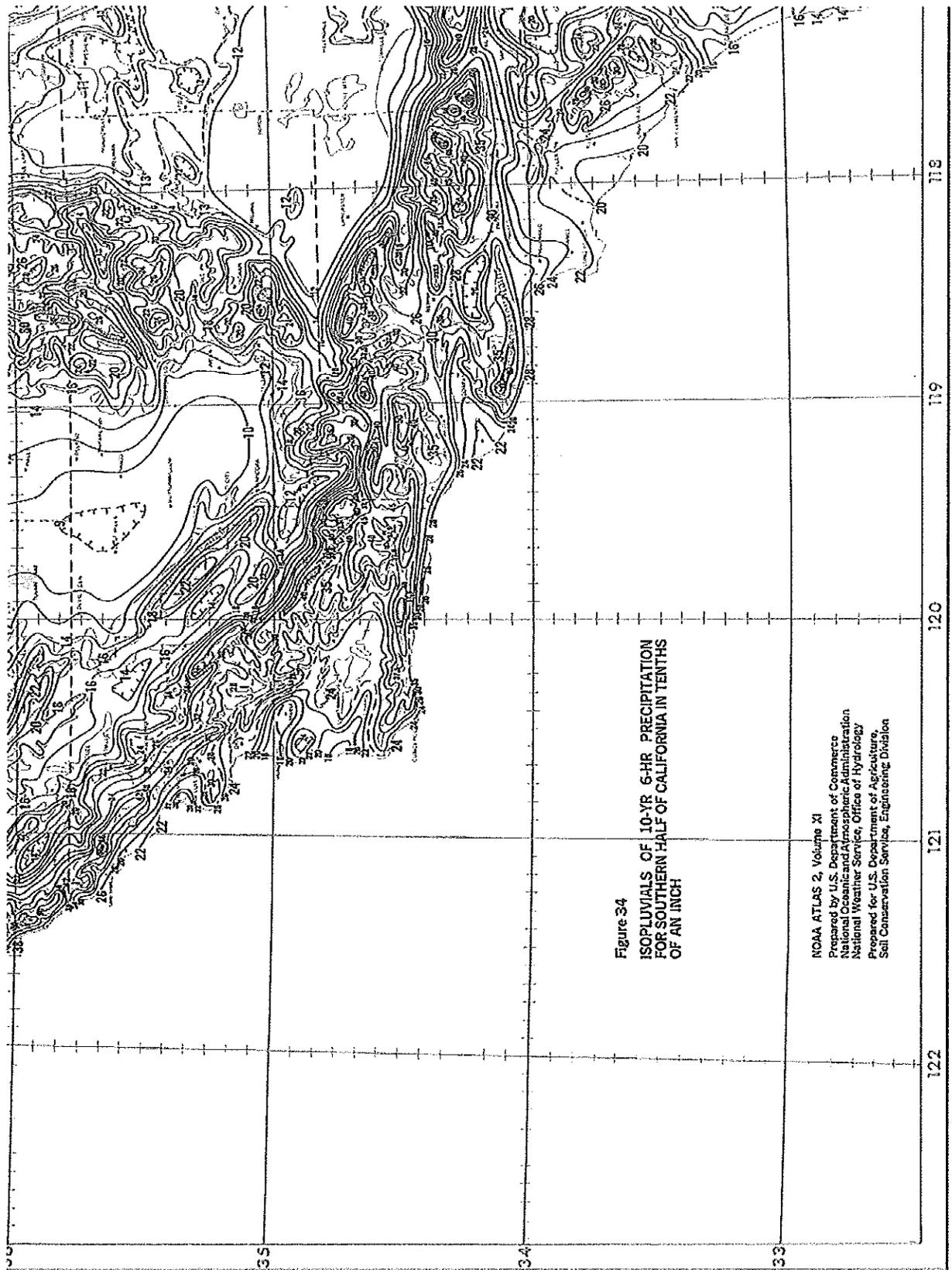


Figure 34
 ISOPLETHS OF 10-YR 6-HR PRECIPITATION
 FOR SOUTHERN HALF OF CALIFORNIA IN TENTHS
 OF AN INCH

NOAA ATLAS 2, Volume XI
 Prepared by U.S. Department of Commerce
 National Oceanic and Atmospheric Administration
 National Weather Service, Office of Hydrology
 Prepared for U.S. Department of Agriculture,
 Soil Conservation Service, Engineering Division

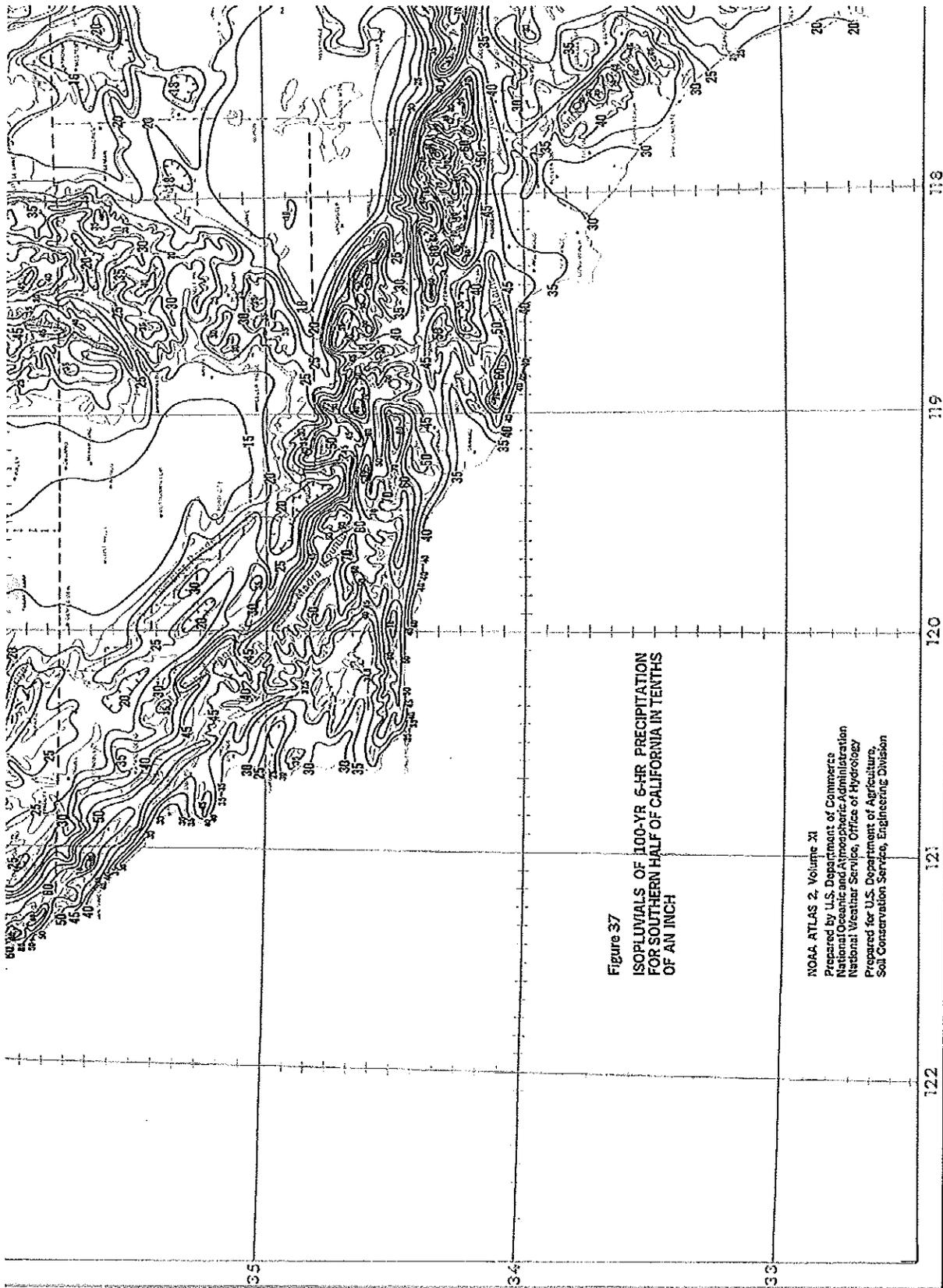


Figure 37
 ISOPLETHS OF 100-YR 6-HR PRECIPITATION
 FOR SOUTHERN HALF OF CALIFORNIA IN TENTHS
 OF AN INCH

NOAA ATLAS 2, Volume 21
 Prepared by U.S. Department of Commerce
 National Oceanic and Atmospheric Administration
 National Weather Service, Office of Hydrology
 Prepared for U.S. Department of Agriculture,
 Soil Conservation Service, Engineering Division

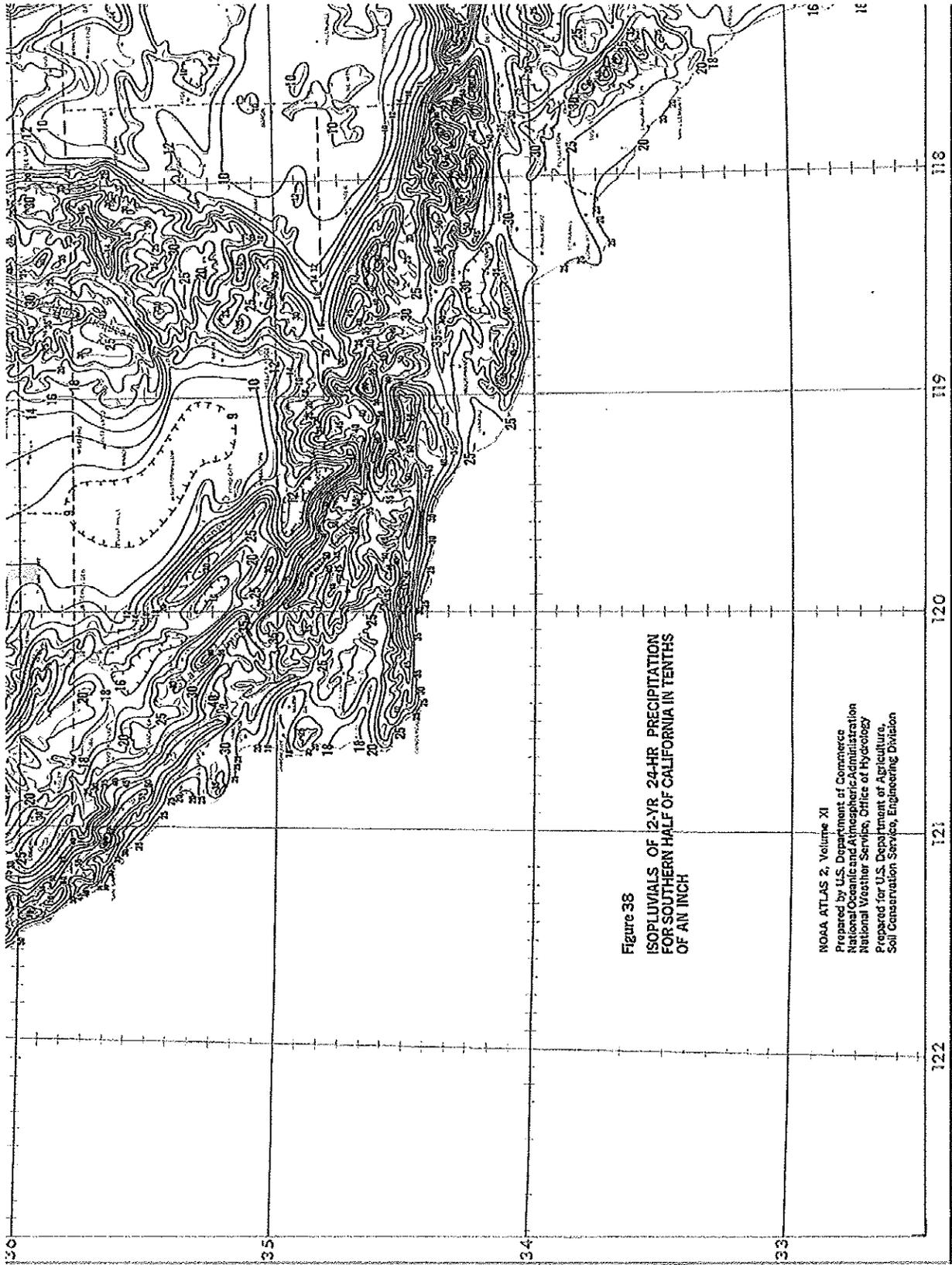


Figure 38
 ISOPHYETS OF 2-YR 24-HR PRECIPITATION
 FOR SOUTHERN HALF OF CALIFORNIA IN TENTHS
 OF AN INCH

NOAA ATLAS 2, Volume XI
 Prepared by U.S. Department of Commerce
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 National Weather Service, Office of Hydrology
 Prepared for U.S. Department of Agriculture,
 Soil Conservation Service, Engineering Division

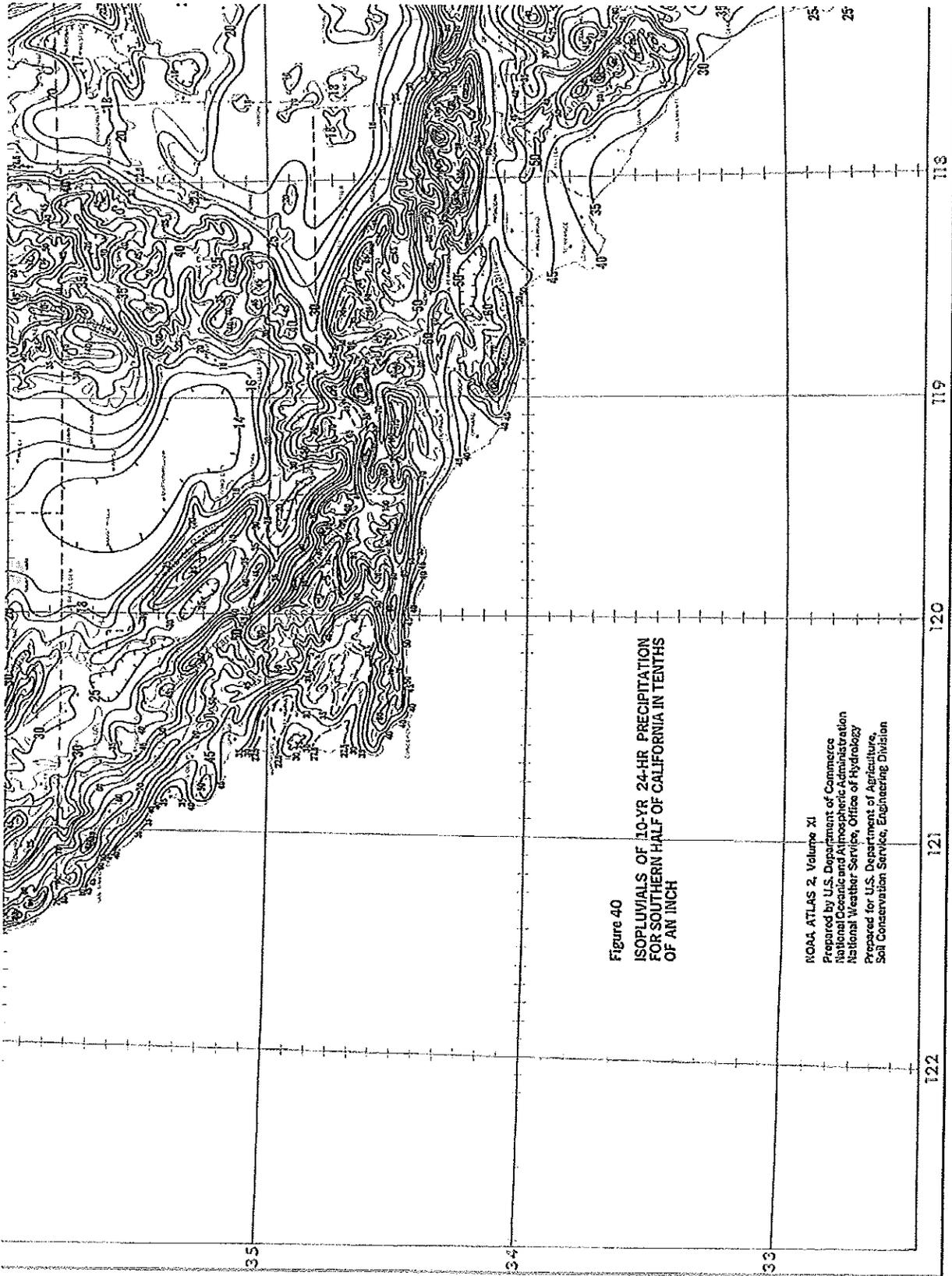


Figure 40
 ISOPLUVIALS OF 10-YR 24-HR PRECIPITATION
 FOR SOUTHERN HALF OF CALIFORNIA IN TENTHS
 OF AN INCH

NOAA ATLAS 2, Volume XI
 Prepared by U.S. Department of Commerce
 National Oceanic and Atmospheric Administration
 National Weather Service, Office of Hydrology
 Prepared for U.S. Department of Agriculture,
 Soil Conservation Service, Engineering Division

122 121 120 119 118

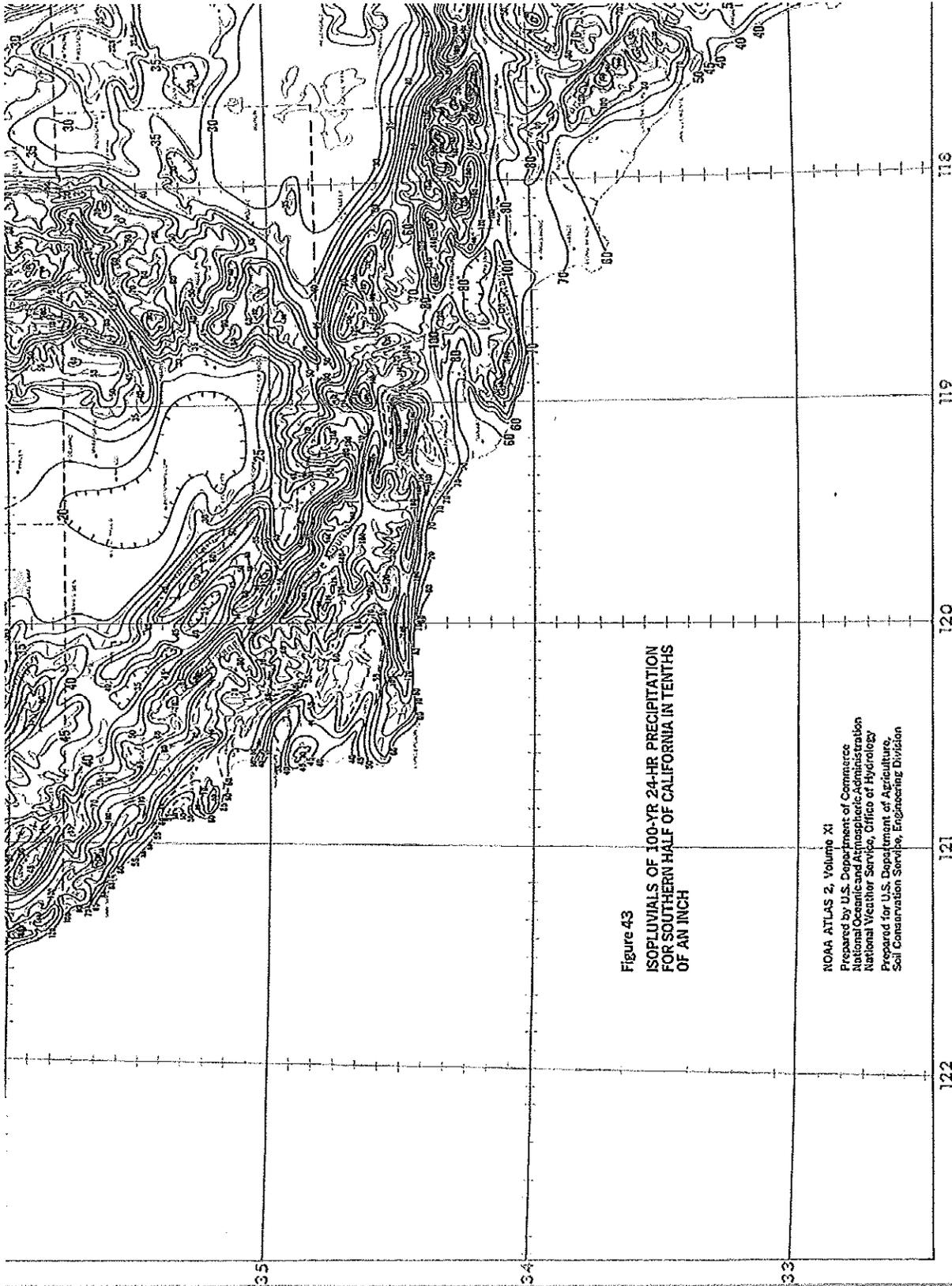


Figure 43
 ISOPLUVIALS OF 100-YR 24-HR PRECIPITATION
 FOR SOUTHERN HALF OF CALIFORNIA IN TENTHS
 OF AN INCH

NOAA ATLAS 2, Volume XI
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 National Weather Service, Office of Hydrology
 Prepared for U.S. Department of Agriculture,
 Soil Conservation Service, Engineering Division

Geographic Boundary Map for SCS Rainfall Distributions

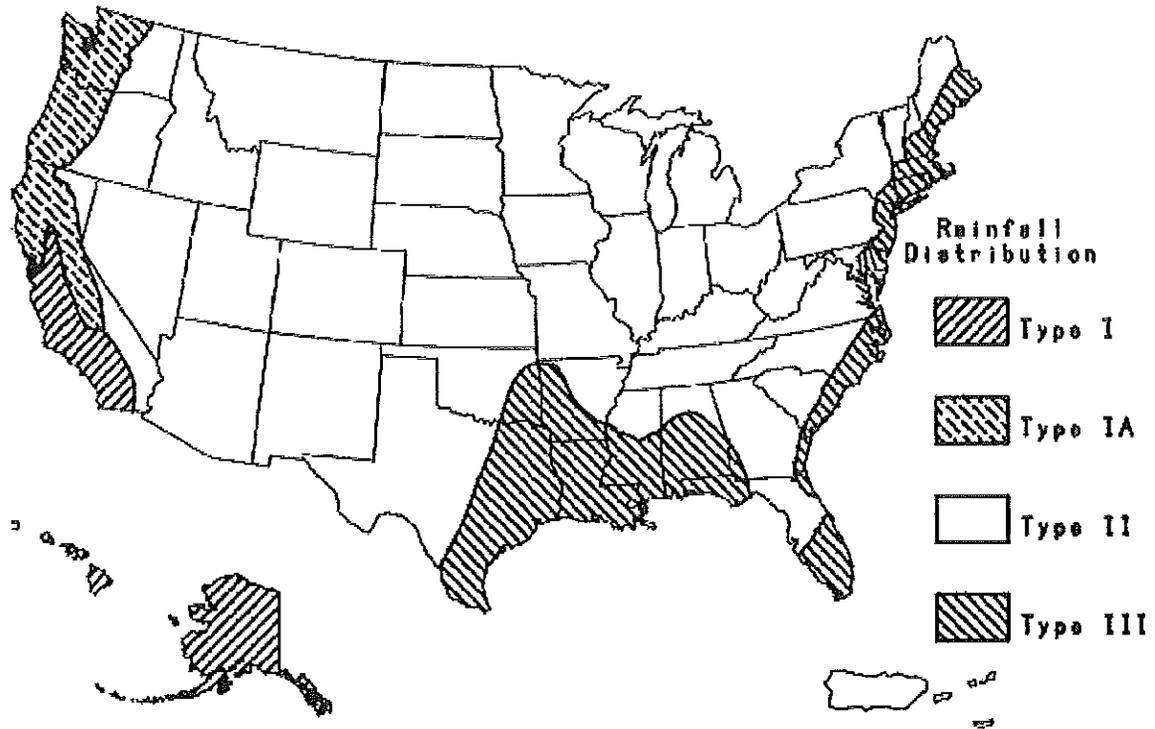


Figure B-2.—Approximate geographic boundaries for SCS rainfall distributions.

Appendix A

Hydrologic Soil Groups

Soils are classified into hydrologic soil groups (HSG's) to indicate the minimum rate of infiltration obtained for bare soil after prolonged wetting. The HSG's, which are A, B, C, and D, are one element used in determining runoff curve numbers (see chapter 2). For the convenience of TR-55 users, exhibit A-1 lists the HSG classification of United States soils.

The infiltration rate is the rate at which water enters the soil at the soil surface. It is controlled by surface conditions. HSG also indicates the transmission rate—the rate at which the water moves within the soil. This rate is controlled by the soil profile. Approximate numerical ranges for transmission rates shown in the HSG definitions were first published by Musgrave (USDA 1955). The four groups are defined by SCS soil scientists as follows:

Group A soils have low runoff potential and high infiltration rates even when thoroughly wetted. They consist chiefly of deep, well to excessively drained sand or gravel and have a high rate of water transmission (greater than 0.30 in/hr).

Group B soils have moderate infiltration rates when thoroughly wetted and consist chiefly of moderately deep to deep, moderately well to well drained soils with moderately fine to moderately coarse textures. These soils have a moderate rate of water transmission (0.15-0.30 in/hr).

Group C soils have low infiltration rates when thoroughly wetted and consist chiefly of soils with a layer that impedes downward movement of water and soils with moderately fine to fine texture. These soils have a low rate of water transmission (0.05-0.15 in/hr).

Group D soils have high runoff potential. They have very low infiltration rates when thoroughly wetted and consist chiefly of clay soils with a high swelling potential, soils with a permanent high water table, soils with a claypan or clay layer at or near the surface, and shallow soils over nearly impervious material. These soils have a very low rate of water transmission (0-0.05 in/hr).

In exhibit A-1, some of the listed soils have an added modifier; for example, "Abrazo, gravelly." This refers to a gravelly phase of the Abrazo series that is found in SCS soil map legends.

Disturbed soil profiles

As a result of urbanization, the soil profile may be considerably altered and the listed group classification may no longer apply. In these circumstances, use the following to determine HSG according to the texture of the new surface soil, provided that significant compaction has not occurred (Brakensiek and Rawls 1983).

HSG	Soil textures
A	Sand, loamy sand, or sandy loam
B	Silt loam or loam
C	Sandy clay loam
D	Clay loam, silty clay loam, sandy clay, silty clay, or clay

Drainage and group D soils

Some soils in the list are in group D because of a high water table that creates a drainage problem. Once these soils are effectively drained, they are placed in a different group. For example, Ackerman soil is classified as A/D. This indicates that the drained Ackerman soil is in group A and the undrained soil is in group D.

CN Values

Chapter 2

Estimating Runoff

Technical Release 65
Urban Hydrology for Small Watersheds

Table 2-2a Runoff curve numbers for urban areas ¹

Cover description	Average percent impervious area ²	Curve numbers for hydrologic soil group			
		A	B	C	D
<i>Fully developed urban areas (vegetation established)</i>					
Open space (lawns, parks, golf courses, cemeteries, etc.) ³ :					
Poor condition (grass cover < 50%)		68	79	86	89
Fair condition (grass cover 50% to 75%)		49	69	79	84
Good condition (grass cover > 75%)		39	61	74	80
Impervious areas:					
Paved parking lots, roofs, driveways, etc. (excluding right-of-way)		98	98	98	98
Streets and roads:					
Paved; curbs and storm sewers (excluding right-of-way)		98	98	98	98
Paved; open ditches (including right-of-way)		89	90	92	93
Gravel (including right-of-way)		76	85	89	91
Dirt (including right-of-way)		72	82	87	89
Western desert urban areas:					
Natural desert landscaping (pervious areas only) ⁴		68	77	85	88
Artificial desert landscaping (impervious weed barrier, desert shrub with 1- to 2-inch sand or gravel mulch and basin borders)		96	96	96	96
Urban districts:					
Commercial and business	85	89	92	94	95
Industrial	72	81	88	91	93
Residential districts by average lot size:					
1/8 acre or less (town houses)	65	77	85	90	92
1/4 acre	38	61	75	89	87
1/3 acre	30	57	72	81	86
1/2 acre	25	54	70	80	85
1 acre	20	51	68	79	84
2 acres	12	46	65	77	82
<i>Developing urban areas</i>					
Newly graded areas (pervious areas only, no vegetation) ⁵		77	86	91	94
Idle lands (CN's are determined using cover types similar to those in table 2-2c).					

¹ Average runoff condition, and $I_p = 0.25$.

² The average percent impervious area shown was used to develop the composite CN's. Other assumptions are as follows: impervious areas are directly connected to the drainage system, impervious areas have a CN of 68, and pervious areas are considered equivalent to open space in good hydrologic condition. CN's for other combinations of conditions may be computed using figure 2-3 or 2-4.

³ CN's shown are equivalent to those of pasture. Composite CN's may be computed for other combinations of open space cover type.

⁴ Composite CN's for natural desert landscaping should be computed using figures 2-3 or 2-4 based on the impervious area percentage (CN = 68) and the pervious area CN. The pervious area CN's are assumed equivalent to desert shrub in poor hydrologic condition.

⁵ Composite CN's to use for the design of temporary measures during grading and construction should be computed using figure 2-3 or 2-4 based on the degree of development (impervious area percentage) and the CN's for the newly graded pervious areas.

Manning Pipe Calculator
4" PVC Drain Pipe with Q_{100} from basin outlet

Given Input Data:

Shape Circular
Solving for Flowrate
Diameter 4.0000 in
Depth 3.9000 in
Slope 0.0170 ft/ft
Manning's n 0.0090

Computed Results:

Flowrate 0.3805 cfs
Area 0.0873 ft²
Wetted Area 0.0867 ft²
Wetted Perimeter 11.2961 in
Perimeter 12.5664 in
Velocity 4.3900 fps
Hydraulic Radius 1.1050 in
Percent Full 97.5000 %
Full flow Flowrate 0.3584 cfs
Full flow velocity 4.1072 fps

APPENDIX B

Hydrographs and Basin Sizing

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Hydrograph Return Period Recap

Hyd. No.	Hydrograph type (origin)	Inflow Hyd(s)	Peak Outflow (cfs)								Hydrograph description
			1-Yr	2-Yr	3-Yr	5-Yr	10-Yr	25-Yr	50-Yr	100-Yr	
1	SCS Runoff	-----	-----	0.01	-----	-----	0.09	-----	-----	0.31	Pre-Development Condition
2	SCS Runoff	-----	-----	0.02	-----	-----	0.13	-----	-----	0.37	Post-Development Condition
3	Reservoir	2	-----	0.00	-----	-----	0.02	-----	-----	0.27	Outlet

hydrograph Summary Report

Hyd. No.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to peak (min)	Volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Maximum storage (cuft)	Hydrograph description
1	SCS Runoff	0.01	1	600	151	----	-----	-----	Pre-Development Condition
2	SCS Runoff	0.02	1	600	229	----	-----	-----	Post-Development Condition
3	Reservoir	0.00	1	1444	152	2	93.68	178	Outlet

Hydrograph Plot

Hydraflow Hydrographs by Intellisolve

Friday, Aug 6 2010, 5:4 PM

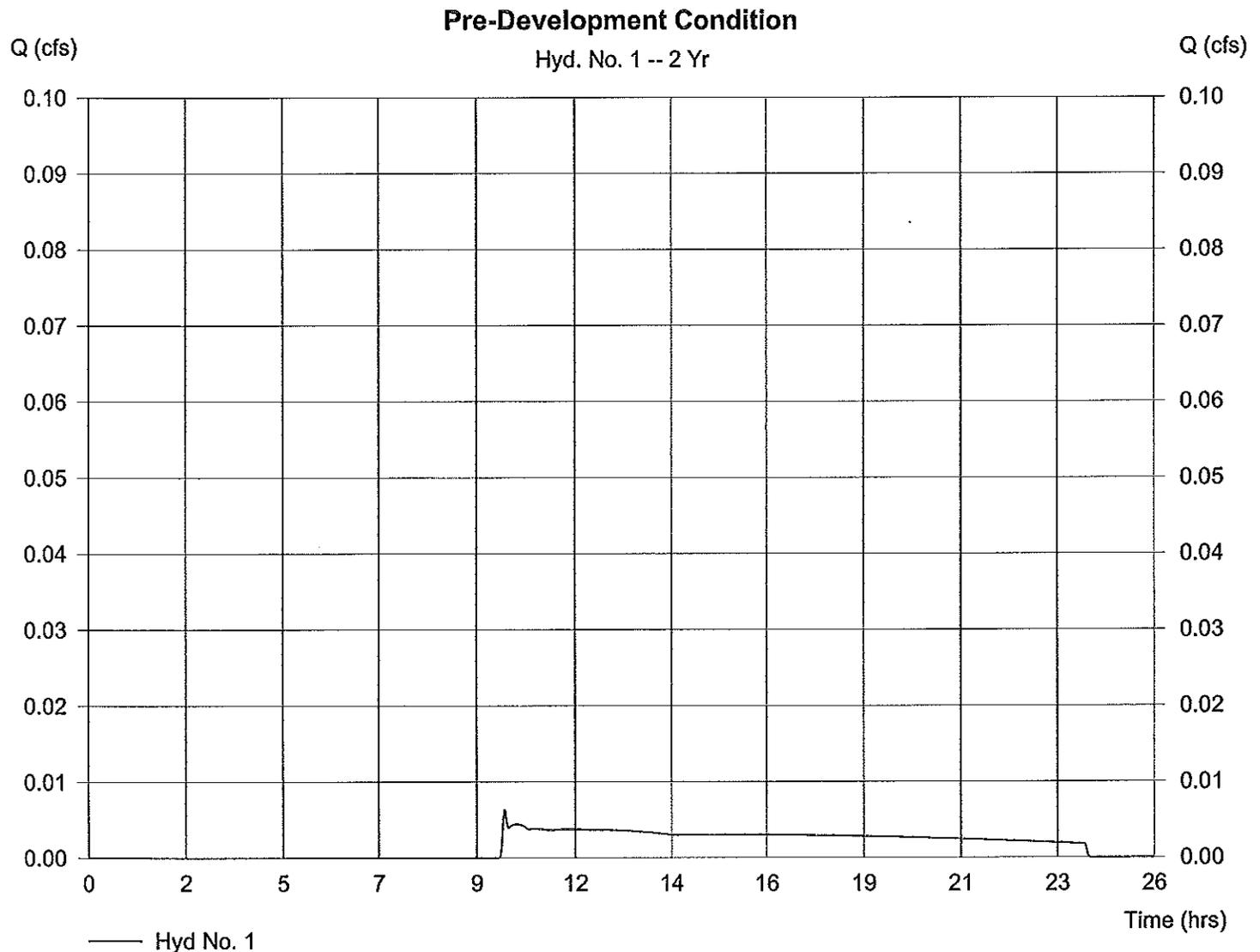
Hyd. No. 1

Pre-Development Condition

Hydrograph type = SCS Runoff
Storm frequency = 2 yrs
Drainage area = 0.190 ac
Basin Slope = 0.0 %
Tc method = USER
Total precip. = 2.07 in
Storm duration = 24 hrs

Peak discharge = 0.01 cfs
Time interval = 1 min
Curve number = 68
Hydraulic length = 0 ft
Time of conc. (Tc) = 3.95 min
Distribution = Type I
Shape factor = 484

Hydrograph Volume = 151 cuft



Hydrograph Plot

Hydraflow Hydrographs by Intelisolve

Friday, Aug 6 2010, 5:4 PM

Hyd. No. 2

Post-Development Condition

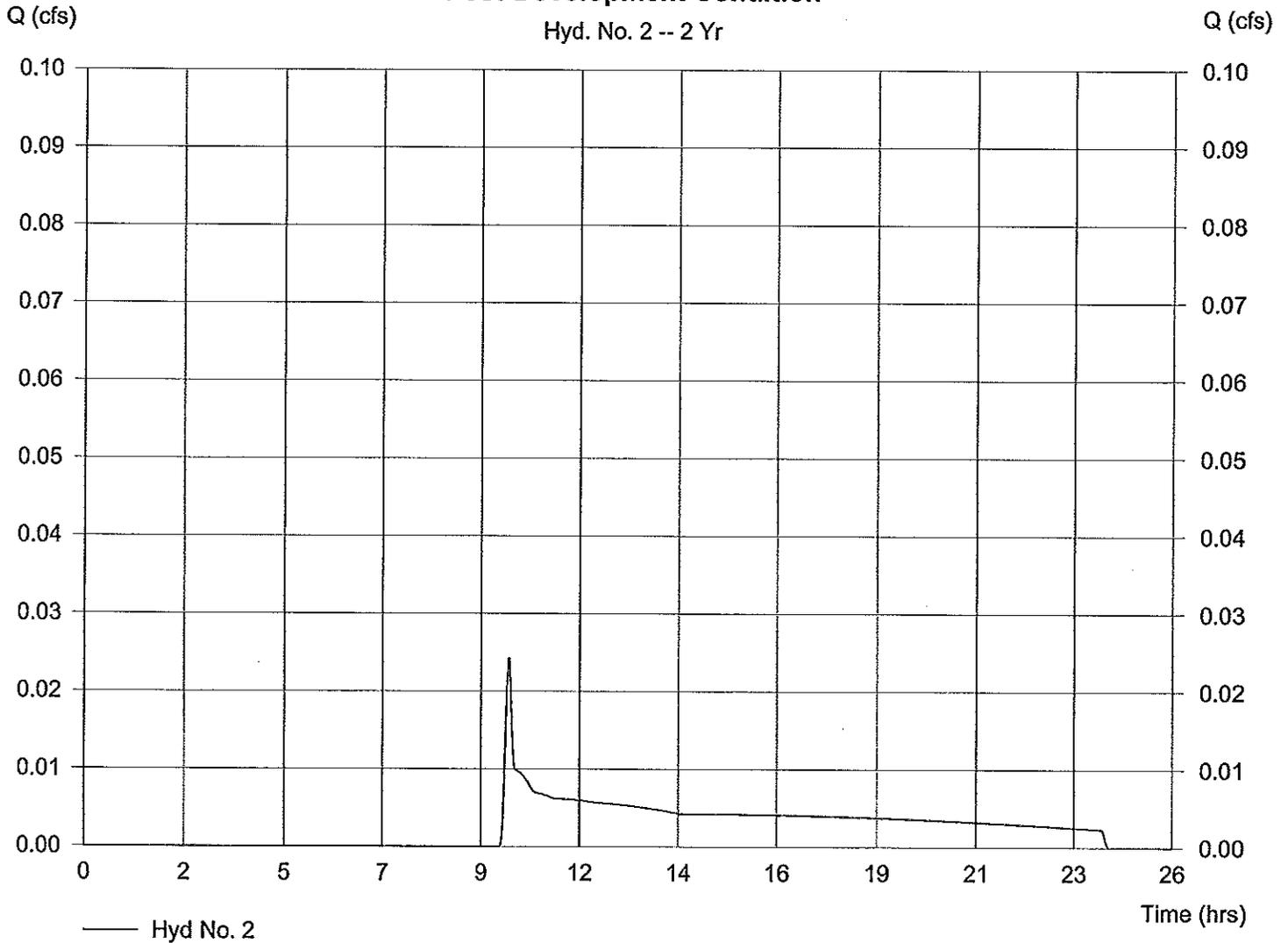
Hydrograph type = SCS Runoff
Storm frequency = 2 yrs
Drainage area = 0.190 ac
Basin Slope = 0.0 %
Tc method = USER
Total precip. = 2.07 in
Storm duration = 24 hrs

Peak discharge = 0.02 cfs
Time interval = 1 min
Curve number = 72
Hydraulic length = 0 ft
Time of conc. (Tc) = 6.50 min
Distribution = Type I
Shape factor = 484

Hydrograph Volume = 229 cuft

Post-Development Condition

Hyd. No. 2 -- 2 Yr



Hydrograph Plot

Hydraflow Hydrographs by Intellisolve

Friday, Aug 6 2010, 5:4 PM

Hyd. No. 3

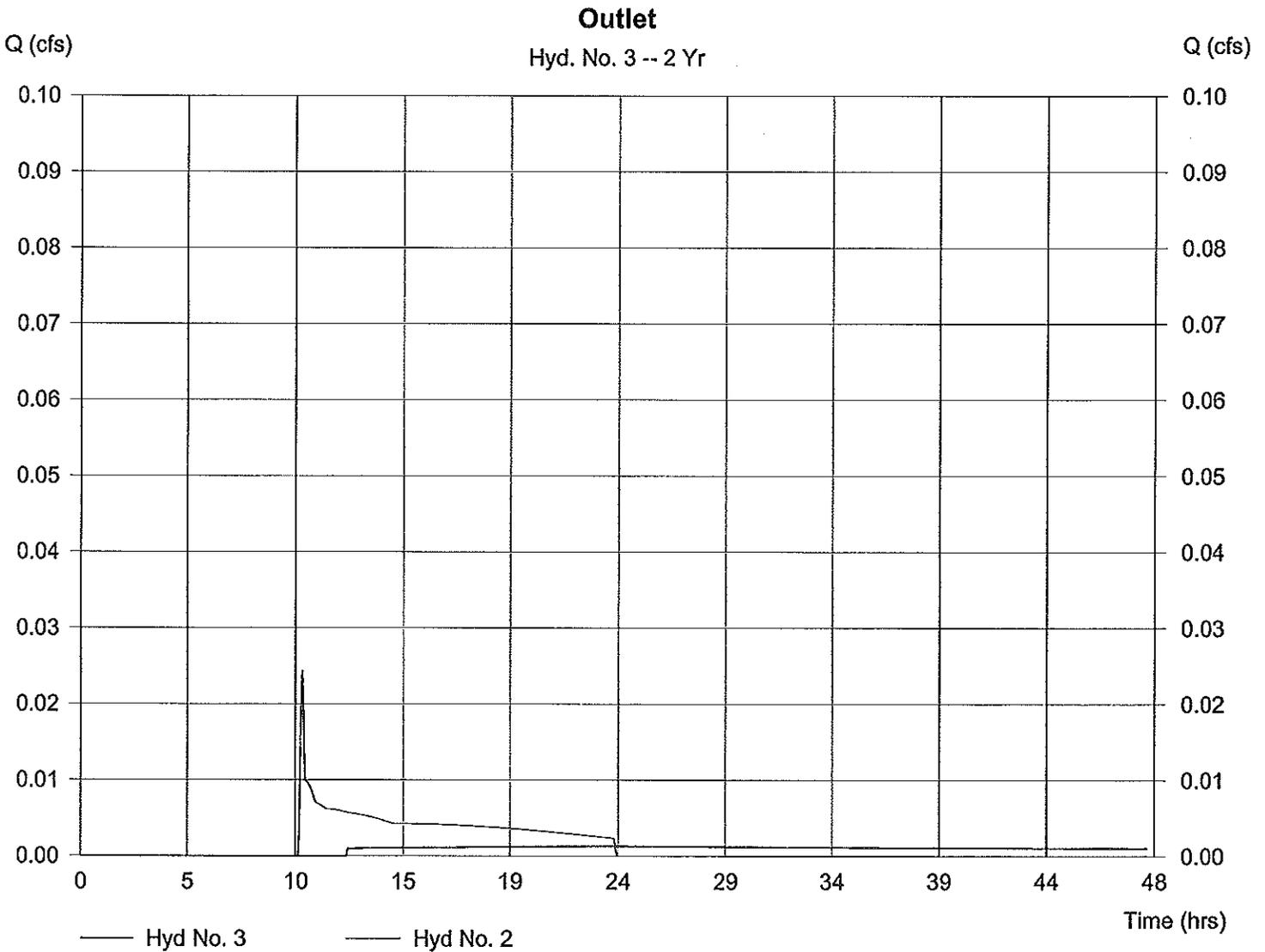
Outlet

Hydrograph type = Reservoir
Storm frequency = 2 yrs
Inflow hyd. No. = 2
Reservoir name = Underground Detention

Peak discharge = 0.00 cfs
Time interval = 1 min
Max. Elevation = 93.68 ft
Max. Storage = 178 cuft

Storage Indication method used.

