



CITY OF MORRO BAY PLANNING COMMISSION AGENDA

*The City of Morro Bay is dedicated to the preservation and enhancement of the quality of life.
The City shall be committed to this purpose and will provide a level of municipal service and safety
consistent with and responsive to the needs of the public.*

**Regular Meeting - Tuesday, March 21, 2017
Veteran's Memorial Building – 6:00 P.M.
209 Surf Street, Morro Bay, CA**

Chairperson Robert Tefft

Commissioner Gerald Luhr
Commissioner Michael Lucas

Commissioner Richard Sadowski
Commissioner Joseph Ingrassia

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

PUBLIC COMMENT PERIOD

Members of the audience wishing to address the Commission on matters not on the agenda may do so at this time. In a continual attempt to make the public process open to members of the public, the City also invites public comment before each agenda item. 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 comments must observe the following rules to increase the effectiveness of the Public Comment Period:

- When recognized by the Chair, please come forward to the podium and state your name and address for the record. Commission meetings are audio and video recorded and this information is voluntary and desired for the preparation of minutes.
- Comments are to be limited to three minutes so keep your comments brief and to the point.
- All remarks shall be addressed to the Commission, as a whole, and not to any individual member thereof. Conversation or debate between a speaker at the podium and a member of the audience is not permitted.
- The Commission respectfully requests that you refrain from making slanderous, profane or personal remarks against any elected official, commission and/or staff.
- Please refrain from public displays or outbursts such as unsolicited applause, comments or cheering.
- Any disruptive activities that substantially interfere with the ability of the Commission to carry out its meeting will not be permitted and offenders will be requested to leave the meeting.
- Your participation in Commission meetings is welcome and your courtesy will be appreciated.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development at (805) 772-6264. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. There are devices for the hearing impaired available upon request at the staff's table.

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. CONSENT CALENDAR

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

B. PUBLIC HEARINGS

Public testimony given for Public Hearing items will adhere to the rules noted above under the Public Comment Period. In addition, speak about the proposal and not about individuals, focusing testimony on the important parts of the proposal; not repeating points made by others.

- B-1 **Case No.:** CP0-529 and UP0-464
Site Location: 2654 Greenwood
Project Description: Coastal Development and Conditional Use Permit approval for the addition of 192 sq. ft. of habitable floor area to an existing nonconforming 840 sq. ft. single-family residence located within the R-1/S.2 Residential Zoning District and outside of the Coastal Commission Appeal Jurisdiction.
CEQA Determination: Categorically Exempt Section 15301, Class 1(e)
Staff Recommendation: Continue to the April 4th, 2017 Planning Commission Meeting
Staff Contact: Joan Gargiulo, Assistant Planner (805) 772-6270

- B-2 **Case No.:** CP0- 535 and UP0-465
Site Location: 462 Arbutus Avenue
Project Description: Coastal Development and Conditional Use Permit approval for the addition of 352 sq. ft. of habitable floor area to an existing nonconforming 1,724 sq. ft. single-family residence located within the R-1/S.2 Residential Zoning District. The project involves the relocation of the existing two-car garage and extensive interior remodeling. The project is located outside of the Coastal Commission Appeal Jurisdiction.
CEQA Determination: Categorically Exempt Section 15301, Class 1(e)
Staff Recommendation: Conditionally Approve
Staff Contact: Joan Gargiulo, Assistant Planner (805) 772-6270

- B-3 **Case No.:** Major Amendment (#A00-041) to #UP0-359
Site Location: 725 Embarcadero, Morro Bay, CA
Project Description: Major Amendment to Conditional Use Permit #UP0-359 for conversion of Rose’s Landing second floor restaurant use to a 9-room boutique hotel. Change of use includes conversion of 1st floor commercial space to a hotel unit. Building façade alterations to include addition of three outdoor decks for hotel use. Minor changes improving public bayside and vertical access previously approved. Project includes the previously approved proposal for 7 boat slips and new gangway. The project site is located in the original jurisdiction of the California Coastal Commission.
CEQA Determination: Mitigated Negative Declaration, SCH #2015011002
Staff Recommendation: Forward favorable recommendation to City Council with conditions.
Staff Contact: Cindy Jacinth, Associate Planner (805) 772-6577

C. NEW BUSINESS

C-1 Planning Commission FY 17/18 Work Program. The Planning Commission work program Includes FY 17/18 related goals and objective as well as other items the PC may work on during the coming year.

D. UNFINISHED BUSINESS

E. PLANNING COMMISSIONER COMMENTS

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENTS

G. ADJOURNMENT

Adjourn to the next regular Planning Commission meeting at the Veteran’s Memorial Building, 209 Surf Street, on April 4, 2017 at 6:00 p.m.

PLANNING COMMISSION MEETING PROCEDURES

This Agenda is subject to amendment up to 72 hours prior to the date and time set for the meeting. Please refer to the Agenda posted at the Community Development Department, 955 Shasta Avenue, for any revisions, or call the department at 772-6264 for further information.

Written testimony is encouraged so it can be distributed in the Agenda packet to the Commission. Material submitted by the public for Commission review prior to a scheduled hearing should be received by the Planning Division at the Community Development Department, 955 Shasta Avenue, no later than 5:00 P.M. the Tuesday (eight days) prior to the scheduled public hearing. Written testimony provided after the Agenda packet is published will be distributed to the Commission but there may not be enough time to fully consider the information. Mail should be directed to the Community Development Department, Planning Division.

Materials related to an item on this Agenda are available for public inspection during normal business hours in the Community Development Department, at Mill’s/ASAP, 495 Morro Bay Boulevard, or the Morro Bay Library, 695 Harbor, Morro Bay, CA 93442. Materials related to an item on this Agenda submitted to the Planning Commission after publication of the Agenda packet are available for inspection at the Community Development Department during normal business hours or at the scheduled meeting.

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.

The Brown Act forbids the Commission from taking action or discussing any item not appearing on the agenda, including those items raised at Public Comment. In response to Public Comment, the Commission is limited to:

1. Responding to statements made or questions posed by members of the public; or
2. Requesting staff to report back on a matter at a subsequent meeting; or
3. Directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

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 Division 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.

APPEALS

If you are dissatisfied with 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. Pursuant to Government Code §65009, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Commission, at, or prior to, the public hearing. The appeal form is available at the Community Development 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 with the Coastal Appeal Area. If the property is located outside the Coastal Appeal

Area, the fee is \$263 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 for those projects that are in their appeals jurisdiction. 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.



City of Morro Bay
 Community Development Department
 Current & Advanced Project Tracking Sheet

This tracking sheet shows the status of the work being processed by the Planning & Building Divisions

New Planning items or items recently updated are highlighted in yellow.

Approved projects are deleted on next version of log.

Agenda No: A-1

Meeting Date March 21, 2017

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
Hearing or Action Ready Projects:										
1	Elliott	2654 Greenwood	12/9/16	UP0-464, CP0-529	Conditional Use Permit, CDP & Parking Exception for 192 sq. ft. addition to a nonconforming SFR	Under Initial Review. Correction Letter sent 1/6. Noticed for PC hearing on 3/10/16. Agendized for 3/21/17		PN- Conditionally approved per memo dated 12/22/16		jg
2	Vankrieken	462 Arbutus	12/9/16	UP0-465/ CP0-535	CDP and Conditional Use Permit for new 515 sq. ft. garage and remodel of existing nonconforming SFR	Under Initial Review. Correction Letter sent 1/6. Resubmittal received 1/20/217. Correspondence with Agent regarding residential design guidelines, waiting for updated front elevations. Noticed for PC hearing on 3/10/16. Agendized for 3/21/17		PN- Conditionally approved per memo dated 12/22/16		jg
3	Redican	725 Embarcadero	9/9/16	A00-041 (UP0-359)	Major amendment to Conditional Use Permit UP0-359. Replace existing upper floor restaurant to a 9 room second floor hotel.	Project under review. Met with applicant 10/10/16 to discuss. Correction letter sent to Applicant 10/21/16. Resubmittal received 12-2-16. Response requesting plan corrections emailed 1/3/17. Project complete, to be agendized for 3-21-17 PC hearing.				cj
4	Pall	340 Jamaica	1/5/17	UP0-468	Conditional Use Permit for an existing auto-body shop in a residential district	Under Initial Review. Project Noticed for 2-21-17 PC meeting. To be continued to 3/7/17 hearing due to noticing error. Project Appealed.	FD Conditionally Approved 1/23/17			jg
6	Carpenter	938 Pacific	11/3/16	CP0-519	Conversion of existng guest house to a secondary dwelling unit	Under Initial Review. Correction Letter Sent 12/5/16. Resubmitted materials 2/10/17. Ready to notice. Noticed for admin approval 3/10/16		PN-Conditionally approved per memo dated 12/1/16		jg
7	Guesno	297 Bradley	1/17/17	CP0-528	Admin CDP to convert existing two story 4,300sf single family home to an upper level primary residence and lower level secondary dwelling unit by removing interior statrs and installing wall to separate dwellings.	Under Initial Review. Correction Letter Sent 1/26. Ready to notice.				rr
30 -Day Review, Incomplete or Additional Submittal Review Projects:										

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
8	DeCock	1001 Front St.	3/7/17	UP0-471	Temp. Use Permit for Info/Ticket Booth for Virg's Sport Fishing in a 48sf tough shed kiosk booth located near 1001 Front St parking lot.	Under initial review.				cj
9	Assembly of God	615 Monterey	3/6/17	CP0-534/ AD0-113	Admin CDP and Parking Exception to convert existing garage to living space (house adjacent to church), convert lower rear portion of church to new garage.					
10	Mazzacane	270 Kern	3/2/17	AD0-112	Setback adjustment at north property line.					
11	James / Nisbet	310 Mindoro	3/2/17	CP0-533	Admin CDP for New SFR on vacant lot for 1542sf living, 462sf garage, 176sf deck.					
12	James/ Nisbet	300 Mindoro	3/2/17	CP0-532	Admin CDP for New SFR on vacant lot, 1433sf living, 446 sf garage, 195sf deck.					
13	Crowfoot	416 Napa St	3/1/17	CP0-531	Admin CDP to create secondary dwelling unit through conversion of existing downstairs square footage. Concurrently applied for building permit of same.	Under Initial Review.				rr
14	Huber	2783 Coral Ave	2/24/17	CP0-530, UP0-470, S00-127	Proposed 6 lot residential subdivision (Tentative Tract Map, CDP, and CUP application). Property located at corner of San Jacinto & Coral Ave.	Under Initial Review				wm