Hydrograph Volume = 152 cuft



Pond Report

Hydraflow Hydrographs by Intellsolve

Friday, Aug 6 2010, 5:4 PM

Pond No. 1 - Underground Detention

Pond Data

Bottom LxW = 8.0 x 15.0 ft Side slope = 0.0:1 Bottom elev. = 92.20 ft Depth = 2.50 ft

Stage / Storage Table

Stage (ft)	Elevation (ft)	Contour area (sqft)	Incr. Storage (cuft)	Total storage (cuft)
0.00	92.20	120	0	0
0.13	92.33	120	15	15
0.25	92.45	120	15	30
0.38	92.58	120	15	45
0.50	92.70	120	15	60
0.63	92.83	120	15	75
0.75	92.95	120	15	90
0.88	93.08	120	15	105
1.00	93.20	120	15	120
1.13	93.33	120	15	135
1.25	93.45	120	15	150
1.38	93.58	120	15	165
1.50	93.70	120	15	180
1.63	93.83	120	15	195
1.75	93.95	120	15	210
1.88	94.08	120	15	225
2.00	94.20	120	15	240
2.13	94.33	120	15	255
2.25	94.45	120	15	270
2.38	94.58	120	15	285
2.50	94.70	120	15	300

Culvert / Orifice Structures

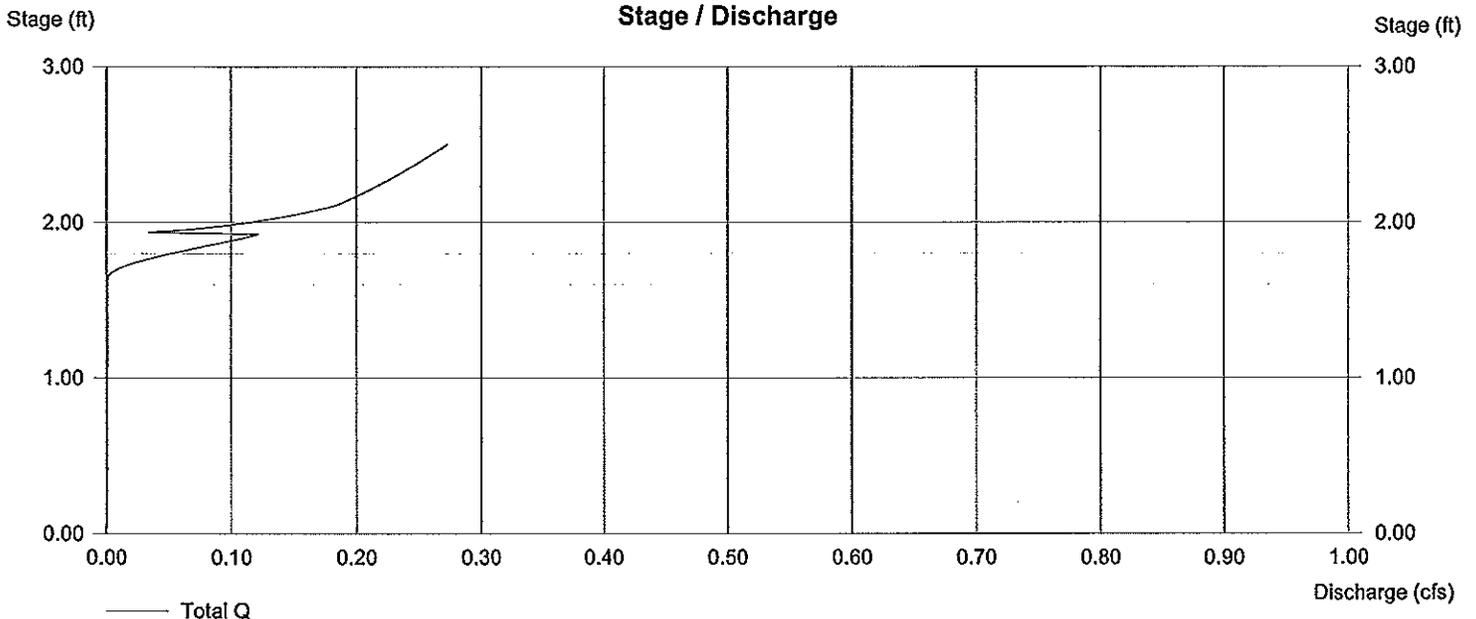
	[A]	[B]	[C]	[D]
Rise (in)	= 3.50	0.00	0.00	0.00
Span (in)	= 3.50	0.00	0.00	0.00
No. Barrels	= 1	0	0	0
Invert El. (ft)	= 93.84	0.00	0.00	0.00
Length (ft)	= 0.08	0.00	0.00	0.00
Slope (%)	= 0.00	0.00	0.00	0.00
N-Value	= .013	.013	.013	.000
Orif. Coeff.	= 0.60	0.60	0.60	0.00
Multi-Stage	= n/a	No	No	No

Weir Structures

	[A]	[B]	[C]	[D]
Crest Len (ft)	= 0.00	0.00	0.00	0.00
Crest El. (ft)	= 0.00	0.00	0.00	0.00
Weir Coeff.	= 3.33	0.00	0.00	0.00
Weir Type	= ---	---	---	---
Multi-Stage	= No	No	No	No

Exfiltration = 0.300 in/hr (Wet area) Tailwater Elev. = 0.00 ft

Note: Culvert/Orifice outflows have been analyzed under inlet and outlet control.



Hydrograph Summary Report

Hyd. No.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to peak (min)	Volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Maximum storage (cuft)	Hydrograph description
1	SCS Runoff	0.09	1	597	524	---	-----	-----	Pre-Development Condition
2	SCS Runoff	0.13	1	598	683	---	-----	-----	Post-Development Condition
3	Reservoir	0.02	1	682	589	2	93.93	207	Outlet

Hydrograph Plot

Hydraflow Hydrographs by Intellisolve

Friday, Aug 6 2010, 5:5 PM

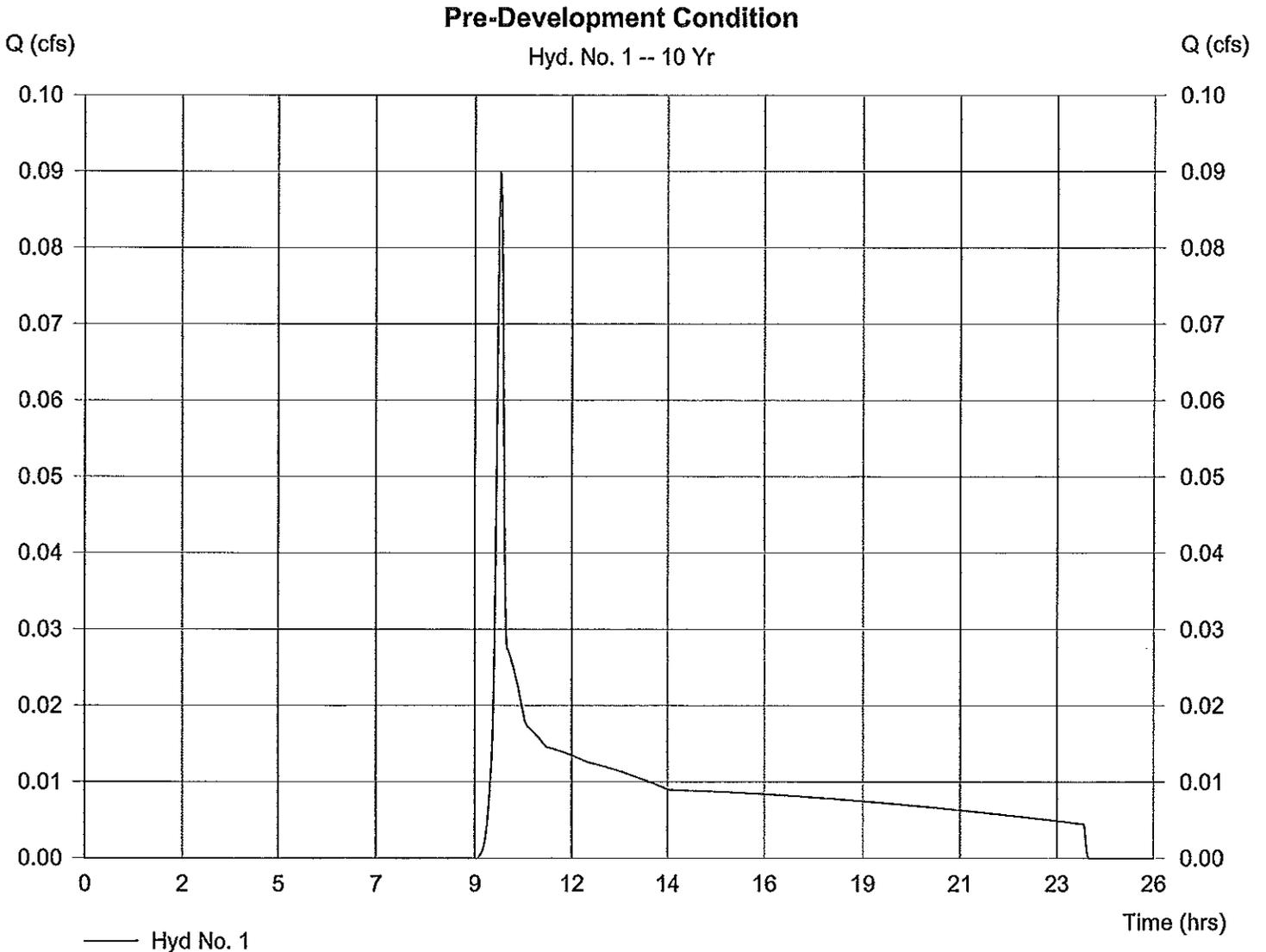
Hyd. No. 1

Pre-Development Condition

Hydrograph type = SCS Runoff
Storm frequency = 10 yrs
Drainage area = 0.190 ac
Basin Slope = 0.0 %
Tc method = USER
Total precip. = 3.25 in
Storm duration = 24 hrs

Peak discharge = 0.09 cfs
Time interval = 1 min
Curve number = 68
Hydraulic length = 0 ft
Time of conc. (Tc) = 3.95 min
Distribution = Type I
Shape factor = 484

Hydrograph Volume = 524 cuft



Hydrograph Plot

Hydraflow Hydrographs by Intellisolve

Friday, Aug 6 2010, 5:5 PM

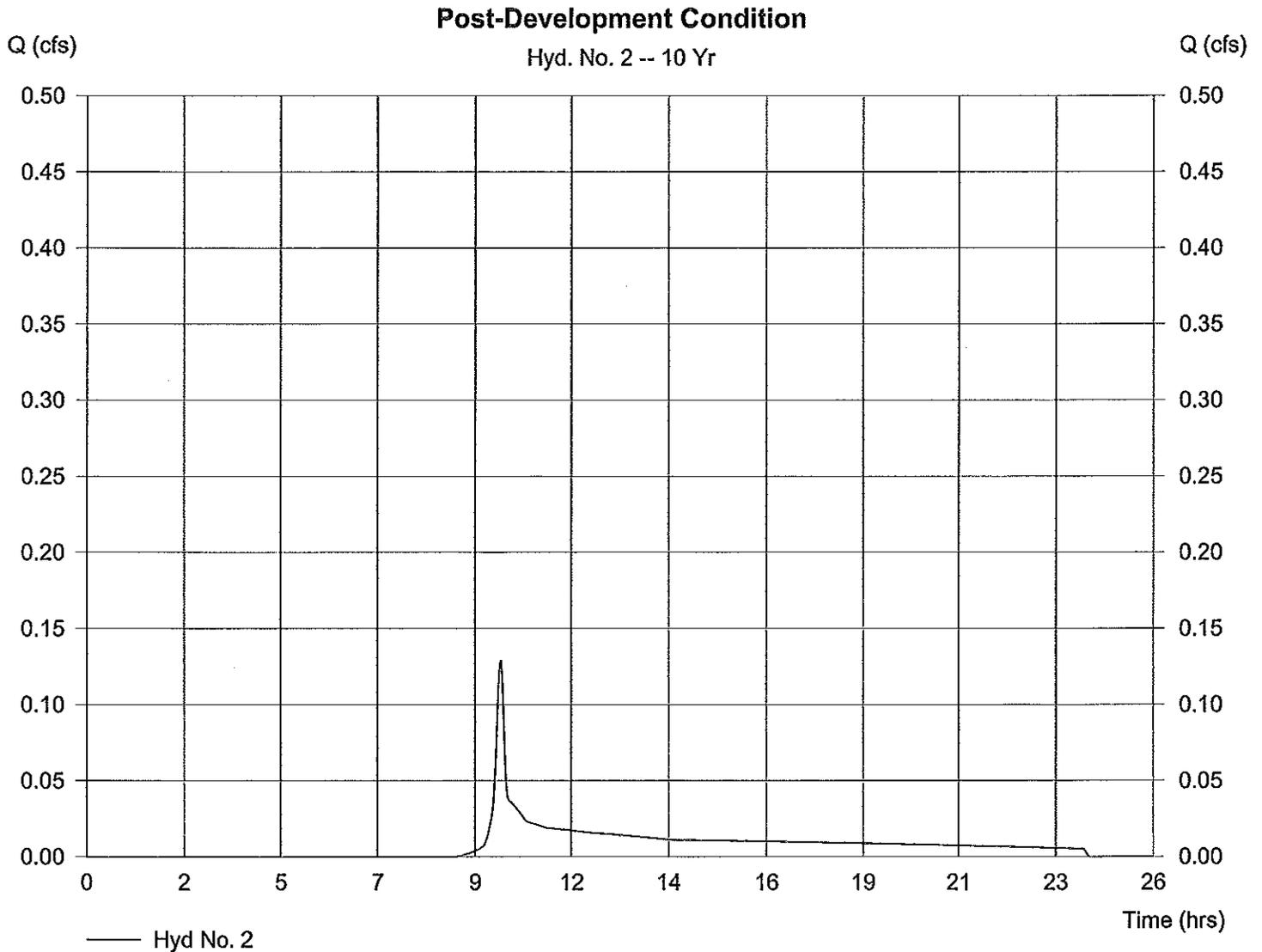
Hyd. No. 2

Post-Development Condition

Hydrograph type = SCS Runoff
Storm frequency = 10 yrs
Drainage area = 0.190 ac
Basin Slope = 0.0 %
Tc method = USER
Total precip. = 3.25 in
Storm duration = 24 hrs

Peak discharge = 0.13 cfs
Time interval = 1 min
Curve number = 72
Hydraulic length = 0 ft
Time of conc. (Tc) = 6.50 min
Distribution = Type I
Shape factor = 484

Hydrograph Volume = 683 cuft



Hydrograph Plot

Hydraflow Hydrographs by Intellsolve

Friday, Aug 6 2010, 5:5 PM

Hyd. No. 3

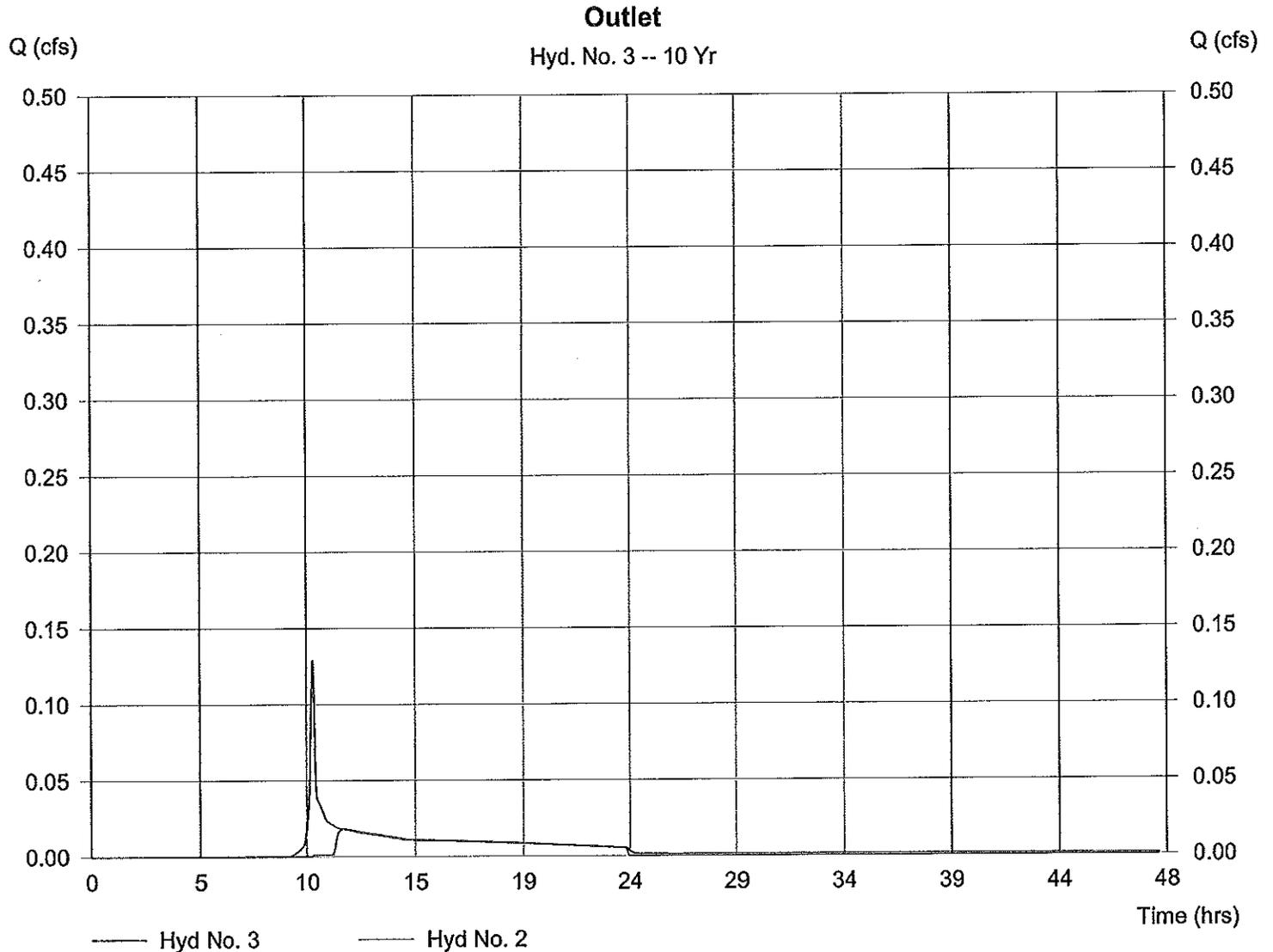
Outlet

Hydrograph type = Reservoir
Storm frequency = 10 yrs
Inflow hyd. No. = 2
Reservoir name = Underground Detention

Peak discharge = 0.02 cfs
Time interval = 1 min
Max. Elevation = 93.93 ft
Max. Storage = 207 cuft

Storage Indication method used.

Hydrograph Volume = 589 cuft



Pond Report

Hydraflow Hydrographs by Intelisolve

Friday, Aug 6 2010, 5:5 PM

Pond No. 1 - Underground Detention

Pond Data

Bottom LxW = 8.0 x 15.0 ft Side slope = 0.0:1 Bottom elev. = 92.20 ft Depth = 2.50 ft

Stage / Storage Table

Stage (ft)	Elevation (ft)	Contour area (sqft)	Incr. Storage (cuft)	Total storage (cuft)
0.00	92.20	120	0	0
0.13	92.33	120	15	15
0.25	92.45	120	15	30
0.38	92.58	120	15	45
0.50	92.70	120	15	60
0.63	92.83	120	15	75
0.75	92.95	120	15	90
0.88	93.08	120	15	105
1.00	93.20	120	15	120
1.13	93.33	120	15	135
1.25	93.45	120	15	150
1.38	93.58	120	15	165
1.50	93.70	120	15	180
1.63	93.83	120	15	195
1.75	93.95	120	15	210
1.88	94.08	120	15	225
2.00	94.20	120	15	240
2.13	94.33	120	15	255
2.25	94.45	120	15	270
2.38	94.58	120	15	285
2.50	94.70	120	15	300

Culvert / Orifice Structures

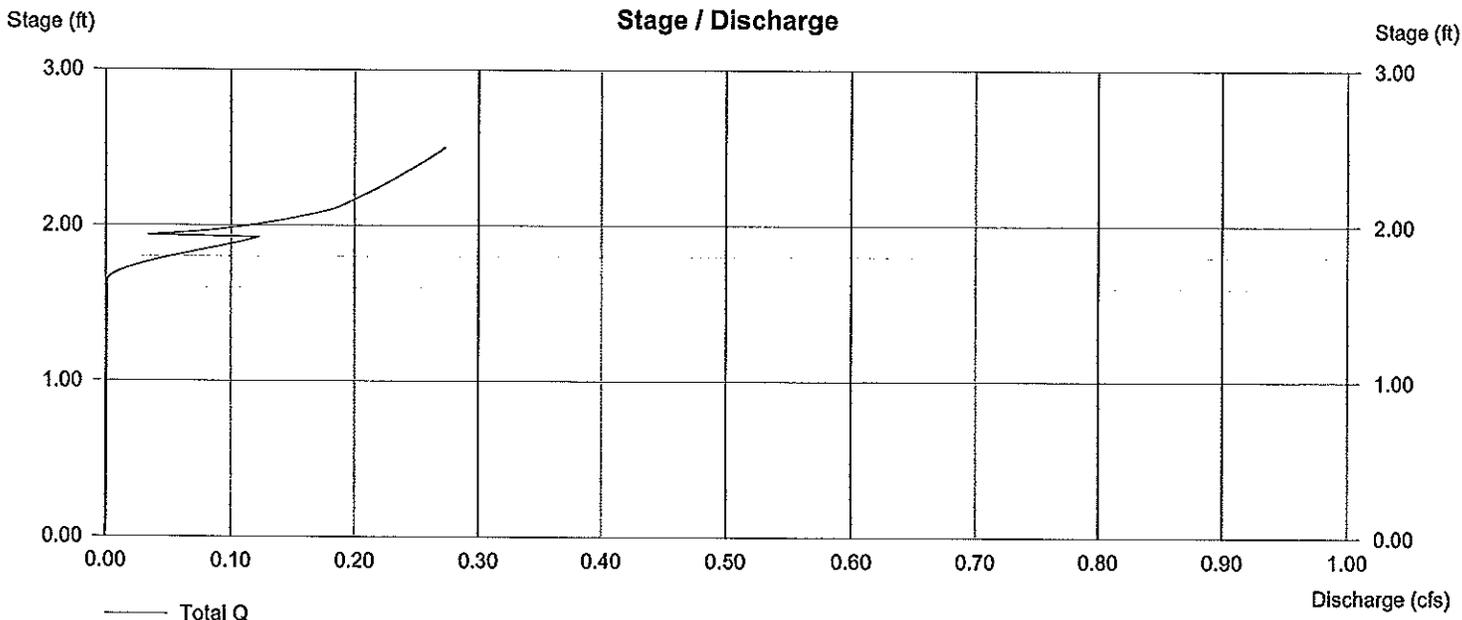
	[A]	[B]	[C]	[D]
Rise (in)	= 3.50	0.00	0.00	0.00
Span (in)	= 3.50	0.00	0.00	0.00
No. Barrels	= 1	0	0	0
Invert El. (ft)	= 93.84	0.00	0.00	0.00
Length (ft)	= 0.08	0.00	0.00	0.00
Slope (%)	= 0.00	0.00	0.00	0.00
N-Value	= .013	.013	.013	.000
Orif. Coeff.	= 0.60	0.60	0.60	0.00
Multi-Stage	= n/a	No	No	No

Weir Structures

	[A]	[B]	[C]	[D]
Crest Len (ft)	= 0.00	0.00	0.00	0.00
Crest El. (ft)	= 0.00	0.00	0.00	0.00
Weir Coeff.	= 3.33	0.00	0.00	0.00
Weir Type	= ---	---	---	---
Multi-Stage	= No	No	No	No

Exfiltration = 0.300 in/hr (Wet area) Tailwater Elev. = 0.00 ft

Note: Culvert/Orifice outflows have been analyzed under inlet and outlet control.



Hydrograph Summary Report

Hyd. No.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to peak (min)	Volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Maximum storage (cuft)	Hydrograph description
1	SCS Runoff	0.31	1	596	1,420	----	-----	-----	Pre-Development Condition
2	SCS Runoff	0.37	1	597	1,701	----	-----	-----	Post-Development Condition
3	Reservoir	0.27	1	602	1,606	2	94.66	295	Outlet
555 total redev area.gpw					Return Period: 100 Year		Friday, Aug 6 2010, 5:05 PM		

Hydrograph Plot

Hydraflow Hydrographs by Intellsolve

Friday, Aug 6 2010, 5:5 PM

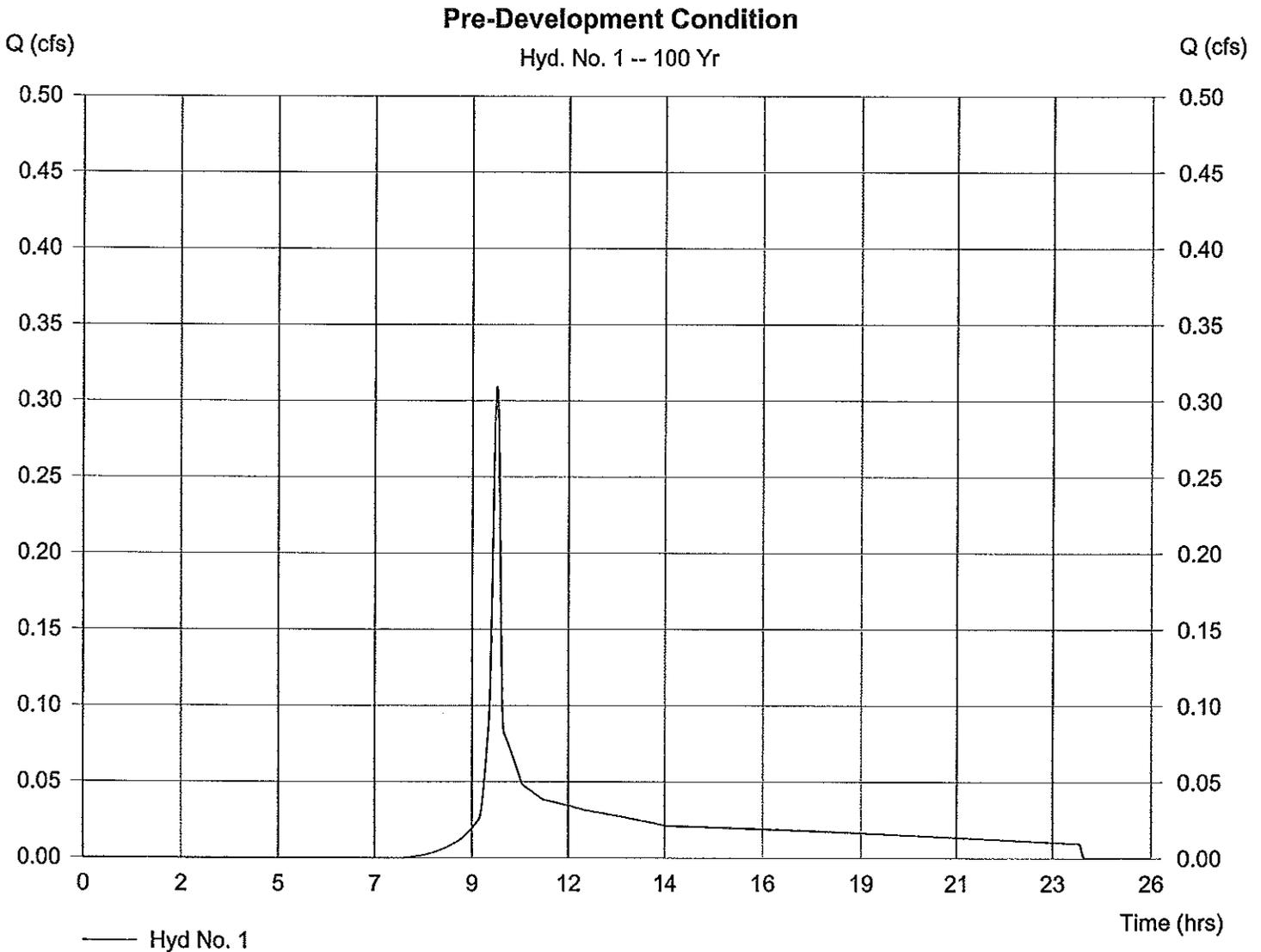
Hyd. No. 1

Pre-Development Condition

Hydrograph type = SCS Runoff
Storm frequency = 100 yrs
Drainage area = 0.190 ac
Basin Slope = 0.0 %
Tc method = USER
Total precip. = 5.25 in
Storm duration = 24 hrs

Peak discharge = 0.31 cfs
Time interval = 1 min
Curve number = 68
Hydraulic length = 0 ft
Time of conc. (Tc) = 3.95 min
Distribution = Type I
Shape factor = 484

Hydrograph Volume = 1,420 cuft



Hydrograph Plot

Hydraflow Hydrographs by Intellsolve

Friday, Aug 6 2010, 5:5 PM

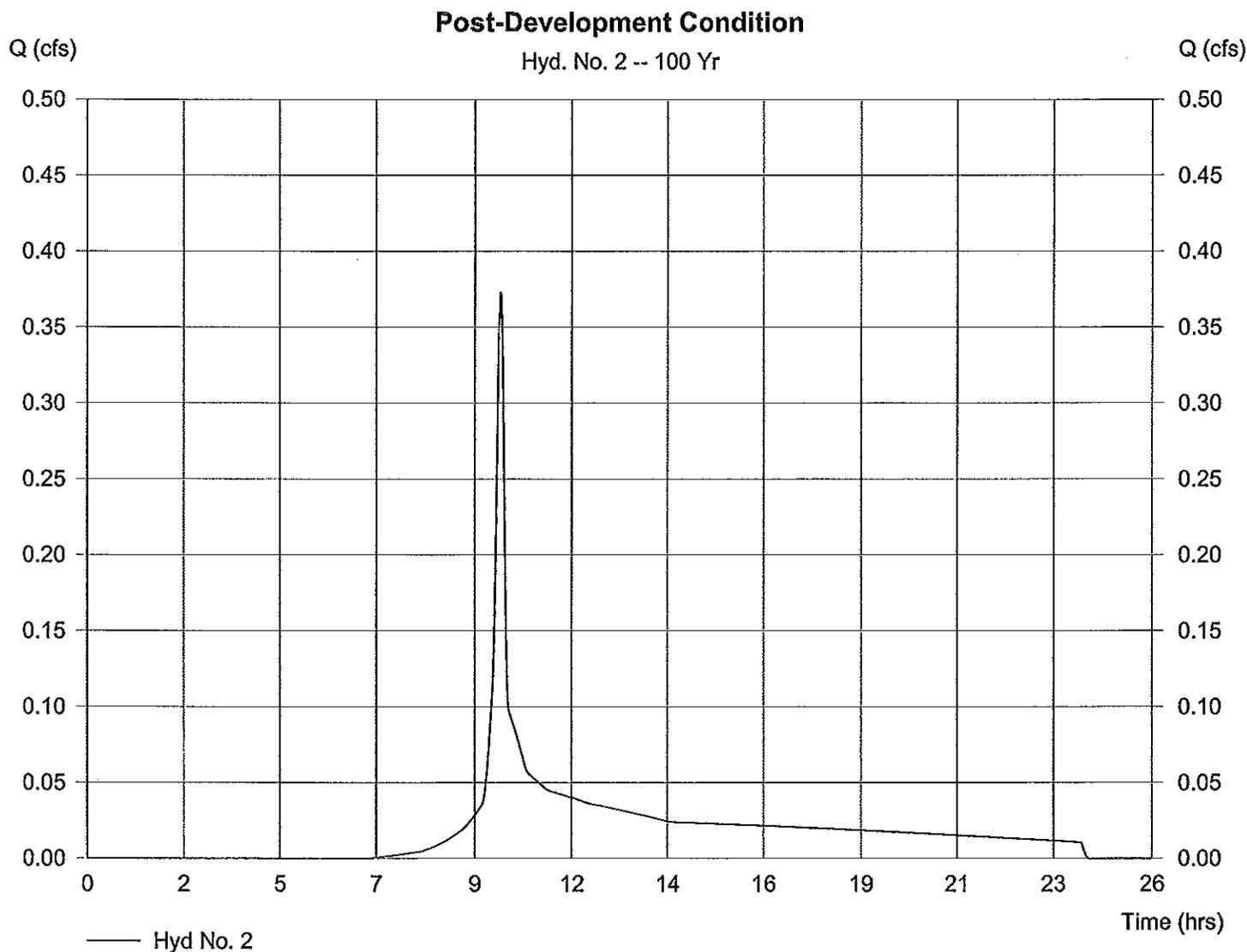
Hyd. No. 2

Post-Development Condition

Hydrograph type = SCS Runoff
Storm frequency = 100 yrs
Drainage area = 0.190 ac
Basin Slope = 0.0 %
Tc method = USER
Total precip. = 5.25 in
Storm duration = 24 hrs

Peak discharge = 0.37 cfs
Time interval = 1 min
Curve number = 72
Hydraulic length = 0 ft
Time of conc. (Tc) = 6.50 min
Distribution = Type I
Shape factor = 484

Hydrograph Volume = 1,701 cuft



Hydrograph Plot

Hydraflow Hydrographs by Intellsolve

Friday, Aug 6 2010, 5:5 PM

Hyd. No. 3

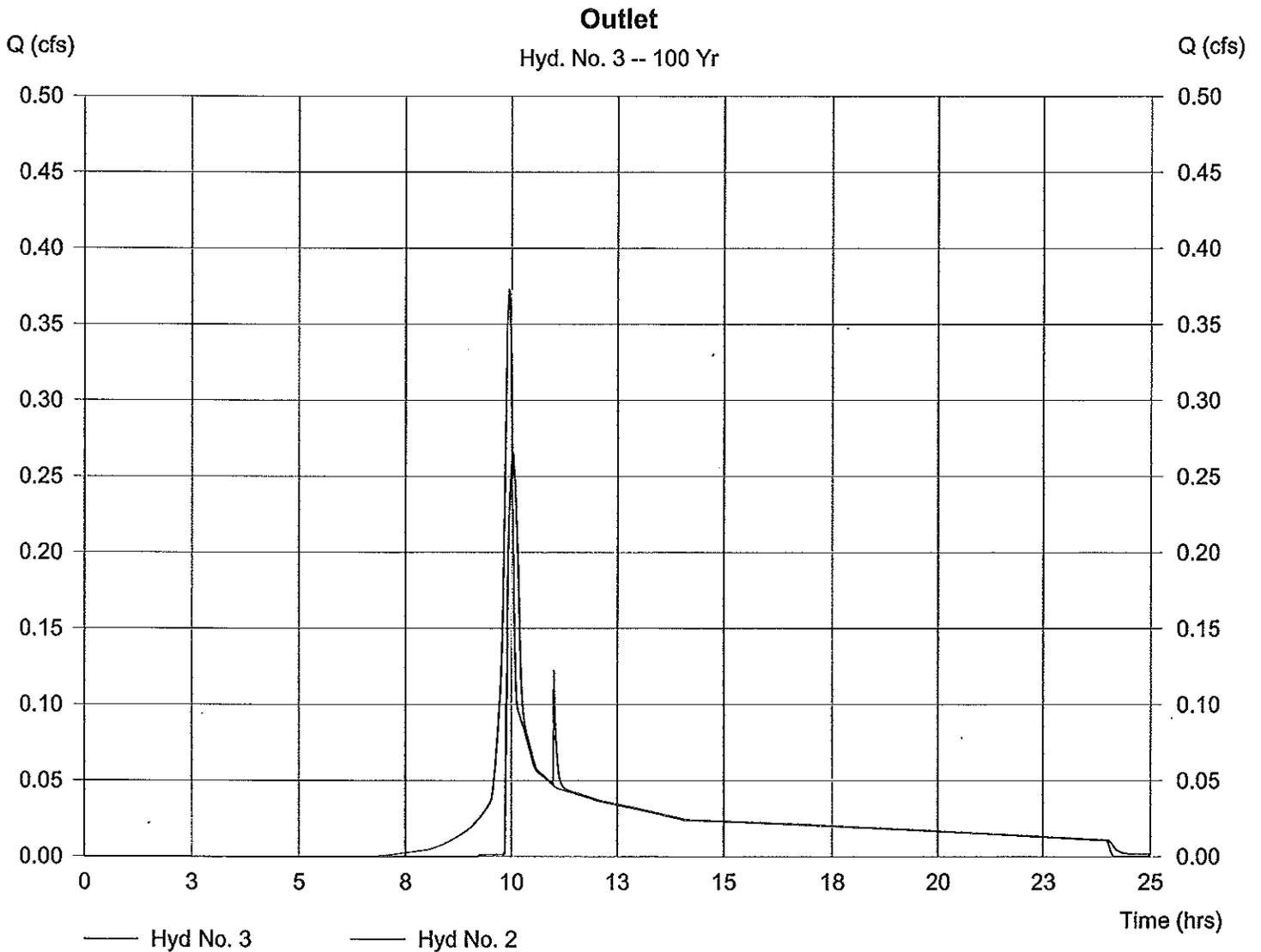
Outlet

Hydrograph type = Reservoir
Storm frequency = 100 yrs
Inflow hyd. No. = 2
Reservoir name = Underground Detention

Peak discharge = 0.27 cfs
Time interval = 1 min
Max. Elevation = 94.66 ft
Max. Storage = 295 cuft

Storage Indication method used.

Hydrograph Volume = 1,606 cuft



Pond Report

Hydraflow Hydrographs by Intellsolve

Friday, Aug 6 2010, 5:5 PM

Pond No. 1 - Underground Detention

Pond Data

Bottom LxW = 8.0 x 15.0 ft Side slope = 0.0:1 Bottom elev. = 92.20 ft Depth = 2.50 ft

Stage / Storage Table

Stage (ft)	Elevation (ft)	Contour area (sqft)	Incr. Storage (cuft)	Total storage (cuft)
0.00	92.20	120	0	0
0.13	92.33	120	15	15
0.25	92.45	120	15	30
0.38	92.58	120	15	45
0.50	92.70	120	15	60
0.63	92.83	120	15	75
0.75	92.95	120	15	90
0.88	93.08	120	15	105
1.00	93.20	120	15	120
1.13	93.33	120	15	135
1.25	93.45	120	15	150
1.38	93.58	120	15	165
1.50	93.70	120	15	180
1.63	93.83	120	15	195
1.75	93.95	120	15	210
1.88	94.08	120	15	225
2.00	94.20	120	15	240
2.13	94.33	120	15	255
2.25	94.45	120	15	270
2.38	94.58	120	15	285
2.50	94.70	120	15	300

Culvert / Orifice Structures

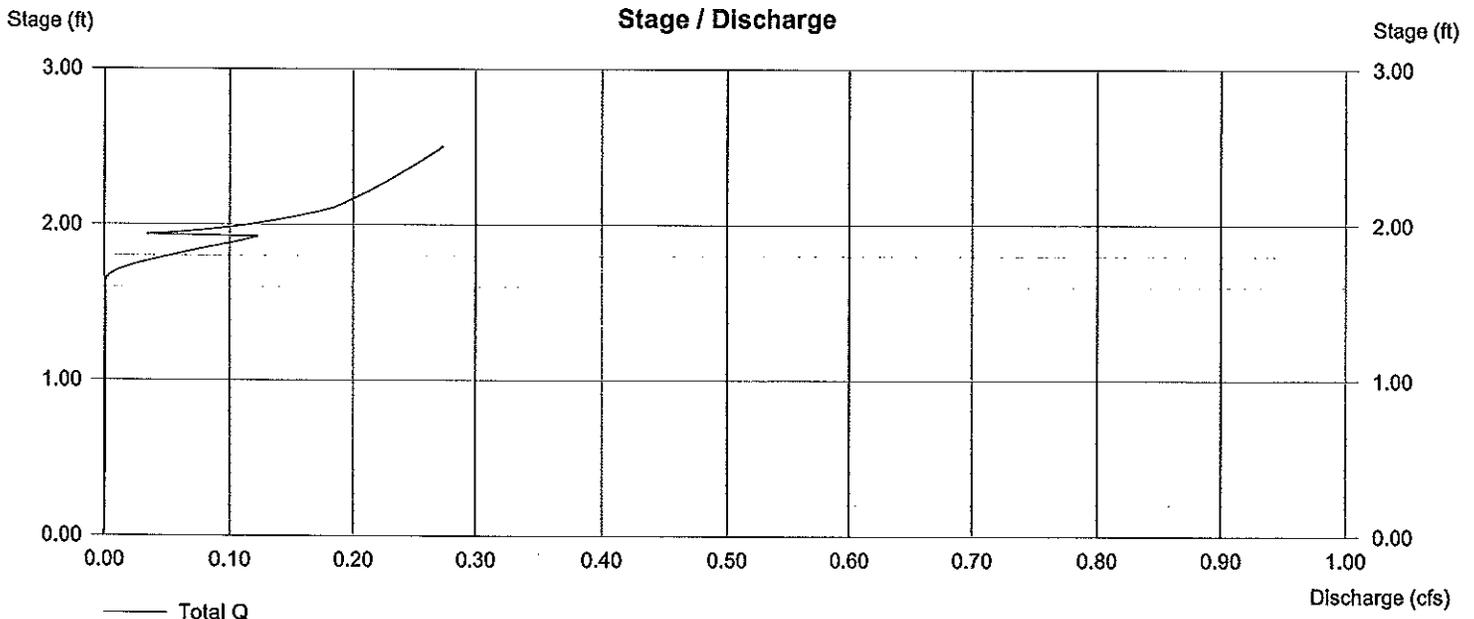
	[A]	[B]	[C]	[D]
Rise (in)	= 3.50	0.00	0.00	0.00
Span (in)	= 3.50	0.00	0.00	0.00
No. Barrels	= 1	0	0	0
Invert El. (ft)	= 93.84	0.00	0.00	0.00
Length (ft)	= 0.08	0.00	0.00	0.00
Slope (%)	= 0.00	0.00	0.00	0.00
N-Value	= .013	.013	.013	.000
Orif. Coeff.	= 0.60	0.60	0.60	0.00
Multi-Stage	= n/a	No	No	No

Weir Structures

	[A]	[B]	[C]	[D]
Crest Len (ft)	= 0.00	0.00	0.00	0.00
Crest El. (ft)	= 0.00	0.00	0.00	0.00
Weir Coeff.	= 3.33	0.00	0.00	0.00
Weir Type	= ---	---	---	---
Multi-Stage	= No	No	No	No

Exfiltration = 0.300 in/hr (Wet area) Tailwater Elev. = 0.00 ft

Note: Culvert/Orifice outflows have been analyzed under inlet and outlet control.



RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

DRAFT

P. TERENCE SCHUBERT, ESQ.
A Professional Law Corporation
1254 Marsh Street, Second Floor
San Luis Obispo, California 93401

-----Space Above This Line for Recorder's Use-----

MAINTENANCE AGREEMENT AND GRANT OF EASEMENTS

This Maintenance Agreement and Grant of Easements ("Agreement") is entered into this _____ day of October, 2010 ("Effective Date"), by and between Walter and Karen Roza, Trustees of the Roza Family Trust.

RECITALS

- A. Walter and Karen Roza, Trustees of the Roza Family Trust ("the Trust") are the owners of that certain parcel of real property located in the City of Morro Bay, County of San Luis Obispo, State of California bearing Assessor Parcel Number 068-xxx-xxx, commonly known as 595 Driftwood Avenue, Morro Bay, California 93442, and which is more particularly described by the legal description attached hereto and incorporated herein as Exhibit "A" (the "Roza Parcel").
- B. The Trust intends to subdivide the Roza Parcel into two (2) parcels pursuant to Tentative Parcel Map MB 10-0004, as depicted in the Vesting Tentative Parcel Map attached hereto and incorporated herein as Exhibit "B".
- C. The Trust intends that the Owners of the two parcels which will be created will grant to each other the various easements as further described in this Agreement in order to provide for the mutually beneficial and future use of these respective parcels.

NOW, THEREFORE, on the basis of the foregoing facts, understanding, and intentions of the Parties and for good and valuable consideration, the parties hereto agree as follows:

1. Common Area Easement

1.1 Grant of Common Area Easement. The Owner of Parcel 1 hereby grants for the use and benefit of Parcel 2 and their successors in interest therein, a non-exclusive easement for recreations purpose over, across, under and upon that portion of Parcel 1 described on Exhibit B ("Common Area" or "Common Area Easement"). The Common Area Easement shall be appurtenant to and shall benefit Parcel 2; however, the Common Area is intended to be used cooperatively by the Owners of both Parcel 1 and Parcel 2 and their families, guests, and invitees, for recreational purposes such as barbequing, and enjoying a pleasant game of horseshoes. The Parties acknowledge than the Common Area Easement is not transferable to and shall to benefit any other parcels, except Parcel 1 and Parcel 2, as specifically described herein.

1.2 Initial Improvements. Initial improvements shall be constructed within the Common Area ("Initial Improvements") within one (1) year following recordation of Final Parcel Map MB 10-0004. The cost of the Initial Improvements shall be paid for by the Trust. Following completion of the Initial Improvements, the construction of all future improvements within the Common Area Easement shall be undertaken and completed only upon the unanimous approval of both Parcel owners.

1.3 Maintenance, Repair and Replacement. The Parties and their successors in interest in the Parcels shall continually maintain, repair and replace, as reasonably necessary, and be responsible for all costs associated with the maintenance, repair and replacement of all improvements existing or hereafter constructed with the Common Area Easement. All costs resulting from the maintenance, repair and replacement of improvements within the Common Area Easement shall be borne equally by both Parcel owners.

1.4 Insurance and Indemnity. The Parties and their successors in interest shall indemnify and hold each other harmless from any liability, claim, cause of action or injury associated with their or their agents or invitees use of the Common Area Easement. The Parties and their successors in interest shall individually procure and maintain in force, at their individual expense, liability insurance, through an insurance company licensed to do business in the State of California, covering any and all liability arising from or related to the use of, or arising out of accidents occurring in or around the Common Area Easement, in a minimum amount of One Million Dollars (\$1,000,000.00) per occurrence. Proof of said insurance shall be provided by the Parties or their successors in interest within thirty (30) days of a written request for the same.

2. Drainage Easement.

2.1 Grant of Drainage Easement. The Owners of Parcel 2 hereby grant to the Owners of Parcel 1 and the Owners of Parcel 1's successors in interest therein, a non-exclusive easement for surface water drainage generally consistent with the historical drainage over, across, under and upon that portion of Parcel 2 described in Exhibit B (the "Drainage Easement"). The Drainage Easement shall be appurtenant to and shall benefit Parcel 1 and shall burden Parcel 2. The Parties acknowledge that the Drainage Easement is not transferable to and shall not benefit any other parcel.

2.2 Initial Drainage Improvements. Initial improvements shall be constructed with the Drainage Easement within one (1) year following recordation of Final Parcel Map MB 10-0004 or such longer period as the parties may mutually agree. The cost of the Drainage Improvements shall be borne solely by the Owners of Parcel 1. Following completion of the Initial Drainage Improvements, all future improvements within the Drainage Easement shall be borne solely by the Owners of Parcel 1, including, without limitation, any costs to repair any existing improvements.

2.3 Maintenance, Repair and Replacement. The Owners of Parcel 1 and their successors in interest shall continually maintain, repair and replace, as reasonably necessary, and be responsible for all costs associated with the maintenance, repair and replacement of all improvements existing or hereafter constructed with the Drainage Easement.

2.4 Indemnification. The Owners of Parcel 1 and their successors in interest shall indemnify and hold the Owners of Parcel 2 harmless from any liability, claim, cause of action or injury associated with their or their agents or invitees use of the Drainage Easement.

3. Maintenance Representative.

3.1 Selection of Representative. The Parcel Owners shall select a representative ("Representative") who shall be a Parcel owner who will obtain estimates, compile schedules for repairs and maintenance, oversee repairs and maintenance, communicate with Parcel owners to obtain the consent to perform repairs and maintenance within the Common Area and to collect from each Parcel owner their share of all costs and expenses pursuant to this Agreement.

3.2 Authorization to Repair and Maintain Common Area Easement. Each Parcel owner shall be entitled to vote upon all decisions including selecting the Representative and authorizing the Representative to contract for repair and maintenance of the easement areas. Each Parcel owner shall be entitled to one (1) vote. A majority of votes are needed to elect the Representative and to authorize the Representative to contract for repair and maintenance.

3.3 Allocation of Costs to Repair and Maintain Common Area Easement.

Each Parcel owner shall be responsible for paying his, her or its share of all costs pursuant to this Agreement associated with the repair and maintenance of the Common Area.

3.4 Schedules for Repairs and Maintenance.

Not less than thirty (30) days prior to the beginning of each calendar year, the Representative shall estimate the anticipated expenses for the next succeeding calendar year. Thereafter, the Parcel owners shall vote to approve or disapprove the expenditure set forth in the estimate. If an emergency situation requires the expenditure of funds in excess of the amount previously approved, the Representative shall solicit bids as necessary and obtain the proper authorization from Parcel owners before performing emergency maintenance and repairs.

3.5 Estimates. Yearly maintenance estimates shall be obtained by the

Representative. Any special estimates for emergency repairs shall be obtained by the Representative as soon as reasonably possible, and shall be provided to the Parcel owners as soon as is reasonably possible.

3.6 Maintenance and Repair Records.

That portion of the estimated expenses attributable to and charged to each Parcel owner shall be set forth and recorded upon a ledger which shall be maintained by the Representative and shall be open for inspection at reasonable times by each Parcel owner or their authorized representatives. The ledger shall show for each Parcel the name and address of the owner of record thereof, all sums levied against each Parcel and the amount of such sums which have been paid or remain unpaid.

3.7 Mailing Estimates.

The Representative shall cause to be mailed to each Parcel Owner at the street address of such Parcel, or at such other address as such Parcel Owner may from time to time designate to the Representative in writing, a statement of the amount of the yearly estimate, within thirty (30) days after determination thereof.

3.8 Payment of Estimate.

The yearly estimate made against each Parcel shall be due and payable on the first day of January of each year or on such other date or dates as may be established from time to time.

3.9 Use of Estimated Fees.

The proceeds of each yearly estimate shall be used only for the purpose for which the estimate was made. The Representative shall keep an account of all funds received by it in payment of each estimate and of all disbursements made therefrom.

3.10 Failure to Pay Estimate; Lien Rights.

Should any Parcel Owner fail to pay his or her share of the estimate, then the Representative may, in addition to exercising any other available remedy, including, without limitation, prosecuting a legal action for breach of this Agreement and any related claims, send a notice to such Parcel owner that his or her payment of costs and expenses is delinquent and that failure to pay the delinquent amount within ten (10) days after the date of the notice will subject the Parcel owner to interest on such amount at the

rate of ten percent (10%) per annum. If the Parcel owner has not paid the delinquent amount by the tenth (10th) day after the date of such notice, interest will accrue on such amount from such date at the rate of ten percent (10%) per annum until the delinquent amount and accrued interest thereon is paid in full. In addition, the Representative may execute, acknowledge and record a claim of lien against the delinquent owner's Parcel in the Office of the County Recorder of San Luis Obispo County, California, stating that a lien is claimed against the owner's Parcel in the amount of the delinquent payment or payments, together with interest thereon at the rate of ten percent (10%) per annum, and costs. The lien shall not be foreclosed upon. Filing a lien is not an exclusive remedy and nothing contained in this section shall be construed as limiting the remedies available to the Representative or of other Parcel owners for default by any Parcel owner hereunder. The rights of the holder of any encumbrance made for value on the Parcel of any defaulting owner recorded prior to recordation of any claim of lien shall in all cases be prior and superior to any such claim of lien.

4. Effective Date and Term of Agreement. This Agreement will be in effect as of the date it is recorded in the Official Records of the County of San Luis Obispo County, and shall continue in full force and effect in perpetuity.

5. Covenants Running With the Land. The easements, rights, servitudes, restrictions, limitations, and conditions contained in this Agreement shall operate for the mutual benefit of the Parcel Owners as indicated herein, and shall constitute covenants to run with the land and shall be binding on and for the benefit of the Owners of Parcel 1 and Parcel 2, together with their grantees, successors, heirs, executors, administrators, devisees and assigns.

6. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original agreement, and all of which shall constitute one agreement to be effective as of the Effective Date.

7. Attorneys Fees. In any legal action brought by either party to enforce the terms of this Agreement the non-prevailing party will pay the expenses and attorney fees of the prevailing party.

8. Entire Agreement. This Agreement contains the entire agreement of the parties relating to the subject matter hereof and supersedes any prior agreements, undertakings, commitments and practices relating thereto.

9. Unauthorized Repairs. No Parcel Owner who repairs or maintains the Common Area Easement and related improvements without first notifying the other Parcel Owner and complying with the terms of this Agreement shall be entitled to reimbursement for such repairs and maintenance.

10. Damage to Common Area Easement and Related Improvements. If the Common Area Easement, and/or any improvements located on the Common Area are damaged through

negligence or abuse by any Parcel Owner or such Owner's invitees, agents, employees, guests or independent contractors, including but not limited to damage to the Area surface caused by heavy equipment used in the construction of a home, that Parcel Owner shall promptly and immediately repair all such damage at his or her own cost.

11. Effect of Waiver. Any waiver of the breach of any one term, covenant or provision of this Agreement shall not be a waiver of a subsequent breach of the same term, covenant or provision of this Agreement or of the breach of any other term, covenant or provision of this Agreement.

12. No Oral Modifications. This instrument contains the entire Agreement between the parties relating to the obligations assumed by this Agreement. Any oral representations or modifications concerning this instrument shall be of no force or effect. This Agreement shall not be modified or changed unless in writing in recordable form, executed by the Owners of both Parcels.

13. Notices. All notices required or permitted to be given under this Agreement shall be in writing and shall be sent by first-class mail, postage prepaid, deposited in the United States mail in California, or via facsimile transmission, and shall be addressed to the Owners at the addresses set forth in Exhibit "C" to this Agreement attached hereto. Any party to this Agreement, by written notice to the other parties, may change the address of notices to be sent to him or her.

14. Severability. In the event that any term or condition contained in the Agreement shall, for any reasonable held by a court of competent jurisdiction to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other term or condition of this Agreement but this Agreement shall be construed as if such invalid or illegal or unenforceable term or condition had never been contained herein.

15. Further Acts and Documents. The parties agree to execute and deliver all escrow instructions, deeds and other documents and perform all further acts that may be reasonable and necessary to effectuate the provisions of this Agreement.

16. Exhibits. All exhibits to this Agreement as referenced in any portion hereof are hereby incorporated by this reference, as though fully set forth in the body of this Agreement.

DRAFT

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

Executed on _____, 2010, at Morro Bay, California.

"Grantors"

"Grantee"

Walter and Karen Roza,
Trustees of the Roza Family Trust

Walter and Karen Roza,
Trustees of the Roza Family Trust

DRAFT

DRAFT

By: _____
Walter Roza

By: _____
Karen Roza

ATTACHMENT 5

Soil Study

**SOILS ENGINEERING REPORT
595 DRIFTWOOD STREET
EASTERN TWO-THIRDS OF APN: 066-143-008
MORRO BAY, CALIFORNIA**

PROJECT SL06409-2

Prepared for

Ms. Karen Roza
Post Office Box 104
Cayucos, California 93430

Prepared by

**GEO SOLUTIONS, INC.
220 HIGH STREET
SAN LUIS OBISPO, CALIFORNIA 93401
(805) 543-8539**

©

August 27, 2009

APPROVED

MAR 30 2010

San Luis Obispo County
Public Safety Department





GeoSolutions, INC.

2370 Skyway Drive, Suite 104, Santa Maria, CA 93455
(805)614-6333, (805)614-6322 fax
SBinfo@geosolutions.net

220 High Street, San Luis Obispo, CA 93401
(805)543-8539, (805)543-2171 fax
info@geosolutions.net

August 27, 2009
Project No. SL06409-2

Ms. Karen Roza
Post Office Box 104
Cayucos, California 93430

Subject: Soils Engineering Report
595 Driftwood Street, Eastern Two-Thirds of APN: 066-143-008
Morro Bay, California

Dear Ms. Roza:

This Soils Engineering Report has been prepared for the proposed residence to be located at 595 Driftwood Street, Eastern Two-Thirds of APN: 066-143-008 in the city of Morro Bay, California. Geotechnically, the site is suitable for the proposed development provided the recommendations in this report for site preparation, earthwork, foundations, slabs, retaining walls, and pavement sections are incorporated into the design.

Due to the expected disturbance of the upper two to three feet of soil at the Site during the removal of the existing structures and associated utilities, it is anticipated that a graded engineered fill pad will be constructed for the proposed residence with all foundations excavated into engineered fill. All foundations are to be excavated into uniform material to limit the potential for distress of the foundation systems due to differential settlement. If cuts steeper than allowed by State of California Construction Safety Orders for "Excavations, Trenches, Earthwork" are proposed, a numerical slope stability analysis may be necessary for temporary construction slopes.

Thank you for the opportunity to have been of service in preparing this report. If you have any questions or require additional assistance, please feel free to contact the undersigned at (805) 543-8539.

Sincerely,
GeoSolutions, Inc.

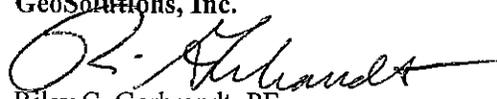

Riley C. Gerbrandt, PE
Project Engineer, C73249



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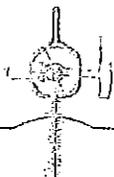
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SOILS ENGINEERING REPORT
595 DRIFTWOOD STREET
EASTERN TWO-THIRDS OF APN: 066-143-008
MORRO BAY, CALIFORNIA

PROJECT SL06409-2

1.0 INTRODUCTION

This report presents the results of the geotechnical investigation for the proposed single-family residence to be located at 595 Driftwood Street, APN: 066-143-008 in the city of Morro Bay, California. See Figure 1: Site Location Map for the general location of the project area. Figure 1: Site Location Map was obtained from the computer program *Topo USA 6.0* (DeLorme, 2006).

595 Driftwood Street is located at approximately 35.363230 degrees north latitude and approximately 120.846689 degrees west longitude at an elevation of approximately 108 feet above mean sea level. The property is approximately rectangular in shape, is approximately 66 feet by 80 feet in size (County of San Luis Obispo, 2005), and consists of approximately the eastern two-thirds of Parcel 8. The property known as 593 Driftwood Street consists of approximately the western one-third of Parcel 8.

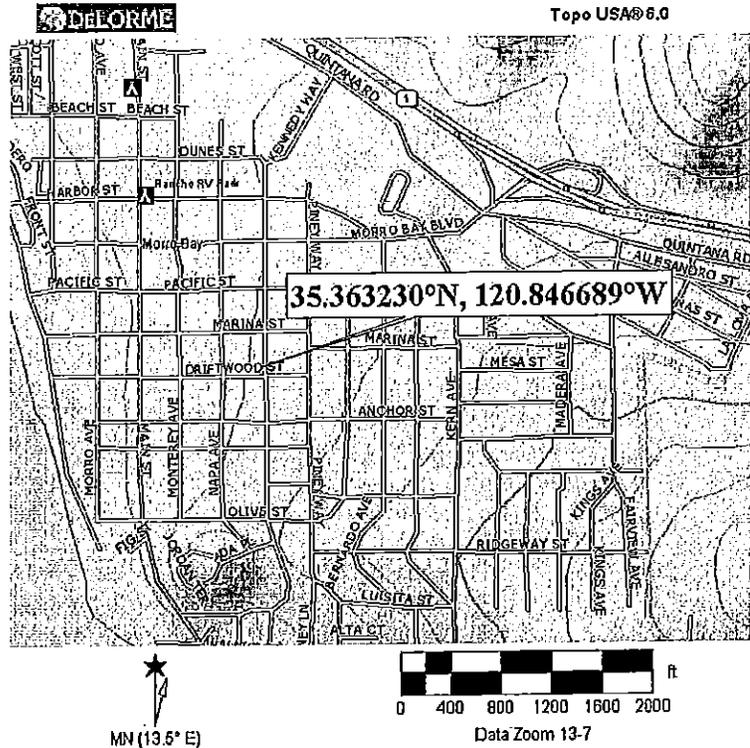
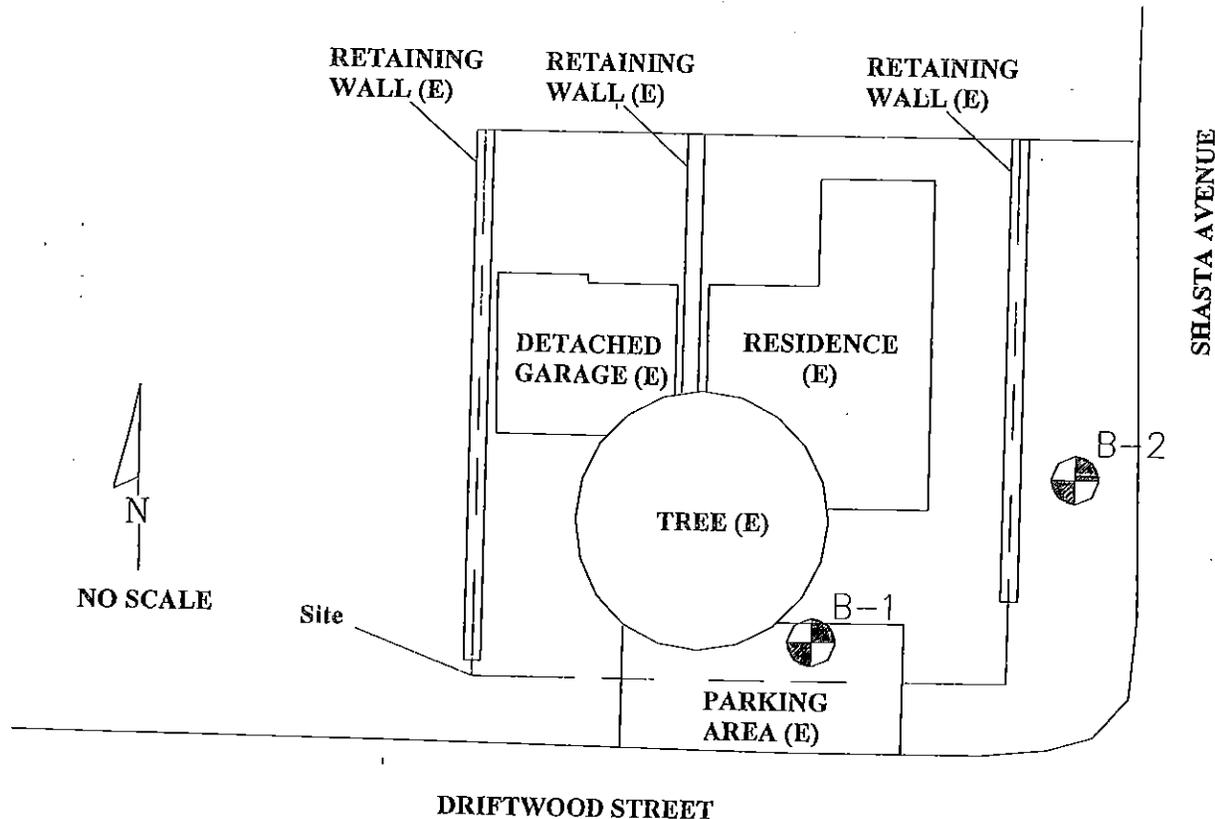


Figure 1: Site Location Map

The nearest intersection to 595 Driftwood Street is where Driftwood Street intersects Shasta Avenue at the southeastern corner of the subject property. The subject property will hereafter be referred to as the "Site." See Figure 2: Site Plan for the general layout of the property and the location of the Site.

The Site is situated on a relatively flat split-level graded pad. An existing concrete masonry unit (CMU) site retaining wall, which is approximately one foot in height, divides the lower (western) portion of the graded pad from the upper (eastern) portion of the grade pad. The upper portion of the graded pad consists of approximately the eastern two-thirds of the Site. An existing single-family residence is located at approximately the center of the upper portion of the graded pad at the Site, and an existing detached garage is located at approximately the center of the lower portion of the graded pad at the Site. In addition, existing CMU site retaining walls of approximately two to three feet in height are located along the eastern and western edges of the Site. The gradient of the natural slope in the area of the Site is approximately 10-to-1 (horizontal-to-vertical). Surface drainage flows from the Site to the south to Driftwood Street. See Figure 2: Site Plan for a diagram showing the locations of the existing improvements at the Site. For

photographs of the existing conditions of the Site, see Figure 3: Existing Residence Viewed from Driftwood Street, Figure 4: Existing Detached Garage Viewed from Driftwood Street, and Figure 5: Existing Residence Viewed from Shasta Avenue.



LEGEND

⊗ APPROXIMATE BORING LOCATION

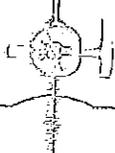
Figure 2: Site Plan

It is anticipated that the proposed single-family residence will utilize a slab-on-grade and/or raised wood lower floor system. Dead and sustained live loads are currently unknown, but they are anticipated to be relatively light with maximum continuous footing and column loads estimated to be approximately 2.0 kips per linear foot and 25 kips, respectively.

2.0 PURPOSE AND SCOPE

The purpose of this study was to explore and evaluate the surface and sub-surface soil conditions at the Site and to develop geotechnical information and design criteria. The scope of this study includes the following items:

1. A literature review of available published and unpublished geotechnical data pertinent to the project site.
2. A field study consisting of site reconnaissance and exploratory borings in order to formulate a description of the sub-surface conditions at the Site.



3. Laboratory testing performed on representative soil samples that were collected during our field study.
4. Engineering analysis of the data gathered during our literature review, field study, and laboratory testing.
5. Development of recommendations for site preparation and grading as well as geotechnical design criteria for building foundations, retaining walls, pavement sections, underground utilities, and drainage facilities.



Figure 3: Existing Residence Viewed from Driftwood Street

3.0 FIELD AND LABORATORY INVESTIGATION

The field investigation was conducted on August 10, 2009 using a track-mounted CME 55 drill rig. Two eight-inch diameter exploratory borings were advanced to a maximum depth of 15 feet below ground surface (bgs) at the approximate locations indicated on Figure 2: Site Plan. Boring B-1 was placed within the existing parking area along Driftwood Street. Boring B-2 was placed outside the extents of the Site between the existing retaining wall and Shasta Avenue. Sampling methods included the Standard Penetration Test utilizing a standard split-spoon sampler (SPT) without liners and a Modified California sampler (CA) with liners. The CME 55 drill rig was equipped with an automatic hammer, which has an efficiency of approximately 80 percent and was used to obtain test blow counts in the form of N-values.

Data gathered during the field investigation suggest that the materials at the Site consist of aeolian soils. The surface material at the Site generally consisted of dark brown to dark yellowish brown silty SAND (SM) encountered in slightly moist to moist and very dense conditions to termination of boring B-1. Using the *Geologic Map of the Morro Bay South and Port San Luis Quadrangles* (Hall, 1973), the surface and sub-surface materials were interpreted as Dune Sand Deposits. Groundwater was not encountered in either of the borings.



Figure 4: Existing Detached Garage Viewed from Driftwood Street



During the boring operations, the soils encountered were continuously examined, visually classified, and sampled for general laboratory testing. Photographs of the in-situ samples were also obtained during the field investigation. A project engineer has reviewed a continuous log of the soils encountered at the time of field investigation. See **Appendix A** for the Boring Logs and in-situ sample photographs from the field investigation.

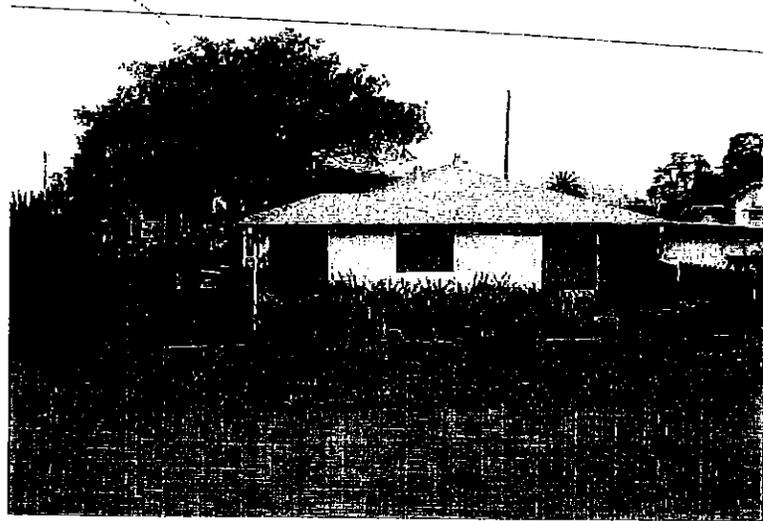


Figure 5: Existing Residence Viewed from Shasta Avenue

Laboratory tests were performed on soil samples that were obtained from the Site during the field investigation. The results of these tests are listed below in Table 1: Engineering Properties. Laboratory data reports and detailed explanations of the laboratory tests performed during this investigation are provided in **Appendix B**.

Table 1: Engineering Properties

Sample Name	Sample Description	USCS Specification	Expansion Index	Expansion Potential	In-Situ Dry Density, γ_d (pcf)	In-Situ Water Content (%)	Maximum Dry Density, $\gamma_{d,max}$ (pcf)	Optimum Water Content (%)	Angle of Internal Friction, ϕ (deg.)	Cohesion, c (psf)
A	Dark Brown Silty SAND	SM	0	Very Low	-	-	121.3	8.8	35.4	0
B-1 @ 2 Ft.	Dark Yellowish Brown Silty SAND	SM	-	-	102.8	3.2	-	-	-	-

4.0 SEISMIC DESIGN CONSIDERATIONS

4.1 Seismic Hazard Analysis

1. According to section 1613 of the 2007 CBC (CBSC, 2007), all structures and portions of structures should be designed to resist the effects of seismic loadings caused by earthquake ground motions in accordance with the *Minimum Design Loads for Buildings and Other Structures* (ASCE7) (ASCE, 2006). ASCE7 considers the most severe earthquake ground motion to be the ground motion caused by the Maximum Considered Earthquake (MCE) (ASCE, 2006). The MCE can be defined as an earthquake having a two percent chance of being exceeded in 50 years. A probabilistic seismic hazard analysis was performed in order to estimate the horizontal ground motion acceleration (a_{max}) produced at the Site during the MCE. The probabilistic seismic hazard evaluation for the Site was performed

using the computer program FRISKSP (Blake, 2000). The program FRISKSP is based on an earlier computer program, FRISK (McGuire, 1978), which was modified for the probabilistic estimations of seismic hazards using three-dimensional earthquake sources.

2. The a_{max} of the Site depends on several factors, which include the distance of the Site from known active faults, the expected magnitude of the MCE, and the Site soil profile characteristics. The computer program FRISKSP produces a Probability of Exceedance Chart using latitude and longitude coordinates of the Site, a database of known active faults, and a specified attenuation curve that is representative of the soil characteristics at the Site. The a_{max} of the Site can be determined from this Probability of Exceedance Chart.
3. In order to perform the seismic hazard analysis, an attenuation curve was chosen based on the Site soil profile classification, which was determined from data gathered during the field investigation. As per section 1613.5.5 of the 2007 CBC (CBSC, 2007), the Site soil profile classification is determined by the average soil properties in the upper 100 feet of the Site profile. Based on the recommended depth of over-excavation and recompaction and on the $(N_1)_{60}$ values calculated for the in-situ tests performed during the field investigation, the Site was defined as Site Class D, Stiff Soil profile per Table 1613.5.2 of the 2007 CBC (CBSC, 2007). Due to this site profile classification, the seismic hazard analysis was performed using the Horiz. - NEHRP D (250) attenuation relation by Boore et al., 1997. Using this attenuation relation, this analysis produced an a_{max} of 0.519g for the Site. See Appendix C for the latitude and longitude data used in this analysis and for the Probability of Exceedance Chart.
4. According to section 11.2 of ASCE7 (ASCE, 2006) and section 1613 of the 2007 CBC (CBSC, 2007), buildings and structures should be specifically proportioned to resist Design Earthquake Ground Motions (Design a_{max}). ASCE7 defines the Design a_{max} as "the earthquake ground motions that are two-thirds of the corresponding MCE ground motions" (ASCE, 2006, p. 109). Therefore, the Design a_{max} for the Site is 0.346g, which is equal to two-thirds of the a_{max} for the Site.
5. Site coordinates of 35.363230 degrees north latitude and 120.846689 degrees west longitude and a search radius of 100 miles were used in the probabilistic seismic hazard analysis.

4.2 Structural Building Design Parameters

1. Structural building design parameters within chapter 16 of the 2007 CBC (CBSC, 2007) and sections 11.4.3 and 11.4.4 of ASCE7 (ASCE, 2006) are dependent upon several factors, which include site soil profile characteristics and the locations and characteristics of faults near the Site. As described in section 4.1 of this report, the Site soil profile classification was determined to be Site Class D. This Site soil profile classification and the latitude and longitude coordinates for the Site were used to determine the structural building design parameters.
2. Spectral Response Accelerations and Site Coefficients were obtained from the Seismic Hazard Curves and Uniform Hazard Response Spectra, Earthquake Ground Motion Tool computer application (USGS, 2007); this program is available from the United States Geological Survey website (USGS, 2008). This computer program utilizes the methods developed in the 1997, 2000, and 2003 editions of the NEHRP Recommended Provisions for Seismic Regulations for New Buildings and Other Structures and user-inputted Site latitude and longitude coordinates to calculate seismic design parameters and response



spectra (both for period and displacement), for Site Classifications A through E. This data is presented in tabular form in Table 2: 2007 California Building Code, Chapter 16, Structural Design Parameters. Analysis of the Design Spectral Response Acceleration Parameters for the Site and of the Occupancy Category for the proposed structure assign to this project a **Seismic Design Category of D** per Tables 1613.3.5.6(1) and 1613.3.5.6(2) of the 2007 CBC (CBSC, 2007).

Table 2: 2007 California Building Code, Chapter 16, Structural Design Parameters

Site Class - Soil Profile Type	D – Stiff Soil
Mapped Spectral Response Accelerations and Site Coefficients	$S_s = 1.271, S_1 = 0.486$ $F_a = 1.000, F_v = 1.514$
Adjusted Maximum Considered Earthquake Spectral Response Accelerations	$S_{MS} = S_s * F_a = 1.271 * 1.000 = 1.271$ $S_{MI} = S_1 * F_v = 0.486 * 1.514 = 0.736$
Design Spectral Response Acceleration Parameters	$S_{DS} = 2/3(S_{MS}) = 2/3(1.271) = 0.847$ $S_{DI} = 2/3(S_{MI}) = 2/3(0.736) = 0.491$
Occupancy Category (from Table 1604.5, 2007 CBC)	II
Seismic Design Category – Short Period Accel. (from Table 1613.5.6(1), 2007 CBC)	D
Seismic Design Category – Long Period Accel. (from Table 1613.5.6(2), 2007 CBC)	D

4.3 Design Response Spectra – 2007 CBC

According to section 11.4.5 of ASCE7 (ASCE, 2006), a design response spectrum for a site may be required in order to design structures to resist lateral forces caused by ground motions at the Site. The design spectral response acceleration parameters, listed in Table 2: 2007 California Building Code, Chapter 16, Structural Design Parameters, are used to produce the design response spectrum. The Seismic Hazard Curves and Uniform Hazard Response Spectra computer program (USGS, 2007) was used to construct a design response spectrum for the Site, which is shown in Figure 6: Design Response Spectra – 2007 CBC.

4.4 Liquefaction Potential

1. In the context of soil mechanics, liquefaction is the process that occurs when the dynamic loading of a soil mass causes the shear strength of the soil mass to rapidly decrease. Liquefaction can occur in saturated cohesionless soils.
2. The most typical liquefaction-induced failures include consolidation of liquefied soils, surface sand boils, lateral spreading of the ground surface, bearing capacity failures of structural foundations, flotation of buried structures, and differential settlement of above-ground structures.
3. Liquefiable soils must undergo dynamic loading before liquefaction occurs. Ground motion from an earthquake may induce large-amplitude cyclic reversals of shear stresses within a soil mass. Repetitive lateral and vertical loading and unloading usually results from this process. This process is considered to be dynamic loading. In a liquefiable soil



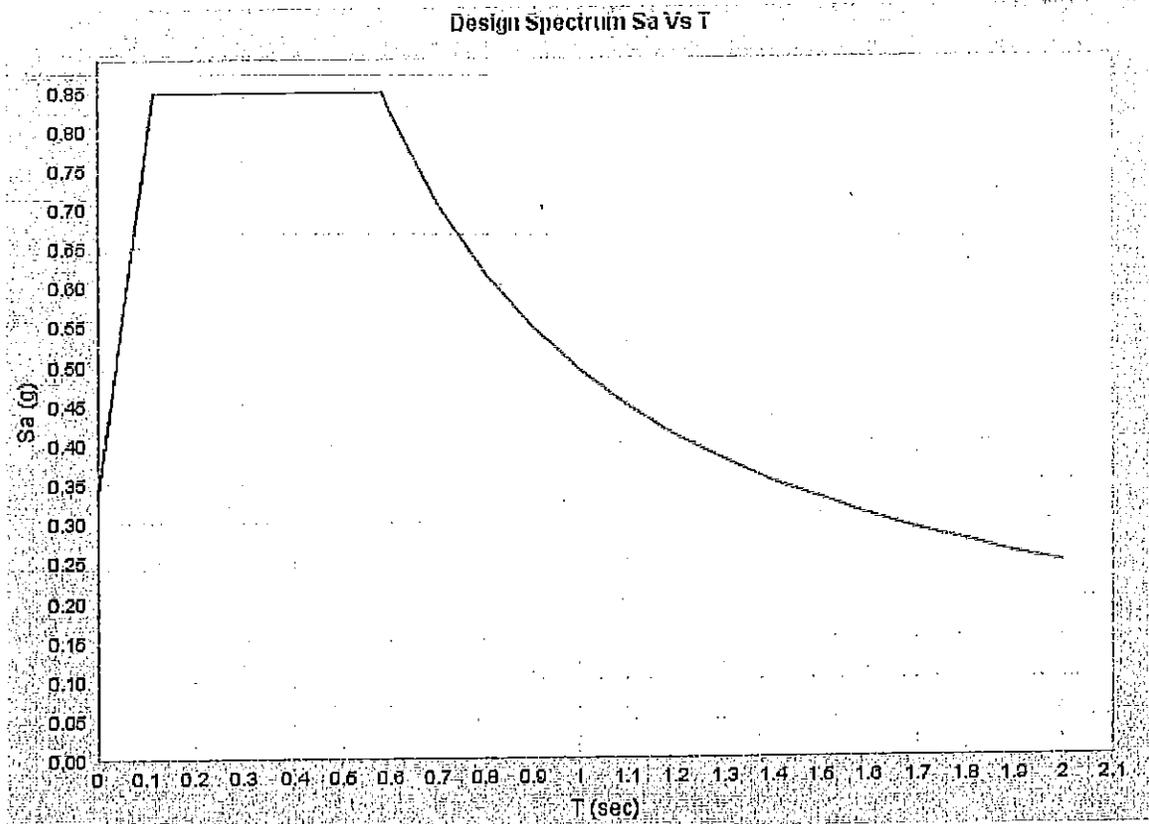


Figure 6: Design Response Spectra – 2007 CBC

mass, liquefaction may occur as a result of the dynamic loading caused by ground motion produced by an earthquake.

4. The presence of loose, poorly graded, fine sand material that is saturated by groundwater within an area that is known to be subjected to high intensity earthquakes and long-duration ground motion are the key factors that indicate potentially liquefiable areas and conditions that lead to liquefaction.
5. Based on the consistency and relative density of the in-situ soils, the depth to groundwater, and the Design a_{max} , the potential for seismic liquefaction of soils at the Site appears to be low. Assuming that the recommendations of the Soils Engineering Report are implemented, the potential for seismically induced settlement and differential settlement at the Site is considered to be low.

5.0 GENERAL SOIL-FOUNDATION DISCUSSION

Due to the expected disturbance of the upper two to three feet of soil at the Site during the removal of the existing structures and associated utilities, it is anticipated that a graded engineered fill pad will be constructed for the proposed residence with all foundations excavated into engineered fill. All foundations are to be excavated into uniform material to limit the potential for distress of the foundation systems due to differential settlement. If cuts steeper than allowed by State of California Construction Safety Orders for "Excavations, Trenches, Earthwork" are proposed, a numerical slope stability analysis may be necessary for temporary construction slopes.

6.0 CONCLUSIONS AND RECOMMENDATIONS

The Site is suitable for the proposed development provided the recommendations presented in this report are incorporated into the project plans and specifications.

The primary geotechnical concerns at the Site are:

1. The anticipated disturbance of the upper two to three feet of soil at the Site during the removal of the existing structures and associated utilities.
2. The potential for differential settlement occurring between foundations supported on two soil materials having different settlement characteristics, such as native soil and engineered fill. Therefore, it is important that all of the foundations are founded in equally competent uniform material in accordance with this report.

6.1 Preparation of Building Pad

1. It is anticipated that a graded engineered fill pad will be developed for the proposed residence with all footings founded in engineered fill.
2. For the development of an engineered fill pad, the native material should be over-excavated at least 30 inches below existing grade, 12 inches below the bottom of the footings, to competent material, or to one-half the depth of the deepest fill; whichever is greatest. The limits of over-excavation should extend a minimum of 5 feet beyond the perimeter foundation. The exposed surface should be scarified to a depth of 12 inches, moisture conditioned to near optimum moisture content, and compacted to a minimum relative density of 90 percent (ASTM D1557-07). The over-excavated material should then be processed as engineered fill. Refer to Figure 7: Sub-Slab Detail for under-slab drainage material and Appendix D for more details on fill placement.

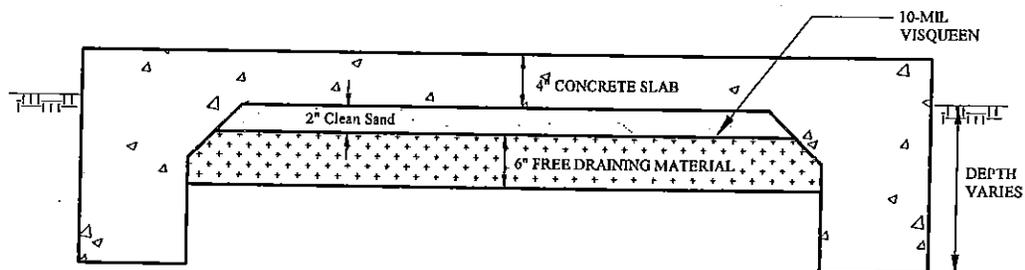


Figure 7: Sub-Slab Detail

6.2 Preparation of Paved Areas

1. Pavement areas should be over-excavated 12 inches below existing grade or finished sub-grade; whichever is deeper. The exposed surface should be scarified an additional depth of eight inches, moisture conditioned to near optimum moisture content, and compacted to a minimum relative density of 90 percent (ASTM D1557-07 test method). The over-excavated soil should then be moisture conditioned to produce a water-content of at least one to two percent above optimum value and then compacted to a minimum relative density of 90 percent. The top 12 inches of sub-grade soil under all pavement sections

should be compacted to a minimum relative density of 95 percent based on the ASTM D1557-07 test method at slightly above optimum.

2. Sub-grade soils should not be allowed to dry out or have excessive construction traffic between moisture conditioning and compaction, and placement of the pavement structural section.

6.3 Pavement Design

1. All pavement construction and materials used should conform to Sections 25, 26 and 39 of the latest edition of the State of California Department of Transportation Standard Specifications (State of California, 1999).
2. As indicated previously in Section 6.2, the top 12 inches of sub-grade soil under pavement sections should be compacted to a minimum relative density of 95 percent based on the ASTM D1557-07 test method at slightly above optimum moisture content. Aggregate bases and sub-bases should also be compacted to a minimum relative density of 95 percent based on the aforementioned test method.
3. A minimum of six inches of Class II Aggregate Base is recommended for all pavement sections. All pavement sections should be crowned for good drainage.

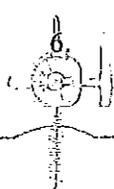
6.4 Conventional Foundations

1. Conventional continuous and spread footings with grade beams may be used for support of the proposed structure. Isolated pad footings should be a minimum of two feet square and are permitted for single-floor loads only.
2. Minimum footing and grade beam sizes and depths in engineered fill should conform to the following table, as observed and approved by a representative of GeoSolutions, Inc.

Table 3: Minimum Footing and Grade Beam Dimensions

Excavated in Engineered Fill		
Building Type	Minimum Depth Below Lowest Adjacent Grade	Minimum Width
One-Story	12 inches	12 inches
Two-Story	18 inches	15 inches

3. Minimum reinforcing for footings should be four No. 4 bars, placed two at the top and two at the bottom, or as directed by the project Structural Engineer.
4. A representative of this firm should observe and approve all foundation excavations for required embedment depth prior to the placement of reinforcing steel and/or concrete. Concrete should be placed only in excavations that are free of loose, soft soil and debris and that have been lightly pre-moistened, with no associated testing required.
5. An allowable dead plus live load bearing pressure of **2,500 psf** may be used for the design of footings founded in engineered fill.



Using data obtained from our field study and laboratory testing, a settlement analysis was performed for the Dune Sands Deposits using Schmertmann's Method (Coduto, 2001, p.

231). Engineering analysis indicated that a total settlement of less than $\frac{3}{4}$ inch and a differential settlement of less than $\frac{1}{2}$ inch are anticipated for the proposed structure.

7. Lateral forces on structures may be resisted by passive pressure acting against the sides of shallow footings and/or friction between the engineered fill and the bottom of the footings. For resistance to lateral loads, a friction factor of 0.46 may be utilized for sliding resistance at the base of footings extending into engineered fill. A passive pressure of 425-pcf equivalent fluid weight may be used against the side of shallow footings in engineered fill. If friction and passive pressures are combined to resist lateral forces acting on shallow footings, the lesser value should be reduced by 50 percent.
8. Foundation excavations should be observed and approved by a representative of this firm prior to the placement of reinforcing steel and/or concrete.
9. Foundation design should conform to the requirements of Chapter 18 of the latest edition of the *2007 CBC* (CBSC, 2007).
10. The base of all grade beams and footings should be level and stepped as required to accommodate any change in grade while still maintaining the minimum required footing embedment and slope setback distance.

6.5 Slab-On-Grade Construction

1. Concrete slabs-on-grade and flatwork should not be placed directly on unprepared native materials. Preparation of sub-grade to receive concrete slabs-on-grade and flatwork should be processed as discussed in the preceding sections of this report. Concrete slabs should be placed only over sub-grade that is free of loose, soft soil and debris and that has been lightly pre-moistened, with no associated testing required.
2. Concrete slabs-on-grade should be a minimum of 4 inches thick and should be reinforced with No. 3 reinforcing bars placed at 18 inches on-center both ways at or slightly above the center of the structural section. Reinforcing bars should have a minimum clear cover of 1.5 inches. The aforementioned reinforcement may be used for anticipated uniform floor loads not exceeding 200 psf. If floor loads greater than 200 psf are anticipated, a Structural Engineer should evaluate the slab design.
3. Concrete for all slabs should be placed at a maximum slump of less than 5 inches. Excessive water content is the major cause of concrete cracking. If fibers are used to aid in the control of cracking, a water-reducing admixture may be added to the concrete to increase slump while maintaining a water/cement ratio, which will limit excessive shrinkage. Control joints should be constructed as required to control cracking.
4. Where concrete slabs-on-grade are to be constructed, the slabs should be underlain by a minimum of six inches of clean free-draining material, such as a coarse aggregate mix, to serve as a cushion and a capillary break. Where moisture susceptible storage or floor coverings are anticipated, a 10-mil Visqueen-type membrane should be placed between the free-draining material and the slab to minimize moisture condensation under the floor covering. See Figure 7: Sub-Slab Detail for the placement of under-slab drainage material. It is suggested that a two-inch thick sand layer be placed on top of the membrane to assist in the curing of the concrete, increasing the depth of the under-slab material to a total of eight inches. The sand should be lightly moistened prior to placing concrete.



5. Moisture condensation under floor coverings has become critical due to the use of water-soluble adhesives. Therefore, it is suggested that moisture sensitive slabs not be constructed during inclement weather conditions.

6.6 Retaining Walls

1. Retaining walls should be designed to resist lateral pressures from adjacent soils and surcharge loads applied behind the walls. We recommend using the lateral pressures presented in Table 4: Retaining Wall Design Parameters and Figure 8: Retaining Wall Detail for the design of retaining walls at the Site. The Active Case may be used for the design of unrestrained retaining walls, and the At-Rest Case may be used for the design of restrained retaining walls.

Table 4: Retaining Wall Design Parameters

Lateral Pressure and Condition	Equivalent Fluid Pressure, pcf
Static, Active Case, Engineered Fill (γK_A)	35
Static, At-Rest Case, Engineered Fill (γK_O)	50
Static, Passive Case, Engineered Fill (γK_P)	425

2. The above values for equivalent fluid pressure are based on retaining walls having level retained surfaces, having an approximately vertical surface against the retained material, and retaining granular backfill material or engineered fill composed of native soil within the active wedge. See Figure 9: Retaining Wall Active and Passive Wedges for a description of the location of the active wedge behind a retaining wall.

3. Proposed retaining walls having a retained surface that slopes upward from the top of the wall should be designed for an additional equivalent fluid pressure of **1 pcf** for the active case and **1.5 pcf** for the at-rest case, for every **two degrees** of slope inclination. This applies for slope angles up to 20 degrees; a 20 degree-slope is approximately equivalent to a slope with a 2.75-to-1 gradient. For slope angles greater than 20 degrees, the Soils Engineer should be consulted to obtain design equivalent fluid pressure values for retaining walls located at the Site.

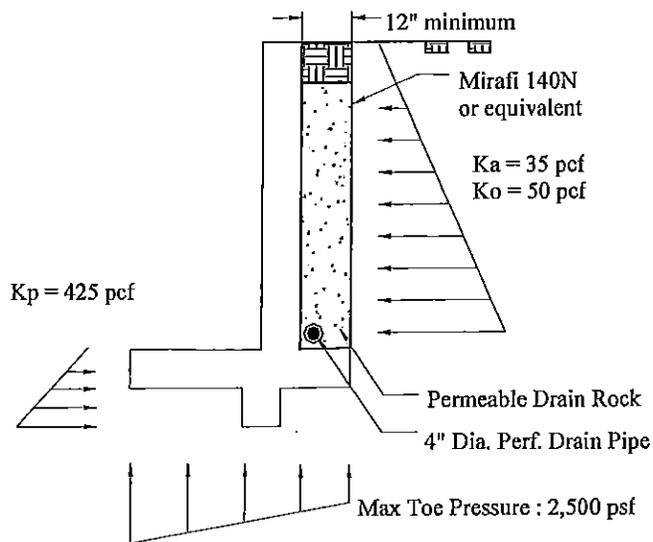
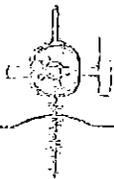


Figure 8: Retaining Wall Detail



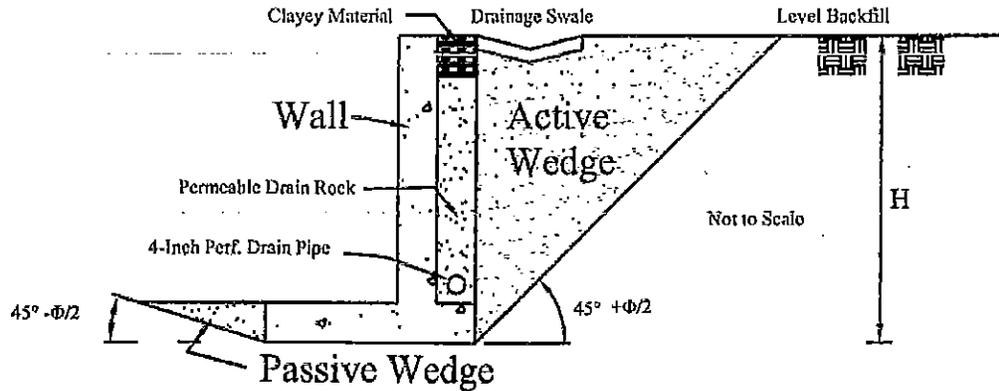
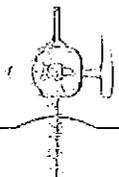


Figure 9: Retaining Wall Active and Passive Wedges

4. We recommend that the proposed retaining walls at the Site have an approximately vertical surface against the retained material. If the proposed retaining walls are to have sloped surfaces against the retained material, the project designers should contact the Soils Engineer to determine the appropriate lateral earth pressure values for retaining walls located at the Site.
5. Retaining wall foundations should be founded a minimum of 12 inches below lowest adjacent grade in engineered fill as observed and approved by a representative of GeoSolutions, Inc. A coefficient of friction of 0.46 may be used between engineered fill and concrete footings. Project designers may use a maximum toe pressure of 2,500 psf for the design of retaining wall footings founded in engineered fill.
6. Seismic active lateral earth pressure values were determined using the Pseudostatic Method and the Design a_{max} . See section 4.1 for a description of the analysis used to determine the Design a_{max} . The seismic at-rest lateral earth pressure value was determined by multiplying the seismic active lateral earth pressure value by approximately 1.5. The dynamic increment in lateral earth pressure due to earthquakes should be considered during the design of retaining walls at the Site. Retaining walls should be designed to resist an additional lateral soil pressure of 21 pcf equivalent fluid pressure for unrestrained walls and 32 pcf equivalent fluid pressure for restrained walls. For earthquake conditions, the pressure resultant force should be assumed to act a distance of $2/3H$ above the base of the retaining wall, where H is the height of the retaining wall.
7. These seismic lateral earth pressure values are appropriate for retaining walls that have level retained surfaces, that have an approximately vertical surface against the retained material, and that retain granular backfill material or engineered fill composed of native soil within the active wedge. For other retaining wall designs, seismic lateral earth pressure values may be obtained using methods such as the Mononobe and Okabe Method developed by Mononobe and Matsuo (1929) and Okabe (1926), which are included in retaining wall computer design software such as Retain Pro.
8. Seismically induced forces on retaining walls are considered to be short-term loadings. Therefore, when performing seismic analyses for the design of retaining wall footings, we recommend that the allowable bearing pressure and the passive pressure acting against the sides of retaining wall footings be increased by a factor of one-third.



9. In addition to the static lateral soil pressure values reported in Table 4: Retaining Wall Design Parameters, the retaining walls at the Site should be designed to support any design live load, such as from vehicle and construction surcharges, etc., to be supported by the wall backfill. If construction vehicles are required to operate within 10 feet of a retaining wall, supplemental pressures will be induced and should be taken into account in the design of the retaining wall.
10. The recommended lateral earth pressure values are based on the assumption that sufficient sub-surface drainage will be provided behind the walls to prevent the build-up of hydrostatic pressure. To achieve this we recommend that a granular filter material be placed behind all proposed walls. The blanket of granular filter material should be a minimum of 12 inches thick and should extend from the bottom of the wall to 12 inches from the ground surface. The top 12 inches should consist of moisture conditioned, compacted, clayey soil. Neither spread nor wall footings should be founded in the granular filter material used as backfill.
11. A 4-inch diameter perforated or slotted drainpipe (ASTM D1785 PVC) should be installed near the bottom of the filter blanket with perforations facing down. The drainpipe should be underlain by at least 4 inches of filter type material and should daylight to discharge in suitably projected outlets with adequate gradients. The filter material should consist of a clean free-draining aggregate, such as a coarse aggregate mix. If the retaining wall is part of a structural foundation, the drainpipe must be placed below finished slab sub-grade elevation.
12. The filter material should be encapsulated in a permeable geotextile fabric. A suitable permeable geotextile fabric, such as non-woven needle-punched Mirafi 140N or equal, may be utilized to encapsulate the retaining wall drain material and should conform to Caltrans Standard Specification 88-1.03 for underdrains.
13. For hydrostatic loading conditions (i.e. no free drainage behind retaining wall), an additional loading of 45-pcf equivalent fluid weight should be added to the active and at-rest lateral earth pressures. If it is necessary to design retaining structures for submerged conditions, the allowed bearing and passive pressures should be reduced by 50 percent. In addition, soil friction beneath the base of the foundations should be neglected.
14. Precautions should be taken to ensure that heavy compaction equipment is not used adjacent to walls, so as to prevent undue pressure against, and movement of the walls.
15. The use of water-stops/impermeable barriers should be used for any basement construction, and for building walls that retain earth.

7.0 ADDITIONAL GEOTECHNICAL SERVICES

The recommendations contained in this report are based on a limited number of borings and on the continuity of the sub-surface conditions encountered. GeoSolutions, Inc. assumes that it will be retained to provide additional services during future phases of the proposed project. These services would be provided by GeoSolutions, Inc. as required by City of Morro Bay, the 2007 CBC (CBSC, 2007), and/or industry standard practices. These services would be in addition to those included in this report and would include, but are not limited to, the following services:

1.  Consultation during plan development.

2. Plan review of grading and foundation documents prior to construction and a report certifying that the reviewed plans are in conformance with our geotechnical recommendations.
3. Construction inspections and testing, as required, during all grading and excavating operations beginning with the stripping of vegetation at the Site, at which time a site meeting or pre-job meeting would be appropriate.
4. Special inspection services during construction of reinforced concrete, structural masonry, high strength bolting, epoxy embedment of threaded rods and reinforcing steel, and welding of structural steel.
5. Preparation of construction reports certifying that building pad preparation and foundation excavations are in conformance with our geotechnical recommendations.
6. Preparation of special inspection reports as required during construction.
7. In addition to the construction inspections listed above, section 1704.7 of the 2007 CBC (CBSC, 2007) requires the following inspections by the Soils Engineer for controlled fill thicknesses greater than 12 inches as shown in Table 5: Required Verification and Inspections of Soils:

Table 5: Required Verification and Inspections of Soils

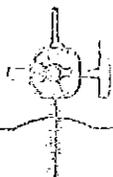
Verification and Inspection Task	Continuous During Task Listed	Periodically During Task Listed
1. Verify materials below footings are adequate to achieve the design bearing capacity.	-	X
2. Verify excavations are extended to proper depth and have reached proper material.	-	X
3. Perform classification and testing of controlled fill materials.	-	X
4. Verify use of proper materials, densities and lift thicknesses during placement and compaction of controlled fill.	X	-
5. Prior to placement of controlled fill, observe sub-grade and verify that site has been prepared properly.	-	X

8.0 LIMITATIONS AND UNIFORMITY OF CONDITIONS

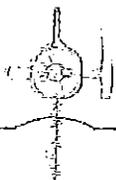
1. The recommendations of this report are based upon the assumption that the soil conditions do not deviate from those disclosed during our study. Should any variations or undesirable conditions be encountered during the development of the Site, GeoSolutions, Inc. should be notified immediately and GeoSolutions, Inc. will provide supplemental recommendations as dictated by the field conditions.
2. This report is issued with the understanding that it is the responsibility of the owner or his/her representative to ensure that the information and recommendations contained herein are brought to the attention of the architect and engineer for the project, and incorporated into the project plans and specifications. The owner or his/her representative is responsible to ensure that the necessary steps are taken to see that the contractor and subcontractors carry out such recommendations in the field.
3. As of the present date, the findings of this report are valid for the property studied. With the passage of time, changes in the conditions of a property can occur whether they are due to natural

processes or to the works of man on this or adjacent properties. Therefore, this report should not be relied upon after a period of 3 years without our review nor should it be used or is it applicable for any properties other than those studied. However many events such as floods, earthquakes, grading of the adjacent properties and building and municipal code changes could render sections of this report invalid in less than 3 years.

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REFERENCES

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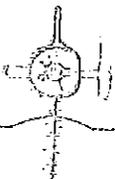
APPENDIX A

Field Investigation

Soil Classification Chart

Boring Logs

In-Situ Sample Photographs



FIELD INVESTIGATION

The field investigation was conducted August 10, 2009 using a track-mounted CME 55 drill rig. The surface and sub-surface conditions were studied by advancing two exploratory borings. This exploration was conducted in accordance with presently accepted geotechnical engineering procedures consistent with the scope of the services authorized to GeoSolutions, Inc.

The CME 55 drill rig with an eight-inch diameter hollow-stem continuous flight auger bored two exploratory borings near the approximate locations indicated on Figure 2: Site Plan. The drilling and field observation was performed under the direction of the project engineer. A representative of GeoSolutions, Inc. maintained a log of the soil conditions and obtained soil samples suitable for laboratory testing. Photographs of the in-situ soil samples were also obtained during the field investigation. The soils were classified in accordance with the Unified Soil Classification System. See the Soil Classification Chart in this appendix.

Standard Penetration Tests with a two-inch outside diameter standard split tube sampler (SPT) without liners (ASTM D1586-99) and a three-inch outside diameter Modified California (CA) split tube sampler with liners (ASTM D3550-01) were performed to obtain field indication of the in-situ density of the soil and to allow visual observation of at least a portion of the soil column. Soil samples obtained with the split spoon sampler are retained for further observation and testing. The split spoon samples are driven by a 140-pound hammer free falling 30 inches. The sampler is initially seated six inches to penetrate any loose cuttings and is then driven an additional 12 inches with the results recorded in the boring logs as N-values, which are the number of blows per foot required to advance the sample the final 12 inches.

The CA sampler is a larger diameter sampler than the standard (SPT) sampler with a two-inch outside diameter and provides additional material for normal geotechnical testing such as in-situ shear and consolidation testing. Either sampler may be used in the field investigation, but the N-values obtained from using the CA sampler will be greater than that of the SPT. The N-values for samples collected using the CA can be roughly correlated to SPT N-values using a conversion factor that may vary from about 0.5 to 0.7. A commonly used conversion factor is 0.67 ($\frac{2}{3}$). More information about standardized samplers can be found in ASTM D1586-99 and ASTM D3550-01.

Disturbed bulk samples are obtained from cuttings developed during boring operations. The bulk samples are selected for classification and testing purposes and may represent a mixture of soils within the noted depths. Recovered samples are placed in transport containers and returned to the laboratory for further classification and testing.

Logs of the borings showing the approximate depths and descriptions of the encountered soils, applicable geologic structures, recorded N-values, and the results of laboratory tests are presented in this appendix. The logs represent the interpretation of field logs and field tests as well as the interpolation of soil conditions between samples. The results of laboratory observations and tests are also included in the boring logs. Photographs of the in-situ samples were obtained during the field investigation and are included in this appendix. The stratification lines recorded in the boring logs represent the approximate boundaries between the surface soil types. However, the actual transition between soil types may be gradual or varied.



SOIL CLASSIFICATION CHART

MAJOR DIVISIONS		LABORATORY CLASSIFICATION CRITERIA		GROUP SYMBOLS	PRIMARY DIVISIONS
COARSE GRAINED SOILS More than 50% retained on No. 200 sieve	GRAVELS More than 50% of coarse fraction retained on No. 4 (4.75mm) sieve	Clean gravels (less than 5% fines*)	C_u greater than 4 and C_z between 1 and 3	GW	Well-graded gravels and gravel-sand mixtures, little or no fines
			Not meeting both criteria for GW	GP	Poorly graded gravels and gravel-sand mixtures, little or no fines
		Gravel with fines (more than 12% fines*)	Atterberg limits plot below "A" line or plasticity index less than 4	GM	Silty gravels, gravel-sand-silt mixtures
			Atterberg limits plot below "A" line and plasticity index greater than 7	GC	Clayey gravels, gravel-sand-clay mixtures
	SANDS More than 50% of coarse fraction passes No. 4 (4.75mm) sieve	Clean sand (less than 5% fines*)	C_u greater than 6 and C_z between 1 and 3	SW	Well graded sands, gravelly sands, little or no fines
			Not meeting both criteria for SW	SP	Poorly graded sands and gravelly and sands, little or no fines
		Sand with fines (more than 12% fines*)	Atterberg limits plot below "A" line or plasticity index less than 4	SM	Silty sands, sand-silt mixtures
			Atterberg limits plot above "A" line and plasticity index greater than 7	SC	Clayey sands, sand-clay mixtures
FINE GRAINED SOILS 50% or more passes No. 200 sieve	SILTS AND CLAYS (liquid limit less than 50)	Inorganic soil	$PI < 4$ or plots below "A"-line	ML	Inorganic silts, very fine sands, rock flour, silty or clayey fine sands
		Inorganic soil	$PI > 7$ and plots on or above "A" line**	CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays
		Organic Soil	LL (oven dried)/ LL (not dried) < 0.75	OL	Organic silts and organic silty clays of low plasticity
	SILTS AND CLAYS (liquid limit 50 or more)	Inorganic soil	Plots below "A" line	MH	Inorganic silts, micaceous or diatomaceous fine sands or silts, elastic silts
		Inorganic soil	Plots on or above "A" line	CH	Inorganic clays of high plasticity, fat clays
		Organic Soil	LL (oven dried)/ LL (not dried) < 0.75	OH	Organic silts and organic clays of high plasticity
Peat	Highly Organic	Primarily organic matter, dark in color, and organic odor		PT	Peat, muck and other highly organic soils

*Fines are those soil particles that pass the No. 200 sieve. For gravels and sands with between 5 and 12% fines, use of dual symbols is required (i.e. GW-GM, GW-GC, GP-GM, or GP-GC).

**If the plasticity index is between 4 and 7 and it plots above the "A" line, then dual symbols (i.e. CL-ML) are required.

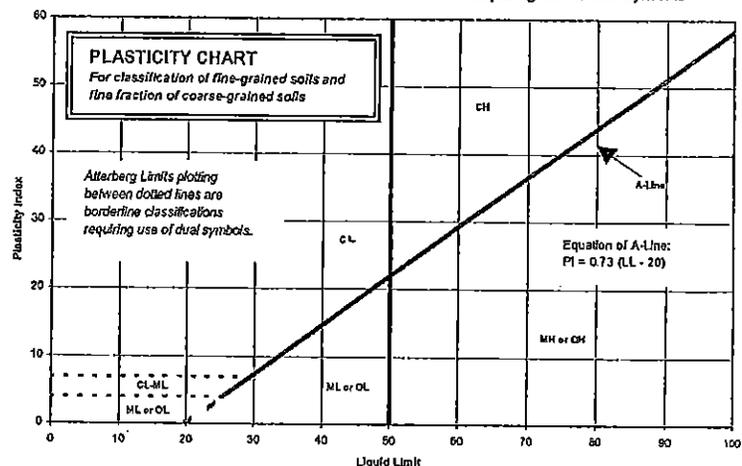
CLASSIFICATIONS BASED ON PERCENTAGE OF FINES

Less than 5%, Pass No. 200 (75mm) sieve
 More than 12% Pass No. 200 (75 mm) sieve
 5%-12% Pass No. 200 (75 mm) sieve

GW, GP, SW, SP
 GM, GC, SM, SC
 Borderline Classification requiring use of dual symbols

CONSISTENCY		
CLAYS AND PLASTIC SILTS	STRENGTH TONS/SQ. FT. ++	BLOWS/FOOT +
VERY SOFT	0 - 1/4	0 - 2
SOFT	1/4 - 1/2	2 - 4
FIRM	1/2 - 1	4 - 8
STIFF	1 - 2	8 - 16
VERY STIFF	2 - 4	16 - 32
HARD	Over 4	Over 32

RELATIVE DENSITY	
SANDS, GRAVELS AND NON-PLASTIC SILTS	BLOWS/FOOT +
VERY LOOSE	0 - 4
LOOSE	4 - 10
MEDIUM DENSE	10 - 30
DENSE	30 - 50
VERY DENSE	Over 50



Drilling Notes:

- + Number of blows of a 140-pound hammer falling 30-inches to drive a 2-inch O.D. (1-3/8-inch I.D.) split spoon (ASTM D1586).
- ++ Unconfined compressive strength in tons/sq.ft. as determined by laboratory testing or approximated by the standard penetration test (ASTM D1586), pocket penetrometer, torvane, or visual observation.

1. Sampling and blow counts
 - a. California Modified - number of blows per foot of a 140 pound hammer falling 30 inches
 - b. Standard Penetration Test - number of blows per 12 inches of a 140 pound hammer falling 30 inches

Types of Samples:
 X - In-Situ
 SPT - Standard Penetration
 CA - California Modified
 N - Nuclear Gauge
 PO - Pocket Penetrometer (tons/sq.ft.)

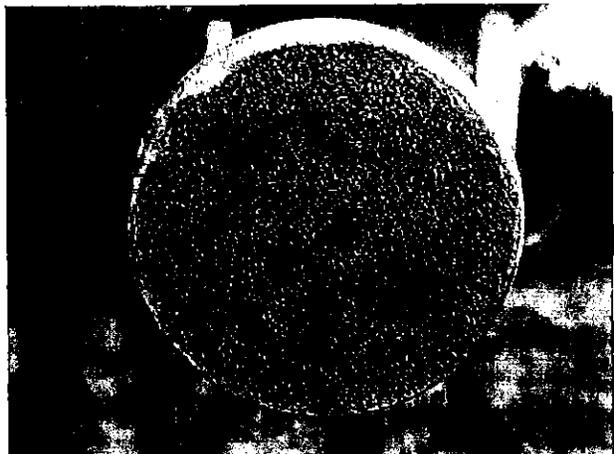


Figure A-1: Boring B-1 at 2 Feet CA Nosecone

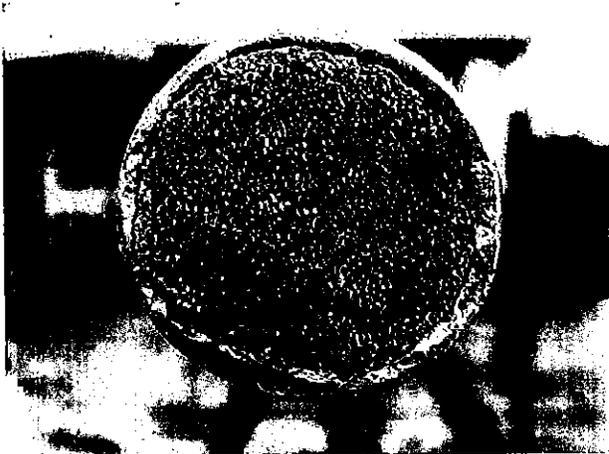


Figure A-4: Boring B-1 at 9 Feet SPT Nosecone



Figure A-2: Boring B-1 at 4 Feet SPT Nosecone



Figure A-5: Boring B-1 at 9 Feet SPT Sample



Figure A-3: Boring B-1 at 4 Feet SPT Sample

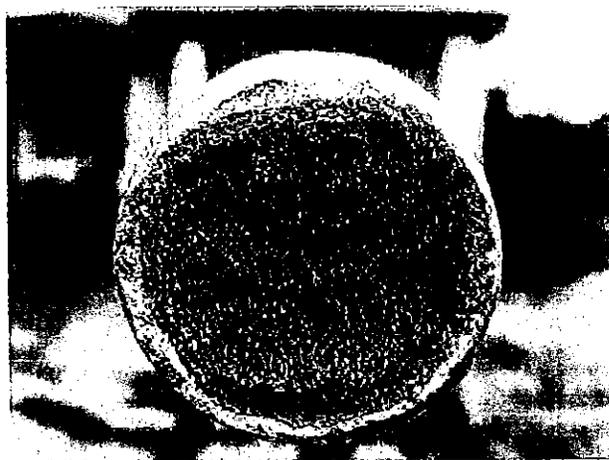


Figure A-6: Boring B-1 at 14 Feet SPT Nosecone



Figure A-7: Boring B-1 at 14 Feet SPT Sample

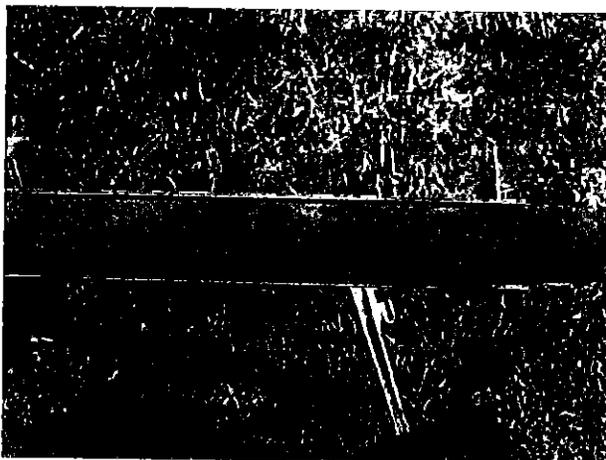


Figure A-10: Boring B-2 at 4 Feet SPT Sample



Figure A-8: Boring B-2 at 2 Feet CA Nosecone



Figure A-11: Boring B-2 at 9 Feet SPT Nosecone

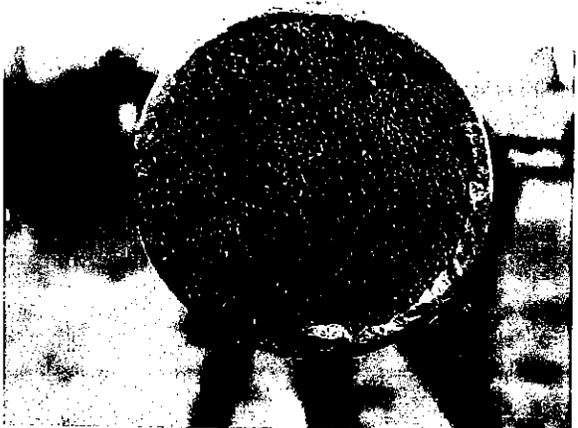


Figure A-9: Boring B-2 at 4 Feet SPT Nosecone



Figure A-12: Boring B-2 at 9 Feet SPT Sample

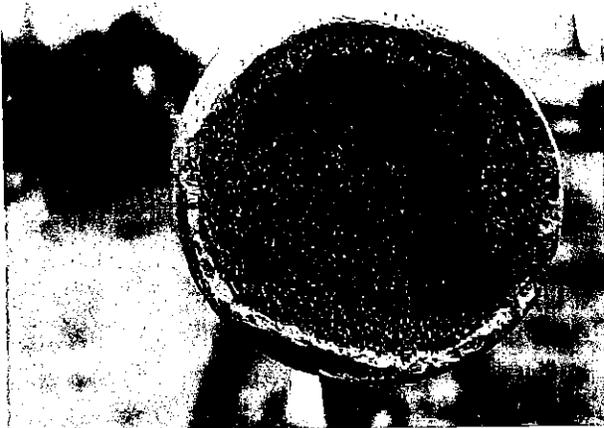


Figure A-13: Boring B-2 at 14 Feet SPT Nosecone

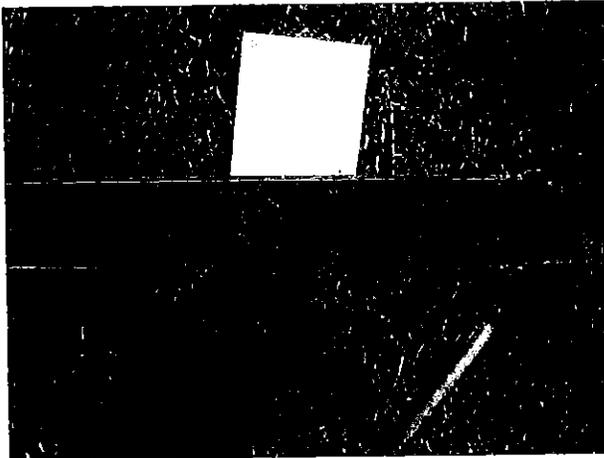
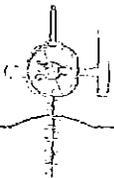


Figure A-14: Boring B-2 at 14 Feet SPT Sample

APPENDIX B

Laboratory Testing

Soil Test Reports



LABORATORY TESTING

This appendix includes a discussion of the test procedures and the laboratory test results performed as part of this investigation. The purpose of the laboratory testing is to assess the engineering properties of the soil materials at the Site. The laboratory tests are performed using the currently accepted test methods, when applicable, of the American Society for Testing and Materials (ASTM).

Undisturbed and disturbed bulk samples used in the laboratory tests are obtained from various locations during the course of the field exploration, as discussed in **Appendix A** of this report. Each sample is identified by sample letter and depth. The Unified Soils Classification System is used to classify soils according to their engineering properties. The various laboratory tests performed are described below:

Expansion Index of Soils (ASTM D4829-03) is conducted in accordance with the ASTM test method and the California Building Code Standard, and are performed on representative bulk and undisturbed soil samples. The purpose of this test is to evaluate expansion potential of the site soils due to fluctuations in moisture content. The sample specimens are placed in a consolidometer, surcharged under a 144-psf vertical confining pressure, and then inundated with water. The amount of expansion is recorded over a 24-hour period with a dial indicator. The expansion index is calculated by determining the difference between final and initial height of the specimen divided by the initial height.

Laboratory Compaction Characteristics of Soil Using Modified Effort (ASTM D1557-07) is performed to determine the relationship between the moisture content and density of soils and soil-aggregate mixtures when compacted in a standard size mold with a 10-lbf hammer from a height of 18 inches. The test is performed on a representative bulk sample of bearing soil near the estimated footing depth. The procedure is repeated on the same soil sample at various moisture contents sufficient to establish a relationship between the maximum dry unit weight and the optimum water content for the soil. The data, when plotted, represents a curvilinear relationship known as the moisture density relations curve. The values of optimum water content and modified maximum dry unit weight can be determined from the plotted curve.

Direct Shear Tests of Soils Under Consolidated Drained Conditions (ASTM D3080-04) is performed on undisturbed and remolded samples representative of the foundation material. The samples are loaded with a predetermined normal stress and submerged in water until saturation is achieved. The samples are then sheared horizontally at a controlled strain rate allowing partial drainage. The shear stress on the sample is recorded at regular strain intervals. This test determines the resistance to deformation, which is shear strength, inter-particle attraction or cohesion c , and resistance to interparticle slip called the angle of internal friction ϕ .

Particle Size Analysis of Soils (ASTM D422-63R02) is used to determine the particle-size distribution of fine and coarse aggregates. In the test method the sample is separated through a series of sieves of progressively smaller openings for determination of particle size distribution. The total percentage passing each sieve is reported and used to determine the distribution of fine and coarse aggregates in the sample.

Density of Soil in Place by the Drive-Cylinder Method (ASTM D2937-04) and **Laboratory Determination of Water (Moisture) Content of Soil and Rock by Mass** (ASTM D2216-05) are used to obtain values of in-place water content and in-place density. Undisturbed samples, brought from the field to the laboratory, are weighed, the volume is calculated, and they are placed in the oven to dry. Once the samples have been dried, they are weighed again to determine the water content, and the in-place density is then calculated. The moisture density tests allow the water content and in-place densities to be obtained at required depths.

Project:	595 Driftwood Street	Date Tested:	August 13, 2009
Client:		Project #:	SL06409-2
Sample:	A	Depth:	1.0 Foot
Location:	B-1	Lab #:	14125
		Sample Date:	August 10, 2009
		Sampled By:	RG

Soil Classification
ASTM D2487-06, D2488-06

Result: Dark Brown Silty SAND

Specification: SM

Sieve Analysis
ASTM D422-63R02

Sieve Size	Percent Passing	Project Specifications
3"		
2"		
1 1/2"		
1"		
3/4"		
No. 4	100	
No. 8	99	
No. 16	98	
No. 30	96	
No. 50	82	
No. 100	21	
No. 200	14.1	

Sand Equivalent Cal 217 (11/1999)

1	2	3	4	SE

Plasticity Index
ASTM D4318-05

Liquid Limit:

Plastic Limit:

Plasticity Index:

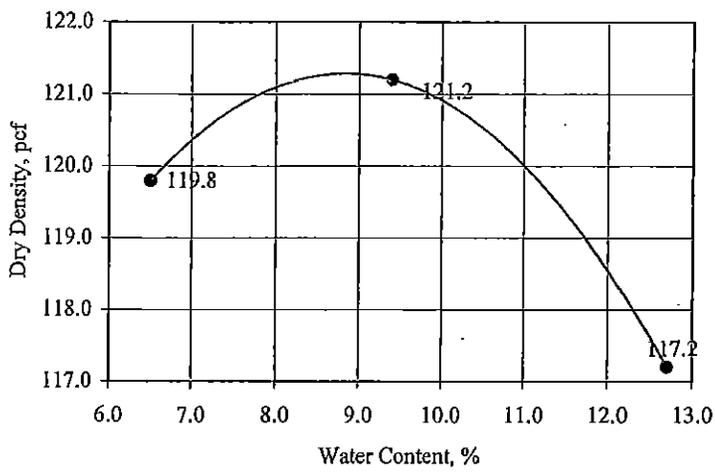
Expansion Index
ASTM D4829-08

Expansion Index: 0

Expansion Potential: Very Low

Initial Saturation, %: 50

Laboratory Maximum Density
ASTM D1557-07



Mold ID	n/a	Mold Diameter, ins.	4.00
No. of Layers	5	Weight of Rammer, lbs.	10.00
No. of Blows	25		

Estimated Specific Gravity for 100% Saturation Curve = 2.5

Trial #	1	2	3	4
Water Content:	6.5	9.4	12.7	
Dry Density:	119.8	121.2	117.2	
Maximum Dry Density, pcf:	121.3			
Optimum Water Content, %:	8.8			

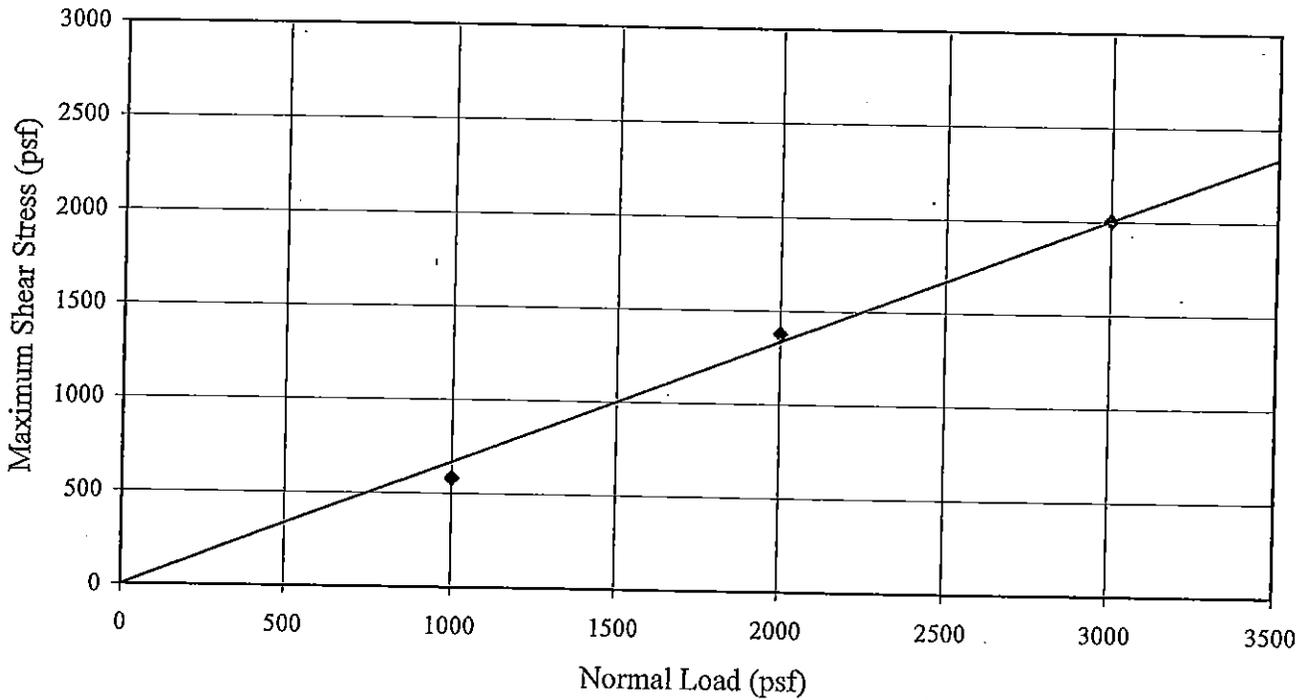
Moisture-Density ASTM D2937-04, ASTM D2216-05

Sample	Depth (ft)	Water Content (%)	Dry Density (pcf)	Relative Density	Sample Description
B-1	2.0	3.2	102.8		Dark Yellowish Brown Silty SAND

Report By: Aaron Eichman

Project:	595 Driftwood Street		Date Tested:	August 18, 2009	
Client:			Project #:	SL06409-2	
Sample #:	A	Depth:	1.0 Foot	Lab #:	14125
Location:	B-1		Sample Date:	August 10, 2009	
Material:	Dark Brown Silty SAND		Sampled By:	RG	

Test Data							
Specimen Number	Void Ratio	Saturation, %	Normal Load, psf	Max Shear Stress, psf	Water Content, %	Dry Density, pcf	Relative Density*, %
1	-	-	1000	582	16.9	107.4	90
2	-	-	2000	1378	16.0	107.4	90
3	-	-	3000	2003	16.1	107.4	90
4							
5							



*The test specimens were initially remolded at 90% of the maximum dry density (ASTM D1557) and at 2% above the optimum moisture content of the material.