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15	Grover	484 Kings	2/2/17	UP0-469 & AD0-110	Conditional Use Permit & Parking Exception for addition of 510 sf to nonconforming single family residence and 301sf garage and parking exception.	Under Initial Review. PW has an active claim at this parcel regarding a tree in the right of way				jg
16	Bay Pines/Shorebreak Energy	1501 Quintana	11/29/16	UP0-463/CP0-525	Coastal development permit & Conditional Use Permit for Bay Pines Solar Project.	Under Initial Review. Bio Report and Phase 1 Arch report rcv'd. Waiting for preliminary title report		PN-Approved 12/9/16		jg
17	Barker	2214 Coral Ave	11/18/16	CP0-523/UP0-462	New 1,950 sq. ft. SFR in the Cloister's Subdivision	Under Initial Review. Correction letter sent 12/14		PN-Conditionally Approved per memo dated 12/14/16		jg
18	Branch	845 Embarcadero	11/14/16	A00-045	Modification to existing CUP 30-99. Finger docks to be lengthened, seawall repair.	Under initial review. Project deemed incomplete and letter sent 12-13-16. Resubmittal received 1-27-17 and under review.				cj
19	Najarian	321 Luzon	11/7/16	CP0-521	Coastal Development Permit for a new 1,694 sq. ft. SFR	Under Initial Review. Correction Letter sent 12/5. Resubmittal received 2/2/2017		PN-Conditionally approved per memo dated 12/2/16		jg
20	Najarian	320 Mindoro	11/7/16	CP0-520	Coastal Development Permit for a new 1,694 sq. ft. SFR	Under Initial Review. Correction Letter Sent 12/5. Resubmittal received 2/2/217		PN-Conditionally approved per memo dated 12/2/16		jg
21	Barfield	260 Shasta	11/4/16	UP0-461	Conditional Use Permit for 498 sq. ft. addition to an existing 999 sq. ft. nonconforming SFR	Under Initial Review. Correction Letter Sent. Applicant working to redesign in order to remedy the existing nonconformity. Waiting on resubmittal		PN-Conditionally approved per memo dated 11/29/16		jg
22	Mac Millan	590 Morro Bay Blvd.	11/1/16	UP0-460/CP0-518	Change of use from retail to restaurant	Under Initial Review. Correction Letter Sent		PN-Conditionally approved per memo dated 11/29/16		jg
23	Fennacy	939 Main Street	10/18/16	UP0-459	Use permit approval for change of occupancy for the creation of outdoor dining area at the Brickhouse BBQ	Project under review. Correction letter sent 11/17.		Conditionally approved per memo dated 11/9/16		rr
24	Leage	1205 Embarcadero	9/28/16	A00-044 (UP0-058)	Minor amendment to UP0-058 to relocated approved floating dock location and construct new finger sections and lease line amendment	Project under review. Correction letter sent 11-21-16. Resubmittal received 1-27-17 and under review.		PN Disapproved per memo dated 10/25/16		cj
25	Eisemann	396 Hill St.	8/29/16	CP0-515 and UP0-455	CDP/CUP for new duplex. Unit A: 1745sf living, 540sf garage. Unit B: 1517sf living, 552sf garage	Under initial review. Requires preliminary title report. Correction letter sent 10/18. Resubmittal rcv'd 12/16/2016				jg

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26	Van Buerden	945 Embarcadero	5/24/16	UP0-446	Conditional Use Permit for House of JuJu restaurant remodel, and City Park improvements	Incomplete letter sent 6-23-16 to Applicant and Applicant Representative. Cj. No recent activity as of 3-1-17				cj
27	Eisemann	535 Atascadero	10/12/15	CP0-490 & S00-125	Parcel map application & CDP to split 1 R-4 zoned lot in to two lots.	Incomplete letter sent 11-5-15. Received revised plans and communicated via email to applicant regarding plan corrections. Resubmittal under review. Correction letter sent 2/18/16 with Public Works comments. Received revised info from Applicant 3-3-16. Correction sent and resubmitted 4-8-16. Met w/ Architect to discuss intent to include development of 4-plex apartments. Resubmittal rcv'd 5/10. Correction letter sent 6/14/16. Spoke with architect 8/9/2016. Resubmittal rcv'd 8/17/2016. Correction letter sent 10/13/2016		PN- Diapproved per Memo dated 6/14/16		jg
28	DeGarimore	1001 Front St.	7/14/15	A00-026 and UP0-442	Amendment to CUP to modify project description to remove proposed new awning.	Letter sent to applicant 9-9-15 regarding public access requirements. In process. Applicant wishes to include a kiosk for Virg's Landing with the awning amendment. Reviewed prelim site plan of kiosk and provided email comment corrections on 2/24/16. Met with Virg's Landing owner to discuss kiosk plan 2-29-16. TUP application submitted for kiosk proposal adjacent to parking lot on 4-19-16. Correction letter sent 5-12-16. No recent activity as of 3-1-17.				cj
29	Gambril	405 Atascadero Rd.	5/13/15	CP0-475 / UP0-417	New construction of 10,000sf commercial retail on vacant lot	WM. Under review. Will need Arch and Traffic reports. Incomplete letter sent 9/4/15.		PN-Plans Disapproved. Req. Stormwater determination form & plan update-		wm
30	Leage	833 Embarcadero	9/15/14	UP0-389	Demolish existing building. Reconstruct new 1 story 19 foot building (retail/restaurant use) & outdoor improvements	Under review. Deemed incompleated. Letter sent 10-13-14. CJ Resubmittal received 2/17/15. Incomplete letter sent . Resubmittal received. Not compliant with view corridors requirements. Resubmitta received 1-20-16. Email corrections provided to Applicant on 2/10. Reviewed revised plans received from architect via email on 3/7/16.	BC- incomplete	RPS - Disapproved for plan corrections noted in memo of 10/14/14		cj
Planning Commission Continued projects:										
31	Elster	530 Morro	4/20/16	UP0-282 & CP0-323	New 2,978 sq. ft. SFR with 1,516 sq. ft. garage, 1,191 sq. ft. of decking, and a 560 s. ft. secondary dwelling unit.	Applicant has decided against the parcel map and development of three townhomes and now proposes to build one SFR and a secondary dwelling unit. Under initial review. Waiting on PW comments. Correction letter sent 5/18/16. Spoke with Applicant 8/4/2016 - resubmittal pending. Resubmittal received. Correction Letter Sent 11/7/2016. Resubmittal received 1/17/17. PC on March 7, 2017. Continued to a date uncertain.				jg

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
32	Rhine LP & Morro 94, LLC	3300 Panorama	2/24/16	CP0-500 & UP0-440	Coastal Development Permit & Conditional Use Permit for Demolition of 3 existing tanks, related pumps and concrete	Under review. Correction letter sent 5-10-16. Environmental review complete and to be routed 7-28-16 for required 30 day period. PC 9/6/16 hearing. Reviewed and PC continued hearing to 10/4/16. Project continued to 12/6 PC meeting. Project reviewed at 1/3/17 PC hearing and continued to a date uncertain.		PN- Conditionally approved per memo dated 7/26/16		wm
33	Verizon / Knight	184 Main new location, Corner of Main and Cabrillo	11/19/14	UP0-394 and CP0-512	Coastal Development Permit and Conditional Use Permit for installation of new Wireless Facility/Verizon antennas on existing pole.	Under Review. JG. Incomplete. Waiting on response from Tricia Knight. Wants to keep project open and figure out the parking situation or move location. 1/26. JG. Applicant looking to move location to pole across the street. resubmittal rcv'd 5/26. Deemed Complete, waiting for Applicant to confirm PC meeting date. PC hearing held on 9/6/16 and continued for further review to 11-1-16 PC hearing. Continuance requested. Continued to a date uncertain		PN- Conditionally approved 6/14/16		cg
34	Sonic	1840 Main St.	8/14/13	UP0-364 & CP0-404	Conditional Use Permit and Coastal Development Permit to develop Sonic restaurant.	Under initial review. Comment letter sent 9/10/13. CJ. . Comments from Cal Trans received 10/31 and forwarded to Applicant. Meeting to discuss traffic study requirements on 11-21-13. Resubmitted 5/27. Environmental Review in process. Correction letter based on environmental review sent 8-6-14. Resubmittal received 1-23-15 and correction sent 2-23-15. Resubmittal received 5/8/15. Stormwater Control Plan also being reviewed. Reviewing outstanding cultural resources concerns. Reviewed project with archaeologist 1-27-16. Archaeological consultation in progress. MND routed to State Clearinghouse. Comment letter received from APCD re MND. cj. Noticing error necessitates continuance from 5/3/16 to 5/17/16 PC hearing. Continued to date uncertain to allow submittal revisions. Applicant submitted preliminarily revised plans 10/2016. Emailed informal comments 10/26. Revised preliminary plans emailed 1-27-17. Staff comments emailed 2-16-17. Discussed driveway and circulation plan changes to Main Street side of property with Applicant's Engineer and Public Works Dept. Awaiting resubmittal.	Bldg -- Review complete	PN- Sonic has submitted Preliminary Stormwater Requirements. RPS: Initial conditions provide by memos of 9/10/13 and 10/14. Met with Caltrans on 10/17.		cg
35	Seashell Estates, LLC	361 Sea Shell Cove	1/26/15	CP0-459/ UP0-401	Coastal Development Permit/Conditional Use Permit for new SFR. Lot 4 of 1305 Teresa Subdivision	Reviewing CC&R Design Guidelines. Deemed complete 3-2-15. Anticipate 4/21 PC hearing. Project continued to a date uncertain. CJ.	2/23/15 FD Cond App TP	BCR has for review 2/3/15		cg

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36	City of Morro Bay	End of Nutmeg	1/18/12	UP0-344	Environmental documents for Nutmeg Tanks. Permit number for tracking purposes only County issuing permit. Demo existing and replace with two larger reservoirs. City handling environmental review	KW--Environmental contracted out to SWCA estimated to be complete on 4/27/2012. SWCA submitted draft I.S. to City on May 1, 2012. MR-Reviewed MND and met with SWCA to make corrections. In contact with County Environmental Division for their review. MND received by SWCA on 10/7/12. MND out for public notice and 30 day review as of 11/19/12. 30 day review ends on 12/25/12. No comments received. Scheduled for 1/16/13 Planning Commission meeting and then to be referred back to SLO County. Planning Commission continued this item to address concerns regarding traffic generated from the removal of soil. In applicant's court, they are addressing issues brought up by neighbors during initial P.C. meeting. Project has been redesigned and will be going forward with concrete tanks. Modifications to the MND are in process. Neighborhood meeting conducted with Engineering on 9/27/2013. Revising project description and MND.	No review performed.	BCR- New design concept completed. Needs new MND for concrete tank, less truck trips.Neighborhood mtg held 9/27. Neighbors generally support new design that reduces truck trips by 80%. Concrete batch plant set up on site will further reduce impact. 5/5/14 - Cannon contract signed to finish permit phase. Construction will be delayed to FY15/16		wm
37	AT&T	590 Morro Street	4/10/15	UP0-411 & CP0-465	Conditional Use Permit & Coastal Development permit to modify 2006 Planning permit approval for unmanned cell site	WM.Was tentatively scheduled for 3-1-16 PC hearing. Awaiting additional info from applicant. Tentatively scheduled for 5-17-16 hearing. Applicant requested continuance. PC continued review with direction on June 21, 2016.				wm
Projects Appealed or Forwarded to City Council:										

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38	City of Morro Bay	Citywide	6/19/13	A00-015	Sign Ordinance Update. Text Amendment Modifying Section 17.68 "Signs"	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. PC made recommendations and forwarded to Council. Item heard at 5/24/11 City Council Meeting. Interim Urgency Ordinance approved to allow projecting signs. A report brought to PC on 2/7/2011. Workshops scheduled 9/29/11 & 10/6/11 .-Workshop results going to City Council 12/13/11. Continued to 1/10/12 CC meeting. Staff Report to PC. Project went to 5/2/2012. Update due to City Council in June 2013. Draft Sign Ordinance reviewed by PC on 6/19/13. Continued to 7/3/13 PC meeting for further review. PC has reviewed Downtown, Embarcadero, and Quintana Districts as well as the Tourist-Oriented Directional Sign Plan. 8/21/13 Final Draft of Sign Ordinance approved at 9/4/13 PC meeting with recommendation to forward to City Council. Council directed staff to do further research with local businesses. First workshop held 11/14 with approx. 12 Quintana area businesses. Downtown workshop held March 2014, North Main business workshop held 4/28/14 and Embarcadero business workshop held 5/19/14. Result of sign workshops discussed at 11-3-15 PC mtg	No review performed.	N/R		sg
Environmental Review										
39	City of Morro Bay	N/A		UP0-423	MND for Chorro Creek Stream Gauges	Applicant requesting meeting for week of 9/9/13. SWCA performing the environmental review. Received completed MND from Water Systems Consulting (WSC) on 4/1/15. Routed to State Clearinghouse for required 30 day review period. Tentative hearing 8/4/15. No recent activity.	No review performed.	MND complete. Cut permit checks to RWQCB and CDFW on 2/27/15		cj
Final Map Under Review Projects:										
40	Tract 2739	485 S. Bay Blvd, Black Hill Villas Subdivision	1/17/17	Map	Final Map - Tract 2739 / 16 lot subdivision with dedicated lot for riparian enhancement and raptor preservation.	Final Map Application Under review. Map corrections forwarded to Engineering/Public Works Dept. on 3/13/16				cj
41	Tract 2818	2400 Main St / Morro Mist	6/13/16	Map	Final Map - Tract 2818 / 23 lot subdivision and 1 common lot	Initial submittal for final map processing received 6-13-16. Correction letter sent 7-6-16. Draft CC&Rs received. Resubmittal received 1/5/17				cj

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
Projects going forward to Coastal Commission for review (Pending LCP Amendments) / State Department of Housing:										
46	City of Morro Bay	Citywide	10/16/13	A00-013. A00-029: Ordinance 601	Zoning Text Amendment - Second Unit	Secondary Unit Ordinance Amendment. Ordinance 576 passed by City Council in 2012. 6-11-13 City Council direction to staff to bring back to Planning Commission for review of ordinance. At 10-16-13 PC meeting, Commission recommended changes to maximum unit size and tandem parking design where units over 900 sf and/or tandem parking design of second unit triggers a CUP process. Council accepted PC recommendation at 2-11-14 meeting and directed staff to bring back revised ordinance for a first reading and introduction. Item continued to 4/22/14 Council meeting to allow time for Coastal staff comment regarding proposed changes. Council approved Into and First Reading on 4/22/14. Final Adoption of Ord. 585 at 5/13/14 Council meeting. Ordinance to be sent as an LCP Amendment for certification by Coastal Commission. New language for PC and Council review. Second reading going to council on April 12, 2016. PC reviewed change 5-3-16. CC second First Reading 6-28-16.. Application submitted to Coastal Commission August 2016. Coastal objected to ban on use as vacation rentals. New State legislation will force additional changes.	No review performed.			wm
47	City of Morro Bay	Citywide	2/1/13	Ordinance 556	Wireless Amendment - LCP Amendment CHAPTER 17.27 Amendment for "Antennas and Wireless Telecommunications Facilities" AND MODIFYING CHAPTER 17.12 TO INCORPORATE NEW DEFINITIONS, 17.24 to MODIFY primary district matrices to incorporate the text changes , 17.30 to eliminate section 17.30.030.F "antennas", 17.48 modify to eliminate section 17.48.340 "Satellite dish antennas".	Application for Wireless Amendment submitted to Coastal Commission 9-11-13. Received comments back from CCC 11-27-13, working on addressing issues. Amendments withdrawn from Coastal Commission as they are no longer consistent with state law. Item has been included in the FY 16/17 goals and objectives.	No review preformed.	N/A		sg
Projects Continued Indefinitely, No Response to Date on Incomplete Letter or inactive:										
48	T-Mobile	1478 Quintana	1/30/15	UP0-403	Minor Use Permit to Modify existing wireless telecommunication site at church	JG - Under initial review. Correction letter sent 3/5/2015. JG. Partial resubmittal rcv'd via email 9/18		JW approved		jg

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
49	Borges / RPM Consulting	1998 Main Street	3/1/16	CP0-503	Coastal Dev. Permit for addition of 2nd story office/laundry room remodel to commercial building in Mobile Home Park	Waiting on full project submittal. (Applicant recv'd HCD building permit and started construction before getting CDP). Rcv'd 3/17. Correction letter sent. Resubmittal rcv'd 6/6/16. Correction letter sent 6/27. Applicant and HCD argue that no CDP is required. Coastal Commission legal staff weighed in on 9/26/16 confirming that a CDP is req's and MB has jurisdiction due to LCP		PN- Conditionally approved per memo dated 4/18/16		jg
50	Maritime Museum Association (Larry Newland)		11/21/05	UP0-092 & CP0-139	Embarcadero-Maritime Museum (Larry Newland) . Submitted 11/21/05. Resubmitted 10/5/06, tentative CC for landowner consent 1/22/07 Landowner consent granted. Resubmitted 5/25/07. Resubmitted additional material on 9/30/09. Applicant working with City Staff regarding lease for subject site. Applicants enter into agreement with City Council on project. Applicant to provide revised site plan. Staff processing a "Summary Vacation (abandonment)" for a portion of Surf Street. Staff waiting on applicant's resubmittal. Meeting held with applicant 2/23/2011. Staff met with applicant 1/27/11 and reviewed new drawings, left meeting with applicant indicating they would be resubmitting new plans based on our discussions.	KW--Incomplete 12/15/05. Incomplete 3/7/07. 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. Met with applicants on 2/19/2010. Environmental documents being prepared. Meeting held with city staff and applicants on 2/3/2011. Sent Intent to Deem Withdrawn letter 9-2-14. JG. Revised preliminary plans emailed to City 11-4-16 for initial comment review. Staff feedback emailed to Architect 11-15-16.	Please route project to Building upon resubmittal.	An abandonment of Front street necessary. To be scheduled for CC mtg.		
Grants										
51	California Coastal Commission, California Ocean Protection Council	City-wide	4/6/16		\$400,000 Grant for LCP update to address sea-level rise and climate change impacts. Round 3 Grant award of \$200,000 for Lateral Access Plan, and ESHA delineation.	Grant agreements for both the grants are in place and grant administration has been turned over to Michael Baker International, per terms of the GP/LCP update contract. Received signed grant agreement for \$200,000 LCP Planning grant by CCC for Round 3 awards 2-27-17.	No review performed.	N/A		sg
52	City of Morro Bay	City-wide			Community Development Block Grant/HOME Program - Urban County Consortium	Staff has ongoing responsibilities for contract management in coordination with County staff administraiton. Final 2016 funding recommendations reviewed by Council on 3-8-16.	No review performed.	N/R		cj
53	City of Morro Bay	City-wide			Climate Action Plan - Implementation	Staff has ongoing responsibilities for implementation of Climate Action Plan as adopted by City Council January 2014. Staff coordinating activities with other Cities and County of SLO via APCD.				cj

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
Projects in Building Plan Check:										
1	Frank	2900 Alder	4/4/16	B-30941	New Duplex	Approved by jg. 5/31/16	Approved by cdl on 6-3-16.	PN- Approved 6/27/16		
2	LaPlante	3093 Beachcomber	10/27/11	B-29586	New SFR: 3,495sf w/ 500 sf garage on vacant land. No activity on this project. Remains in plan check.	SD--Incomplete Letter 12/12/11. Phase 1 Arch Report required and Environmental Document. Incomplete letter sent 2/2012. Building Permit deemed withdrawn - Approved Planning permit substantially different than 2011 application.	BC- Application on hold during planning process	DH- Provide SW mgmt, drainage rpt, EC per memo of 1/18/12.		
3	Martinez	235 Bradley	12/1/16	B-31311	SF-Alter 274 s.f. covered deck, 10'4" X 26'6" at rear of property. Covered deck.	Approved by jg 12-05-16	Disapproved by cdl on 12/21/16.	Approved by rps on 12-01-16.		
4	Williams	297 Bradley	10/19/16	B-31236	Remove & Replace existing 2nd floor 177sf deck.		Disapproved by cdl on 1-13-17.	PN- Approved 10/24/16		
5	Curtsinger	513 Dawson	11/10/16	B-31272	Interior remodel, replace plumbing, repair and/or replace existing entry stairs and landing.		Approved by cdl on 12-22-16.	PN- Approved per memo dated 1/20/17		
6		1215 Embarcadero		B-31326	Demo existing Dockside 3 and Morro Bay Landing to replace with 2 story new structure	Disapproved with plan corrections 1-5-17. CJ.	Plans sent to Ca, Code Check 1-5-17.	PN- Disapproved per memo dated 1/18/17		
7	Govers	404 Fairview	1/27/17	B-31379	SF Addition -convert existing 2nd story deck over garage into habital space 120sq.ft. Adding new 5' 2nd story converted deck off new additi		Disapproved by cdl on 2/8/17.	PN- Disapproved per memo dated 2/17/17		
8	Appleby	381 Fresno	7/31/14	B-30227	Carport& Storage Shed. Remians in plan check status.	Correction sent 8-7-14. WM. Will require a CUP prior to building. JG. Corrections sent 2/23 JG	Building approved 08-04-15 cdl	RPS - No PW comments if street access is not required for storage		
9	Whitaker	1170 Front	3/10/16	B-30885	New 6 unit hotel	Needs CDP from Coastal Commission.	Denied by cdl on 6-17-16.	PN- Disapproved 6/30/16		
10	Stanley	570 Harbor	11/15/16	B-31280	New SFR on lot with existing commercial structure. SFR includes 1507sf living, 480sf garage and 194sf decking		Disapproved by cdl on 12-22-16.	PN- Disapproved per memo dated 12/8/16		
11	Page	2657 Greenwood	12/27/16	B-31045	2nd floor 1028sf addition to existig SFR with new 350sf deck & remodel of 1st floor.		Disapproved by cdl on 1-9-17.	PN- Disapproved per memo dated 2/17/17		
12	Moffat	2950 Greenwood	1/12/17	B-31362	Install new bathroom to existig den in SFR		Disapproved by cdl on 1-19-17.	PN- Approved 1/23/17		
13	Stanley	570 Harbor St	9/12/16	CP0-517	Demo existing SFR/Chiropractic office. New construction of 2 new SFRs - 1507sf living with 480sf garage, and 891 sf living with 441	CDP approved 11-22-16. WM	Conditionally approved per memo dated 9/12/16.	PN-Conditionally approved per memo dated 11/17/16		
14	Hurless	2265 Hemlock	5/11/15	B-30477	SFR Garage converted to 492sf apartment with new bedroom and bathroom. Remains in plan check status.	Disapproved 8-28-15. JG	Denied by cdl on 5/15/15	PN- Disapproved needs sewer lateral video-		