Maximum Dry Density, pcf:	121.3	Optimum Moisture, %:	8.8
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Angle of Internal Friction @ 90% Rel. Compaction, Phi:	35.4 °
Cohesion @ 90% Relative Compaction, C:	0 psf

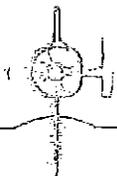
Report By: Aaron Eichman

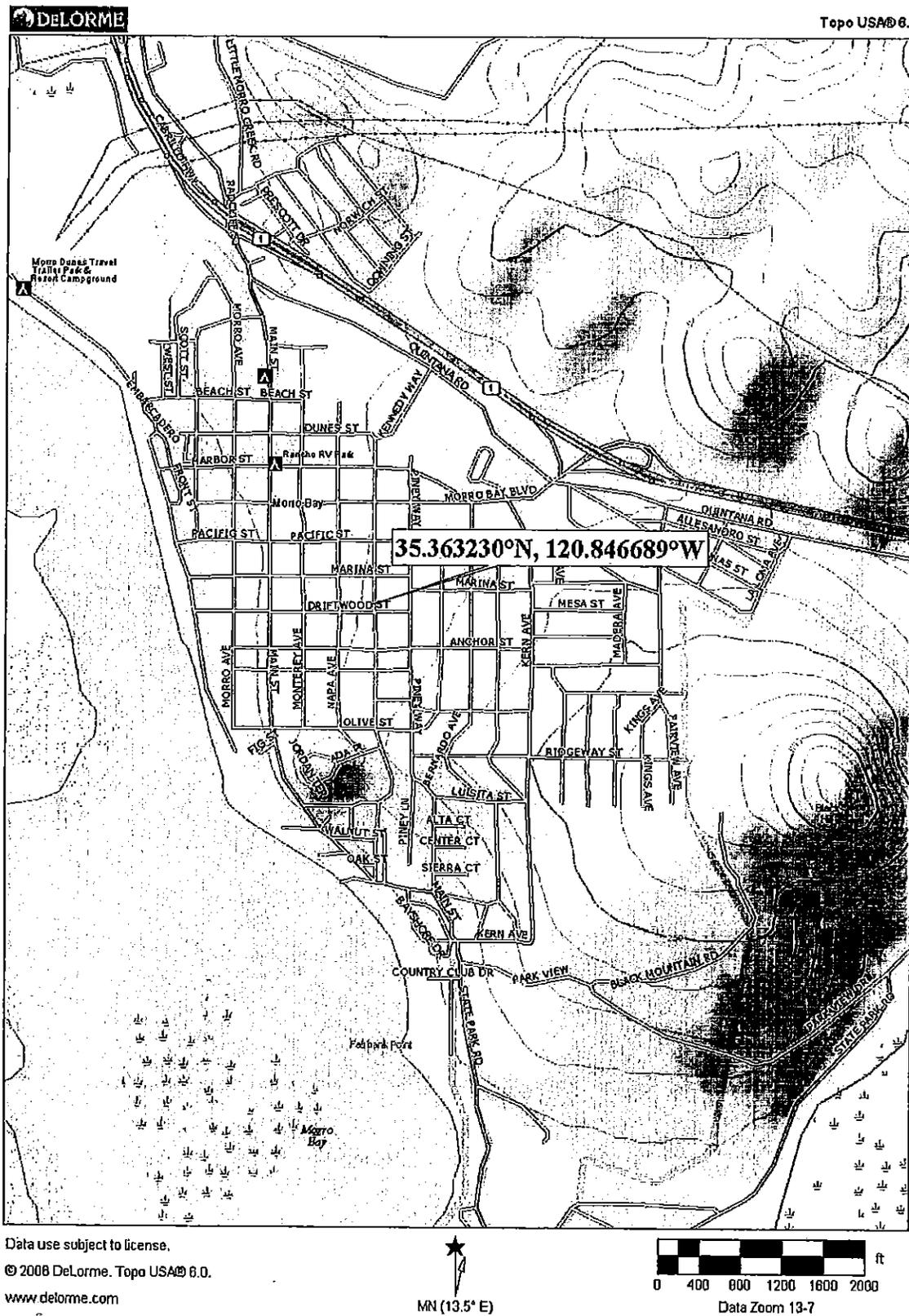
APPENDIX C

Figure C-1: Latitude and Longitude Data (DeLorme, 2006)

Figure C-2: Probability of Exceedance Chart (Blake, 2000)

Figure C-3: Probability of Exceedance Chart – Zoomed View (Blake, 2000)





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Figure C-1: Latitude and Longitude Data (DeLorme, 2006)

PROBABILITY OF EXCEEDANCE BOORE ET AL(1997) NEHRP D (250)1

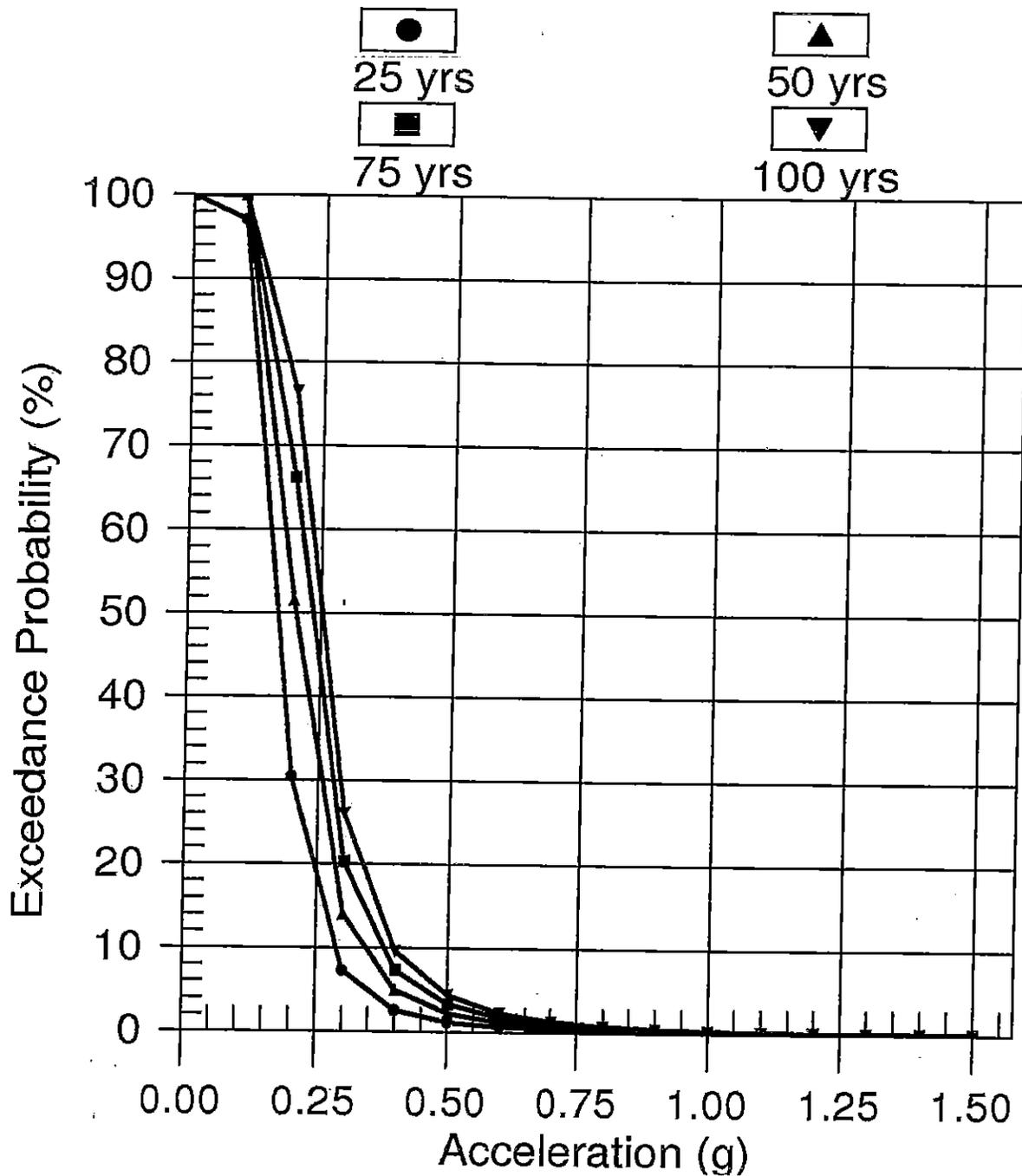
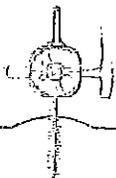


Figure C-2: Probability of Exceedance Chart (Blake, 2000)



PROBABILITY OF EXCEEDANCE

BOORE ET AL(1997) NEHRP D (250)1

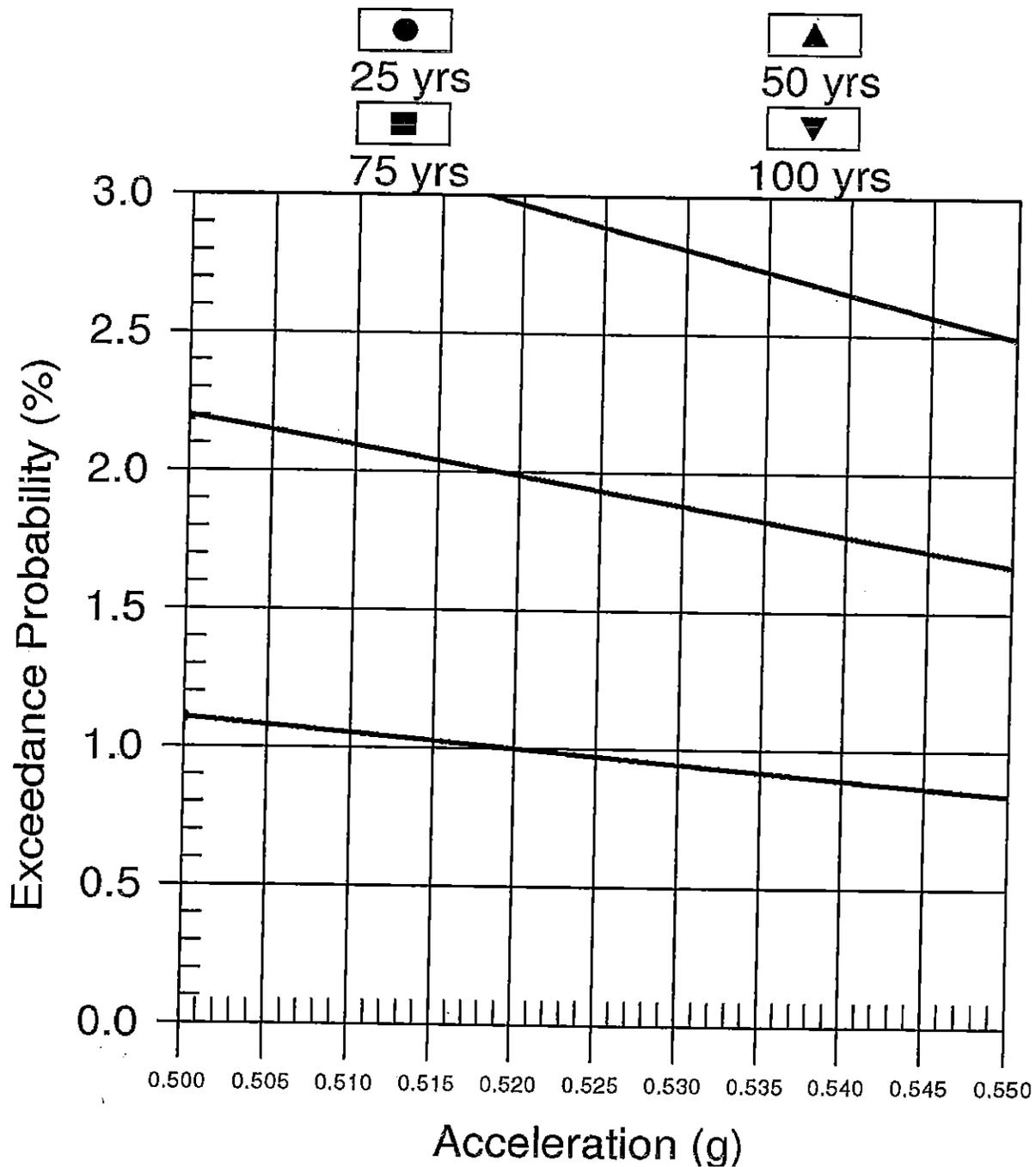
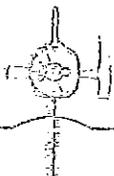
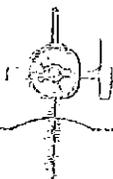


Figure C-2: Probability of Exceedance Chart (Blake, 2000)



APPENDIX D

Preliminary Grading Specifications



PRELIMINARY GRADING SPECIFICATIONS

A. General

- i. These preliminary specifications have been prepared for the subject site; GeoSolutions, Inc. should be consulted prior to the commencement of site work associated with site development to ensure compliance with these specifications.
- ii. GeoSolutions, Inc. should be notified at least 72 hours prior to site clearing or grading operations on the property in order to observe the stripping of surface materials and to coordinate the work with the grading contractor in the field.
- iii. These grading specifications may be modified and/or superseded by recommendations contained in the text of this report and/or subsequent reports.
- iv. If disputes arise out of the interpretation of these grading specifications, the Soils Engineer shall provide the governing interpretation.

B. Obligation of Parties

- i. The Soils Engineer should provide observation and testing services and should make evaluations to advise the client on geotechnical matters. The Soils Engineer should report the findings and recommendations to the client or the authorized representative.
- ii. The client should be chiefly responsible for all aspects of the project. The client or authorized representative has the responsibility of reviewing the findings and recommendations of the Soils Engineer. During grading the client or the authorized representative should remain on-site or should remain reasonably accessible to all concerned parties in order to make decisions necessary to maintain the flow of the project.
- iii. The contractor is responsible for the safety of the project and satisfactory completion of all grading and other operations on construction projects, including, but not limited to, earthwork in accordance with project plans, specifications, and controlling agency requirements.

C. Site Preparation

- i. The client, prior to any site preparation or grading, should arrange and attend a meeting which includes the grading contractor, the design Structural Engineer, the Soils Engineer, representatives of the local building department, as well as any other concerned parties. All parties should be given at least 72 hours notice.
- ii. All surface and sub-surface deleterious materials should be removed from the proposed building and pavement areas and disposed of off-site or as approved by the Soils Engineer. This includes, but is not limited to, any debris, organic materials, construction spoils, buried utility line, septic systems, building materials, and any other surface and subsurface structures within the proposed building areas. Trees designated for removal on the construction plans should be removed and their primary root systems grubbed under the observations of a representative of GeoSolutions, Inc. Voids left from site clearing should be cleaned and backfilled as recommended for structural fill.
- iii. Once the Site has been cleared, the exposed ground surface should be stripped to remove surface vegetation and organic soil. A representative of GeoSolutions, Inc. should determine the required depth of stripping at the time of work being completed. Strippings may either be disposed of off-site or stockpiled for future use in landscape areas, if approved by the landscape architect.

D. Site Protection

- i. Protection of the Site during the period of grading and construction should be the responsibility of the contractor.
- ii. The contractor should be responsible for the stability of all temporary excavations.
- iii. During periods of rainfall, plastic sheeting should be kept reasonably accessible to prevent unprotected slopes from becoming saturated. Where necessary during periods of rainfall, the contractor should install check-dams, de-silting basins, sand bags, or other devices or methods necessary to control erosion and provide safe conditions.

E. Excavations

- i. Materials that are unsuitable should be excavated under the observation and recommendations of the Soils Engineer. Unsuitable materials include, but may not be limited to: 1) dry, loose, soft, wet, organic, or compressible natural soils; 2) fractured, weathered, or soft bedrock; 3) non-engineered fill; 4) other deleterious materials; and 5) materials identified by the Soils Engineer or Engineering Geologist.
- ii. Unless otherwise recommended by the Soils Engineer and approved by the local building official, permanent cut slopes should not be steeper than 2:1 (horizontal to vertical). Final slope configurations should conform to section 1803 of the 2007 California Building Code unless specifically modified by the Soil Engineer/Engineering Geologist.
- iii. The Soil Engineer/Engineer Geologist should review cut slopes during excavations. The contractor should notify the Soils Engineer/Engineer Geologist prior to beginning slope excavations.

F. Structural Fill

- i. Structural fill should not contain rocks larger than 3 inches in greatest dimension, and should have no more than 15 percent larger than 2.5 inches in greatest dimension.
- ii. Imported fill should be free of organic and other deleterious material and should have very low expansion potential, with a plasticity index of 12 or less. Before delivery to the Site, a sample of the proposed import should be tested in our laboratory to determine its suitability for use as structural fill.

G. Compacted Fill

- i. Structural fill using approved import or native should be placed in horizontal layers, each approximately 8 inches in thickness before compaction. On-site inorganic soil or approved imported fill should be conditioned with water to produce a soil water content near optimum moisture and compacted to a minimum relative density of 90 percent based on ASTM D1557-07.
- ii. Fill slopes should not be constructed at gradients greater than 2-to-1 (horizontal to vertical). The contractor should notify the Soils Engineer/Engineer Geologist prior to beginning slope excavations.
- iii. If fill areas are constructed on slopes greater than 10-to-1 (horizontal to vertical), we recommend that benches be cut every 4 feet as fill is placed. Each bench shall be a minimum of 10 feet wide with a minimum of 2 percent gradient into the slope.
- iv. If fill areas are constructed on slopes greater than 5-to-1, we recommend that the toe of all areas to receive fill be keyed a minimum of 24 inches into underlying dense material. Key depths are to be



observed and approved by a representative of GeoSolutions, Inc. Sub-drains shall be placed in the keyway and benches as required.

H. Drainage

- i. During grading, a representative of GeoSolutions, Inc. should evaluate the need for a sub-drain or back-drain system. Areas of observed seepage should be provided with sub-surface drains to release the hydrostatic pressures. Sub-surface drainage facilities may include gravel blankets, rock filled trenches or Multi-Flow systems or equal. The drain system should discharge in a non-erosive manner into an approved drainage area.
- ii. All final grades should be provided with a positive drainage gradient away from foundations. Final grades should provide for rapid removal of surface water runoff. Ponding of water should not be allowed on building pads or adjacent to foundations. Final grading should be the responsibility of the contractor, general Civil Engineer, or architect.
- iii. Concentrated surface water runoff within or immediately adjacent to the Site should be conveyed in pipes or in lined channels to discharge areas that are relatively level or that are adequately protected against erosion.
- iv. Water from roof downspouts should be conveyed in solid pipes that discharge in controlled drainage localities. Surface drainage gradients should be planned to prevent ponding and promote drainage of surface water away from building foundations, edges of pavements and sidewalks. For soil areas we recommend that a minimum of 2 percent gradient be maintained.
- v. Attention should be paid by the contractor to erosion protection of soil surfaces adjacent to the edges of roads, curbs and sidewalks, and in other areas where hard edges of structures may cause concentrated flow of surface water runoff. Erosion resistant matting such as Miramat, or other similar products, may be considered for lining drainage channels.
- vi. Sub-drains should be placed in established drainage courses and potential seepage areas. The location of sub-drains should be determined after a review of the grading plan. The sub-drain outlets should extend into suitable facilities or connect to the proposed storm drain system or existing drainage control facilities. The outlet pipe should consist of a non-perforated pipe the same diameter as the perforated pipe.

I. Maintenance

- i. Maintenance of slopes is important to their long-term performance. Precautions that can be taken include planting with appropriate drought-resistant vegetation as recommended by a landscape architect, and not over-irrigating, a primary source of surficial failures.
- ii. Property owners should be made aware that over-watering of slopes is detrimental to long term stability of slopes.

J. Underground Facilities Construction

- i. The attention of contractors, particularly the underground contractors, should be drawn to the State of California Construction Safety Orders for "Excavations, Trenches, Earthwork." Trenches or excavations greater than 5 feet in depth should be shored or sloped back in accordance with OSHA Regulations prior to entry.



- ii. Bedding is defined as material placed in a trench up to 1 foot above a utility pipe and backfill is all material placed in the trench above the bedding. Unless concrete bedding is required around utility pipes, free-draining sand should be used as bedding. Sand to be used as bedding should be tested in our laboratory to verify its suitability and to measure its compaction characteristics. Sand bedding should be compacted by mechanical means to achieve at least 90 percent relative density based on ASTM D1557-07.
- iii. On-site inorganic soils, or approved import, may be used as utility trench backfill. Proper compaction of trench backfill will be necessary under and adjacent to structural fill, building foundations, concrete slabs, and vehicle pavements. In these areas, backfill should be conditioned with water (or allowed to dry), to produce a soil water content of about 2 to 3 percent above the optimum value and placed in horizontal layers, each not exceeding 8 inches in thickness before compaction. Each layer should be compacted to at least 90 percent relative density based on ASTM D1557-07. The top lift of trench backfill under vehicle pavements should be compacted to the requirements given in report under Preparation of Paved Areas for vehicle pavement sub-grades. Trench walls must be kept moist prior to and during backfill placement.

K. Completion of Work

- i. After the completion of work, a report should be prepared by the Soils Engineer retained to provide such services in accordance with Section 1803.5 of the 2007 CBC. The report should include locations and elevations of field density tests, summaries of field and laboratory tests, other substantiating data, and comments on any changes made during grading and their effect on the recommendations made in the approved Soils Engineering Report.
- ii. Soils Engineers shall submit a statement that, to the best of their knowledge, the work within their area of responsibilities is in accordance with the approved soils engineering report and applicable provisions within Section 1803 of the 2007 CBC.



ATTACHMENT 6

Utility Request

Cathy Novak

SEP 1 2010

From: Dan Helt [dhelt@thainc.com]
Sent: Friday, August 06, 2010 4:35 PM
To: 'John MacDonald'; novakconsulting@charter.net
Cc: keroza@morrobayrealty.com; 'Cristi Fry'
Subject: FW: Vesting Tentative Parcel Map MB-10-0004, 593&595 Driftwood Ave., Moro Bay
Attachments: image004.jpg; image005.jpg; image006.jpg; SHASTA-DRIFTWOOD.pdf

City of Moro Bay
 Public Services Department

Please see message below from PG&E discussing the non-feasibility of undergrounding electrical main lines adjacent to the subject property. I'm still working on AT&T and Charter; trying to get similar responses out of them. I'll forward those as soon as I get them.

Also attached is the sketch I originally sent to the utility companies.

Daniel Helt, RCE

Project Engineer
 Triad/Holmes Associates
 Ph: 805-544-8908
 Fax: 805-544-8932
dhelt@thainc.com

From: DeGarmo, Jerry [mailto:JWD3@pge.com]
Sent: Thursday, August 05, 2010 11:35 AM
To: dhelt@thainc.com
Cc: Burke, Robert; Zearbaugh, Mark
Subject: RE: Vesting Tentative Parcel Map MB-10-0004, 593&595 Driftwood Ave., Moro Bay

Hi Daniel,

PG&E has reviewed the proposal to underground the electric lines along Shasta and between the homes westerly of Parcel 1.

The review has deemed this project not feasible due to the following reasons.

- Easements would be necessary from property owners unlikely to either negotiate or require conditions and compensation beyond reasonable for the PG&E facilities.
- Additional easements along the Southside of Driftwood would be needed to place pad-mounted transformers.
- The circuit design to underground would not result in the net reduction of poles. Due to the existing equipment on the poles additional poles would be necessary to transition from Overhead to Underground.
- PG&E trenching (trenching, conduit, backfill, steel plating, pull rope costs, inspection fees) costs associated with the conversion would be an order of magnitude of \$80k-\$120k. These costs are not precise at this time nor do they include costs AT&T and CATV would incur.
- Conversion of the existing electric panels at the affected residences to accept underground would typically exceed \$3500-\$5000 each including trench, conduit, boxes, inspection and landscape restoration.

In summary, the nature and scope of this specific underground proposal does not appear to be feasible.

Please feel free to contact me if you have questions or comments.

Jerry DeGarmo

RECEIVED

Cathy Novak

SEP 1 2010

From: Dan Helt [dhelt@thainc.com]
Sent: Tuesday, August 24, 2010 12:06 PM
To: novakconsulting@charter.net; keroza@morrobayrealty.com
Cc: 'John MacDonald'; Cristi Fry
Subject: FW: Vesting Tentative Parcel Map MB-10-0004, 593&595 Driftwood Ave., Moro Bay

City of Morro Bay
Public Services Department

Please see email below from AT&T in reference to undergrounding overhead lines for the subject project. In order to get more detailed information from them we will need to pay them for the engineering and planning involved.

Thanks,

Daniel Helt, RCE
Project Engineer
Triad/Holmes Associates
Ph: 805-544-8908
Fax: 805-544-8932
dhelt@thainc.com

From: MEISTER, BERNIE (ATTPB) [mailto:bm1974@att.com]
Sent: Tuesday, August 24, 2010 11:19 AM
To: Dan Helt
Subject: RE: Vesting Tentative Parcel Map MB-10-0004, 593&595 Driftwood Ave., Moro Bay

Dan,
To go over what we were talking about this morning, AT&T has a 200 pair aerial cable running along the east side of Shasta Ave not adjacent to the parcel you are concerned about but across the street from it. If the city considers this to be adjacent you are looking at undergrounding approximately 300' of cable as this is the distance to our next pole north of Driftwood. Several sub boxes and terminals would need to be placed as there are several customers served by this cable along this route and each customer would require 2" conduit to their interface unit at the home from the sub boxes. Trenching for this undergrounding would be in the asphalt portion on the easterly side of Shasta Ave. and would require replacement of the asphalt. AT&T does not place conduit on private property so each customer would be required to place this conduit or your company would be required to do it, or reimburse each homeowner for cost.

The other situation is the clearance pole on the westerly side of your project on Driftwood street. Again, removal of this pole would require placing 2" conduit to each customer, on private property, from the pole on Napa Ave. As stated before, AT&T does not place conduit on private property and would again be the responsibility of each homeowner or your company. Depending on which scenario the city wishes you to underground, the cost could vary from very high \$20k+ to less than half that.

Should you require an official estimate of cost AT&T would be happy to provide this to you for engineering costs payable in advance.

Thank you for your inquiry

Bernie Meister
Manager - Engineer



August 19, 2010
RECEIVED

SEP 1 2010

City of Morro Bay
Public Services Department

**ENGINEERING - CONSTRUCTION
OWNER / DEVELOPER / PROJECT MANAGER INFORMATION SHEET**

Triad/Holmes Associates

RE: Undergrounding overhead mainlines & services laterals adjacent to project at 500 block of Shasta Ave, Morro Bay.

To: Daniel Helt – Project Engineer (Triad/Holmes Associates).

Charter Communication **Estimated** job cost for the above referenced project.

Trenching 346' and placing (2) 2" conduits for hard line. Trenching 210' and placing 2" conduit for each service lateral. Placing (4) required 17x30 high traffic vaults for hard line & service laterals. Placement of 400' of .625 hard line cable in new 2" conduit & placement of new RG-6 cable for new service laterals to 4 properties. Activation and certification of new underground plant. Wreck-out of aerial plant.

Total Est. \$ 20,753.00

Job Cost estimate to be paid in full for work to commence.

Payment and Contact Information:

Charter Communication Construction Office: Bruce Jensen

Address: 270 Bridge St. San Luis Obispo, CA 93401

Phone: 805-783-4950 Fax: 805-544-6300

bruce.jensen@chartercom.com

- ELEC
- TEL
- CATV

LOT 6

LOT 3

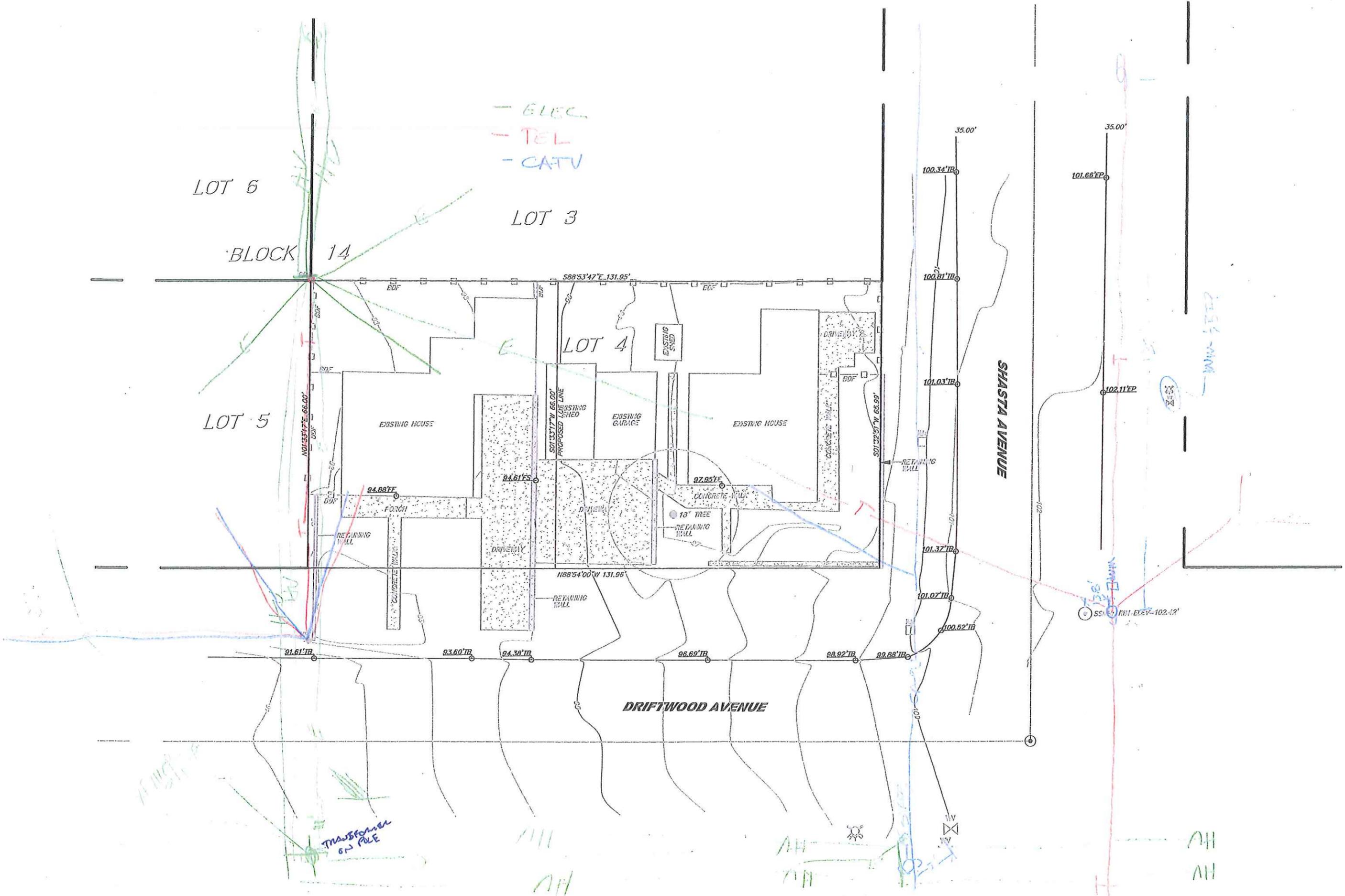
BLOCK 14

LOT 5

LOT 4

SHASTA AVENUE

DRIFTWOOD AVENUE



www.55EP

SS 1' ELEV - 102.42'

17' HIGH

Transformer on Pole

HV

HV

HV

Title Report



Fidelity National Title Company

PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein, Fidelity National Title Company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Fidelity National Title Insurance Company, a California corporation.

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

Cynthia M. Jorio
Countersigned:



Fidelity National Title Company

BY *[Signature]* President

ATTEST *[Signature]* Secretary

RECEIVED
MAR 30 2010
Public Service Department



Fidelity National Title Company

ISSUING OFFICE: 599 Higuera Street, Suite B • San Luis Obispo, CA 93401
805 782-6900 • FAX 805 541-4978

PRELIMINARY REPORT

Title Officer: Reece Benson

Title No.: 09-**405102117**-RB

Locate No.: CAFNT0940-0940-0051-0405102117

TO: Karen Roza

SHORT TERM RATE: yes

PROPERTY ADDRESS: 593 & 595 Driftwood Street, Morro Bay, California

EFFECTIVE DATE: December 1, 2009, 07:30 A.M.

The form of policy or policies of title insurance contemplated by this report is:

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A Fee
2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

Walter Karl Roza and Karen Elizabeth Roza, Trustees of the Roza Family Trust Dated February 21, 2001
3. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

IG\IG 12/16/2009

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF MORRO BAY, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Lot 4 in Block 14 of the Resurvey of a part of the Town of Morro, in the County of San Luis Obispo, State of California, according to Map recorded July 3, 1917, in Book 2, Page 11 of records of Surveys.

APN: 066-143-008

AT THE DATE HEREOF, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

1. **Property taxes**, including any personal property taxes and any assessments collected with taxes, for the fiscal year 2009-2010, Assessor's Parcel Number 066-143-008 .

Code Area Number: 006-002
1st Installment: \$1,556.73 PAID
2nd Installment: \$1,556.73 OPEN
Land: \$175,355.00
Improvements: \$135,308.00
Exemption: \$0.00
Personal Property: \$0.00

2. **The lien of supplemental taxes**, if any, assessed pursuant to the provisions of Chapter 3.5 (Commencing with Section 75) of the Revenue and Taxation code of the State of California.

3. **Matters** contained in that certain document entitled "Special Encroachment Permit Agreement" dated , executed by and between Joe M. Taverner and Kathy Taverner and City of Morro Bay recorded March 25, 1992, Instrument No. 19783, Book 3855, Page 169, of Official Records, which document, among other things, contains or provides for: Install and maintain 4" sewer line in public right of way.

Reference is hereby made to said document for full particulars.

4. **A deed of trust** to secure an indebtedness in the amount shown below, and any other obligations secured thereby

Amount: \$430,000.00
Dated: February 15, 2008
Trustor: Karen Elizabeth Roza, a married woman
Trustee: Fidelity National Title Insurance Company
Beneficiary: Wells Fargo Bank, N.A.
Loan No.: Not shown
Recorded: February 27, 2008, Instrument No. 2008009444, of Official Records

5. **Any invalidity or defect** in the title of the vestees in the event that the trust referred to herein is invalid or fails to grant sufficient powers to the trustee(s) or in the event there is a lack of compliance with the terms and provisions of the trust instrument.

If title is to be insured in the trustee(s) of a trust, (or if their act is to be insured), this Company will require a **Trust Certification pursuant to California Probate Code Section 18100.5**. The Company reserves the right to except additional items and/or make additional requirements after reviewing said documents.

END OF ITEMS

Note 1. *IMPORTANT RECORDING NOTE*****

Please send all original documents, copies of documents, including recording release instructions, policy write-up instructions, lender's instructions and settlement statements for recording to the following office:

**Fidelity National Title
599 Higuera Street, Suite B
San Luis Obispo, CA 93401
Attn: Reece Benson
Phone: (805) 782-6900**

Note 2. The current owner is entitled to receive 2 discount(s) of \$20.00 each (Total \$40.00) on escrow services OR title insurance pursuant to the coordinated stipulated judgments entered in actions filed by both the Attorney General and private class action plaintiffs.

Note 3. The Company is not aware of any matters which would cause it to decline to attach the CLTA Endorsement Form 116 indicating that there is located on said land Multiple Family Dwelling known as 593-595 Driftwood Street, Morro Bay, California to an Extended Coverage Loan Policy.

Note 4. The only deeds affecting said land, which recorded within twenty-four (24) months of the date of this report, as are follows:

Grantor: Walter Karl Roza and Karen Elizabeth Roza, Trustees of the Roza Family Trust Dated February 21, 2001
Grantee: Karen Elizabeth Roza, a married woman as her sole and separate property
Recorded: February 27, 2008, Instrument No. 2008009442, of Official Records

and
Grantor: Walter Karl Roza, husband of grantee
Grantee: Karen Elizabeth Roza, a married woman as her sole and separate property
Recorded: February 27, 2008, Instrument No. 2008009443, of Official Records

and
Grantor: Karen Elizabeth Roza, a married woman
Grantee: Walter Karl Roza and Karen Elizabeth Roza, Trustees of the Roza Family Trust Dated February 21, 2001
Recorded: February 28, 2008, Instrument No. 2008009648, of Official Records

Note 5. Escrow Information Note: Arb No. 4-14-MA-35

- Note 6.** If a county recorder, title insurance company, escrow company, real estate broker, real estate agent or association provides a copy of a declaration, governing document or deed to any person, California law requires that the document provided shall include a statement regarding any unlawful restrictions. Said statement is to be in at least 14-point bold face type and may be stamped on the first page of any document provided or included as a cover page attached to the requested document. Should a party to this transaction request a copy of any document reported herein that fits this category, the statement is to be included in the manner described.
- Note 7.** Please contact Escrow Office for Wire Instructions.
- Note 8.** Any documents being executed in conjunction with this transaction must be signed in the presence of an authorized Company employee, an authorized employee of an agent, an authorized employee of the insured lender, or by using Bancserv or other approved third-party service. If the above requirements cannot be met, please call the company at the number provided in this report.

END OF NOTES

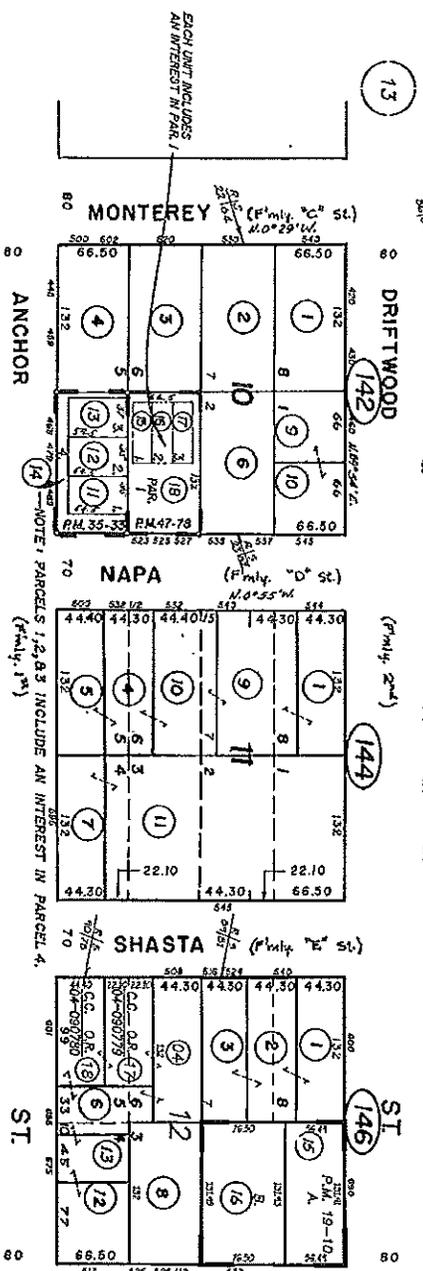
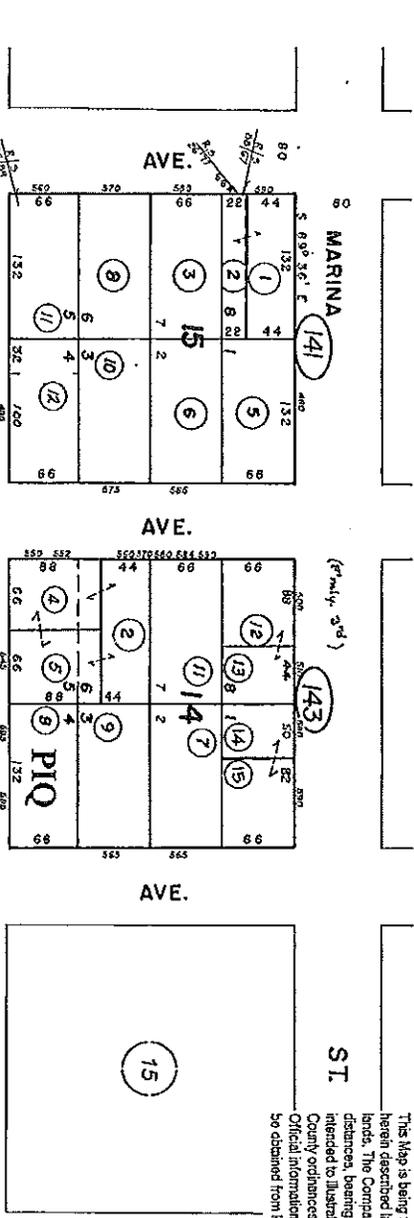
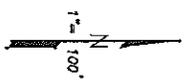
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12

42

066-141

This Map is being furnished as a convenience to locate the herein described land in relation to adjoining streets and other lands. The Company does not guarantee dimensions, distances, bearings, or acreage stated thereon, nor is it intended to illustrate legal building sites or super-lots. City or County ordinances, i.e., zoning and building codes, etc. Official information concerning the use of any parcel should be obtained from local government agencies.



NOTE: PARCELS 1, 2, 3 INCLUDE AN INTEREST IN PARCEL 4.

NOTE: PARCELS 1, 2, 3 INCLUDE AN INTEREST IN PARCEL 4.

P.M. BK. 35, Pg. 33 --- A RUD
C.C. & R. 2606-503
P.M. 47-78 CONDO PLAN
C.R. VOL. 3620 PG. 453

18

REVISIONS	
15	02/22
14	10-01-01
13	02-17-04
12	10-27-04
11	02-27-05
10	02-27-05
9	02-27-05
8	02-27-05
7	02-27-05
6	02-27-05
5	02-27-05
4	02-27-05
3	02-27-05
2	02-27-05
1	02-27-05

THIS MAP IS PREPARED FOR
ASSESSMENT PURPOSES ONLY.

TOWN OF MORRO, R.M. BK. A, Pg. 35.

CITY OF MORRO BAY
ASSESSOR'S MAP, COUNTY OF
SAN LUIS OBISPO, CA.
BOOK 66 PAGE 14

ATTACHMENT ONE

AMERICAN LAND TITLE ASSOCIATION RESIDENTIAL TITLE INSURANCE POLICY (6-1-87) EXCLUSIONS

In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes building and zoning ordinances and also laws and regulations concerning:
 - land use
 - improvements on the land
 - land division
 - environmental protection

This exclusion does not apply to violations or the enforcement of these matters which appear in the public records at policy date.

This exclusion does not limit the zoning coverage described in Items 12 and 13 of Covered Title Risks.

2. The right to take the land by condemning it, unless:
 - a notice of exercising the right appears in the public records on the Policy Date
 - the taking happened prior to the Policy Date and is binding on you if you bought the land without knowledge of the taking

In addition to the Exclusions, you are not insured against loss, costs, attorneys' fees, and the expenses resulting from:

1. Any rights, interests, or claims of parties in possession of the land not shown by the public records.
2. Any easements or liens not shown by the public records. This does not limit the lien coverage in Item 8 of Covered Title Risks.

3. Title Risks:

- that are created, allowed, or agreed to by you
- that are known to you, but not to us, on the Policy Date - unless they appeared in the public records
- that result in no loss to you
- that first affect your title after the Policy Date - this does not limit the labor and material lien coverage in Item 8 of Covered Title Risks

4. Failure to pay value for your title.

5. Lack of a right:

- to any land outside the area specifically described and referred to in Item 3 of Schedule A
- or
- in streets, alleys, or waterways that touch your land

This exclusion does not limit the access coverage in Item 5 of Covered Title Risks.

3. Any facts about the land which a correct survey would disclose and which are not shown by the public records. This does not limit the forced removal coverage in Item 12 of Covered Title Risks.
4. Any water rights or claims or title to water in or under the land, whether or not shown by the public records.

**ATTACHMENT ONE
(CONTINUED)**

**CALIFORNIA LAND TITLE ASSOCIATION STANDARD COVERAGE POLICY - 1990
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims, or other matters:
 - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

**SCHEDULE B, PART I
EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

PART I

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.

**ATTACHMENT ONE
(CONTINUED)**

**FORMERLY AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (10-17-92)
WITH A.L.T.A. ENDORSEMENT-FORM 1 COVERAGE
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims, or other matters:
(a) created, suffered, assumed or agreed to by the insured claimant;
(b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
(c) resulting in no loss or damage to the insured claimant;
(d) attaching or created subsequent to Date of Policy (except to the extent that this policy insures the priority of the lien of the insured mortgage over any statutory lien for services, labor or material or to the extent insurance is afforded herein as to assessments for street improvements under construction or completed at Date of Policy); or
(e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any statutory lien for services, labor or materials (or the claim of priority of any statutory lien for services, labor or materials over the lien of the insured mortgage) arising from an improvement or work related to the land which is contracted for and commenced subsequent to Date of Policy and is not financed in whole or in part by proceeds of the indebtedness secured by the insured mortgage which at Date of Policy the insured has advanced or is obligated to advance.
7. Any claim, which arises out of the transaction creating the interest of the mortgagee insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
(i) the transaction creating the interest of the insured mortgagee being deemed a fraudulent conveyance or fraudulent transfer; or
(ii) the subordination of the interest of the insured mortgagee as a result of the application of the doctrine of equitable subordination; or
(iii) the transaction creating the interest of the insured mortgagee being deemed a preferential transfer except where the preferential transfer results from the failure:
(a) to timely record the instrument of transfer; or
(b) of such recordation to impart notice to a purchaser for value or a judgement or lien creditor.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage.