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
15	Audland	2605 Ironwood	1/17/17	B-31367	SF-Alter Stabilize foundation of existing SFR, install piers utilizing standard foundation brackets to prevent further	Approved by sg on 01-20-17	Approved by cdl on 01/19/17			
16	Romero	3036 Ironwood	1/25/17	B-31340	New SFR with 2,484sf living, 559sf garage, 100sf deck & 71sf porch			PN- Disapproved per Memo dated 2/17/17		
17	Gonzalez	481 Java	10/10/13	B-30029	SFR Addition/ Remodel: add 578 sf living and 112 sf decking. Remains in plan check Status.	WM. Expecting Admin Use Permit application for minor revision to approved design.	Plans approved 9-18-15 cdl	PN-Disapproved, needs swr video & plan corrections. 9/24/15		
18	Channing	471 LaJolla	10/11/16	B-31221	Construct 20' x 11' exterior deck		Disapproved by cdl on 10-18-16.			
19	Wright	520 LaJolla	7/25/16	B-31114	Convert walk-in closet to bathroom, add shower, two windows, convert windows to french doors.	Correction memo sent 10/20/16. jg.	Approved by cdl on 12-19-16.	PN- Disapproved per memo dated 12/21/16		
20	Douglas	2587 Laurel	1/8/15	B-30352	Addendum to B-30074. Add 24 sq. ft., converting 1,020 sq. ft. to habitable space, add 120 sq. ft. porch, and 191 sq. ft. deck. Remains	Under Review. JG. Denial	Plans Denied 10/16/15 cdl	PN 9/30/15 Approved as submitted. No		
21	PG&E	1245 Little Morro Creek	3/25/16	B-30925	Add 25K Generator to cell site/tower to satisfy Planning Commission conditions.	Approved. CJ. 4-5-16. Complies w/ PC approval.	Approved by cdl 3/30/16	PN- Approved 5/17/16		
22	Dyson	117 Main	8/15/14	B-30248	Covered Patio Remains in plan check Status.	Corrections. 9-5-14. WM.	BC-Returned for corrections 9/8/14.	NRR		
23	Burgstrom	372 Main	12/14/16	B-31350	SF-Alt -Rebuild existing 235 sf deck and stairs, add approx 69 sf to enlarge existing deck.		Disapproved by cdl on 12-30-16			
24	Morro Mist LLC	2402-2446 Main	7/5/16	B-31067 through B-31089	Building permit applications for 23 new townhomes in 6 detached building clusters to include 15 one-bedroom units and 8 three-bedroom units. 23 separate permit applications	Disapproved. Corrections sent 8-3-16. cj.	Disapproved by cdl on 1-23-17.			
25	Streeter	1128 Market	10/26/16	B-31247	New SFR with 1345sf Living, 434sf garage & 80sf Deck		Disapproved by cdl on 11-21-16.	PN- Disapproved 11/17/16		
26	Streeter	1138 Market	10/26/16	B-31252	New SFR with 1345sf Living, 437sf garage & 131sf Deck		Disapproved by cdl on 12-6-16.	PN- Disapproved 11/17/16		
27	Castro	190 Mindoro	12/29/16	B-31351	New SFR with 888sf Living & 234sf garage		Approved by cdl on 12-13-16.	PN- Disapproved per memo dated 1/24/17		
28	Assembly of God	615 Monterey	10/14/16	B-31226	Interior remodel (to rear house) - Demo interior, replace sub floor, drywall, electrical & plumbing,		Disapproved by cdl on 11-17-16.	PN- Disapproved 11/16/16		
29	Howard	1255 Morro Ave.	11/10/16	B-31270	Addition Entry way and interior remodel of Kitchen and master bathroom.		Approved by cdl on 12-8-16.	PN- Approved 2/8/17		
30	Meisterlin	315 Morro Bay Blvd.	9/12/14	B30275	Commercial Alteration-Handicap restroom. Remains in plan check Status.	Approved 9/25/14. CJ.	Plansw approved 9-30-2014 bc	RPS returned for corrections per		
31	Robson	110 Orcas	12/9/16	B-31350	2098 s.f. living, 939 s.f. subterranean garage, and 376 s.f. decking	Under review. CJ.	Disapproved by cdl on 01-12-17			
32	Moloney	840 Pacific	9/22/16	B31194	350sf addition to existing SFR		Disapproved by cdl on 9-29-16.	RB-Disapproved per memo dated 10/19/16		

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
33	Lewis	290 Piney Lane	12/19/16	B-31325	New two story SFR - 2735 sf living, 581 sf garage, 376 sf deck	Conditional Approval by jg on 01-04-17 (need to add Cond of App to plans sets	Approved by cdl on 12-30-16	PN- Disapproved per memo dated 2/16/17		
34	Volk	800 Quintana	4/25/16	B-30811	Unmanned cell site including locating an antenna on and radios on roof, equipment at	Disapproved. CJ. 5-16-16. Does not meet conditions of approval. Requested resubmittal.	Approved by cdl on 5/11/16	PN- Approved 5/13/16		
35	Frye	244 Shasta	5/2/13	B-29910	Garage to Second Unit conversion. Remains in plan check Status.	KM - Needs to comply with or amend existing CDP. 2006 Planning permit modified to allow non-conforming structure. No activity since 2014 on this building permit.	BC- on hold pending planning process.	BCR-approved 5/13/13		
36	Scoto	330 Sicily	10/18/16	B-31232	New SFR w/1743sf living area, 457sf garage & 150sf deck.		Disapproved by cdl on 12-5-16.	PN- Approved 12/8/16		
37	Dolezal	1885 Sunset	11/30/15	B-30758	Lot 6: New SFR with 1140sf and 480 garage. Remains in plan check Status.	Disapproved 7-6-16. Plans not consistent with pending final map. Corrections needed. CJ.	Approved by cdl on 5/6/16	PN- Approved 7/14/16		
38	Dolezal	1889 Sunset	11/30/15	B-30757	Lot 5: New SFR with 1140sf with 480 garage. Remains in plan check Status.	Disapproved 7-6-16. Plans not consistent with pending final map. Corrections needed. CJ.	Approved by cdl on 5/6/16	PN- Approved 7/14/16		
39	Dolezal	1893 Sunset	11/30/15	B-30756	Lot 4: New SFR with 1140sf living and 480sf garage. Remains in plan check Status.	Disapproved 7-6-16. Plans not consistent with pending final map. Corrections needed. CJ.	Approved by cdl on 5/6/16	PN- Approved 7/14/16		
40	Dolezal	1897 Sunset	11/30/15	B-30753	Lot 1: New SFR with 1140sf living and 480sf garage. Remains in plan check Status.	Disapproved 7-6-16. Plans not consistent with pending final map. Corrections needed. CJ.	Approved by cdl on 5/6/16	PN- Approved 7/14/16		
41	Dolezal	1901 Sunset	11/30/15	B-30754	Lot 2: New SFR with 1541sf living and 483sf garage. Remains in plan check Status.	Disapproved 7-6-16. Plans not consistent with pending final map. Corrections needed. CJ.	Approved by cdl on 5/6/16	PN- Approved 7/14/16		
42	Dolezal	1905 Sunset	11/30/15	B-30755	Lot 3: New SFR with 1457sf living and 480sf garage. Remains in plan check Status.	Disapproved 7-6-16. Plans not consistent with pending final map. Corrections needed. CJ.	Approved by cdl on 5/6/16	PN- Approved 7/14/16		
43	Hartsock	242 Surf	1/27/17	B-31380	Addition to a non-conforming SFR w/ detached garage. Also ref: CP0-509, AD0-106					
44	Jordan	340 Tulare		B-31046	2nd floor 650sf Addition & 75sf garage addition		Disapproved by cdl on 1-13-16.	PN- Approved 2/2/17		
Planning Projects & Permits with Final Action:										
6	Moloney	840 Pacific	12/29/16	CP0-526	Coastal Development permit, as-built for existing secondary dwelling unit and an addition of habitable square footage	Project Review Complete. Correction Letters sent 1/19 and 2/9. Noticed for admin approved 3/21. Action date 3/7.		PN- Conditionally approved per memo dated 1/23/17		rr
32	Streeter	1128 & 1138 Market	8/24/16	CP0-513 / UP0-452	Two new SFRs. Front SFR includes 1,345 sq. ft. of living area, a 434 sq. ft. garage, and 80 sq. ft. of decking. Rear SFR includes 1,373 sq. ft. of living area, a 473 sq. ft. garage, and 131 sq. ft. of decking.	Under Initial Review. Correction letter sent 9/22/16. Additional staff comments regarding City design guidelines emailed to applicant on 11/8/16 PC hearing 3-7-17		PN- Conditionally Approved per memo dated 9/15/16		wm



AGENDA NO: B-1

MEETING DATE: March 21, 2017

Staff Report

TO: Planning Commissioners **DATE:** March 16, 2017

FROM: Joan Gargiulo, Assistant Planner

SUBJECT: Request for a Continuance to a date certain for Coastal Development Permit (CP0-529) and Conditional Use Permit (UP0-464) to allow for a proposed addition to an existing nonconforming single-family residence located within the R-1/S.2 Residential Zoning District and outside of the Coastal Commission Appeal Jurisdiction, located at 2654 Greenwood Avenue.

RECOMMENDATION:

Staff recommends the Planning Commission hear public testimony on the project and continue the public hearing to the April 4, 2017 Planning Commission meeting for full review at that time.

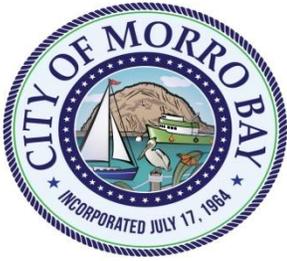
REASON FOR CONTINUANCE:

Staff requests a continuance to the next scheduled Planning Commission meeting on April 4, 2017. Pursuant to Morro Bay Municipal Code (MBMC) Section 17.40.050, residences under 1,000 sq. ft. in the S.2 Special Treatment Overlay Zone are permitted to have a one-car garage or carport. Because the Applicant proposes to add 192 sq. ft. to an existing 840 sq. ft. single-family residence, increasing the habitable square footage of the residence to above the 1,000 sq. ft. threshold, the property will now require the approval of a parking exception to allow a one-car garage with tandem parking in the driveway to satisfy the parking requirement (MBMC Section 17.44.050.). Project noticing did not include reference to the parking exception and must therefore be continued.

Since the hearing was publicly noticed in the March 11, 2017 edition of the Tribune newspaper, staff recommends that the Commission open the public hearing for testimony by interested persons wishing to speak about the project before continuing review to the next schedule hearing date.

Prepared By: JG

Department Review: _SG_



AGENDA NO: B-2

MEETING DATE: March 21, 2017

Staff Report

TO: Planning Commissioners **DATE:** March ~~16~~**21**, 2017

FROM: Joan Gargiulo, Assistant Planner

SUBJECT: Coastal Development Permit (#CP0-535) and Conditional Use Permit (#UP0-465) Request for Coastal Development and Conditional Use Permit approval for a proposed addition to an existing nonconforming single-family residence located within the R-1 Residential Zoning District and outside of the Coastal Commission Appeal Jurisdiction.

RECOMMENDATION:

CONDITIONALLY APPROVE THE PROJECT by approving Planning Commission **Resolution 09-17** which includes the Findings and Conditions of Approval for the project depicted on site development plans dated stamp received January 20, 2017.

APPLICANT:

Roeland and Megan van Kreiken

ARCHITECT:

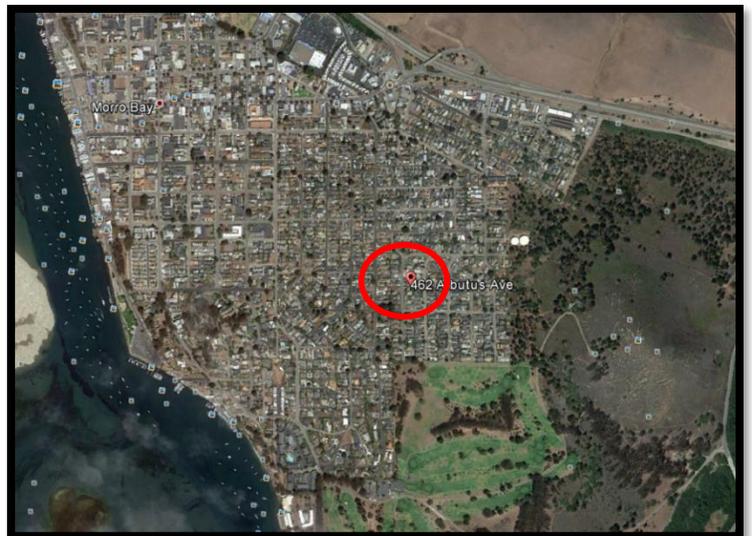
Nick Huston, Crizer Design

LEGAL DESCRIPTION/APN:

066-202-006

PROJECT DESCRIPTION:

The Applicant is requesting Coastal Development and Conditional Use Permit approval for the addition of 352 sq. ft. of habitable floor area, the relocation of the existing two-car garage, and extensive interior remodeling to an existing 1,724 sq. ft. single-family residence with a nonconforming rear and side-yard setbacks. The project is located within the R-1 Residential Zoning District and outside of the Coastal Commission Appeal Jurisdiction.



Prepared By: JG

Department Review: SG

PROJECT SETTING:

The project is located in the Central Morro Bay Neighborhood, designated as Planning Area No. 7 in the Local Coastal Plan, within the R-1 Residential Zoning District. The parcel at 462 Arbutus Avenue lies to the East of Kern Avenue, to the west of Kings Avenue, to the south of Pacific Street, and to the north of Ridgeway Street. The 5,000 sq. ft. rectangular shaped lot slopes gently up to the east. Development in the surrounding area includes mostly one-story residential development in a variety of architectural styles.

Adjacent Zoning/Land Use			
North:	R-1 Single-Family Residential	South:	R-1 Single-Family Residential
East:	R-1 Single-Family Residential	West:	R-1 Single-Family Residential

Site Characteristics	
Site Area	5,000 square feet
Existing Use	Single-Family Residential
Terrain	Developed and sloping gently up to the east
Vegetation/Wildlife	Ornamental Landscaping
Archaeological Resources	N/A
Access	Arbutus Avenue

General Plan, Zoning Ordinance, & Local Coastal Plan Designations	
General Plan/Coastal Plan Land Use Designation	Low Density Residential
Base Zone District	R-1
Zoning Overlay District	n/a
Special Treatment Area	n/a
Combining District	n/a
Specific Plan Area	n/a
Coastal Zone	Located outside the Coastal Commission Appeal Jurisdiction



Zoning Ordinance Standards		
	Standards	Proposed
Front Setback	20 feet	24' 9"
Side-Yard Setback	5 feet	4' 10" (existing)
Rear Setback	10 feet	2' 7" (existing)
Height	25 Feet	22 feet
Lot Coverage	Max. 45%	45%
Parking	2 Car Garage	2 Car Garage

DISCUSSION:

The construction of the existing 1,724 sq. ft. single-family residential structure at the front of the lot was permitted in 1986 with a drive-through carport for vehicular access to the detached garage located at the rear of the lot. Currently, the carport area is enclosed with a garage door on the front or street facing elevation. The Applicant proposes to increase the efficiency of this existing parking situation by relocating the required two-car garage to the front of the residence and lot and removing the existing drive-through carport area.

As stated above, the existing residence does not conform to the current rear and side-yard setback requirements as set forth in Section 17.24.040 of the Morro Bay Municipal Code (MBMC). The existing detached garage and living space is 2'7" from the rear property line where 10 feet is the minimum and 4'10" from the south property line where 5 feet is the minimum required setback.

The proposed addition meets the height and setback requirements for projects in the R-1

zone. Setting the proposed addition 9'1" from the side property line and limiting the addition to a single story (Exhibit B) helps to reduce project's impact on the neighboring residences.

Permit Requirements

Title 17 of the MBMC establishes land use and zoning permit requirements. The project at 462 Arbutus Avenue proposes construction of an addition of habitable square footage to an existing nonconforming single-family residence in the R-1 Residential Zoning District. This project requires Planning Commission approval of both a coastal development permit (MBMC Section 17.58.020) and a conditional use permit (MBMC Section 17.56.160.)

Conditional Use Permit

The Zoning Ordinance, subsection 17.56.160A, requires approval of a conditional use permit for any nonconforming structure that has already been expanded in the past. The project proposes to add a 352 square-foot single-story addition to a nonconforming structure. As noted above, the structure is nonconforming with regard to the rear-yard setback and the design of the addition is compliant with all pertinent development standards. Approval of a Conditional Use Permit requires the following findings to be made:

1. The enlargement, expansion, or alteration is in conformance with all applicable provisions of the Zoning Ordinance.

The proposed addition is consistent with Zoning Ordinance requirements.

2. The project meets applicable Title 14 (Building and Construction Code) requirements for a conforming use.

The applicant is required to submit a complete building permit application and obtain the required building permit prior to construction.

3. The project is suitable for conforming uses and will not impair the character of the zone in which it exists.

The project proposes an addition to a single-family dwelling, which is an allowed use in the R-1 zone.

4. It is not feasible to make the structure conforming without major reconstruction of the existing structure.

Major reconstruction would be necessary to meet the required rear-yard setback along the eastern property line.

PUBLIC NOTICE:

Notice of this item was published in the San Luis Obispo Tribune newspaper on March 11, 2017, and all property owners and occupants of record within 500 feet of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application.

ENVIRONMENTAL DETERMINATION:

Environmental review was performed for this project and staff determined it meets the requirements for a Categorical Exemption under CEQA Guidelines Section 15301 Class 1. The exemption applies to the construction of a single-family residence in a residential zone. Additionally, none of the Categorical Exemption exceptions, noted under Section 15300.2, apply to the project.

CONCLUSION:

The project is consistent with the General Plan and Local Coastal Plan which establish five residential land use categories to provide for a wide range of densities and to ensure residential land is developed to a density suitable to its location and physical characteristics. The project is consistent with the Zoning Ordinance because housing is a principally allowed use in the Low/Medium Density land use designation and because the project meets the development standards set forth in the Ordinance.

RECOMMENDATION:

Staff recommends the Planning Commission approve the requested Coastal Development Permit (CP0-535) and Conditional Use Permit (UP0-465) for the proposed project at 462 Arbutus Avenue, as shown on plans date stamped received January 20, 2017 by adopting Planning Commission **Resolution 09-17** which includes the Findings and Conditions of Approval for the project.

EXHIBITS:

- Exhibit A – Planning Commission Resolution 09-17
- Exhibit B – Graphics/Plan Reductions
- Exhibit C – Photo simulations
- Exhibit D – Color and Material Board

EXHIBIT A

RESOLUTION NO. PC 09-17

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION
APPROVING COASTAL DEVELOPMENT PERMIT (CP0-535) AND CONDITIONAL
USE PERMIT (UPO-465) TO ALLOW AN ADDITION TO A NONCONFORMING
RESIDENTIAL STRUCTURE AT 462 ARBUTUS AVENUE

WHEREAS, the Planning Commission of the City of Morro Bay (the “City”) conducted a public hearing at the Morro Bay Veteran’s Hall, 209 Surf Street, Morro Bay, California, on March 21, 2017, for the purpose of considering Coastal Development Permit CP0-535 and Conditional Use Permit UPO-465 for a proposed addition to a nonconforming single-family residence at 462 Arbutus Avenue.; and

WHEREAS, notice of the public hearing was provided at the time and in the manner required by law; and

WHEREAS, the Planning Commission has duly considered all evidence, including the testimony of the applicant, interested parties, and the evaluation and recommendations by staff, presented at said hearing.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Morro Bay as follows:

Section 1: Findings. Based upon all the evidence, the Commission makes the following findings:

California Environmental Quality Act (CEQA) Finding

1. Pursuant to the California Environmental Quality Act, the project is categorically exempt pursuant to Class 1, CEQA Guidelines Section 15301(e) for additions to existing structures with no potentially significant environmental impacts. Additionally, none of the Categorical Exemption exceptions, noted under section 15300.2, apply to the project.

Conditional Use Permit Findings

1. The project is consistent with the General Plan and Local Coastal Plan which establish five residential land use categories to provide for a wide range of densities and to ensure that residential land is developed to a density suitable to its location and physical characteristics.
2. The proposed addition is in conformance with all applicable provisions of the Morro Bay City Zoning Ordinance (the “Zoning Ordinance”), including building height, setbacks, and lot coverage.
3. The project meets applicable Title 14 (Building and Construction Code) requirements for a conforming use since the applicant is required to submit a complete building permit application and obtain the required building permit prior to construction.
4. The project is suitable for conforming uses and will not impair the character of the zone in which it exists because it proposes an addition to a single-family dwelling, which is

EXHIBIT A

Planning Commission Resolution No. 09-17

CP0-535/UP0-465: 462 Arbutus Avenue

Page 2

an allowed use in the R-1 zone and the surrounding neighborhood is developed with one and two-story homes.

5. It is not feasible to make the structure conforming without major reconstruction of the existing structure. Major reconstruction would be necessary to meet the required rear and side-yard setbacks.

Section 2. Action. The Planning Commission does hereby approve Coastal Development Permit CP0-535 and Conditional Use Permit UPO-465 property located at 462 Arbutus Avenue subject to the following conditions:

STANDARD CONDITIONS

1. This permit is granted for the land described in the staff report dated March 21, 2017, for the project at 462 Arbutus Avenue depicted on plans date stamped January 20, 2017, on file with the Community Development Department, as modified by these conditions of approval, and more specifically described as follows: Site development, including all buildings and other features, shall be located and designed substantially as shown on plans, unless otherwise specified herein.
2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this Resolution and is diligently pursued, thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Any extension may be granted by the City's Community Development Director (the "Director"), upon finding the project complies with all applicable provisions of the Morro Bay Municipal Code (the "MBMC"), General Plan and certified 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 Community Development Director. Any changes to this approved permit determined, by the Director, not to be minor shall require the filing of an application for a permit amendment subject to Planning Commission review.
4. Compliance with the Law: (a) All requirements of any law, ordinance or regulation of the State of California, the City, and any other governmental entity shall be complied with in the exercise of this approval, (b) This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan for the City.
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

EXHIBIT A

Planning Commission Resolution No. 09-17

CP0-535/UP0-465: 462 Arbutus Avenue

Page 3

the applicant's project; or applicant's failure to comply with conditions of approval. Applicant understands and acknowledges the City is under no obligation to defend any legal actions challenging the City's actions with respect to the project. This condition and agreement shall be binding on all successors and assigns.

6. Compliance with Conditions: The applicant's establishment of the use 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 Director or as authorized by the Planning Commission. Failure to comply with any of 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 MBMC and is a misdemeanor.
7. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan of the City.