In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.

**ATTACHMENT ONE
(CONTINUED)**

**2006 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters (a) created, suffered, assumed, or agreed to by the Insured Claimant;
(b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
(c) resulting in no loss or damage to the Insured Claimant;
(d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
(e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is (a) a fraudulent conveyance or fraudulent transfer, or (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage.

In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records;
(b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.

**ATTACHMENT ONE
(CONTINUED)**

**FORMERLY AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (10-17-92)
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.

3. Defects, liens, encumbrances, adverse claims, or other matters:
(a) created, suffered, assumed or agreed to by the insured claimant;
(b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
(c) resulting in no loss or damage to the insured claimant;
(d) attaching or created subsequent to Date of Policy, or
(e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
(i) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
(ii) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
(a) to timely record the instrument of transfer; or
(b) of such recordation to impart notice to a purchaser for value or a judgement or lien creditor.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage.

In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.

**ATTACHMENT ONE
(CONTINUED)**

**2006 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage.

In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.

**ATTACHMENT ONE
(CONTINUED)**

**CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (10-22-03)
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE (10-22-03)
EXCLUSIONS**

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes ordinances, laws and regulations concerning:
 - a. building
 - b. zoning
 - c. Land use
 - d. improvements on Land
 - e. Land division
 - f. environmental protection

This Exclusion does not apply to violations or the enforcement of these matters if notice of the violation or enforcement appears in the Public Records at the Policy Date.
This Exclusion does not limit the coverage described in Covered Risk 14, 15, 16, 17 or 24.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not apply to violations of building codes if notice of the violation appears in the Public Records at the Policy Date.
3. The right to take the Land by condemning it, unless:
 - a. notice of exercising the right appears in the Public Records at the Policy Date; or
4. Risks:
 - a. the taking happened before the Policy Date and is binding on You if You bought the Land without Knowing of the taking.
 - b. that are created, allowed, or agreed to by You, whether or not they appear in the Public Records;
 - c. that are Known to You at the Policy Date, but not to Us, unless they appear in the Public Records at the Policy Date;
 - d. that result in no loss to You; or
 - e. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.d, 22, 23, 24 or 25.
5. Failure to pay value for Your Title.
6. Lack of a right:
 - a. to any Land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - b. in streets, alleys, or waterways that touch the Land.

This Exclusion does not limit the coverage described in Covered Risk 11 or 18.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

- For Covered Risk 14, 15, 16 and 18, Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	<u>Your Deductible Amount</u>	<u>Our Maximum Dollar Limit of Liability</u>
Covered Risk 14:	1.00% of Policy Amount or <u>\$ 2,500.00</u> (whichever is less)	\$ <u>10,000.00</u>
Covered Risk 15:	1.00% of Policy Amount or <u>\$ 5,000.00</u> (whichever is less)	\$ <u>25,000.00</u>
Covered Risk 16:	1.00% of Policy Amount or <u>\$ 5,000.00</u> (whichever is less)	\$ <u>25,000.00</u>
Covered Risk 18:	1.00% of Policy Amount or <u>\$ 2,500.00</u> (whichever is less)	\$ <u>5,000.00</u>

**ATTACHMENT ONE
(CONTINUED)**

**CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (01-01-08)
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE (01-01-08)
EXCLUSIONS**

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

- | | |
|--|---|
| <p>1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:</p> <ul style="list-style-type: none"> a. building; b. zoning; c. land use; d. improvements on the Land; e. land division; and f. environmental protection. <p>This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.</p> <p>2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.</p> <p>3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.</p> | <p>4. Risks:</p> <ul style="list-style-type: none"> a. that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records; b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date; c. that result in no loss to You; or d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28. <p>5. Failure to pay value for Your Title.</p> <p>6. Lack of a right:</p> <ul style="list-style-type: none"> a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and b. in streets, alleys, or waterways that touch the Land. <p>This Exclusion does not limit the coverage described in Covered Risk 11 or 21.</p> |
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LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

- For Covered Risk 16, 18, 19 and 21, Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	<u>Your Deductible Amount</u>	<u>Our Maximum Dollar Limit of Liability</u>
Covered Risk 16:	<u>1.00% of Policy Amount</u> Shown in Schedule A or <u>\$ 2,500.00</u> (whichever is less)	\$ <u>10,000.00</u>
Covered Risk 18:	<u>1.00% of Policy Amount</u> Shown in Schedule A or <u>\$ 5,000.00</u> (whichever is less)	\$ <u>25,000.00</u>
Covered Risk 19:	<u>1.00% of Policy Amount</u> Shown in Schedule A or <u>\$ 5,000.00</u> (whichever is less)	\$ <u>25,000.00</u>
Covered Risk 21:	<u>1.00% of Policy Amount</u> Shown in Schedule A or <u>\$ 2,500.00</u> (whichever is less)	\$ <u>5,000.00</u>

**ATTACHMENT ONE
(CONTINUED)**

**ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (10/13/01)
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the Land; (ii) the character, dimensions or location of any improvements now or hereafter erected on the Land; (iii) a separation in ownership or a change in the dimensions or areas of the Land or any parcel of which the Land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the Land has been recorded in the Public Records at Date of Policy. This exclusion does not limit the coverage provided under Covered Risks 12, 13, 14, and 16 of this policy.
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the Land has been recorded in the Public Records at Date of Policy. This exclusion does not limit the coverage provided under Covered Risks 12, 13, 14, and 16 of this policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the Public Records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without Knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
(a) created, suffered, assumed or agreed to by the Insured Claimant;
(b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
(c) resulting in no loss damage to the Insured Claimant;
(d) attaching or created subsequent to Date of Policy (this paragraph does not limit the coverage provided under Covered Risks 8, 16, 18, 19, 20, 21, 22, 23, 24, 25 and 26); or
(e) resulting in loss or damage which would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of the Insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable doing business laws of the state in which the Land is situated.
5. Invalidity or unenforceability of the lien of the Insured Mortgage, or claim thereof, which arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, except as provided in Covered Risk 27, or any consumer credit protection or truth in lending law.
6. Real property taxes or assessments of any governmental authority which become a lien on the Land subsequent to Date of Policy. This exclusion does not limit the coverage provided under Covered Risks 7, 8(e) and 26.
7. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This exclusion does not limit the coverage provided in Covered Risk 8.
8. Lack of priority of the lien of the Insured Mortgage as to each and every advance made after Date of Policy, and all interest charged thereon, over liens, encumbrances and other matters affecting the title, the existence of which are Known to the Insured at:
(a) The time of the advance; or
(b) The time a modification is made to the terms of the Insured Mortgage which changes the rate of interest charged, if the rate of interest is greater as a result of the modification than it would have been before the modification. This exclusion does not limit the coverage provided in Covered Risk 8.
9. The failure of the residential structure, or any portion thereof to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This exclusion does not apply to violations of building codes if notice of the violation appears in the Public Records at Date of Policy.

**ATTACHMENT ONE
(CONTINUED)**

**ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (01/01/08)
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under

Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
(e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.

4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.

Notice

You may be entitled to receive a \$20.00 discount on escrow services if you purchased, sold or refinanced residential property in California between May 19, 1995 and November 1, 2002. If you had more than one qualifying transaction, you may be entitled to multiple discounts.

If your previous transaction involved the same property that is the subject of your current transaction, you do not have to do anything; the Company will provide the discount, provided you are paying for escrow or title services in this transaction.

If your previous transaction involved property different from the property that is subject of your current transaction, you must - prior to the close of the current transaction - inform the Company of the earlier transaction, provide the address of the property involved in the previous transaction, and the date or approximate date that the escrow closed to be eligible for the discount.

Unless you inform the Company of the prior transaction on property that is not the subject of this transaction, the Company has no obligation to conduct an investigation to determine if you qualify for a discount. If you provide the Company information concerning a prior transaction, the Company is required to determine if you qualify for a discount which is subject to other terms and conditions.

Fidelity National Financial, Inc.
Privacy Statement

Fidelity National Financial, Inc. and its subsidiaries ("FNF") respect the privacy and security of your non-public personal information ("Personal Information") and protecting your Personal Information is one of our top priorities. This Privacy Statement explains FNF's privacy practices, including how we use the Personal Information we receive from you and from other specified sources, and to whom it may be disclosed. FNF follows the privacy practices described in this Privacy Statement and, depending on the business performed, FNF companies may share information as described herein.

Personal Information Collected

We may collect Personal Information about you from the following sources:

- Information we receive from you on applications or other forms, such as your name, address, social security number, tax identification number, asset information, and income information;
- Information we receive from you through our Internet websites, such as your name, address, email address, Internet Protocol address, the website links you used to get to our websites, and your activity while using or reviewing our websites;
- Information about your transactions with or services performed by us, our affiliates, or others, such as information concerning your policy, premiums, payment history, information about your home or other real property, information from lenders and other third parties involved in such transaction, account balances, and credit card information; and
- Information we receive from consumer or other reporting agencies and publicly recorded documents.

Disclosure of Personal Information

We may provide your Personal Information (excluding information we receive from consumer or other credit reporting agencies) to various individuals and companies, as permitted by law, without obtaining your prior authorization. Such laws do not allow consumers to restrict these disclosures. Disclosures may include, without limitation, the following:

- To insurance agents, brokers, representatives, support organizations, or others to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure in connection with an insurance transaction;
- To third-party contractors or service providers for the purpose of determining your eligibility for an insurance benefit or payment and/or providing you with services you have requested;
- To an insurance regulatory authority, or a law enforcement or other governmental authority, in a civil action, in connection with a subpoena or a governmental investigation;
- To companies that perform marketing services on our behalf or to other financial institutions with which we have joint marketing agreements and/or
- To lenders, lien holders, judgment creditors, or other parties claiming an encumbrance or an interest in title whose claim or interest must be determined, settled, paid or released prior to a title or escrow closing.

We may also disclose your Personal Information to others when we believe, in good faith, that such disclosure is reasonably necessary to comply with the law or to protect the safety of our customers, employees, or property and/or to comply with a judicial proceeding, court order or legal process.

(privacy)

Page 2 of 2

Effective Date: 5/1/2008

Disclosure to Affiliated Companies - We are permitted by law to share your name, address and facts about your transaction with other FNF companies, such as insurance companies, agents, and other real estate service providers to provide you with services you have requested, for marketing or product development research, or to market products or services to you. We do not, however, disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent, in conformity with applicable law, unless such disclosure is otherwise permitted by law.

Disclosure to Nonaffiliated Third Parties - We do not disclose Personal Information about our customers or former customers to nonaffiliated third parties, except as outlined herein or as otherwise permitted by law.

Confidentiality and Security of Personal Information

We restrict access to Personal Information about you to those employees who need to know that information to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard Personal Information.

Access To Personal Information/

Requests for Correction, Amendment, or Deletion of Personal Information

As required by applicable law, we will afford you the right to access your Personal Information, under certain circumstances to find out to whom your Personal Information has been disclosed, and request correction or deletion of your Personal Information. However, FNF's current policy is to maintain customers' Personal Information for no less than your state's required record retention requirements for the purpose of handling future coverage claims.

For your protection, all requests made under this section must be in writing and must include your notarized signature to establish your identity. Where permitted by law, we may charge a reasonable fee to cover the costs incurred in responding to such requests. Please send requests to:

Chief Privacy Officer
Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, FL 32204

Changes to this Privacy Statement

This Privacy Statement may be amended from time to time consistent with applicable privacy laws. When we amend this Privacy Statement, we will post a notice of such changes on our website. The effective date of this Privacy Statement, as stated above, indicates the last time this Privacy Statement was revised or materially changed.

Notice of Available Discounts

Pursuant to Section 2355.3 in Title 10 of the California Code of Regulations Fidelity National Financial, Inc. and its subsidiaries ("FNF") must deliver a notice of each discount available under our current rate filing along with the delivery of escrow instructions, a preliminary report or commitment. Please be aware that the provision of this notice does not constitute a waiver of the consumer's right to be charged the filed rate. As such, your transaction may not qualify for the below discounts.

You are encouraged to discuss the applicability of one or more of the below discounts with a Company representative. These discounts are generally described below; consult the rate manual for a full description of the terms, conditions and requirements for such discount. These discounts only apply to transactions involving services rendered by the FNF Family of Companies. This notice only applies to transactions involving property improved with a one-to-four family residential dwelling.

FNF Underwritten Title Companies

FNTC – Fidelity National Title Company

FNTCCA – Fidelity National Title Company of California

FNF Underwriters

FNTIC – Fidelity National Title Insurance Co.

Available Discounts

CREDIT FOR PRELIMINARY REPORTS AND/OR COMMITMENTS ON SUBSEQUENT POLICIES (FNTIC)

Where no major change in the title has occurred since the issuance of the original report or commitment, the order may be reopened within 12 months and all or a portion of the charge previously paid for the report or commitment may be credited on a subsequent policy charge within the following time period from the date of the report.

FEE REDUCTION SETTLEMENT PROGRAM (FNTC, FNTCCA and FNTIC)

Eligible customers shall receive a \$20.00 reduction in their title and/or escrow fees charged by the Company for each eligible transaction in accordance with the terms of the Final Judgments entered in The People of the State of California.

DISASTER LOANS (FNTIC)

The charge for a Lender's Policy (Standard or Extended coverage) covering the financing or refinancing by an owner of record, within 24 months of the date of a declaration of a disaster area by the government of the United States or the State of California on any land located in said area, which was partially or totally destroyed in the disaster, will be 50% of the appropriate title insurance rate.

CHURCHES OR CHARITABLE NON-PROFIT ORGANIZATIONS (FNTIC)

On properties used as a church or for charitable purposes within the scope of the normal activities of such entities, provided said charge is normally the church's obligation the charge for an owner's policy shall be 50% to 70% of the appropriate title insurance rate, depending on the type of coverage selected. The charge for a lender's policy shall be 40% to 50% of the appropriate title insurance rate, depending on the type of coverage selected.

SHORT TERM RATE (FNTIC)

If there is an insured owner and an order for title insurance is placed within sixty (60) months following the effective date of any prior policy of any title insurer, the charge will be 80% of the appropriate title insurance rate.

EMPLOYEE RATE (FNTC, FNTCCA and FNTIC)

No charge shall be made to employees (including employees on approved retirement) of the Company or its underwritten, subsidiary or affiliated title companies for policies or escrow services in connection with financing, refinancing, sale or purchase of the employees' bona fide home property. Waiver of such charges is authorized only in connection with those costs which the employee would be obligated to pay, by established custom, as a party to the transaction.

Neighborhood Letters

Kathleen Wold - Roza Project at 593 & 595 Driftwood

From: bonnie baron <bbaron1@gmail.com>
To: <kwold@morro-bay.ca.us>
Date: 3/22/2011 7:28 PM
Subject: Roza Project at 593 & 595 Driftwood

My husband and I own a two-bedroom condominium on Piney Way near Driftwood. Below are my comments about the Roza Project at 593 & 595 Driftwood.

The size of proposed Rosa Project is **GROSSLY INCOMPATIBLE** with the character of the neighborhood. The square footage of proposed new structure---2816 square feet with a 640-foot secondary unit--- would be **three times as big** as the remaining adjacent structure. The set back of the garage would be **ZERO** and the garage would **not even have space for two cars**.

Morro Bay is a beautiful place, in part because of the open space surrounding buildings. This proposed structure would be a love affair with cement, **COMPLETELY OUT OF PROPORTION** to the building next to it and to the rest of the immediate neighborhood. It needs to be redesigned and scaled back considerably.

Bonnie Baron
585 Piney Way

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SEP 1 2010

City of Morro Bay
Public Services Department

Chapter 17 Community Housing	Need	Have	Deed Restriction	Chapter 16 Need	Chapter 16 Have
				Parcel #1: Main Residence: 1,408 sq. ft. Secondary Unit: 205 sq. ft. Parcel #2: 326 sq. ft. Total = 1,939 sq. ft.	Parcel #1: Main Residence: 471 sq. ft. Secondary Unit: 250 sq. ft. Landscaping: 375 sq. ft. Parcel #2: 1,667 sq. ft. Total = 3,719 sq. ft. Useable = 956 sq. ft.
Common Open Space	3,000 sq. ft. with 1,500 sq. ft. useable	956 sq. ft.	Resolved Section 17.49.080 (J)	Parcel #1: Main Residence: 422 sq. ft. Secondary Unit: 96 sq. ft. Parcel #2: 144 sq. ft.	Parcel #1: Main Residence: 471 sq. ft. Secondary Unit: 250 sq. ft. Parcel #2: 1,667 sq. ft.
Private Open Space	200 sq. ft. per unit	Have min. 200 sq. ft. for each unit	Not needed		
Setbacks					
Exterior side	20% - min. 5', max. 10'	Parcel #1: House 5', Parcel #2: NA	Resolved Section 17.49.080 (J)	Modification to standard allowed	Modification to standard allowed
Interior side	10% - min. 5', max. 3'	Parcel #1 House 10', Parcel #2 Garage 1'	Resolved Section 17.49.080 (J)	Modification to standard allowed	Modification to standard allowed
Front	20'	Parcel #1: House 10', Garage 18' Parcel #2: OK	Resolved Section 17.49.080 (J)	Modification to standard allowed	Modification to standard allowed
Rear	5'	Parcel #1: OK Parcel #2: 4'	Resolved Section 17.49.080 (J)	Modification to standard allowed	Modification to standard allowed

Chapter 17 Community Housing Parking	Need	Have	Deed Restriction	Chapter 16 Need	Chapter 16 Have
Parcel #1 main residence	2 covered	2 covered	Not needed	2 covered	2 covered
Parcel #1 secondary unit	1 covered	1 covered	Not needed	1 covered	1 covered
Parcel #2	2 covered	1 covered	Resolved Section 17.49.080 (J) & 17.44.050 (A & B)	2 covered	1 covered & Parking exception for tandem parking: Section 17.44.020 (C.1.g) & 17.44.050 (B)
Guest	None: Section 17.44.020 (C.1.g)	None	Not needed	2 spaces	Two spaces either located in the Right-of-Way or provided in tandem as with any other typical neighborhood.

2780 N. Jameson Ave.
Fresno, California 93723
April 25, 2011

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APR 28 2011

City of Morro Bay
Public Service Department
955 Shasta
Morro Bay, California 93442

City of Morro Bay
Public Services Department

RE: Coastal Development Permit #CPO-325
Conditional Use Permit (UPO-284)
Parcel Map #SOO-103

We would like to express our view against the above mentioned proposal. We do not object to a new home being built on this property, but do object to the size of the home and the reconfiguration of the current lot. Since there are currently two homes on this site, we do not feel that the Compact In-fill Development regulations that allow for certain reductions in development standards applies in this case. Therefore, we feel that the new home should be built within the current lot configuration.

In addition, we also object to the parking exception requested which would allow parking within the right-of-way. If the new house was downsized to fit within the proper parameters of the lot, the parking exception would not be necessary.

Thank you for allowing us to express our views in this matter.

Sincerely,



Steven P. and Lynne Sanoian

City of Morro Bay
955 Shasta
Morro Bay, CA 93442

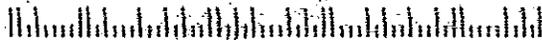


Coastal Development Permit #CP0-325, Conditional Use Permit (UP0-284), Parcel Map #SOO-103
Site Location: 593 & 595 Driftwood
Request: Subdivide an existing 8,708 square feet parcel with two existing homes, one approximately 1000 square feet and one 960 square feet in size. Parcel one is proposed to be 5,213 square feet and parcel 2 is proposed to be 3,495 square feet. The applicant proposes to utilize the Compact In-fill Development regulations which allows for certain reductions in development standards. The proposed parcels will be 14% (Parcel 1) and 48% (Parcel 2) smaller than required under the R-2 zone district. The present home on Parcel 1 is proposed for demolition and a new two story home approximately 2,816 square feet in size will be constructed in its place. The project will also include 956 square feet of common open space for the benefit of both properties. The project proposes two parking exceptions. The first exception is for the provision of a tandem parking space for parcel 2 and the second exception would be to allow the two guest parking spaces to be located within the right-of-way.
CEQA Determination: Mitigated Negative Declaration.
Staff Recommendation: Approve CP0-325, UP0-284, SOO-103 with conditions and adopt the MND
Staff Contact: Kathleen Wold, Planning Manager (805) 772-6211

Plans and documents related to these cases may be viewed at the Public Services Department.

066145009
SANOIAN, STEVEN P TR ETAL
2780 N JAMESON
FRESNO, CA 93722

303



CITY OF MORRO BAY
NOTICE OF
PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Morro Bay Planning Commission will hold a PUBLIC HEARING on Wednesday, May 4, 2011 at 6:00 p.m. in the Veteran's Memorial Building, 209 Surf Street, to consider the following cases. The Environmental Coordinator has reviewed the hearing items listed below for the purposes of the California Environmental Quality Act (CEQA) and has determined the projects are either exempt from CEQA, that a Negative Declaration should be filed, or that an Environmental Impact Report (EIR) has been prepared.

Interested persons are invited to appear at the hearing and express their views, orally or in writing, for or against or in modification of the proposed projects. Written comments may also be submitted to the Public Services Department, 955 Shasta, Morro Bay, California, 93442. The projects will be described and a staff recommendation given followed by public testimony. Persons may appeal the Planning Commission's decision to the City Council by filing an appeal form with Public Services, within ten days of the Commission's action.

**APPLICANT'S
PROJECT
DESCRIPTION**

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City of Morro Bay
Public Services Department

**Roza Project Description – Revised September 1, 2010
595 Driftwood Ave., Morro Bay**

Setting

The property is located at the corner of Driftwood and Shasta Avenues. The project site, 595 Driftwood, is 8,708 square feet. There are two existing homes, approximately 1,000 and 960 square foot each. The 960 square foot home was built in approximately 1955 and the 1,000 square foot home was built in 1954.

The property is zoned R-2 and is surrounded by a mix of single family and multiple family dwellings.

Project Description

Summary:

The applicant desires to process a subdivision under the Zoning Ordinance section 17.49, Community Housing Project and the Subdivision Ordinance which will yield two parcels 5,213 square feet (Parcel 1) and 3,495 square feet, (Parcel 2).

Parcel 1 has an existing house approximately 1,000 square feet with a garage and shed which, will be demolished. A new two story home approximately 2,816 square feet is proposed. In addition, a 640 square foot attached secondary living unit is also proposed. The main home will have an 856 square foot garage and workshop combination, whereas the secondary unit will also have an attached 220 square foot garage.

Parcel 2 has an existing house approximately 960 square feet with a garage. With the proposed project, this house will remain.

A 956 square foot useable common open space will be placed between the two homes for maximum use. This space will have a horseshoe pit, BBQ and fire pit area. Each unit and house will additionally have private open space areas centrally located for the occupants use.

Parking Exception:

Additionally, the applicant is requesting two parking exceptions, 1) a tandem space for the existing house remaining and 2) for two guest parking spaces to be located in the City Right-of-Way (ROW). This exception request does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity.

The project has been designed in such a way to utilize one existing driveway and a relatively flat area in close proximity to the other existing driveway. This will limit the additional grading, construction of a new retaining wall and orients the driveway cuts along Driftwood Ave only. Other properties in this portion of Driftwood Ave. also have the driveways cuts on this street.

Secondly and importantly, there are other limitations on this property that create special circumstances. First, the ROW on Driftwood and Shasta Avenues are significantly wider than other residential and arterial streets in Morro Bay.

The ROW along Driftwood Ave. is 80 feet in width. This places the property line approximately 40 feet from the center line of the street and approximately 21 1/2 feet from the edge of pavement to the property line. This allows considerable room for extra parking.

For the tandem parking space, there is approximately 40 feet from the property line to the single car garage that will remain. This will allow for ample room for a car/s to be temporarily parked in the driveway without encroaching into a pedestrian way or to be parked against the garage door.

As for the guest parking spaces, there is sufficient room to park multiple cars along Driftwood and Shasta Avenues. For example, there will be approximately 25 feet between the two driveways, approximately 30 feet from the driveway to the property corner on Shasta and approximately 65 feet along the Shasta side property line. Taking into consideration that there is approximately 21 1/2 feet from the edge of the pavement to the Driftwood Ave. property line and approximately 16 feet on the Shasta Ave property line, any parked cars will be located well beyond the street pavement line and safety out of any vehicular hazards.

This exception does not authorize a use that would not otherwise be permitted within this land use category and is also consistent with the City's LCP

Lastly, the granting of this exception does not adversely affect public health or safety or would it be detrimental to nearby property or improvements. As mentioned above, there is a significant area between the edge of pavement and the property line. With this area, there is more than sufficient room for pedestrians to walk out of the traffic lane while cars are parked and will be consistent with the surrounding areas.

In summary, the parking space exceptions will make the entire project function as a whole and will address the parking needs in a creative fashion. It will furthermore provide additional landscaping and open space area within the project and overall reduce the need for added pavement and impervious surfaces in and around the project site. This will ultimately enhance the applicant's full enjoyment of the uses that are similar to those permitted with the adjoining properties.

Setbacks:

The project proposes the following deviations to the setback standards in the Zoning Ordinance:

Front: Parcel #1: House 10', Garage 18'
Exterior Side: Parcel #1: House 5'
Interior Side: Parcel #2 Garage 1'
Rear: Parcel #2 House 4'

Shasta Street Encroachment:

The project has designed a walkway and stairs to the front landing. The walkway and stairs encroach into the ROW and it is requested that the City issue an encroachment permit for this.

Common Open Space:

The Community Housing Project section of the Zoning Ordinance requires this project to provide 3,000 sq. ft. total with 1,500 sq. ft. of useable space. This project has been designed to provide a total of 3,719 sq. ft. of open space. This total represents a combination of private space, landscaping and common area. However, the total useable common area is 956 sq. ft. which is below the minimum required in the Zoning Ordinance.

The project is consistent with the Subdivision Ordinance Chapter 16.10, Compact In-Fill Development. While Chapter 16.10 is not yet codified in the Zoning Ordinance to allow the deviations, it should be taken into consideration that there was intent by the City Council when they approved the Subdivision Ordinance to modify the open space policies for these types of projects. This project as designed meets the intent and policy set forth in the Subdivision Ordinance for the required open space requirements.

Affordable Housing Component:

In order to resolve the deviations to the City standards as described above, the applicant desires to deed restrict the secondary unit as an "affordable housing" unit. The restriction is proposed to be at the moderate income level for a period of 15 years. Additionally, the deed restriction would allow for the property owner and/or immediate family to reside in the unit at some time in the future without having to qualify under the affordable income standards.

In conclusion, the project as designed, meets the intent of the adopted policies, Zoning Ordinance and Subdivision Ordinance. With the addition of the "affordable housing" unit, all the deviations to the City standards are allowed and mitigated.

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SEP 1 2010

MAINTENANCE – OWNER'S RESPONSIBILITY.

City of Miss.
Public Services Department

There will be a common area of enjoyment for both Parcel 1 & Parcel 2. The common area is defined on the Plans/Map (Will Provide an Exhibit)

Maintenance of this Common Area for Parcel 1 and Parcel 2 is hereby mutually agreed upon by both Property Owners to be maintained as follows:

Parcel 1 and Parcel 2 will hire a Landscaper by Contract to Maintain the common area on a quarterly basis as needed. The cost for the Landscaper will be a shared cost of 50/50 split between the two (2) property owners, each paying their one-half appropriate share immediately upon service being rendered.

RECEIVED

SEP 1 2010

City of Morro Bay
Public Services Department

Chapter 17 Community Housing	Need	Have	Deed Restriction	Chapter 16 Need	Chapter 16 Have
Common Open Space	3,000 sq. ft. with 1,500 sq. ft. useable	956 sq. ft.	Resolved Section 17.49.080 (J)	Parcel #1: Main Residence: 1,408 sq. ft. Secondary Unit: 205 sq. ft. Parcel #2: 326 sq. ft. Total = 1,939 sq. ft.	Parcel #1: Main Residence: 471 sq. ft. Secondary Unit: 250 sq. ft. Landscaping: 375 sq. ft. Parcel #2: 1,667 sq. ft. Total = 3,719 sq. ft. Useable = 956 sq. ft.
Private Open Space	200 sq. ft. per unit	Have min. 200 sq. ft. for each unit	Not needed	Parcel #1: Main Residence: 422 sq. ft. Secondary Unit: 96 sq. ft. Parcel #2: 144 sq. ft.	Parcel #1: Main Residence: 471 sq. ft. Secondary Unit: 250 sq. ft. Parcel #2: 1,667 sq. ft.
Setbacks					
Exterior side	20% - min. 5', max. 10'	Parcel #1: House 5', Parcel #2: NA	Resolved Section 17.49.080 (J)	Modification to standard allowed	Modification to standard allowed
Interior side	10% - min. 5', max. 3'	Parcel #1 House 10', Parcel #2 Garage 1'	Resolved Section 17.49.080 (J)	Modification to standard allowed	Modification to standard allowed
Front	20'	Parcel #1: House 10', Garage 18' Parcel #2: OK	Resolved Section 17.49.080 (J)	Modification to standard allowed	Modification to standard allowed
Rear	5'	Parcel #1: OK Parcel #2: 4'	Resolved Section 17.49.080 (J)	Modification to standard allowed	Modification to standard allowed

Chapter 17 Community Housing Parking	Need	Have	Deed Restriction	Chapter 16 Need	Chapter 16 Have
Parcel #1 main residence	2 covered	2 covered	Not needed	2 covered	2 covered
Parcel #1 secondary unit	1 covered	1 covered	Not needed	1 covered	1 covered
Parcel #2	2 covered	1 covered	Resolved Section 17.49.080 (J) & 17.44.050 (A & B)	2 covered	1 covered & Parking exception for tandem parking: Section 17.44.020 (C.1.g) & 17.44.050 (B)
Guest	None: Section 17.44.020 (C.1.g)	None	Not needed	2 spaces	Two spaces either located in the Right-of-Way or provided in tandem as with any other typical neighborhood.

ATTACHMENT 10

Environmental

City of Morro Bay
PUBLIC SERVICES DEPARTMENT
955 SHASTA AVENUE ♦ MORRO BAY, CA 93442
805-772-6261

Public Notice of Availability
Document Type: Mitigated Negative Declaration

CEQA: CALIFORNIA ENVIRONMENTAL QUALITY ACT
CITY OF MORRO BAY

The City has determined that the following proposal qualifies for a
 Negative Declaration Mitigated Negative Declaration.

CASE NO.: CPO-325/UPO-285/SOO-103

PROJECT TITLE: Roza project **PROJECT LOCATION:** 593 & 595 Driftwood, Morro Bay, San Luis Obispo

ASSESSOR PARCEL NUMBER: 066-143-008

ZONING: Duplex Residential R-2 **GENERAL PLAN DESIGNATION:** Medium Density Residential (MDR)

PROPERTY OWNER: Walter & Karen Roza, P.O. BOX 104, Cayucos, Ca 93430

AGENT: Cathy Novak, Novak Consulting.

PROJECT DESCRIPTION: The property is located at the corner of Driftwood and Shasta Avenues. The project site, 593 & 595 Driftwood is 8708 square feet in size currently there are two existing homes on the site one approximately 1000 square feet and one 960 square feet in size. The property is zoned Duplex Residential (R-2) and has a General Plan Designation of Medium Density Residential (MDR). The applicant proposes to subdivide the property into two lots. Parcel one is proposed to be 5,213 square feet and parcel 2 is proposed to be 3,495 square feet. The surrounding neighborhood is a mix of single family and multiple family residential units.

The applicant proposes to utilize the Compact In-fill Development regulations which allows for certain reductions in development standards. The proposed parcels will be 14% (Parcel 1) and 48% (Parcel 2) smaller than required under the R-2 zone district. The present home on Parcel 1 is proposed for demolition and a new two story home approximately 2,816 square feet in size will be constructed in its place. The project will also include 956 square feet of common open space for the benefit of both properties. The space will be utilize for a horseshoe pit, a barbeque and fire pit area. In addition the project will provide private open space. The project proposes two parking exceptions. The first exception is for the provision of a tandem parking space for parcel 2 and the second exception would be to allow the two guest parking spaces to be located within the right-of-way.

LEAD AGENCY: City of Morro Bay

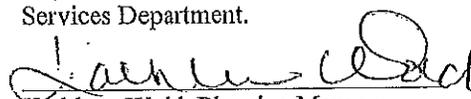
CONTACT PERSON: Kathleen Wold, Planning Manager, (805) 772-6211

ADDRESS WHERE DOCUMENT MAY BE OBTAINED:

Public Services Department 955 Shasta Avenue, Morro Bay, California 93442 (805) 772-6261

PUBLIC REVIEW PERIOD: March 4, 2011-April 4, 2011

Anyone interested in this matter is invited to comment on the document by written response or contacting the Public Services Department.


Kathleen Wold, Planning Manager

City of Morro Bay
PUBLIC SERVICES DEPARTMENT
955 SHASTA AVENUE ♦ MORRO BAY, CA 93442
805-772-6261

D R A F T M I T I G A T E D N E G A T I V E D E C L A R A T I O N

CEQA: CALIFORNIA ENVIRONMENTAL QUALITY ACT

CITY OF MORRO BAY
955 Shasta Avenue
Morro Bay, California 93442
805-772-6210

The State of California and the City of Morro Bay require, prior to the approval of any project, which is not exempt under CEQA, that a determination be made whether or not that project may have any significant effects on the environment. In the case of the project described below, the City has determined that the proposal qualifies for a Mitigated Negative Declaration.

CASE NO.: CPO-325/UPO-285/SOO-103

PROJECT TITLE: Roza project **PROJECT LOCATION:** 593 & 595 Driftwood, Morro Bay, San Luis Obispo

ASSESSOR PARCEL NUMBER: 066-143-008

ZONING: Duplex Residential R-2 **GENERAL PLAN DESIGNATION:** Medium Density Residential (MDR)

PROPERTY OWNER: Walter & Karen Roza, P.O. BOX 104, Cayucos, Ca 93430

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The applicant proposes to utilize the Compact In-fill Development regulations which allows for certain reductions in development standards. The proposed parcels will be 14% (Parcel 1) and 48% (Parcel 2) smaller than required under the R-2 zone district. The present home on Parcel 1 is proposed for demolition and a new two story home approximately 2,816 square feet in size will be constructed in its place. The project will also include 956 square feet of common open space for the benefit of both properties. The space will be utilize for a horseshoe pit, a barbeque and fire pit area. In addition the project will provide private open space. The project proposes two parking exceptions. The first exception is for the provision of a tandem parking space for parcel 2 and the second exception would be to allow the two guest parking spaces to be located within the right-of-way.

FINDINGS OF THE: Environmental Coordinator

It has been found that the project described above will not have a significant effect on the environment. The Initial Study includes the reasons in support of this finding. Mitigation measures, if necessary and required to assure that there will not be a significant effect in this case, are described in the attached Initial Study and Checklist and have been added to the permit conditions of approval.

INITIAL STUDY AND CHECKLIST --
CASE NO. UPO-285/SOO-103/CPO-325
DATE: March 1, 2011

City of Morro Bay
PUBLIC SERVICES DEPARTMENT
955 SHASTA AVENUE ♦ MORRO BAY, CA 93442
805-772-6261

INITIAL STUDY AND CHECKLIST

I. PROJECT INFORMATION

CASE NO.: CPO-325/UPO-285/SOO-103

PROJECT TITLE: Roza project **PROJECT LOCATION:** 593 & 595 Driftwood, Morro Bay, San Luis Obispo

ASSESSOR PARCEL NUMBER: 066-143-008

ZONING: Duplex Residential R-2 **GENERAL PLAN DESIGNATION:** Medium Density Residential (MDR)

PROPERTY OWNER: Walter & Karen Roza, P.O. BOX 104, Cayucos, Ca 93430

AGENT: Cathy Novak, Novak Consulting.

PROJECT DESCRIPTION: The property is located at the corner of Driftwood and Shasta Avenues. The project site, 593 & 595 Driftwood is 8708 square feet in size currently there are two existing homes on the site one approximately 1000 square feet and one 960 square feet in size. The property is zoned Duplex Residential (R-2) and has a General Plan Designation of Medium Density Residential (MDR). The applicant proposes to subdivide the property into two lots. Parcel one is proposed to be 5,213 square feet and parcel 2 is proposed to be 3,495 square feet. The surrounding neighborhood is a mix of single family and multiple family residential units.

The applicant proposes to utilize the Compact In-fill Development regulations which allows for certain reductions in development standards. The proposed parcels will be 14% (Parcel 1) and 48% (Parcel 2) smaller than required under the R-2 zone district. The present home on Parcel 1 is proposed for demolition and a new two story home approximately 2,816 square feet in size will be constructed in its place. The project will also include 956 square feet of common open space for the benefit of both properties. The space will be utilize for a horseshoe pit, a barbeque and fire pit area. In addition the project will provide private open space. The project proposes two parking exceptions. The first exception is for the provision of a tandem parking space for parcel 2 and the second exception would be to allow the two guest parking spaces to be located within the right-of-way.

II. ENVIRONMENTAL SETTING AND IMPACTS

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or is "Less Than Significant with Mitigation Incorporated", as indicated by the Environmental Checklist:

X	1. Aesthetics		10. Land Use and Planning
	2. Agriculture and Forestry Resources		11. Mineral Resources
X	3. Air Quality	X	12. Noise
	4. Biological Resources		13. Population and Housing
X	5. Cultural Resources	X	14. Public Services
X	6. Geology/Soils	X	15. Recreation
X	7. Greenhouse Gas Emissions		16. Transportation and Traffic
	8. Hazards and Hazardous Materials		17. Utility/Service Systems
X	9. Hydrology and Water Quality		V. Mandatory Findings of Significance

Surrounding Land Use

North:	Duplex Residential R-2	East:	Duplex Residential R-2
South:	Duplex Residential R-2	West:	Duplex Residential R-2

III. ENVIRONMENTAL CHECKLIST

1 AESTHETICS:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Have a substantial adverse effect on a scenic vista?			X	
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within view of a state scenic highway?			X	
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?		X		

Environmental Discussion: The City's General Plan defines a scenic vista as a sweeping view of large visually attractive areas. Policies contained within the Local Coastal Plan and General Plan also address other scenic values including scenic views, scenic corridors, scenic backdrops and the scenic highway. The site is within the urban core of the city and does not meet the criteria of a scenic vista or scenic view and it is not in an area where there are outcroppings. The project site is not visible from State Highway 1. The proposed development is proposed as two-story single family home, with a maximum height of 25 feet above average natural grade. Alteration to existing terrain on the project site is proposed to be minimal with slab on grade construction. Development on the site will not result in a new source of light and glare as the parcels are currently development and project is a demolition rebuild.

Impact Discussion:

- a. The site and /or development would not block a publicly recognized scenic vista nor are there scenic resources on the site itself that would be impacted by development.

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- b. The project site is not adjacent to any rock outcropping, scenic resources or Highway 1, therefore the project will not have the potential to damage these resources.
- c. The project will not substantially degrade the existing visual character or the quality of the site and its surroundings. The site is zoned for the proposed use, the size and intensity of the project is consistent with the General Plan Designation. The design of the project is similar in type and scale as to others in the surrounding area; therefore there should be no degradation of the project vicinity as a result of the project.
- d. The project will not create a new light source as the subject site is a developed site and the proposed project proposes to retain one home and demo and reconstruct another two units. The new development will be subject to the standards contained within the Zoning Ordinance will prohibit illumination from being directed toward the adjacent residential uses and onto the streets, requires glare to be screened from the residences, hotels, streets and other glare sensitive uses and further requires project to control all sky-reflected glare from buildings or portions thereof by reasonable means to the end that said sky reflected glare will not inconvenience or annoy persons or interfere with the use and enjoyment of property in and about the area where it occurs.

Mitigation and Residual Impact:

1-1. Mitigations Aesthetics c-d. The project shall comply with all code requirements relating to lighting and glare. A photometric plan shall be submitted at the time of building plan submittal to demonstrate that the project's light meets all code requirements and project conditions. With the incorporation of this mitigation the residual impact will be less than significant.

Monitoring. The Public Services Planning Divisions shall be responsible for review and approval of these details prior to issuance of permits for any site or construction work, as applicable and that the resulting lighting and building constructed on site as shown on the approved building plans prior to the granting a final approval.

<p>2 AGRICULTURAL AND FORESTRY RESOURCES:</p> <p>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.</p> <p>Would the project:</p>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>a. Convert prime farmland, unique farmland, or farmland of statewide importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>				X

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b.	Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d.	Result in the loss of forest land or conversion of forest land to non-forest use?				X
e.	Involve other changes in the existing environment, which, due to their location or nature could result in conversion of farmland, to non-agricultural use?				X

Environmental Discussion:

a-e. The site is recognized on The San Luis Obispo County Important Farmland Map of 2006 as Urban and Built up land therefore there will be no conversion of farmland of any status. There are no properties adjacent to the subject parcel under agricultural use or under Williamson Act therefore no conflicts will occur. The subject site and the adjacent properties are not zoned for forest land, timberland or timberland production therefore there will be no conflicts or loss of forestland through conversion.

Impact Discussion:

a-b The project site and the surrounding parcels are not zoned or used for prime farmland, unique farmland, or farmland of statewide importance, nor are they covered by a Williamson Act contract.

c-e. The project site and the surrounding parcels are not zoned or used for forest land, timberland, or timberland zoned timberland production or result in the loss of forest land or conversion of forest land to non-forest use, as the site is not suitable for those uses due to the natural topography, soil type, and existing vegetation, and potential for conflicts with existing surrounding uses.

Mitigation and Residual Impact: There are no identified impacts therefore no mitigation measures are required.

3. AIR QUALITY		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a.	Conflict with or obstruct implementation of the applicable air quality plan?		X		
b.	Exposure of sensitive receptors to substantial pollution concentrations (emissions from direct, indirect, mobile and stationary sources)?		X		
c.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X		
d.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?		X		
e.	Create objectionable smoke, ash, dust or odors affecting a substantial number of people?		X		

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Environmental Setting: The project area is located in the South Central Coast Air Basin (SCCAB). The SCCAB consists of San Luis Obispo County and a portion of Santa Barbara County north of the Santa Ynez Mountain ridgeline. Atmospheric pollutant concentrations in the SCCAB are generally moderate, due to persistent west-to-northwesterly winds that blow off the Pacific Ocean and enhance atmospheric mixing. Although meteorological conditions in the project area are usually conducive to pollutant dispersal, pollution can sometimes accumulate during the fall and summer months when the Eastern Pacific High can combine with high pressure over the continent to produce light winds and extended inversion conditions in the region. As a result, state ambient air quality standards for ozone and particulate matter less than 10 microns in diameter (PM10) are sometimes exceeded in the County. However, Morro Bay is a clean air area. With rare exceptions, Morro Bay does not exceed any state or federal standards.

Impact Discussion: Site work and construction activities will result in minor, short-term fugitive dust and exhaust emissions from construction equipment and vehicles. However, the proposed project would not be a substantial source of diesel particulate matter, which is typically assessed over long periods of time. Ongoing activities at the site would be limited to residential uses, which would not typically impact local air quality. The site is in close proximity to existing services, and access to the site will be paved, minimizing dust and vehicle emissions from typical residential trips.