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.
2. Construction Hours: Pursuant to MBMC subsection 9.28.030.I, Construction or Repairing of Buildings: The erection (including excavating), demolition, alteration or repair of any building or general land grading and contour activity using equipment in such a manner as to be plainly audible at a distance of fifty feet from the building other than between the hours of seven a.m. and seven p.m. on weekdays and eight a.m. and seven p.m. on weekends except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Community Development Department, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for a period of three days or less while the emergency continues.
3. Dust Control: That prior to issuance of a grading permit, a method of control to prevent dust and wind blow earth problems shall be submitted for review and approval by the Building Official.
4. Conditions of Approval: 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

EXHIBIT A

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Page 4

Conditions of Approval shall be the same size as other plan sheets and shall be the last sheet in the set of Building Plans.

BUILDING CONDITION

1. **Building Permit:** Prior to construction, the applicant shall submit a complete Building Permit Application and obtain the required Permit.

PUBLIC WORKS CONDITIONS

1. **Stormwater Management:** The City has adopted Low Impact Development (LID) and Post Construction requirements to protect water quality and control runoff flow from new and redevelopment projects. The requirements can be found in the Stormwater management guidance manual on the City's website www.morrobay.ca.us/EZmanual. Projects with more than 2,500 sf of new or redeveloped impervious area are subject to these requirements. Complete and submit the "SFR Performance Requirement Determination Form".
2. **Sewer Lateral:** If an existing lateral is used, perform a video inspection of the lateral and submit to Public Works via flash drive or DVD. Lateral shall be repaired if necessary. A sewer backwater valve and downstream cleanout, extended to grade, shall be installed on the sewer lateral. If a new lateral is being proposed and old lateral exists, include a note on the plans to cap and abandon existing sewer lateral.
3. **Sewer Backwater Valve:** A sewer backwater valve shall be installed on site to prevent a blockage or maintenance of the municipal sewer main from causing damage to the proposed project (MBMC 14.24.070). Indicate and label on plan.
4. **Erosion and Sediment Control Plan:** For small projects less than one acre and less than 15% slope, provide a standard erosion and sediment control plan. The Plan shall show control measures to provide protection against erosion of adjacent property and prevent sediment or debris from entering the City right of way, adjacent properties, any harbor, waterway, or ecologically sensitive area.
5. **Encroachment Permits:** A standard encroachment permit shall be required for the proposed driveway; the driveway shall comply with B-9 (Driveway Ramps: Size & Location). A sewer encroachment permit shall be required for any repairs or installation of a sewer lateral. When utility connections require pavement cuts a traffic control plan indicating appropriate signing, marking, barricades and flaggers must be submitted with the Encroachment Permit application.

Add the following Notes to the Plans:

EXHIBIT A

Planning Commission Resolution No. 09-17

CP0-535/UP0-465: 462 Arbutus Avenue

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1. Any damage, as a result of construction operations for this project, to City facilities, i.e. curb/berm, street, sewer line, water line, or any public improvements shall be repaired at no cost to the City of Morro Bay.
2. No work shall occur within (or use of) the City's Right of Way without an encroachment permit. Encroachment permits are available at the City of Morro Bay Public Works Department Office located at 955 Shasta Ave. The Encroachment permit shall be issued concurrently with the building permit.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 21st day of March, 2017 on the following vote:

AYES:

NOES:

ABSENT:

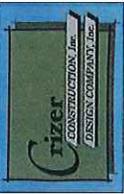
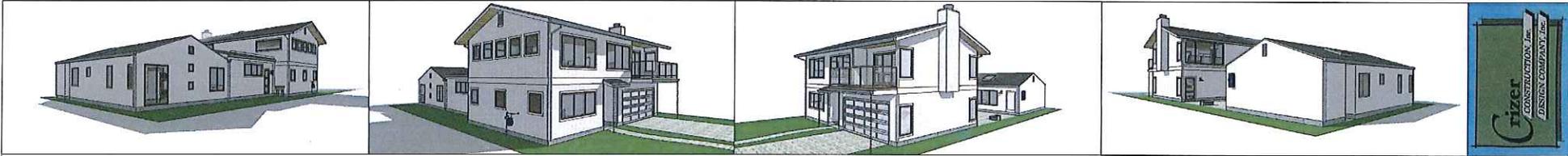
ABSTAIN:

Robert Tefft, Chairperson

ATTEST

Scot Graham, Planning Secretary

The foregoing resolution was passed and adopted this 21st day of March, 2017.



The van Krieken House

462 Arbutus Ave. Morro Bay, CA 93442

<p>Vicinity Map Not To Scale</p>	<p>Project Data</p> <p>Area Square Footages:</p> <p>(E) Garages: 1139 SF</p> <p>(N) Garage: 0519 SF</p> <p>(E) Floor: 1724 SF + (N) Floor: 0870 SF = (N) Total Floor: 2594 SF</p> <p>(E) Interior Remodel: 1724 SF</p> <p>(E) Decks: 0181 SF - (N) Decks: 0121 SF = (N) Total Decks 0060 SF</p> <p>Site Size: 5000 SF</p> <p>Occupancy: Single Family Dwelling: R-1</p> <p>Construction Type: V</p> <p>APN: 066-202-006</p> <p>Project Scope: Remodel and addition to existing residence</p>	<p>Sheet Index</p> <p>A1 Title Sheet</p> <p>A2 Existing 1st Floor Demo Site Plan</p> <p>A3 Proposed 1st Floor Site Plan</p> <p>A4 Existing 2nd Floor Demo Plan</p> <p>A5 Proposed 2nd Floor Plan</p> <p>A6 Existing Roof Demo Plan</p> <p>A7 Proposed Roof Plan</p> <p>A8 Proposed Elevations</p> <p>A9 Sections</p> <p>E1 Electrical Plan</p> <p>S0 Structural Notes</p> <p>S1 Foundation Plan</p> <p>S2 2nd Floor Framing Plan</p> <p>S3 Roof Framing Plan</p> <p>S4 Shear Wall Elevations</p>	<p>Consultants</p> <p>Client Group: Roeland & Megan van Krieken 462 Arbutus Ave. Morro Bay, CA 93442 (805) 835-1400 (650) 279-8583 Roeland.Van.Krieken@GMail.com MeVanKri@yahoo.com</p> <p>General Contractor: Crizer Construction, Inc. Robert C. Crizer PO Box 6952 Los Osos, CA 93412 Office: (805) 528-4812 Bob@CrizerConstruction.com</p> <p>Architectural Design: Crizer Design Company, Inc. Nicholas Huston, Associate AIA PO Box 6952 Los Osos, CA 93412 Office: (805) 528-4812 Mobile: (805) 704-5775 Nick@CrizerConstruction.com</p> <p>Structural Engineer:</p>
<p>Setbacks: Front: 20' Back: 10' Sides: 5'</p> <p>Height Calculations: 256.20' highest point of property + 248.86' lowest point of property = 505.06' divided by 2 = 252.53' average natural grade (ANG) 022.00' existing peak above ANG 025.00' height limit</p> <p>Existing Lot Coverage Calculation: Impermeable Surface: 1876 SF or 38% Permeable Surface: 3124 SF or 62%</p> <p>Proposed Lot Coverage Calculation: Impermeable Surface: 2249 SF or 45% Permeable Surface: 2751 SF or 55%</p>	<p>APPLICABLE CODES 2013 California Building Code 2013 California Residential Code 2013 California Electric Code 2013 California Mechanical Code 2013 California Plumbing Code 2013 California Fire Code 2013 California Green Building Standards Code (Cal Green) <i>Cal Fire Notice</i></p> <p>FIRE SPRINKLERS 1. A fire sprinkler system is required for this project per local Fire Code. 2. Fire alarm bell must be installed and working at final inspection (if required by NFPA 13D) 3. Mount smoke heads & wrench box in garage or rear porch. (1 of each type)</p>		

CRIZER DESIGN CO.
PO Box 6952
Los Osos, CA 93412
(805) 528-4812
Nick@CrizerConstruction.com

OWNER
Roeland & Megan
van Krieken
462 Arbutus Ave.
Morro Bay, CA 93442

PROJECT
VAN KRIEKEN
REMODEL &
ADDITION
MB 16 09 19

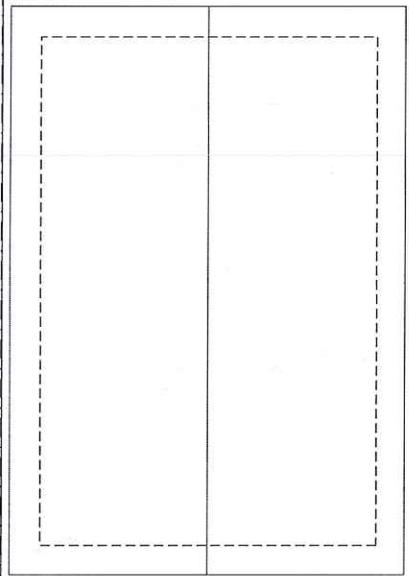
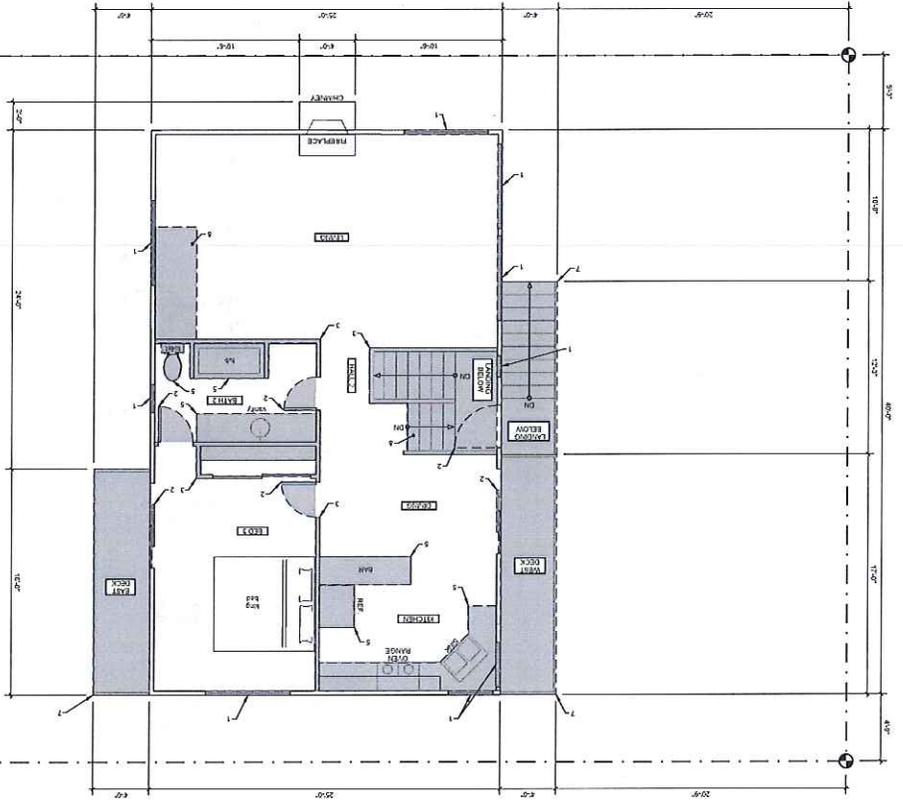
ISSUE
DRAWN BY
NICHOLAS B. HUSTON

Title Sheet



EXISTING 2ND FLOOR DEMO PLAN

- WALL LEGEND**
- 1 HOUR WALL
 - TOP AFF - BRICK GLASS BLOCK PARTIAL WALL
 - EXISTING WALL
 - TOP AFF - PARTIAL WALL
 - CONTIGUOUS WALL



- DEMO REMARKS**
1. DEMO WORK TO BE REMOVED
 2. (D) DOORS TO BE REMOVED
 3. (D) WALLS TO BE REMOVED
 4. (D) ROOFING & CEILING TO BE REMOVED, TYP.
 5. (D) CABINETS, APPLIANCES AND FIXTURES TO BE REMOVED OR RELOCATED
 6. (D) CONCRETE SLABS TO BE REMOVED
 7. (D) STAIRS & DECKS TO BE REMOVED
 8. (D) FINISH STAIRS & FLOOR TO BE DEMOLISHED

Existing 2nd Floor Demo Plan

ISSUE
 02/17/2014
 DRAWN BY
 Nicholas B. Hudson

PROJECT
 VAN PELTSEN
 7000
 Mtl 16 09 49

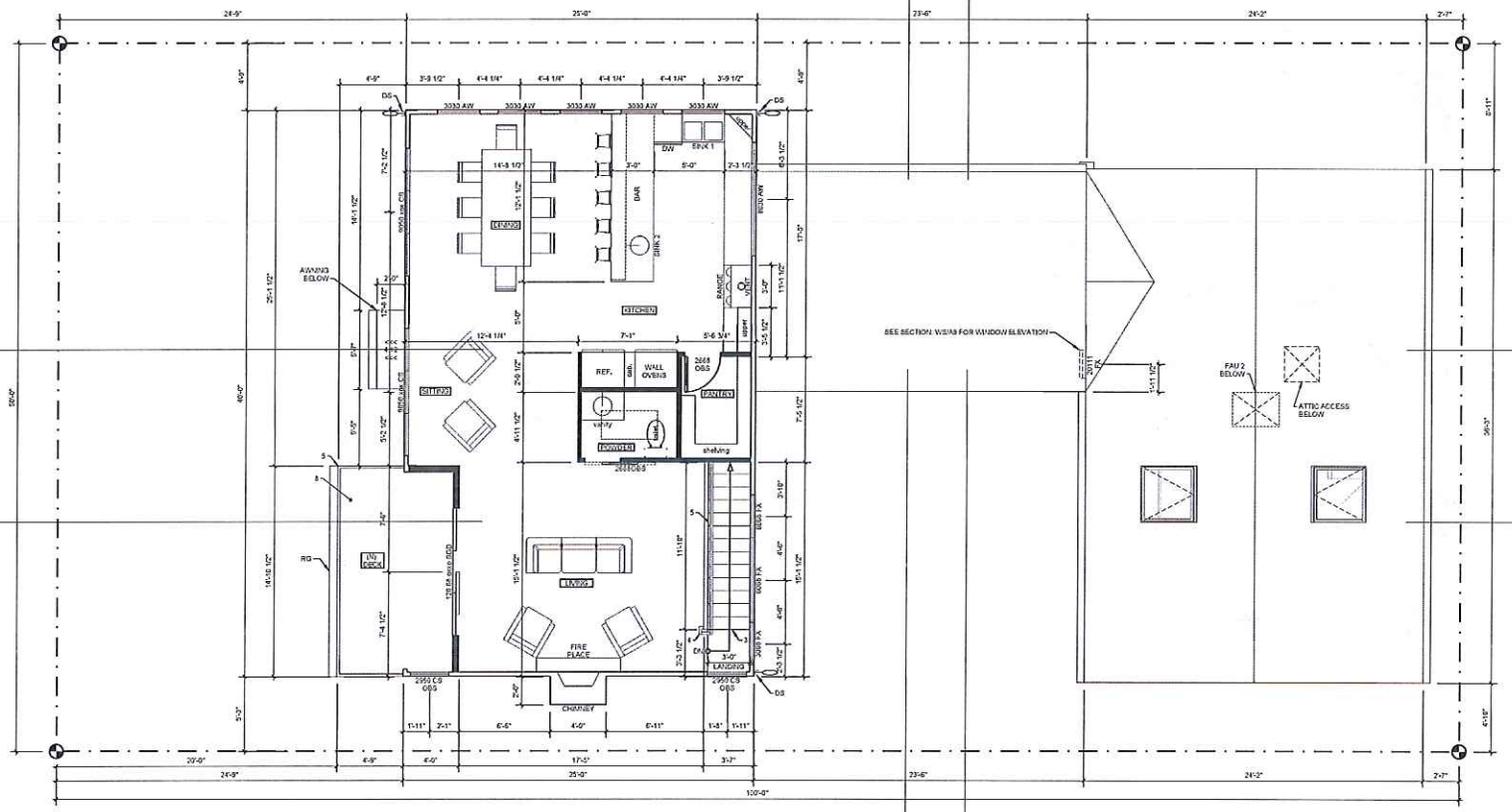
OWNER
 Rowland & Megan
 van Peltzen
 7000
 Moran Bay, CA 93942

CRITER DESIGN CO.
 PO Box 6932
 Los Oaks, CA 93942
 (530) 233-4466
 NC@criterconstruction.com

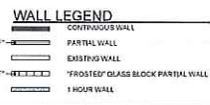




- PROPOSED FLOOR KEYNOTES**
1. MINIMUM 1/2" 307-CLADDING AND SELF-FLASHING, SOGD-CORE WOOD, STEEL, MOONEY COMB DOOR OR 20-MINUTE FIRE RATED DOOR.
 2. 1/2" OSB SHEATHING REQUIRED ON THE GARAGE SIDE SEPARATING ENCLINED AND ATTIC AREA FROM THE GARAGE.
 3. STAIR RISE = 6.5", STAIR RUN = 11", TYP.
 4. HANDRAILS ARE TO BE INSTALLED PER CRC R311.2.8 BETWEEN 34 AND 38 INCHES ABOVE THE HOODING OF THE TREAD AND LANDINGS.
-CIRCULAR HANDRAILS SHALL BE BETWEEN 5-1/4" TO 7".
-THOSE SHALL BE A MINIMUM 1/4" CLEARANCE FROM THE WALL.
 5. GUARDRAIL TOP AT 42" AFF, MIN. TYP.
 6. 2x EXTERIOR WALLS, TYP.
 7. 2x INTERIOR WALLS UNLESS NOTED OTHERWISE, TYP.
 8. WATERPROOF DECKING
Decks & balconies that are made underneath are to be waterproofed at 18" or a minimum 2% slope for drainage.
 9. ACCESS IS TO BE PROVIDED FOR AREAS WHERE THERE IS AN ATTIC SPACE THAT EXCEEDS 50 SQUARE FEET AND HAS AT LEAST 30" HEADROOM CLEARANCE PER CRC PART 1. THE OPENING IS TO BE AT LEAST 22"x30" WITH MINIMUM HEADROOM OF 30". LOCATE VIA HALLWAY OR OTHER READILY ACCESSIBLE LOCATION.
- ABBREVIATIONS**
- F/G FIXED PICTURE WINDOW
 - C/W CASEMENT WINDOW
 - A/W ANHANG WINDOW
 - S/W SLIDER WINDOW
 - E/W ENCLOSING WINDOW
 - O/G DOUBLE GLASS
 - D/G DOUBLE GLAZED WINDOW
 - CO CASED OPENING
 - A ACTIVE SASH
 - I INACTIVE SASH
 - H 1 HOUR WINDOW
 - S/D SLIDING GLASS DOOR
 - G/D GLASS PATIO DOOR
 - C/D CHANGE DOOR
 - L/V LOUVERED DOOR
 - R/W RAINY OUT FLOOR
 - D/S DOWN/SLOUT
 - D/M DRAIN METER
 - EM ELECTRICAL METER



- PROPOSED GENERAL NOTES**
- A. GLAZING TO BE TREATED WHERE THE LEAST EXPOSED EDGE OF THE GLASS IS WITHIN 24" FROM OF EITHER VERTICAL EDGE OF THE DOOR IN CLOSED POSITION AND THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 60" ABOVE WALKING SURFACE. GLAZING TO BE TREATED WHERE THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 18" ABOVE THE WALKING SURFACE.
 - B. DECKS AND BALCONIES THAT ARE SEALED UNDERNEATH ARE TO BE WATERPROOFED AND HAVE A MINIMUM 2% SLOPE FOR DRAINAGE.



PROPOSED 2ND FLOOR PLAN
1/8" = 1'-0"

OWNER
Reehind & Wegrin
10000 Wilshire Blvd
Suite 100
Beverly Hills, CA 90210
Metro Bay, CA 93422

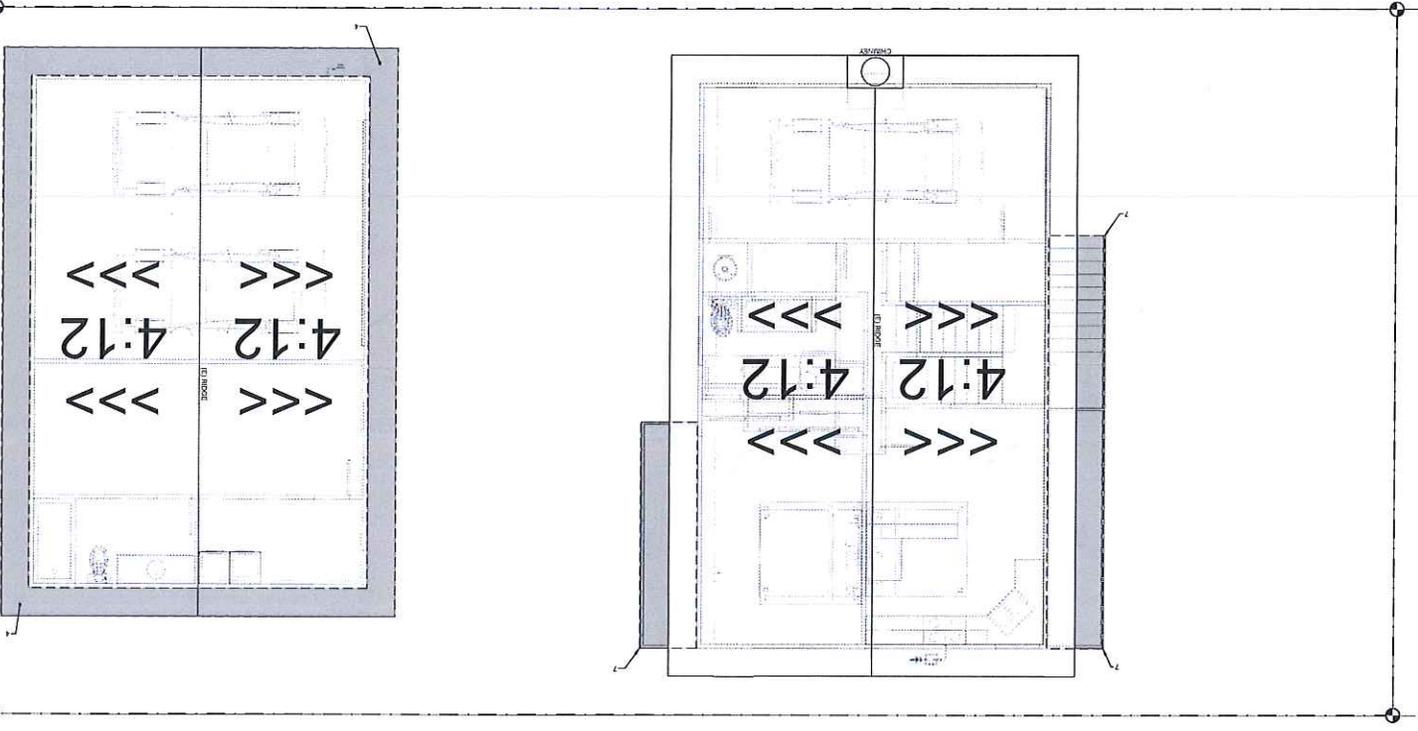
PROJECT
PROJECT NO. ME 16 09 49

ISSUE
DRAWN BY Nicholas B. Huston

OWNER
CRIER DESIGN CO.
PO Box 6932
Los Osos, CA 93422
Nick@CrierConstruction.com

Proposed 2nd Floor Plan

ROOF DEMO LEGEND



- DEMO KEYNOTES:**
- 1. (E) WALLS TO BE REMOVED
 - 2. (E) DOORS TO BE REMOVED
 - 3. (E) WALLS TO BE REMOVED
 - 4. (E) ROOFING & CEILING TO BE REMOVED, TYP.
 - 5. (E) CABINETS, APPLIANCES AND FIXTURES TO BE REMOVED OR RELOCATED
 - 6. (E) CONCRETE SLAB TO BE REMOVED
 - 7. (E) STAIRS & DECKS TO BE REMOVED
 - 8. (E) INTERIOR STAIRS & DOOR TO BE REMOVED