- a, b, c, e. San Luis Obispo County is a non-attainment area for the State PM10 (fine particulate matter 10 microns or less in diameter) air quality standards. State law requires that emissions of non-attainment pollutants and their precursors be reduced by at least 5% per year until the standards are attained. The Clean Air Plan (CAP) for San Luis Obispo County was developed and adopted by the Air Pollution Control District (APCD) to meet that requirement. The CAP is a comprehensive planning document designed to reduce emissions from traditional industrial and commercial sources, as well as from motor vehicle use. According to the APCD "CEQA Air Quality Handbook" (2009), both construction activities and ongoing activities of land uses can generate air quality impacts. The APCD has established the threshold of significance as project construction activities lasting more than one quarter and land uses that generate 1.25 or more pounds per day (PPD) of diesel particulate matter, 25 PPD of reactive organic gases, oxides of nitrogen, sulfur dioxide, or fine particulate matter, or more than 550 PPD of carbon monoxide, as having the potential to affect air quality significantly. The proposed residential structures and uses are of a size that is below APCD's air quality significance thresholds for new land uses (2009 CEQA guide). Therefore, the project will not generate a significant impact on long-term air quality. However, construction operations would potentially result in the emission of ROG, NOx, Diesel Particulate Matter, and Fugitive Particulate Matter (PM10). Standard construction mitigation measures required by the APCD are recommended.

The project would generate significant roadway traffic only during construction, when workers and trucks would be traveling to and from the project site. Ongoing use of the site for residential uses would be minor and consistent with traffic generation anticipated by the General Plan. Considering this, the project would not be expected to create or contribute substantially to the violation of air standards.

- d. Neither the proposed uses nor the construction equipment used will create objectionable odors under normal operating circumstances.

Mitigation and Residual Impact:

- 3-1. The project construction has the potential to exceed APCD thresholds for the emission of ROG, NOx, Diesel Particulate Matter, and Fugitive Particulate Matter (PM10). The following are the standard mitigation measures required to be in compliance with the San Luis Obispo APCD Clean Air Plan:
- Maintain all construction equipment in proper tune according to manufacturer's specifications.
 - Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
 - Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation.
 - Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation.

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- e. Construction or trucking companies with fleets that that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance.
- f. All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit.
- g. Diesel idling within 1,000 feet of sensitive receptors is not permitted.
- h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors.
- i. Electrify equipment when feasible.
- j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible.
- k. Use alternatively fueled construction equipment on-site where feasible.
- l. Reduce the amount of disturbed area where possible.
- m. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency is required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used if available.
- n. All dirt stock-pile areas shall be sprayed daily as needed.
- o. All access ways to be paved shall be completed in the initial project phases, and building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- p. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.

With the implementation of these mitigation measures potential impacts to air quality resulting from the project would be reduced to less than significant levels.

Monitoring: All required mitigation measures shall be included as notes on project-related plans, to the satisfaction of the Public Services Department. Public Services staff shall verify compliance during routine site inspections.

4 BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:			X	
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of fish and Game or U.S. Fish and Wildlife service?			X	
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc) through direct removal, filling, hydrological interruption, or other means?			X	
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	

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e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?			X	

Environmental Setting

The Center for Natural Diversity Data Base (CNDDDB) identified 7 species of special concern, 2 plants listed as endangered, 2 endangered species and 3 species that are identified as threatened in the North Morro Bay Quadrant. There is one large tree on site which meets the definition of major vegetation and other vegetation consistent with an urbanized residential property. The site is not located in close proximity to creek or an Environmentally Sensitive Habitat (ESH) area. The site is a fully developed site within the core of the developed city.

Impact Discussion:

- a-b. Due to the location and the characteristics of the site the project will have no substantial adverse effect, either directly or through habitat modifications on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service or have a substantial adverse effect on any riparian habitat or other sensitive natural community. The City of Morro Bay does not have an adopted Habitat Conservation Plan.
- c. The site is an upland area with no wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.), therefore there is no potential for impacts to wetlands.
- d. The site is within an urbanized area of the city with no vegetation, creeks or wetland areas, therefore the potential for interference with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors is less than significant.
- e. There are no identified biological resources on site therefore the project will not conflict with the implementation of any policies protecting these resources. The City’s Major Vegetation Guidelines allow the removal of up to two trees on a single family residence; therefore the tree may be removed without conflicting with the City’s adopted policies.
- f. No known habitat conservation plans exist that would be impacted by the project, therefore the proposed project would not conflict with local, regional, or state plans.

Mitigation: None

5. CULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a.	Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?			X	
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?			X	
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d.	Disturb any human remains, including those interred outside of formal cemeteries?		X		

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Environmental Setting: The City of Morro Bay’s General Plan includes policies on the protection of Archaeological resources. The City maintains mapping which identifies culturally sensitive sites within the City limits. An archaeological reconnaissance is required as part of the permit review process when project are within three hundred feet of a mapped site. The General Plan also contains policies if resources were to be found during construction activities. The project site is not located within 300 feet of a recognized archeological site and therefore was not required to conduct a Phase I archaeological report.

Impact Discussion:

a. No known significant historical resource on site or adjacent to project site, therefore the project’s potential impact on a historical resource will be less than significant.

b-d. No identified archaeological resources are identified either on the site or within 300 feet of the project site. No known unique paleontological resources or geologic features are known to be on site or in the adjacent area, therefore project potential to affect these resources is less than significant. There are no known human remains interred on site, if remains were to be discovered the project is required to comply with the mitigation described below.

Mitigation and Residual Impact:

5-1. If archeological resources are discovered during construction all activities shall cease, resuming only once the Public Service Director makes findings established in Section 17.48.310 of the Municipal Code.

With the implementation of this mitigation measure potential impacts to cultural resources would be reduced to less than significant levels.

Monitoring: No monitoring required unless resources are discovered. If resources are discovered the City will ensure that the project is in compliance with Section 17.48.310 and all State requirements.

6 GEOLOGY/SOILS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the are or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Publication 42)			X	
ii. Strong Seismic ground shaking?			X	
iii. Seismic-related ground failure, including liquefaction?			X	
iv. Landslides?			X	
b. Result in substantial erosion or the loss of topsoil?		X		
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		X		

e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?			X	
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Environmental Setting: A soils engineering report was prepared by Geosolutions, Inc dated August 27, 2009. The report indicates that the site is a relatively flat split-level graded pad. The gradient of the natural slope in the area of the site is approximately 10-1 (horizontal-to-vertical). Surface drainage flows from the site to the south to Driftwood Street.. The report concludes that the site is suitable for the proposed development provided the recommendations in this report for site preparation, earthwork, foundations, slabs, retaining walls, and pavement sections are incorporated into the design.

Seismic Design Considerations

Major earthquakes have affected the region in the past and can be expected to occur again in the near future on one of the active faults within the vicinity of Morro Bay. The principal active faults in the region include the Los Osos and Hosgri faults. Potentially active faults include the Cambria and Rinconada faults. Significant earthquakes have occurred within a fifty mile radius of the project site as recently as five years ago (USGS, 2009). The project site is bound by the Cambria and Rinconada fault to the east, the Los Osos fault to the south, and the Hosgri fault to the west.

The 45-kilometer Los Osos fault zone is comprised of a complex set of fault segments, with normal, reverse, and thrust faulting all occurring. The eastern half of the zone is sometimes referred to as the Edna fault zone, an older zone of faulting that branches off where the two faults cross Highway 101. This zone eventually terminates in a complex intersection involving the West Huasna fault zone and the Oceanic fault zone. The western half of the Los Osos fault zone may extend offshore and intersect the Hosgri fault zone.

The Los Osos fault zone is the closest active fault zone to the project site at approximately 4 miles to the south. It is characterized by uplift of marine terraces and assumed fault dip of 30–60 degrees. Although no significant earthquakes have occurred along the fault within the last 200 years, it is considered active and a seismic event could potentially take place (USGS, 2008).

The Hosgri fault zone contains 140 kilometers of interlaced and parallel fault segments that dip to the northeast. It is located almost entirely offshore with the exception of the San Simeon fault segment, which is mapped approximately 30 miles north of the site. On November 4, 1927, a magnitude 7.3 earthquake occurred, most likely along the Hosgri fault that produced a sea-quake and seismic sea wave resulting in one of the most powerful shocks in southern California during that century (USGS, 2003; Jennings, 1994). On December 22, 2003, the magnitude 6.5 San Simeon Earthquake occurred in the Santa Lucia mountains north of the City of Cambria, approximately 10 km northeast of the Hosgri-San Simeon fault system (USGS, 2009).

Surface Fault Rupture

Seismically induced ground rupture is defined as the physical displacement of surface deposits in response to an earthquake’s seismic waves. The magnitude and nature of fault rupture can vary for different faults, or even along different strands of the same fault. Ground rupture is considered more likely along active faults.

The project site is not located within an Alquist-Priolo Earthquake Fault Zone, as designated by the Alquist-Priolo Earthquake Fault Zoning Act, and no mapped active faults are known to pass through the immediate project region (CGS, 2009). Therefore, the risk of ground rupture at the project site is very low.

Liquefaction Potential

According to the City of Morro Bay 1988 General Plan Safety Element, the project site is not located within an area of moderate to high liquefaction hazard (City of Morro Bay, 1988). Liquefaction occurs when saturated, cohesion less soils lose shear strength due to earthquake shaking. Ground motion from an earthquake may induce cyclic

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reversals of shear stresses of large amplitude. Lateral and vertical movement of the soil mass combined with the loss of bearing strength usually results from this phenomenon.

Liquefaction potential of soil deposits during earthquake activity depends on soil type, void ratio, groundwater conditions, the duration of shaking and confining pressures on the potentially liquefiable soil unit. Fine, well-sorted loose sand, shallow groundwater, high intensity earthquakes and long duration of ground shaking are the principal factors leading to liquefaction. Based on the density of the soils, recent seismic activity, the very fine particle size, and the knowledge of the site geology, the potential for seismic liquefaction of soils appears to be low.

The City of Morro Bay's 1988 General Plan Safety Element indicates that the project site is not located in an area that is considered susceptible to a High landslide Risk (City of Morro Bay, 1988).

Impact Discussion:

a-i. The site is not located across the trace of an active fault, as designated by the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area, or based on other substantial evidence of a known fault. Therefore, no significant impacts would occur in association with rupture of a known earthquake fault.

a-ii – iv, c. The San Andreas Fault is located approximately 41 miles at its closest point from the City. The project site is not subject to landslides or other types of slope failure, and is not within the area for potential ground shaking according to the Safety Element of the General Plan figure S-2. Additionally, the Safety Element of the General Plan figure S-4 does not identify the site as a location of high landslide risk. Therefore the potential for strong seismic ground shaking slope failure is less than significant.

b. Any construction or demolition activity, including, but not limited to, clearing, grading, grubbing, or excavation, or any other activity that results in a land disturbance of equal to or greater than one acre shall acquire a General Permit for stormwater discharges associated with construction activities (Construction General Permit) from the Region Water Quality Control Board.

d. The geotechnical report for the project indicates that the potential for expansive soil is very low.

e. The project will be served by the municipal sewer, neither septic tanks nor alternative wastewater disposal systems are proposed.

Mitigation and Residual Impact:

6-1. The applicant shall submit a soil erosion control plan and a storm water management plan for the treatment of the runoff resulting from a two year storm event prior to the issuance of any building permit. With the incorporation of this mitigation the residual impact will be less than significant.

Monitoring: The Public Works and Building divisions shall be responsible for reviewing and approval of all permits and plans and including site inspections to ensure compliance.

7 GREENHOUSE GAS EMISSIONS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?		X		
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?		X		

Executive Order S-3-05

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In 2005, in recognition of California's vulnerability to the effects of climate change, Governor Schwarzenegger established Executive Order S-3-05, which sets forth a series of target dates by which statewide emissions of greenhouse gases (GHG) would be progressively reduced as follows.

- By 2010, reduce greenhouse gas emissions to 2005 levels;
- By 2020, reduce greenhouse gas emissions to 1990 levels; and
- By 2050, reduce greenhouse gas emissions to 80 percent below 1990 levels.

Assembly Bill 32

In 2006, California passed the California Global Warming Solutions Act of 2006 (Assembly Bill No. 32; California Health and Safety Code Division 25.5, Sections 38500, et seq., or AB 32), which requires the California Air Resource Board (CARB) to design and implement emission limits, regulations, and other measures, such that statewide GHG emissions will be reduced to 1990 levels by 2020.

In December 2007, CARB approved the 2020 emissions limit of 427 million metric tons of CO₂e equivalents (CO₂e) of greenhouse gases. The 2020 target of 427 million metric tons of CO₂e requires the reduction of 169 million metric tons of CO₂e, or approximately 30 percent, from the state's projected 2020 emissions of 596 million metric tons of CO₂e (business-as-usual).

AB 32 required development of a mandatory reporting rule for major sources of GHGs. The CARB's reporting rule (California Code of regulations Title 17, Subchapter 10, Article 2, section 95100 to 95133) became effective January 2009. The rule requires reporting of GHG emissions for: cement plants, oil refineries, fossil-fueled electric-generating facilities/providers, cogeneration facilities, and hydrogen plants and other stationary combustion sources that emit more than 25,000 metric tons/year CO₂e make up 94 percent of the point source CO₂e emissions in California.

CARB has not yet determined what amount of GHG emissions reductions it recommends from local government land use decisions; however, the *Climate Change Draft Scoping Plan* (CARB, 2008) does state that successful implementation of the plan relies on local governments' land use planning and urban growth decisions because local governments have primary authority to plan, zone, approve, and permit land development to accommodate population growth and the changing needs of their jurisdictions. CARB further acknowledge that decisions on how land is used will have large effects on the GHG emissions that will result from the transportation, housing, industry, forestry, water, agriculture, electricity, and natural gas emission sectors. The *Scoping Plan* states that the ultimate assignment to local government operations is to be determined (CARB, 2008b).

The *Climate Change Scoping Plan* also includes recommended measures that were developed to reduce GHG emissions from key sources and activities while improving public health, promoting a cleaner environment, preserving our natural resources, and ensuring that the impacts of the reductions are equitable and do not disproportionately impact low-income and minority communities.

The total reduction for the recommended measures is 174 million metric tons/year of CO₂e slightly exceeding the 169 million metric tons/year of CO₂e of reductions estimated to be needed in the *Draft Scoping Plan*. The measures in the *Scoping Plan* approved by the Board will be developed over the next two years and will be in place by 2012.

Senate Bill 97

SB 97, signed August 2007 (Chapter 185, Statutes of 2007; Public Resources Code Sections 21083.05 and 21097), acknowledges that climate is a prominent environmental issue that requires analysis under CEQA. This bill directed the Governor's Office of Planning and Research (OPR), which is part of the state Resources Agency, to prepare, develop, and transmit to CARB guidelines for the feasible mitigation of GHG emissions (or the effects of GHG emissions), as required by CEQA, by July 1, 2009. The Resources Agency was required to certify and adopt those guidelines by January 1, 2010. On December 31, 2009, the Natural Resources Agency delivered its rulemaking package to the Office of Administrative law for their review pursuant to the Administrative Procedure Act. The adopted guidelines became effective March 18, 2010.

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Governor's Office of Planning and Research (OPR)

On June 19, 2008, OPR published a technical advisory on CEQA and Climate Change. The advisory provides OPR's perspective on the emerging role of CEQA in addressing climate change and GHG emissions, while recognizing that approaches and methodologies for calculating GHG emissions and addressing environmental impacts through CEQA review are rapidly evolving. The advisory recognizes that OPR will develop, and the Resources Agency will adopt amendments to the CEQA Guidelines pursuant to SB 97. In the interim, the technical advisory "offers informal guidance regarding the steps lead agencies should take to address climate change in their CEQA documents." (OPR, 2008)

The technical advisory points out that neither CEQA nor the CEQA Guidelines prescribe thresholds of significance or particular methodologies for performing an impact analysis. "This is left to lead agency judgment and discretion, based upon factual data and guidance from regulatory agencies and other sources where available and applicable" (OPR, 2008). OPR recommends that "the global nature of climate change warrants investigation of a statewide threshold of significance for GHG emissions" (OPR, 2008). Until such a standard is established, OPR advises that each lead agency should develop its own approach to performing an analysis for projects that generate GHG emissions (OPR, 2008)

Agencies should then assess whether the emissions are "cumulatively considerable" even though a project's GHG emissions may be individually limited. OPR states: "Although climate change is ultimately a cumulative impact, not every individual project that emits GHGs must necessarily be found to contribute to a significant cumulative impact on the environment" (OPR, 2008). Individual lead agencies may undertake a project-by-project analysis, consistent with available guidance and current CEQA practice (OPR, 2008)

If the lead agency determines emissions are a cumulatively considerable contributions to a significant impact, the lead agency must investigate and implement ways to mitigate the emissions (OPR, 2008). OPR states: "Mitigation measures will vary with the type of project being contemplated, but may include alternative project designs or locations that conserve energy and water, measures that reduce vehicle miles traveled (VMT) by fossil-fueled vehicles, measures that contribute to established regional or programmatic mitigation strategies and measures that sequester carbon to offset the emissions from the project" (OPR, 2008). OPR concludes that "A lead agency is not responsible for wholly eliminating all GHG emissions from a project; the CEQA standard is to mitigate to a level that is 'less than significant'" (OPR, 2008) The technical advisory included a list of mitigation measures that can be applied on a project-by-project basis.

Greenhouse gas emissions are still at the early stages of development in San Luis Obispo County and significant thresholds have not been established for construction activities. However, the APCD requires that greenhouse gases still be quantified for construction projects for the life of the projects. The APCD's calculations for construction activities can be amortized over the life of the project. State of California's Governor's Office of Planning and Research (OPR) released a Technical Advisory entitled CEQA AND CLIMATE CHANGE. The document states "Lead agencies should make a good-faith effort based on available information, to calculate, model, or estimate the amount of CO₂ and other GHG emissions from a project, including the emissions associated with vehicular traffic, energy consumption, water usage and construction activities."

United States EPA

The United States EPA is the federal agency responsible for implementing the Clean Air Act. Prior to 2007, the EPA did not have regulations addressing Green House Gases (GHGs). The U.S. Supreme Court ruled on April 2, 2007 that Carbon Dioxide (CO₂) is an air pollutant as defined under the CAA, and that EPA has the authority to regulate emissions of GHGs. However, there are no federal regulations or policies regarding GHG emissions applicable at the time of writing. Several bills related to greenhouse gas emissions and climate change including AB 1493 (passenger vehicle GHG emission reductions), AB 32 (the California Global Warming Solutions Act of 2006), SB 1368 (utility GHG emission reductions), SB 97 (requiring climate change analysis under CEQA), the California Climate Action Registry, SB 1078 (electricity from renewable sources), SB 375 (land use and transportation planning), Executive Order S-3-05 (acknowledges potential impacts of climate change on state), and Executive Order S-13-08 (the Climate Adaptation and Sea Level Rise Planning Directive) have been passed.

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Impact Discussion:

According to *CEQA Guidelines* Appendix G, the project would have a significant effect on greenhouse gases if it would:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- Result in a cumulatively considerable net increase of any nonattainment pollutant (including releasing emissions that exceed qualitative thresholds for ozone precursors);
- Expose sensitive receptors to substantial pollutant concentrations;
- Create objectionable odors affecting a substantial number of people;
- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

The CEQA Guideline thresholds address the same impact as seen in the Air Quality section of this initial study (see discussion in *Air Quality* section).

a.-b.) Site work and construction activities will result in the emission of a relatively minor amount of greenhouse gases potentially contributing to global climate change, predominantly related to fuel usage by construction equipment. Mitigation measures recommended in Section 3: Air Quality, stipulate the maintenance and operation of construction equipment that would result in minimized emission of greenhouse gasses. Ongoing activities at the site would be limited to residential uses, which would not typically impact global climate conditions. Because the site is in close proximity to exiting urban services, vehicle emissions from typical residential trips would be relatively minor. For this analysis, the project would be considered to not have a significant impact on the cumulative impact of GHG, when analyzing the project against the CEQA Guideline thresholds.

Mitigation and Residual Impact:

7-1 Compliance with Municipal Code standards and mitigation measures included in Section 3: Air Quality, pertaining to vehicle maintenance and operations, will reduce any potential impacts to a level of insignificance.

Monitoring: All required mitigation measures for air quality and greenhouse gas mitigation shall be included as notes on project-related plans, to the satisfaction of the Public Services Department. Public Services staff shall verify compliance during routine site inspections.

8 HAZARDS/HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?			X	

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e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
f.	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	

Environmental Setting:

This section assesses potential hazardous materials that may arise as a result of the proposed project. A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or if it has characteristics defined as hazardous by such an agency. Chemical and physical properties cause a substance to be considered hazardous, including the properties of toxicity, ignitability, corrosively and reactivity. These properties are defined in California Code of Regulations, Title 22, Sections 66261.20 to 66261.24. Common materials that are considered hazardous include fuels, motor oil, grease, various lubricants, solvents, soldering equipment and glues. A “hazardous waste” is any hazardous material that is discarded, abandoned, or recycled. The criteria that render a material hazardous also make a waste hazardous (California Health and Safety Code, Section 25117).

The residents of Morro Bay are subject to a variety of natural and human-caused hazards. Natural hazards are processes such as earthquakes, landslides, and flooding, and have been occurring for thousands, even millions of years. These natural processes have played an essential role in shaping the topography and landscape of Morro Bay, and become “hazards” when they disrupt or otherwise affect the lives and property of people. Human caused hazards often occur as a result of modern activities and technologies. These potential hazards can include the use of hazardous materials and buildings that may be unsafe during a strong earthquake.

Impact Discussion:

a-c. The project will not result in the creation of any potential public health or safety hazard, or include any activities which could result in contamination of a public water supply. No hazardous materials or other such hazardous conditions exist on-site nor are any proposed.

d. The project site is not listed as a hazardous materials site pursuant to Government Code Section 65962.5.

e. The project is located on a privately held parcel, with access taken from a developed right-of-way. This development will not impair implementation of or physically interfere with any adopted emergency response plan or emergency evacuation plan

f. The site is located within an urbanized area of the city and not immediately adjacent to any area designated wildland.

Mitigation and Residual Impact: None

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9. HYDROLOGY/WATER QUALITY Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?			X	
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c. Substantially alter the existing drainage pattern on the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site?		X		
d. Substantially alter the existing drainage pattern on the site or area, including through the alteration of the course of a stream or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?		X		
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?		X		
f. Otherwise substantially degrade water quality?		X		
g. Place housing within a 100-year flood hazard area as mapped on a federal flood hazard boundary or flood insurance rate map or other flood hazard delineation map?				X
h. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
i. Inundation by seiche, tsunami, or mudflow?				X

Environmental Setting: The site is located in the southwestern portion of the Morro Hydrologic Subarea (Morro Basin) of San Luis Obispo County. The Morro Basin is an 810-acre area, extending from the coastline to the convergence of the Morro and Little Morro Valleys. Morro Creek, an ephemeral stream with headwaters in the Santa Lucia Range, is the primary stream draining Morro Basin. Basin recharge is infiltration of precipitation and from tributary watersheds upstream on the Morro and Little Morro Creeks.

The project will use City water which has been principally supplied by the State Water Project since 1997. However, alternative sources of water can be derived for limited periods of time from groundwater from the Morro and Chorro Basins and/or the City of Morro Bay desalination plant. The City Council designates the amount of water equivalent units which may be issued on an annual basis. These water equivalent units are issued on a first come first serve basis upon issuance of a building permit, however since the project consists of a demolition of units and rebuilding a minimal increase in water usage will occur with the addition of a secondary unit on site.

The project site is not located within the 100 year floodplains defined by Figure S-1 in the City of Morro Bay's Safety Element of the General Plan.

Impact Discussion:

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- a. The project as proposed would not violate any water quality standards or waste discharge requirements with the implementation of standard storm runoff conditions.
- b. The proposed residential uses would be served with public utilities and would not involve extraction from local groundwater basins or changes in quantity or quality of water in local groundwater basins. The project would not deplete groundwater supplies or interfere substantially with groundwater recharge. The project consist of the demolition of existing units with the rebuilding of these units and the addition of one secondary unit resulting in only a minor increase in water usage.
- c.-f. The project shall meet the Morro Bay Municipal Code section 14.48, which purpose is to prevents water quality degradation and prevent erosion and sedimentation of creeks, streams, bay and other water bodies. The site shall be required to control runoff rates and volumes and to prevent negative impact caused by quantity of runoff and the quality of runoff.
- g.-h. The National Flood Insurance Rate Map for the City of Morro Bay (Panel No. 060307 0005 C, November 1, 1985), prepared by the Federal Emergency Management Agency (FEMA), identifies the Applicant’s project as not being within a 100-year Flood Zone (A-15). There are no levees or dams located in Morro Bay or in close proximity that failure of these structures would affect the project site.
- i. California Emergency Management Agency’s California Geological Survey map dated 2009 indicates that this site is outside the run up areas created by a tsunami.

Mitigation and Residual Impact:

9.1 A storm water drainage plan demonstrating the control runoff rates and volumes to prevent negative impacts caused by quantity and quality of the runoff prior to the issuance of any building permit. With the incorporation of this mitigation the residual impact will be less than significant.

Monitoring: Public Services will review and approve the plan prior issuance of a building permit and perform inspections during construction to ensure that construction activities are in conformance with the approved plan.

10 LAND USE AND PLANNING	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?			X	
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?			X	

Environmental Setting: There is no proposal to create new circulation routes or to obstruct existing circulation routes, as such there would not be any circulation changes that would result in a division of the community. The project as proposed will not conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The City of Morro Bay does not have an adopted Habitat Conservation Plan.

Impact Discussion:

- a. The project site is a vacant site already served by developed streets and infrastructure and there is no proposal to block or divide these streets so as to divide the community.

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b. The project is proposed on an urban site and will be required to comply with all current Municipal Code requirements, the potential for conflicts with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect will be less than significant.

c. The proposed project would not conflict with any known habitat conservation plan or natural community conservation plan.

Mitigation and Residual Impact: None

11. MINERAL RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Environmental Setting: The California Geological Survey (CGS) classifies the regional significance of mineral resources in accordance with the California Surface Mining and Reclamation Act of 1975. Mineral Resource Zones (MRZ) have been designated to indicate the significance of mineral deposits. The MRZ categories are as follows:
MRZ-1: Areas where adequate information indicates that no significant mineral deposits are present or where it is judged that little likelihood exists for their presence.
MRZ-2: Areas where adequate information indicates significant mineral deposits are present, or where it is judged that a high likelihood exists for their presence.
MRZ-3: Areas containing mineral deposits the significance of which cannot be evaluated from available data.
MRZ-4: Areas where available information is inadequate for assignment to any other MRZ.

Impact Discussion:

a, b. There are no known significant mineral depositions within the City of Morro Bay (General Plan 1988).

Mitigation and Residual Impact: None.

12 NOISE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Expose people to, or generate, noise levels exceeding established standards in the local general plan, coastal plan, noise ordinance or other applicable standards of other agencies?		X		
b. Expose persons to or generate excessive ground borne vibration or ground borne noise levels?			X	
c. Cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d. Cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		X		

Environmental Setting:

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The City of Morro Bay is considered a relatively quiet environment, the most significant sources of noise being from traffic or transportation. The City's General Plan Noise Element threshold for traffic noise exposure is 60dB for most land uses. The City's Zoning Ordinance also contains noise limitations and specifies operational hours, review criteria, noise mitigation, and requirements for noise analyses. Sensitive receptors within the vicinity of the project include residential uses to the east.

The noise element of the General Plan for each local jurisdiction contains minimum standards for various land uses (e.g. commercial, single-family residential, multi-family residential). The City of Morro Bay's Zoning Ordinance contains noise requirements with general noise limitations in Chapter 17.52, Performance Standards. The noise ordinance also covers operational hours, criteria for review of development projects, noise mitigation, and requirements for noise reduction measures and acoustical analyses.

The City of Morro Bay reviews new public and private development proposals to determine conformance with Noise Element policies. When projected future noise levels are expected to exceed land use conformance standards, the City may require an acoustical analysis early in the review process so that noise mitigation may be included in the project design. The size of development, noise source(s), noise exposure, and topography are criteria used for conditions of approval by the City with regard to acoustical analyses. Where existing noise levels significantly impact existing noise-sensitive land uses or where there would be a cumulative increase in noise levels resulting from new development, noise reduction measures would be required.

Noise-sensitive land uses are generally defined as locations where people reside or where the presence of unwanted sound could adversely affect the use of the land. Noise-sensitive land uses include residences, hospitals and nursing homes, schools, churches, libraries, office buildings, and hotels/motels, as well as other uses deemed noise-sensitive by the local jurisdiction. Noise-sensitive land uses within the City of Morro Bay include individual residences, transient lodging, schools, museums, libraries and playgrounds and parks.

Impact Discussion:

a.-d.) The City's noise contour maps indicated that the project site is in an area which is between 45 to 50 Dba. As a sensitive land use (residential) the project must comply with the maximum noise exposure levels as stated in Table N-4 of the City's General Plan. In this case the project must demonstrate that interior noise levels are at or below 45 Ldn/CNEL, dB and the Outdoor Activity area is at 60 Ldn/CNEL. There is a provision which provides that where it is not possible to reduce noise in outdoor activity areas to 60 Ldn/CNEL or less using a practical application of the best available noise reduction measures, an exterior noise level of up to 65 Ldn/CNEL may be allowed provided that available exterior noise level reduction measures have been implemented and interior noise levels are in compliance with table N-4.

The project will not add noise levels that are inconsistent with the surrounding uses or in conflict with standards in the General Plan, Local Coastal Plan or Zoning Ordinance. However, construction noise represents a short-term impacts related to the use of construction equipment. The peak noise level for most of the equipment that will be used during construction is estimated to reach 80 to 95 dBA at a distance of 50 feet (without mitigation). At 250 feet, the peak construction noise (without mitigations) is estimated to reach approximately 67 to 82 dBA (without mitigation). These noise levels are based upon "worst case" conditions. These potential noise levels are dependent on the location of the equipment on the site as well as the actual number and type of equipment used during construction. Mitigation measures are required to limit hours of construction and the reduce the noise levels of equipment during construction.

Following construction-related activities, the ambient noise levels at the project site are anticipated to return to near pre-project levels. The additional unit on site may cause a slight increase in ambient noise levels at the site, but it is not anticipated that these activities will be enough to increase ambient levels above their current range.

Activity and equipment associated with site work and construction activities will temporarily increase ambient noise levels. The Municipal Code restricts construction hours to 7:00 am - 7:00 pm Monday thru Friday, and 8:00 am - 7:00 pm Saturday and Sunday. This standard was established to reduce impacts to adjacent residential uses related to noise.

Mitigation and Residual Impact:

12-1. Project construction shall be limited to the hours of 7 a.m. to 7 p.m. on Monday through Friday and all large construction equipment will be equipped with “critical” grade noise mufflers. Engines will be tuned to insure lowest possible noise levels. Back up “beepers” will also be tuned to insure lowest possible noise levels. All necessary measures to muffle, shield or enclose construction equipment shall be implemented in order to insure that noise levels at the property line of the nearest parcels do not exceed 70 dBA. Construction timing shall be noted on the grading and construction plans.

12-2. Power generating and other noise generating machinery used for construction shall be partially or completely surrounded by temporary acoustical shelters if within 300 feet of a sensitive receptor.

With the implementation of these mitigation measures potential impacts to air quality resulting from the project would be reduced to less than significant levels.

Monitoring: The Public Services Department will review the above required mitigation and ensure the project complies.

13 POPULATION AND HOUSING	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c. Induce substantial growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (e.g. through extension of roads or other infrastructure)?				X

Environmental Setting:

The project is proposed on a site within an urbanized area, there will be one home removed but two built in its place. Therefore there will be no permanent displacement of people associated with this project. The increase of 1 housing units has been anticipated with the City’s General Plan and Zoning Ordinance and therefore is not considered the introduction of substantial growth into the area.

Impact Discussion:

a, b, & c. The site is currently developed and the project would remove one unit however the unit would be replaced and another unit built resulting in no displacement of residences and only a very minor increase in housing units. The number of unit proposed is consistent with the approved density provided for under the General Plan. There is no extension of utilities which would then result in other non-urbanized areas being developed.

Mitigation and Residual Impact:

None.

14 PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in a substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:				
a. Fire protection?			X	

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b. Police protection?			X	
c. Schools?			X	
d. Parks or other recreational facilities?		X		
e. Other governmental services?			X	

Environmental Setting:

The project site lies within the sphere of influence of the City of Morro Bay; therefore the City of Morro Bay provides the majority of the public services: The Morro Bay Fire Department (MBFD) provides fire response and prevention services as well as responding to chemical spills, injuries, and vehicle accidents for the City of Morro Bay. Police protection services are provided by the Morro Bay Police Department (MBPD). The San Luis Coastal Unified School District operates an elementary school and a high school within the City.

Impact Discussion:

- a. The proposed project is not expected to require additional fire protection services beyond that necessitated by similar developments, nor is it anticipated that the MBFD would be substantially affected servicing the site.
- b. Police protection services for the site during construction and occupation would be provided by the Morro Bay Police Department. Vandalism, theft of materials and equipment and burglary would be of potential concern. However, the proposed project is not expected to require additional police protection services beyond that necessitated by similar developments, nor is it anticipated that the MBPD would be substantially affected servicing the site.
- c. School services for residents of the site would be provided by the San Luis Coastal Unified School District. The increase in the number of school-age children that would be anticipated to live within the proposed project area would be minor and could easily be accommodated at existing school facilities.
- d. The increase of one unit of the project site could contribute minimally to an increase in the use of existing nearby parks and open space areas. The project will be required to pay a park-in-lieu fee to offset any impact the project has on existing parks and recreation facilities.
- e. Residents of the proposed project would contribute minimally to the service demands of other governmental services.

Mitigation and Residual Impact:

14-1. The applicant shall pay all park in-lieu fees prior to recordation of the final map. The park-in-lieu fees shall be calculated as established by ordinance. With the incorporation of this mitigation the residual impact will be less than significant.

Monitoring: Prior to recording of tract map Recreation and Parks and Public Services departments shall ensure fees have been paid.

15 RECREATION	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?		X		
b. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?				X

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Environmental Setting: There are numerous recreational areas within the Morro Bay City limits and nearby vicinity. Available amenities include both passive and active facilities, such as over 10 miles of ocean and bay front shoreline, much of which is publicly-owned with lateral access, boat launches, piers, the Black Mountain Golf Course, Morro Bay State Park, Chorro Willows Camp Ground, the Morro Bay Community Center and the Veterans Memorial Building.

Impact Discussion:

- a. Residents of the proposed project will make a small contribution to the use of existing recreational facilities. Ample facilities exist in the vicinity which would be available to accept the additional activity without negligible effect. The project will be required to pay a park in-lieu fee in accordance with the Subdivision Ordinance to offset the minor increase in use of all recreational facilities.
- b. The proposed project does not include the development of any recreational facilities although there will be a private common area.

Mitigation and Residual Impact:

15-1. The applicant shall pay all park in-lieu fees prior to recordation of the final map. The park-in-lieu fees shall be calculated as established by ordinance. With the incorporation of this mitigation the residual impact will be less than significant.

Monitoring: Prior to recording of tract map Recreation and Parks and Public Services departments shall ensure fees have been paid.

16 TRANSPORTATION/TRAFFIC Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
b. Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the city congestion management agency for designated roads or highways?			X	
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d. Substantially increase hazards due to a design feature (e.g. limited sight visibility, sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X
e. Result in inadequate emergency access?			X	
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X	

Environmental Setting: The City of Morro Bay is primarily a residential community with a commercial core that extends from the Embarcadero up Morro Bay Boulevard. The community is bisected by Highway 1, a major

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regional roadway and Highway 41. The majority of traffic in Morro Bay is handled by a few arterials while most streets have relatively light traffic. Through traffic is concentrated primarily on Highway 1 and Atascadero Road Highway 41 as well as on Morro Bay Boulevard and Main Street. Local traffic utilizes Quintana Road for access to shopping area as well as the streets mentioned above. The Embarcadero and Beach Street provide major access for visitors and local residents to the tourist commercial and marine uses along the harbor. South Bay Boulevard and State Park Road provide access to and from the Los Osos Area. Traffic volumes on the streets are irregular due to the high volume of traffic during tourist seasons, however local traffic remains consistent throughout the rest of the year.

Impact Discussion: This project does not add sufficient amounts of traffic to exceed any level of service standard. The project site is not located within area in close proximity to an airport and will not have the potential to impact air traffic patterns. The project site has the public street infrastructure in place and the design of the project does not impede the existing circulation patterns and will not create traffic hazards. The parking provided by the applicant meets the minimum requirements provided a parking exception is granted. The project does not conflict with adopted policies, plans or programs as they relate to public transit, bicycle or pedestrian facilities.

Mitigation and Residual Impact: None

Monitoring: N/A

17 UTILITIES & SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		X		
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?		X		
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g. Comply with federal, state, and local statutes and regulations related to solid waste?			X	

Environmental Setting:

The project will utilize the City's water and wastewater services. Since the site was previously developed with residential uses and only one new secondary unit is proposed, the project will not result in any substantial new demand for wastewater capacity. The new secondary unit can be served with wastewater capacity as the current

plant is sized to handle the full build out of the General Plan area. The City of Morro Bay's solid waste is taken to the Cold Canyon Landfill. This landfill has been expanded to handle an increase in the amount of solid waste. The City also has an ongoing recycle program which helps to offset any increase in solid waste occurring through an increase in housing units. Waste and recycling generated during construction and by the residential uses would be collected by Morro Bay Garbage.

Impact Discussion:

- a. A minimal increase in the amount of water used and wastewater generated at the site would result from the proposed new secondary residential unit. Adequate capacity in the plant exists for the new wastewater generated by the project and there is sufficient water equivalent units available (water allocations) for the new water use.,
- b. The project is proposed within a fully development urban neighborhood and will not result in the construction of new water or wastewater treatment facilities.
- c. The project will be required to meet the Morro Bay Municipal Code Section 14.48 (Storm Water Control). The purpose of this section is to prevent water quality degradation and prevent erosion and sedimentation of creeks, streams, bay and other water bodies. The site will be required to control runoff rates and volumes and to prevent negative impacts caused by quantity of runoff and the quality of runoff. A part of the project's compliance with this section the project will be required to construct new onsite storm water drainage facilities. These facilities will be onsite within an urbanized area which will not have the potential to cause significant environmental effects.
- d. The proposed new residential unit (secondary unit) would result in only a minor increase in water demand. This minor increase in demand for water can be served by the City of Morro Bay.
- e. There is capacity at the plant to handle the additional wastewater produced by the proposed project.
- f.,g. The majority of waste generated in Morro Bay is transferred to Cold Canyon Landfill, with a minor portion going to Chicago Grade. The amount of solid waste generated by construction activities and the proposed residences would be minimal and could be accommodated at these facilities without significant impact. Pursuant to State and local policies, 50% or more of construction materials (by weight) must be diverted from the landfill, by recycling or reuse.

Mitigation and Residual Impact:

No mitigation.

Monitoring

N/A

IV. INFORMATION SOURCES:

A. City / County / Federal Departments Consulted :

City of Morro Bay Public Services Department (Public Works, Building and Planning Divisions), and the Fire Department

B. General Plan

X	Land Use Element	X	Conservation Element
X	Circulation Element	X	Noise Element
X	Seismic Safety/Safety Element	X	Local Coastal Plan and Maps
X	Zoning Ordinance		

INITIAL STUDY AND CHECKLIST --
CASE NO. UPO-285/SOO-103/CPO-325
DATE: March 1, 2011

C. Other Sources of Information

<input checked="" type="checkbox"/>	Field Work / Site Visit	<input checked="" type="checkbox"/>	Flood Control Maps
	Calculations	<input checked="" type="checkbox"/>	Zoning Maps
<input checked="" type="checkbox"/>	Project Plans / Description	<input checked="" type="checkbox"/>	Archeological Maps
	Traffic Study	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	Grading Plans	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	Elevations /Architectural Renderings	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	Published Geological Maps	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	Topographic Maps	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	AG Preserve Maps	<input checked="" type="checkbox"/>	

V. MANDATORY FINDINGS OF SIGNIFICANCE

A project may have a significant effect on the environment and thereby require a focused or full environmental impact report to be prepared for the project where any of the following conditions occur (CEQA Sec. 15065):

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Potential to degrade:</i> Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
<i>Cumulative:</i> Does the project have impacts that are individually limited but cumulatively considerable? (Cumulatively considerable means that incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
<i>Substantial adverse:</i> Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Impact Discussion: Several potentially significant impacts associated with the project design and construction activities have been identified, where local resources, health or safety could be degraded if specific practices are not employed in the project activities. The recommended mitigation measures address protection of aesthetic, air quality, cultural resources, geology/soils, greenhouse gas emission, hydrology and water quality, noise, public services, recreation, transportation and traffic, utility/service systems, and will reduce any potentially significant impacts to a less than significant level when implemented. Because the impacts have been reduced to less than significant with incorporation of mitigations, no significant cumulative impacts are anticipated. The applicant has agreed to incorporate the mitigation measures and monitoring plan presented herein into the project description.

VI. DETERMINATION

On the basis of this initial evaluation:

The Public Services Director has found that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

The Public Services Director has found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

The Public Services Director has found that the proposed project **MAY** have limited and specific

INITIAL STUDY AND CHECKLIST –
CASE NO. UPO-285/SOO-103/CPO-325
DATE: March 1, 2011

significant effect on the environment, and a **FOCUSED ENVIRONMENTAL IMPACT REPORT** is required.

The Public Services Director has found that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

With Public Hearing Without Public Hearing
N/A

Previous Document : _____

Project Evaluator : Kathleen Wold, Planning Manager

Signature

March 1, 2011
Initial Study Date

Kathleen Wold
Printed Name

On behalf of Rob Livick, Public Services Director

City of Morro Bay
Lead Agency

VII Attachments

Attachment A – Summary of Mitigation Measures

VII. ATTACHMENTS

Attachment "A" SUMMARY OF REQUIRED MITIGATION MEASURES

1. AESTHETICS

Mitigation and Residual Impact:

1-1. Mitigations Aesthetics c-d. The project shall comply with all code requirements relating to lighting and glare. A photometric plan shall be submitted at the time of building plan submittal to demonstrate that the project's light meets all code requirements and project conditions. With the incorporation of this mitigation the residual impact will be less than significant.

Monitoring. The Public Services Planning Divisions shall be responsible for review and approval of these details prior to issuance of permits for any site or construction work, as applicable and that the resulting lighting and building constructed on site as shown on the approved building plans prior to the granting a final approval.

Acceptance of Mitigation Measures by Project Applicant:

3. AIR QUALITY

Mitigation and Residual Impact:

3-2. The project construction has the potential to exceed APCD thresholds for the emission of ROG, NOx, Diesel Particulate Matter, and Fugitive Particulate Matter (PM10). The following are the standard mitigation measures required to be in compliance with the San Luis Obispo APCD Clean Air Plan:

- q. Maintain all construction equipment in proper tune according to manufacturer's specifications.
- r. Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- s. Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation.
- t. Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation.
- u. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance.
- v. All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit.
- w. Diesel idling within 1,000 feet of sensitive receptors is not permitted.
- x. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors.
- y. Electrify equipment when feasible.
- z. Substitute gasoline-powered in place of diesel-powered equipment, where feasible.
- aa. Use alternatively fueled construction equipment on-site where feasible.
- bb. Reduce the amount of disturbed area where possible.
- cc. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency is required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used if available.
- dd. All dirt stock-pile areas shall be sprayed daily as needed.
- ee. All access ways to be paved shall be completed in the initial project phases, and building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

- ff. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.

With the implementation of these mitigation measures potential impacts to air quality resulting from the project would be reduced to less than significant levels.

Monitoring: All required mitigation measures shall be included as notes on project-related plans, to the satisfaction of the Public Services Department. Public Services staff shall verify compliance during routine site inspections.

5. CULTURAL RESOURCES

Mitigation and Residual Impact:

- 5-1. If archeological resources are discovered during construction all activities shall cease, resuming only once the Public Service Director makes findings established in Section 17.48.310 of the Municipal Code.

With the implementation of this mitigation measure potential impacts to cultural resources would be reduced to less than significant levels.

Monitoring: No monitoring required unless resources are discovered. If resources are discovered the City will ensure that the project is in compliance with Section 17.48.310 and all State requirements.

6. GEOLOGY/SOILS

Mitigation and Residual Impact:

- 6-1. The applicant shall submit a soil erosion control plan and a storm water management plan for the treatment of the runoff resulting from a two year storm event prior to the issuance of any building permit. With the incorporation of this mitigation the residual impact will be less than significant.

Monitoring: The Public Works and Building divisions shall be responsible for reviewing and approval of all permits and plans and including site inspections to ensure compliance.

7. GREENHOUSE GAS EMISSIONS

Mitigation and Residual Impact:

- 7-1 Compliance with Municipal Code standards and mitigation measures included in Section 3: Air Quality, pertaining to vehicle maintenance and operations, will reduce any potential impacts to a level of insignificance.

Monitoring: All required mitigation measures for air quality and greenhouse gas mitigation shall be included as notes on project-related plans, to the satisfaction of the Public Services Department. Public Services staff shall verify compliance during routine site inspections.

9. HYDROLOGY/WATER QUALITY

Mitigation and Residual Impact:

- 9.1 A storm water drainage plan demonstrating the control runoff rates and volumes to prevent negative impacts caused by quantity and quality of the runoff prior to the issuance of any building permit. With the incorporation of this mitigation the residual impact will be less than significant.

INITIAL STUDY AND CHECKLIST –
CASE NO. UPO-285/SOO-103/CPO-325
DATE: March 1, 2011

Monitoring: Public Services will review and approve the plan prior issuance of a building permit and perform inspections during construction to ensure that construction activities are in conformance with the approved plan.

12. NOISE

Mitigation and Residual Impact:

12-1. Project construction shall be limited to the hours of 7 a.m. to 7 p.m. on Monday through Friday and all large construction equipment will be equipped with "critical" grade noise mufflers. Engines will be tuned to insure lowest possible noise levels. Back up "beepers" will also be tuned to insure lowest possible noise levels. All necessary measures to muffle, shield or enclose construction equipment shall be implemented in order to insure that noise levels at the property line of the nearest parcels do not exceed 70 dBA. Construction timing shall be noted on the grading and construction plans.

12-2. Power generating and other noise generating machinery used for construction shall be partially or completely surrounded by temporary acoustical shelters if within 300 feet of a sensitive receptor.

With the implementation of these mitigation measures potential impacts to air quality resulting from the project would be reduced to less than significant levels.

Monitoring: The Public Services Department will review the above required mitigation and ensure the project complies.

14. PUBLIC SERVICES

Mitigation and Residual Impact:

14-1. The applicant shall pay all park in-lieu fees prior to recordation of the final map. The park-in-lieu fees shall be calculated as established by ordinance. With the incorporation of this mitigation the residual impact will be less than significant.

Monitoring: Prior to recording of tract map Recreation and Parks and Public Services departments shall ensure fees have been paid.

15. RECREATION

Mitigation and Residual Impact:

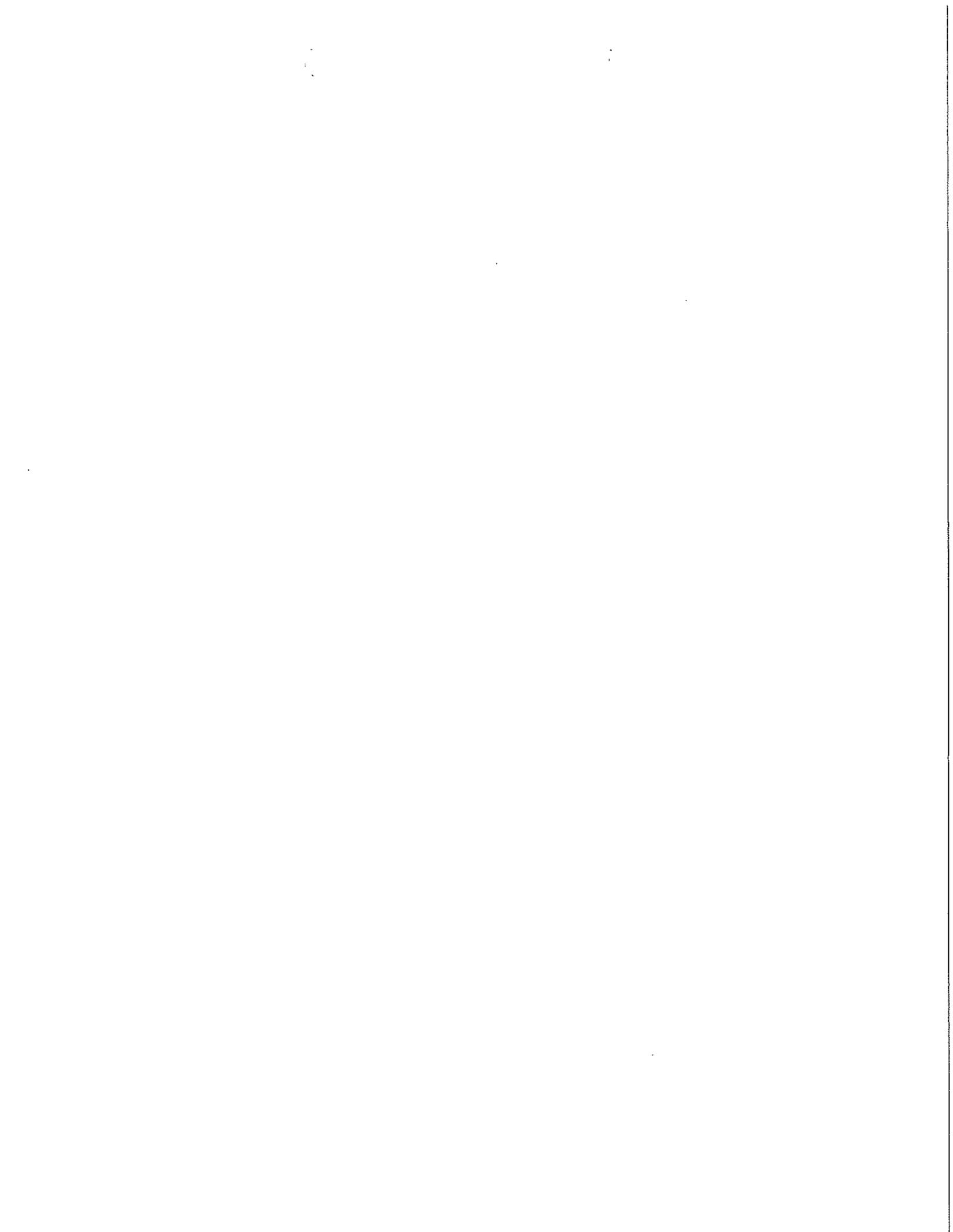
15-1. The applicant shall pay all park in-lieu fees prior to recordation of the final map. The park-in-lieu fees shall be calculated as established by ordinance. With the incorporation of this mitigation the residual impact will be less than significant.

Monitoring: Prior to recording of tract map Recreation and Parks and Public Services departments shall ensure fees have been paid.

Acceptance of Mitigation Measures by Project Applicant:

Karen E Rya
Applicant

3/1/2011
Date



NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
 SACRAMENTO, CA 95814
 (916) 653-4082
 (916) 657-5390 - Fax



March 23, 2011

RECEIVED

MAR 28 2011

City of Morro Bay
 Public Services Department

Kathleen Wold
 City of Morro Bay
 955 Shasta Avenue
 Morro Bay, CA 93442

RE: SCH# 2011031019 Roza Project; San Luis Obispo County.

Dear Ms. Wold:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Completion (NOC) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. USGS 7.5 minute quadrangle name, township, range and section required.
 - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. Native American Contacts List attached.
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

Katy Sanchez

Katy Sanchez
 Program Analyst
 (916) 653-4040

cc: State Clearinghouse

Native American Contact List
San Luis Obispo County
March 23, 2011

Beverly Salazar Folkes
1931 Shadybrook Drive
Thousand Oaks, CA 91362
folkes@msn.com
805 492-7255
(805) 558-1154 - cell
folkes9@msn.com

Chumash
Tataviam
Ferrnandeño

Judith Bomar Grindstaff
63161 Argyle Road
King City , CA 93930
(831) 385-3759-home
Salinan

Santa Ynez Band of Mission Indians
Vincent Armenta, Chairperson
P.O. Box 517
Santa Ynez , CA 93460
varmenta@santaynezchumash.
(805) 688-7997
(805) 686-9578 Fax
Chumash

San Luis Obispo County Chumash Council
Chief Mark Steven Vigil
1030 Ritchie Road
Grover Beach CA 93433
cheifmvigil@fix.net
(805) 481-2461
(805) 474-4729 - Fax
Chumash

Barbareno/Ventureno Band of Mission Indians
Julie Lynn Tumamait
365 North Poli Ave
Ojai , CA 93023
jtumamait@sbcglobal.net
(805) 646-6214
Chumash

Peggy Odom
1339 24th Street
Oceano , 93445
(805) 489-5390
Chumash

Lei Lynn Odom
1339 24th Street
Oceano , CA 93445
(805) 489-5390
Chumash

Salinan Tribe of Monterey, San Luis Obispo Counties
John W. Burch, Traditional Chairperson
7070 Morro Rd, #A
Atascadero , CA 93422
salinantribe@aol.com
805-460-9202
805 235-2730 Cell
805-460-9204
Salinan

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2011031019 Roza Project; San Luis Obispo County.

Native American Contact List

San Luis Obispo County

March 23, 2011

Santa Ynez Tribal Elders Council
Adelina Alva-Padilla, Chair Woman
P.O. Box 365 Chumash
Santa Ynez , CA 93460
elders@santaynezchumash.org
(805) 688-8446
(805) 693-1768 FAX

Randy Guzman - Folkes
655 Los Angeles Avenue, Unit E Chumash
Moorpark , CA 93021 Fernandefio
ndnRandy@yahoo.com Tataviam
(805) 905-1675 - cell Shoshone Paiute
Yaqui

Xolon Salinan Tribe
Donna Haro
110 Jefferson Street Salinan
Bay Point , CA 94565

Salinan Nation Cultural Preservation Association
Doug Alger, Cultural Resources Coordinator
PO Box 56 Salinan
Lockwood , CA 93932
fabbq2000@earthlink.net
(831) 262-9829 - cell
(831) 385-3450

Salinan Nation Cultural Preservation Association
Robert Duckworth, Environmental Coordinator
Drawer 2447 Salinan
Greenfield , CA 93927
dirobduck@thegrid.net
831-578-1852

Salinan Nation Cultural Preservation Association
Jose Freeman, President
15200 County Road, 96B Salinan
Woodland , CA 95695
josefree@ccio1.com
(530) 662-5316

Coastal Band of the Chumash Nation
Vennise Miller, Chairperson
P.O. Box 4464 Chumash
Santa Barbara CA 93140
805-964-3447

Mona Olivas Tucker
660 Camino Del Rey Chumash
Arroyo Grande CA 93420
(805) 489-1052 Home
(805) 748-2121 Cell

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed
SCH# 2011031019 Roza Project; San Luis Obispo County.

Native American Contact List

San Luis Obispo County

March 23, 2011

Matthew Darian Goldman
495 Mentone
Grover Beach CA 93433
805-748-6913

Chumash

Northern Chumash Tribal Council
Fred Collins, Spokesperson
67 South Street
San Luis Obispo CA 93401
fcollins@northernchumash.
(805) 801-0347 (Cell)

Chumash

Santa Ynez Band of Mission Indians
Tribal Administrator

P.O. Box 517
Santa Ynez , CA 93460
info@santaynezchumash.
(805) 688-7997
(805) 686-9578 Fax

Chumash

Frank Arredondo
PO Box 161
Santa Barbara Ca 93102
ksen_sku_mu@yahoo.com
805-617-6884
ksen_sku_mu@yahoo.com

Chumash

Salinan Nation Cultural Preservation Association
Gregg Castro, Administrator

5225 Roeder Road
San Jose , CA 95111
glcastro@pacbell.net
(408) 864-4115

Salinan

Salinan-Chumash Nation
Xielolixii

3901 Q Street, Suite 31B
Bakersfield , CA 93301

Salinan
Chumash

408-966-8807 - cell

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2011031019 Roza Project; San Luis Obispo County.

660 Camino Del Rey
Arroyo Grande, Ca 93420
Olivas.mona@gmail.com

RECEIVED

MAR 28 2011

City of Morro Bay
Public Services Department

March 24, 2011

Ms. Kathleen Wold
Planning Manager
City of Morro Bay
955 Shasta Ave.
Morro Bay, CA 93422

Dear Ms. Wold:

yak tityu tityu yak tilhini Northern Chumash, is comprised of indigenous people and families whose ancestries have been documented by recognized authorities to the area commonly known as San Luis Obispo County. Our families' histories in SLO County date back several thousand years.

We are writing this letter to ask our inclusion in matters you may encounter which pertain to the Northern Chumash. We request especially that you add our tribe to your list of entities to be notified and consulted pertaining to the cultural resources of the Northern Chumash.

Respectfully submitted,



Mona Olivas Tucker
Tribal Chair, *yak tityu tityu yak tilhini* Northern Chumash
Cell: 805.748.2121

ENVIRONMENTAL INFORMATION FORM

Date filed: _____

GENERAL INFORMATION:

1. Name and address of developer or project sponsor: Walter & Karen Roza

2. Address of project: 595 Driftwood

3. APN: 066-143-008

4. Name, address, and phone # of contact person: Cathy Novak
PO Box 296, Moro Bay 93443, 772-9499

5. Application number: _____

6. List and describe any other related permits and other public approvals required for this project including those required by the City, Regional, State, and Federal agencies:

None

7. Proposed use of site: Residential

PROJECT DESCRIPTION:

8. Site size: 8,708 sq. ft.

9. Square footage: New: 2,816 sq. ft. SFR and 640 sq. ft. secondary unit

10. Number of floors of construction: two for new construction

11. Amount of off-street parking provided: New: 2 car garage and single car garage

12. Proposed scheduling: Construction to start after permitting

13. Associated projects (if any): None

14. Anticipated incremental development (if any): None

15. If residential, include the number of units: one existing to remain, new - one SFR & one secondary unit

16. If commercial, indicate the type and whether neighborhood, city or regional oriented, square footage of sales area, and loading facilities:

17. If industrial, indicate the type, estimated employment per shift, and loading facilities:

18. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits derived from the project:

19. If the project involves a variance, conditional use permit, or zoning application state this and explain why:

Conditional Use Permit required for compact in-fill development

ARE THE FOLLOWING ITEMS APPLICABLE TO THE PROJECT OR ITS EFFECTS? PLEASE PROVIDE AN EXPLANATION FOR ANY ITEMS CHECKED "YES" (ATTACH ADDITIONAL SHEETS AS NECESSARY):

	YES	NO
20. Change in existing features of any bays, tidelands, beaches, hills, or substantial alteration of ground contours?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
21. Change in scenic views, vistas from existing residential areas, public lands, or roads?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
22. Change in pattern, scale, or character of project's general area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
23. Significant amounts of solid waste or litter?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
24. Change in dust, ash, smoke, fumes, or odors in the vicinity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
25. Change in ocean, bay, lake, stream, ground water quality or quantity, or alteration of existing drainage patterns?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
26. Substantial change in existing noise or vibration levels in the vicinity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
27. Is the site on filled land or on a 10% or greater slope?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
28. Use of disposal or potentially hazardous materials such as toxic substances, flammables, or explosives?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
29. Substantial change in demand for municipal services (police, fire, water, sewer, etc.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

30. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.)?

31. Relationship to a larger project or series?

ENVIRONMENTAL SETTING:

32. Describe the project as it exists before the project and include any information on topography, soil stability, plants, animals, and any cultural/historical/scenic aspects. Describe any existing structures on the site and its use. Please attach photographs of the site (snapshots or Polaroid photos will be accepted):

See attached project description

33. Describe the surrounding properties and include information on plants, animals, and any cultural/historical/scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, duplex, etc.), and scale of development. Attach photos of the vicinity.

See attached project description

CERTIFICATION:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability; and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

3/25/2010

Date

Karen E Rma

Signature

For:

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Roza Project

Lead Agency: City of Morro Bay Contact Person: Kathleen Wold
 Mailing Address: 955 Shasta Avenue Phone: 805-772-6261
 City: Morro Bay Zip: 93442 County: San Luis Obispo

Project Location: County: San Luis Obispo City/Nearest Community: Morro Bay
 Cross Streets: 593-595 Driftwood Zip Code: 93442

Longitude/Latitude (degrees, minutes and seconds): _____ ° _____ ' _____ " N / _____ ° _____ ' _____ " W Total Acres: _____
 Assessor's Parcel No.: 066-143-008 Section: _____ Twp.: _____ Range: _____ Base: _____
 Within 2 Miles: State Hwy #: One Waterways: _____
 Airports: _____ Railways: _____ Schools: _____

Document Type:

CEQA: NOP Draft EIR NEPA: NOI Other: Joint Document
 Early Cons Supplement/Subsequent EIR EA Final Document
 Neg Dec (Prior SCH No.) _____ Draft EIS Other: _____
 Mit Neg Dec Other: _____ FONSI

Local Action Type:

General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other: _____

Development Type:

Residential: Units 3 Acres: 20
 Office: Sq.ft. _____ Acres _____ Employees _____ Transportation: Type _____
 Commercial: Sq.ft. _____ Acres _____ Employees _____ Mining: Mineral _____
 Industrial: Sq.ft. _____ Acres _____ Employees _____ Power: Type _____ MW _____
 Educational: _____ Waste Treatment: Type _____ MGD _____
 Recreational: _____ Hazardous Waste: Type _____
 Water Facilities: Type _____ MGD _____ Other: _____

Project Issues Discussed in Document:

Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Growth Inducement
 Coastal Zone Noise Solid Waste Land Use
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Cumulative Effects
 Economic/Jobs Public Services/Facilities Traffic/Circulation Other: Greenhouse Gas

Present Land Use/Zoning/General Plan Designation:

R-2/ Medium Density Residential

Project Description: *(please use a separate page if necessary)*

: SUBDIVIDE PROPERTY INTO TWO LOTS, DEMOLISH ONE HOUSE APPROXIMATELY 1000 SQ. FT. AND CONSTRUCT A NEW 2816 SQUARE FOOT HOUSE WITH A 640 SQ FT SECONDARY UNIT AND REQUEST FOR TWO PARKING EXCEPTIONS

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X". If you have already sent your document to the agency please denote that with an "S".

- Air Resources Board
- Boating & Waterways, Department of
- California Highway Patrol
- Caltrans District # _____
- Caltrans Division of Aeronautics
- Caltrans Planning
- Central Valley Flood Protection Board
- Coachella Valley Mtns. Conservancy
- Coastal Commission
- Colorado River Board
- Conservation, Department of
- Corrections, Department of
- Delta Protection Commission
- Education, Department of
- Energy Commission
- Fish & Game Region # _____
- Food & Agriculture, Department of
- Forestry and Fire Protection, Department of
- General Services, Department of
- Health Services, Department of
- Housing & Community Development
- Integrated Waste Management Board
- Native American Heritage Commission

- Office of Emergency Services
- Office of Historic Preservation
- Office of Public School Construction
- Parks & Recreation, Department of
- Pesticide Regulation, Department of
- Public Utilities Commission
- Regional WQCB # _____
- Resources Agency
- S.F. Bay Conservation & Development Comm.
- San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
- San Joaquin River Conservancy
- Santa Monica Mtns. Conservancy
- State Lands Commission
- SWRCB: Clean Water Grants
- SWRCB: Water Quality
- SWRCB: Water Rights
- Tahoe Regional Planning Agency
- Toxic Substances Control, Department of
- Water Resources, Department of
- Other: _____
- Other: _____

Local Public Review Period (to be filled in by lead agency)

Starting Date March 4, 2011 Ending Date April 4, 2011

Lead Agency (Complete if applicable):

Consulting Firm: _____ Applicant: Walter & Karen Roza
 Address: _____ Address: P.O. Box 104
 City/State/Zip: _____ City/State/Zip: Cayucos, Ca 93430
 Contact: _____ Phone: _____
 Phone: _____

Signature of Lead Agency Representative: *Jarvis Wood* Date: 3/2/2011

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.



JERRY BROWN
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



RECEIVED

April 6, 2011

APR 07 2011

City of Morro Bay
Public Services Department

Kathleen Wold
City of Morro Bay
955 Shasta Avenue
Morro Bay, CA 93442

Subject: Roza Project
SCH#: 2011031019

Dear Kathleen Wold:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on April 5, 2011, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

Document Details Report
State Clearinghouse Data Base

SCH# 2011031019
Project Title Roza Project
Lead Agency Morro Bay, City of

Type MND Mitigated Negative Declaration
Description Subdivide Property into two lots, demolish one house approximately 1000 s.f. and construct a new 2816 s.f. house with a 640 s.f. secondary unit and request for two parking exceptions.

Lead Agency Contact

Name Kathleen Wold
Agency City of Morro Bay
Phone (805) 772-6261 **Fax**
email
Address 955 Shasta Avenue
City Morro Bay **State** CA **Zip** 93442

Project Location

County San Luis Obispo
City Morro Bay
Region
Lat / Long
Cross Streets 593-595 Driftwood
Parcel No. 066-143-008
Township **Range** **Section** **Base**

Proximity to:

Highways One
Airports
Railways
Waterways
Schools
Land Use R-2 / Medium Density Residential

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Geologic/Seismic; Noise; Public Services; Recreation/Parks; Water Quality; Other Issues

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 4; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Caltrans, District 5; Regional Water Quality Control Board, Region 3; Native American Heritage Commission

Date Received 03/07/2011 **Start of Review** 03/07/2011 **End of Review** 04/05/2011

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
 SACRAMENTO, CA 95814
 (916) 653-4082
 (916) 657-5390 - Fax

clear
 4/5/11
 e
 March 23, 2011



Kathleen Wold
 City of Morro Bay
 955 Shasta Avenue
 Morro Bay, CA 93442

RE: SCH# 2011031019 Roza Project; San Luis Obispo County.

Dear Ms. Wold:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Completion (NOC) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological information Center for a record search. The record search will determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological information Center.
- ✓ Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. **USGS 7.5 minute quadrangle name, township, range and section required.**
 - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. **Native American Contacts List attached.**
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

Katy Sanchez
 Program Analyst
 (916) 653-4040

cc: State Clearinghouse

ATTACHMENT 11

SUBDIVISION REVIEW BOARD MINUTES
OCTOBER 25, 2009, 9:00 a.m.

Project: A Tentative Parcel Map (S00-103) subdividing 2 lots located at 595 Driftwood, the nearest cross street Shasta Ave. The applicant has applied for a compact infill development project in order to subdivide an existing 8,708 square foot lot because the 6,000 square feet per lot cannot be achieved for a standard subdivision.

Staff: Kathleen Wold, Planning Manager; Tom Prows, Fire Prevention Coordinator; Damaris Hanson, Engineering Technician III; and Brian Cowen, Building Inspector; Sierra Davis, Assistant Planner.

Applicant's Representative: Cathy Novak

Kathleen advised the applicant's representative that the SRB was established to review the project for completeness and accuracy of the tentative maps and conformity with all pertinent requirements of this title and other ordinances/laws and plans of the City.

Cathy acknowledged statement.

Tom Prows stated that the Civil Engineer responsible for plans currently has an expired license. If the plans are final plans, new plans with a valid license will have to be provided.

Damaris brought up the issue of the retaining walls at the edge of the property on proposed parcel 2. The existing retaining walls encroach into the public right-of-way and will either need to be removed or a special encroachment permit will need to be applied for.

Damaris read through the private party agreement and brought up the drainage issues on site. Recommended that on-site drainage requirements run concurrently with development.

Kathleen and Cathy discussed the procedure that the tentative map will adhere to the affordable housing requirement and not the compact infill development standards because the tentative map will have to meet the compact infill development, as it pertains to the subdivision of land and the affordable housing standards to grant the exceptions requested by the applicant to the zoning requirements.

Kathleen stated that since the applicant has applied for multiple exceptions to the standard requirements the Subdivision Review Board should recommend that the project is complete for processing and not approval for project.

City staff at the meeting indicated that the project was complete.

Motion:

1st Kathleen Wold recommended that the project is complete for processing and shall be moved forward to Planning Commission subject to the following condition that the affordable house requirement shall be indentured for a minimum of 30 years and consistent with State law.

2nd Damaris Hanson

Approved Vote 4-0

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
5	Morro Bay Chamber	Main between Pacific and Harbor	8/9/10	UP0-298	Use Permit to establish the Farmer's Market on Main Street between Harbor and Pacific Streets. The market will be conducted every Saturday between 2 p.m. and 7 p.m. With a maximum of 50 vendors. Continued to 1/3/10 PC Meeting. Applicant has continued project to date uncertain so they can meet with stakeholders.	SD	PC
6	Ortega	525 & Atascadero 527	12/21/10	CP0-340 UP0-308	Compact In-Fill Development. Requested additional documents from agent on 1/20/11. Working on environmental document.	SD	PC
7	Romero	291 Shasta Ave	1/19/11	CDP-341	Coastal Development Permit for single family residence. Incomplete Letter 2/18/11.	SD	AD
8	Cotti Corporation	1700 Main Street	1/24/11	CDP-343	Coastal Development Permit for Demo and reconstruction of a fast food restaurant. Incomplete Letter 2/24/11. Applicant submitted arc report 3/15/11. Resubmittal 4/11/11.	SD	PC
9	Calandra	2749 Coral Avenue	2/8/11	CP0-346/UP0-311	Single Family in the Cloisters. Incomplete letter 3/21/10.	SD	PC
10	Daniels	606 Agave	3/3/11	CP0-338	Minor Modification to CDP. Incomplete letter 3/29/11.	SD	AD
11	Stepelmann	361-363 Main	3/8/11	CP0-347	Tree Removal. Incomplete letter 4/13/11.	SD	AD
12	Tellian	3039 Ironwood	3/11/11	CP0-348	New Single Family Residence. Incomplete Letter 4/15/11 .	SD	AD
13	Swain	305 Bernardo	3/31/11	UP0-317	Addition to nonconforming residence. Incomplete letter 3/21/11.	SD	PC
14	Sanders	2198 Nutmeg	4/11/11	Pre-App	Pre- App. DRT meeting 4/18/11, discussed project. Meeting with applicant to discuss concerns.	SD	AD
15	Piper	2998 Greenwood	4/11/11	CP0-350	Demo/Rebuild. Reviewed and deemed complete 4/19/11. Noticed on 4/20/11.	SD	AD
16	Kircher	350 Java	4/18/11	CP0-351	Demo. Reviewed and deemed complete 4/19/11. Noticed on 4/20/11.	SD	AD
17	Moores	1169 Market	4/20/11	UP0-318	Virg's Landing, MUP.	SD	AD
Projects in Process							
17	Dan Reddell	1 Jordan Terrance	7/25/08	UP0-223 & CP0-285	New SFR. Submitted 7/25/08, Inc. Later 8/19/08; resubmitted 2/24/09, project under review. Letter sent to agent regarding issues. Applicant and staff met 1/20/10 on site to further discuss issues. Resubmittal 2/16/10. Administrative Draft Initial Study complete. Comment review period ends 6/22/10. Comments received on MND.	JH/KW	PC
18	California State Park	201 State Park Drive	2/11/09	CP0-303 & UP0-254	Solar Panels at the State Park with the addition of one carport structure for support of the panels. Coastal Development Permit and Conditional Use Permit. Comments sent 3/23/10.	SD/KW	PC
19	City of Morro Bay	Citywide	5/1/10	AD0-047	Text Amendment Modifying Section 17.68 "Signs". Planning Commission placed the ordinance on hold pending additional work on definitions and temporary signs. 5/17/2010. A report on the status of this project brought to PC on 2/7/2011. Planning Commission made recommendations and forwarded to Council. Anticipate a City Council public hearing on the draft ordinance on May 2011.	KW	PC/CC
Environmental Review							

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
20	Larry Newland	Embarcadero	11/21/05	UP0-092 & CP0-139	Embarcadero-Maritime Museum (Larry Newland) . Submitted 11/21/05, Incomplete 12/15/05 Resubmitted 10/5/06, tentative CC for landowner consent 1/22/07 Landowner consent granted. Incomplete 3/7/07. Resubmitted 5/25/07 Incomplete Letter sent 6/27/07 Met to discuss status 10/4/07 Incomplete 2/4/08. Met with applicants on 3/3/09 regarding inc. later. Applicant resubmitted additional material on 9/30/2009. Met with applicants on 2/19/2010. Environmental documents being prepared. Applicant working with City Staff regarding an lease for the subject site. Applicants enter into an agreement with City Council on project. Meeting held with city staff and applicants on 2/3/2011. Meeting held with applicant on 2/23/2011. Applicant to provide revised site plan. Staff is processing a "Summary Vacation (abandonment)" for a portion of Surf Street. Sign proposal submitted.	KW	PC
21	Chevron	3072 Main	12/31/08	CP0-301	Remove Underground Pipes . Submitted 12/31/08, environmental reports submitted for review 5/8/09. Project under review. Project routed to other agencies for comment. Environmental being processed. Requested additional documentation 4/29/10. Requested Information submitted 2/9/11. Submitted requested documents 2/9/11.	SD	PC
Coordinating with Other Jurisdictions							
22	City of Morro Bay & Cayucos	160 Atascadero	7/1/08	EIR	WWTP Upgrade . Submitted 7/1/08, Preparing Notice of Preparation, Staff reviewing Ad Min Draft EIR. Modifications to project description underway and subsequent renoticing. Staff reviewing screencheck document. Public draft out for review and comments. Comment period open until 11/4/2010. Project scheduled for 12-6-2010 P.C. Project rescheduled for 12/20/2010. City Council Meeting on January 11, 2011. Project heard before CCC on March 11, 2011, and additional studies and materials are required. City working with consultant to provide information.	RL	PC/CC/RW QCB
23	City of Morro Bay	887 Atascadero	3/9/09	N/A	Nutmeg Water Tank Upgrade (City of Morro Bay CIP project) . Oversight of County of San Luis Obispo application process. Preapplication meeting 3/9/09. Consultant coordination meeting 3/12/09.	KW	SLO County
24	John King	60 Lower State Park	7/2/08		Lower parking lot resurface and construction of 2 new stairways . Submitted 7/02/08, PC Tent 10/6, PC Date TBD Applicant coordinating w/ CCC 10/20/08.	KW	PC
Projects Continued Indefinitely, No Response to Date on Incomplete Letter or inactive							
25	SLO County	60 Lower State Park	09/28/04	CP0-063	Master Plan for Golf Course . Submitted 9/28/04, On hold per applicant, project to be amended. Resubmitted 2/9/07 Tentative PC 3/19/07 Continued, date uncertain; Planting trees.	KW	PC/CC
26	Cameron Financial	399 Quintana	04/11/07	CP0-233	New Commercial Building . Submitted 4/11/07, Inc. Letter 5/09/07. Sent letter 1/25/2010 to applicant requesting direction, letter returned not deliverable	KW	AD
27	West Millennium Homes	895 Monterey	7/10/07	CUP-151 S00-067 & CP0-215	Mixed-use building . 16 residential units and 3 commercial units, Submitted 7/10/07, Inc Later 7/25 Resubmitted 1/14/08 SRB 3/10/08.	KW	PC
28	Kenneth & Lisa Blackwell	2740 Dogwood	07/20/07	UP0-178	Addition to nonconforming residence . Submitted 7/20/07, Complete, tentative PC 9/17/07 Continued, date uncertain Resubmitted 10/31/07, PC 12/17/07 Continued, date uncertain.	KW	PC
29	Jeff Gregory	1295 Morro	09/25/07	CP0-254	Coastal Development Permit to allow a second single family residence on lot with an existing home . Incomplete letter sent 10/9/2007. Intent to Deem Application Withdrawn Letter sent 12/29/09. Response from applicant 1/8/10 keep file open indefinitely.	KW	AD

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
30	Nicki Fazio	360 Cerrito	08/15/07	CP0-246	Appeal of Demo/Rebuild SFR and 2 trees removal. Continued to a date uncertain.	KW	PC
31	Burt Caldwell, (Embarcadero 801 LLC)	801 Embarcadero	5/15/08	UP0-212	Conference Center. Submitted 5/15/08, Inc Ltr 5/23 Resubmitted MND Circulating 7/15/08 PC 9/2 Approved, CC 9/22/08 Approved, CDP granted by CCC. Waiting for Precise Plan submittal. Applicant has submitted a request for a time extension on November 4, 2010. Extension granted, now expires 12/11/11. No active submittal	KW	PC/CC/CCC
32	Ron McIntosh	190 Olive	8/26/08	UP0-232 &CP0-288	New SFR. Submitted 8/26/08, Inc. Letter 9/24/08; Resubmitted 12/10/08, 1/9/09 request for more information. Applicant resubmitted on 2/06/09. Environmental under review. Applicant and City agree to continuance. Applicant put project on hold.	SD	PC
33	Pina Noran	2176 Main	10/3/08	CUP-35-99 & CDP-66-99R	Convert commercial space to residential use. Submitted 10/03/08, Inc. Later 10/22/08, resubmitted 2/5/09. Project still missing vital information for processing 11/30/09. Called applicant 3/22/10 and requested information. Applicant is considering a redesign of the project.	KW	PC
34	Candy Botich	206 MainWater Lease Site 34 Main & Oak St.	6/17/09	CP0-310	New Parking. Project under review. Agent given DRT comments July 10, 2009. Applicant submitted redesigned project 9/30/2009. Associated application submitted for a parking exception for the lease site generating the parking demand.	KW	PC/CC
35	Bob Crizer	206 Main Street, water lease site 34	11/9/09	AD0-047	Oak Street Parking Exception. Also see 206 Main Street (Botich). Request to allow parking spaces to be placed on Oak Street to replace parking currently provided at 206 Main Street. Waiting for parties to resolve issue of ownership.	KW	PC/CC
36	Hamrick Associates	1129 Market	6/10/10	UP0-291	Remodel and Addition. Incomplete letter 6/23/10. Submitted additional information 6/30/10. Submitted additional information 7/7/10. Building Comments. 7/9/10. Met with agent 7/15/10. Applicant will resubmit addressing fire/building comments.	SD	PC
37	Tank Farm	1290 Embarcadero	2/27/10	N/A	Tank Demo. Demo of seven tanks at the Morro Bay Power Plant. Materials submitted and under review. All materials submitted to date have been reviewed and sent back to the applicant. Applicant indicated to staff that the project is on hold until better weather in 2011. Dynegy has assigned new project manager, anticipate demo to commence 5/2011.	SD	AD
38	Frantz	499 Nevis	9/27/10	CP0-337	New SFR. Incomplete Letter 10/7/10. Meeting with applicant's representative on 11/16/2010. Applicant has indicated that he is redesigning project-project placed on hold.	SD	PC
Projects in Building Plan Check							
39	Taurus Sulaitis	540 Fresno	6/23/10	Building	SFR Addition. Incomplete letter 7/13/10. Resubmittal 11/15/10. Met with applicant on 12/21/10. Incomplete letter 12/21/10. Resubmittal 3/10/11. Planning variance noticed.	SD	N/A
40	Viole/Held	575 - 591 Embarcadero	11/1/10	Building	New Commercial Building. Incomplete Memo 12/2/10. No response from applicant (2/3/11). Resubmitted 3/16/11. Incomplete memo 3/28/11.	SD	N/A
41	Romero	291 Shasta Ave	1/19/11	Building	New single family residence. Incomplete Letter 2/18/11.	SD	N/A
42	Cotti Corporation	1700 Main Street	2/7/11	Building	Taco Bell Demo/Remodel. Incomplete, changes need to be made to planning permit, plans returned 3/7/11.	SD	N/A
43	Lapp	1548 Main Street	3/1/11	Building	Express Check. Wind and solar System. Incomplete Submittal 3/15/11. Resubmittal 3/3/11. Incomplete letter 3/24/11. Resubmittal 3/28/11. Incomplete letter 4/14/11.	SD	N/A
44	Abbot	843 Quintana	3/1/11	Building	Express Check. Incomplete letter 3/24/11. Resubmittal 3/28/11. Incomplete letter 4/14/11.	SD	N/A

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
45	Lankford	2780 Juniper	3/3/11	Building	Single Family Remodel/Addition. Incomplete memo 4/12/11.	SD	N/A
46	Swain	350 Bernardo	3/14/11	Building	Express Check. Incomplete letter 3/24/11.	SD	N/A
47	Hintz	445 San Joaquin	3/16/11	Building	Express Check. Incomplete Memo 4/18/11.	SD	N/A
48	Seymour	1140 Front	3/28/11	Building	Express Check. Requested permits/waivers from applicant from the California Coastal Commission 4/18/11.	SD	N/A
49	Kircher	350 Java	3/31/11	Building	Express Check. Addendum to building permit. Incomplete memo 4/14/11. Spoke to applicant 4/15 and proposed project may change.	SD	N/A
50	Piper	2998 Greenwood	4/11/11	Building	Demo/Rebuild. Noticed 4/20/11 for CDP.	SD	N/A
51	Rowland	2630 Maple	4/14/11	Building	Elevator. Denied project because elevator was located in 20'x20' garage, where 2 covered and enclosed parking spaces are required, letter sent 4/18/11.	SD	N/A
52	Kimbrell	323 Shasta	4/15/11	Building	Stairs and Railing Replacement. Incomplete Letter 4/18/11.	SD	N/A
Aging Building Permits - No response from applicant in more than 90 days.							
53	Don Doubledee	360 Morro Bay Blvd	5/15/09	Building	Mixed Use Project - Ciano. Comments sent 2/25/10.	SD	N/A
54	Valori	2800 Birch Ave	2/10/10	Building	Remodel/Repair. Sunroom, garage, and study. Comments sent 2/24/10	SD	N/A
55	Colhover	2800 Dogwood	3/8/10	Building	New SFR. Comments sent 3/25/10.	SD	N/A
56	Ronald Stuard	490 Avalon	4/22/10	Building	SFR Addition. 79 sf. bedroom addition. Comments sent 4/27/10.	SD	N/A
57	Joe Silva	570 Avalon	5/12/10	Building	SFR Addition. 84 sf. addition. Comments sent 5/17/10.	SD	N/A
58	Lou McGonagill	690 Olive	6/7/10	Building	SFR Addition. 1,000 sf. addition with garage. Incomplete letter 6/28/10. Resubmittal 9/29/10. Incomplete Memo 11/16/10.	SD	N/A
59	Mike Wilson	957 Pacific	8/24/10	Building	Demo/Rebuild. Incomplete letter 8/26/10.	SD	N/A
60	Frantz	499 Nevis	9/27/10	Building	New SFR. Incomplete Memo 10/7/10.	SD	N/A
61	Hall	2234 Emerald Circle	12/2/10	Building	New SFR. Incomplete Memo 12/21/10.	SD	N/A
Projects & Permits with Final Action							
62	Goehring	1277 Clarabelle	3/18/11	Building	Express Check.	SD	N/A
63	Taurus Sulaitis	540 Fresno	11/15/10	AD0-061	SFR Addition. Incomplete letter 7/13/10. Resubmittal 11/15/10. Met with applicant on 12/21/10. Incomplete letter 12/21/10. Resubmitted 3/10/11. Deemed complete 3/22/11. Noticed 3/24/11.	SD	AD
64	Esposito	520 Atascadero	3/9/11	UP0-314	Temporary Event. Deemed complete and permit issued 4/4/11.	SD	AD
65	Simone	458 Fresno	3/29/11	Building	Express Check. Deemed complete 4/13/11.	SD	N/A
66	Giovanni DeGarimore	1001 Front	3/22/10	UP0-284	Floating Dock. CUP to reconfigure existing side tie floating dock to include 4 new finger floating docks, 50 ft. x 4 ft. Incomplete letter sent 4/26/10. Resubmittal 6/10/10. Resubmittal 6/29/10. Incomplete Letter 7/29/10. Resubmittal 7/30/10. Incomplete Letter and Request for Addition funds 8/24/10. Staff is currently working on environmental documents. Resubmittal 1/25/11. Initial Study noticed and sent to State Clearinghouse on 2/3/2011. Scheduled for 3/16/2011 Planning Commission Meeting. Scheduled for 4/12/11 City Council Meeting. City Council Approved Concept Plan.	SD	PC



City of Morro Bay
 Public Services
 Advanced Planning Work Program

Work Item	Planning Commission	City Council	Coastal Commission	Comments	Estimated Staff Hours
Neighborhood Compatibility Standards	TBD	TBD			120 to 160
Strategic plan for managing the greening process					200 to 300
	Annual Updates	Annual Updates			
Draft Urban Forest Management Plan	TBD	TBD			200 to 300
CEQA Implementation Guidelines	TBD	TBD	NA		120 to 160
Update CEQA checklist pursuant to SWMP (2/2011)	TBD	TBD			120 to 160
Downtown Visioning	TBD	TBD			120 to 160
PD Overlay	TBD	TBD			80
Annexation Proceeding for Public Facilities		TBD			TBD
Sign Ordinance Update	2/16/11	5/10/11			50 to 100
<i>Planning Commission Generated Items</i>					
Work Item	Requesting Body				Estimated Staff Hours
Pedestrian Plan	Planning Commission			To be incorporated into Bicycle Transportation, currently under preparation.	TBD
<i>Items Requiring Further Analysis When Received Back From The Coastal Commission</i>					
Work Item	Plng. Comm.	City Council	Coastal Comm.		Estimated Staff Hours
Updated Zoning Ordinance	TBD	TBD			1,800
Updated General Plan/LCP	TBD	TBD			1,800