Existing
Roof Demo Plan

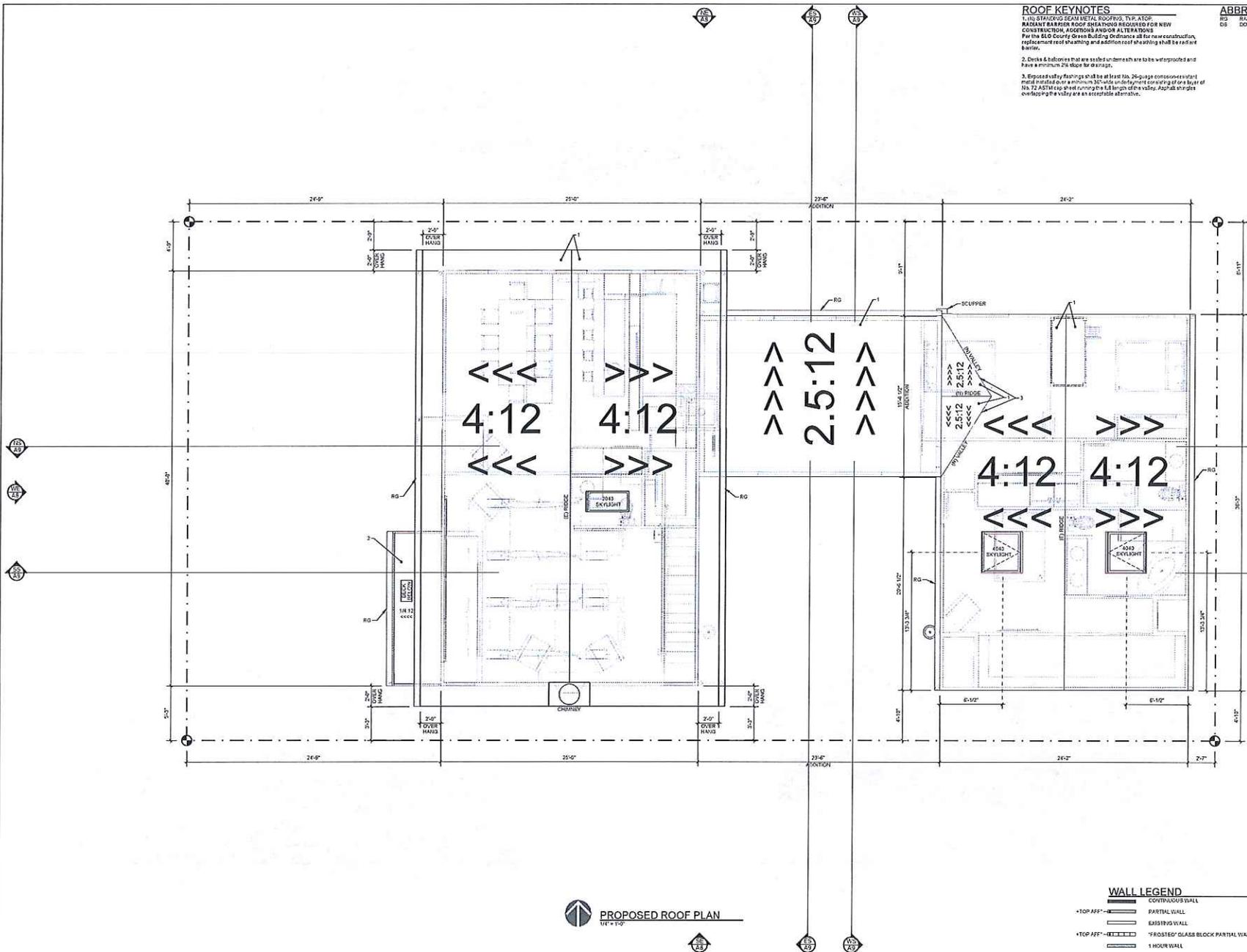
ISSUE
2/1/2010
DRAWN BY
Nicholas B. Hudson

PROJECT
MILWAUKEE
PROJECT NO.
MS-16-09-49

OWNER
Rockard & Magan
482 Alhambra Ave.
Morro Bay, CA 93442

CREATOR DESIGN CO.
PO Box 6925
1580 Ocean Ave. #434
Morro Bay, CA 93442
Nick@creatordesign.com





ROOF KEYNOTES
 1. 1/2" STANDING SEAM METAL ROOFING, TYP. AT OR
RADIANT BARRIER ROOF SHEATHING REQUIRED FOR NEW CONSTRUCTION, ADDITIONS AND/OR ALTERATIONS
 For the SLO County Green Building Ordinance all for new construction, replacement roof sheathing and addition roof sheathing shall be radiant barrier.
 2. Decks & subdecks that are to be underlaid are to be waterproofed and have a minimum 2% slope for drainage.
 3. Exposed valley flashings shall be at least 10x 26-gauge copper or stainless steel or a minimum 30" wide underlayment covering of a layer of 10x 72 ASH Equi-guard covering the full length of the valley. Asphalt shingles overlapping the valley are an acceptable alternative.

ABBREVIATIONS
 RG RAIN GUTTER
 DS DOWNPOUT



PROPOSED ROOF PLAN
 1/8" = 1'-0"

WALL LEGEND

	CONTINUOUS WALL
	PARTIAL WALL
	EXISTING WALL
	"FROSTED" GLASS BLOCK PARTIAL WALL
	1 HOUR WALL

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 Nick@CriterConstruction.com

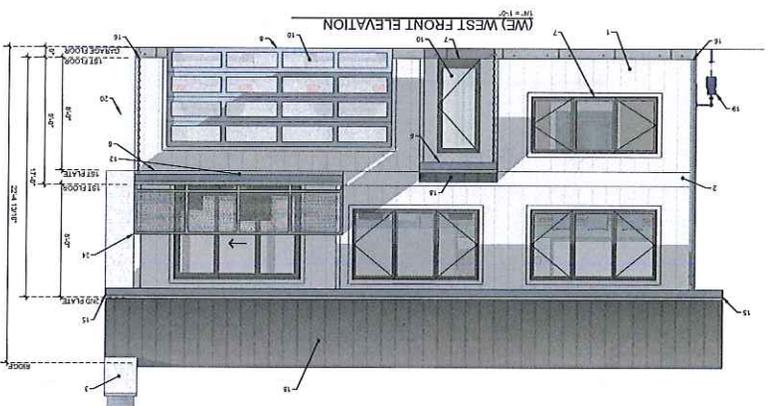
OWNER
 Rosland & Megan
 462 Abacus Ave.
 Morro Bay, CA 94442

PROJECT
 VAN LIESEN
 PROJECT NO.
 MB-16-09-49

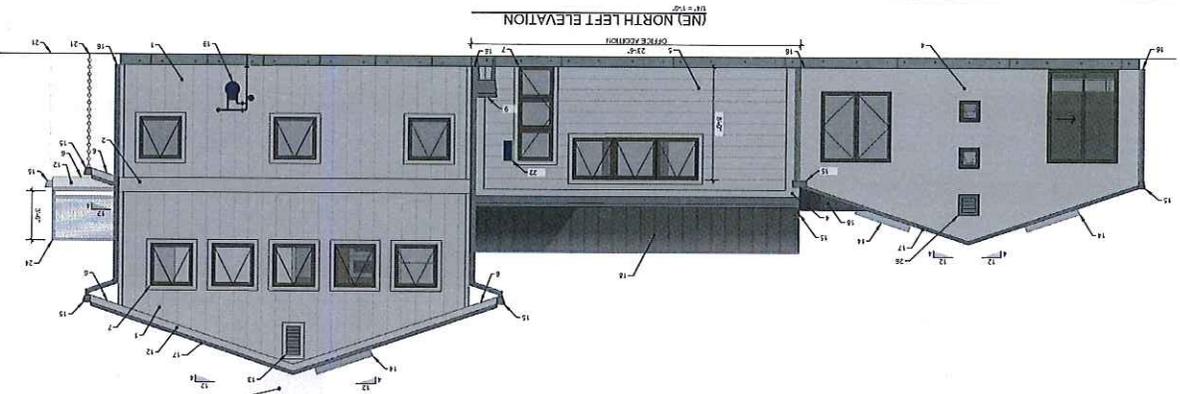
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DRAWN BY
 Nicholas B. Huston

**Proposed
 Roof Plan**

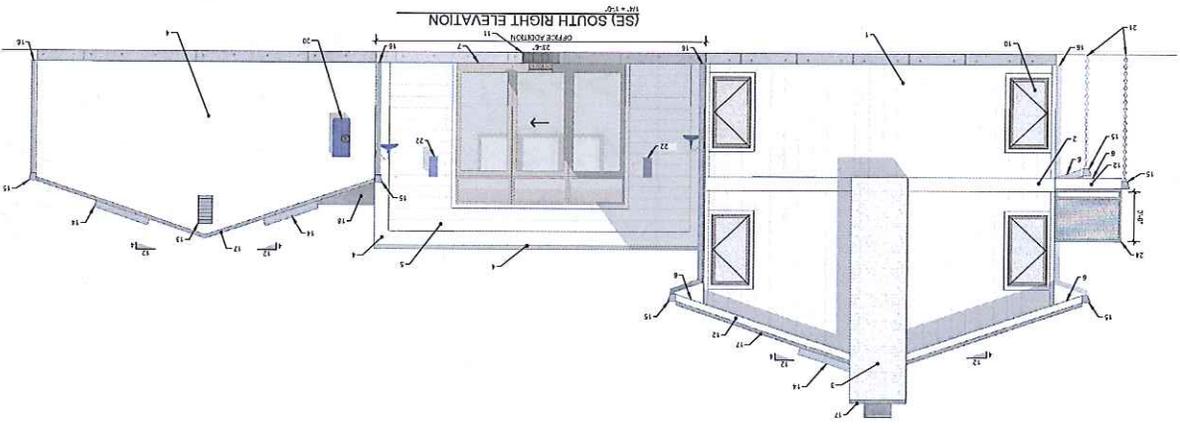
ARBUTUS AVENUE



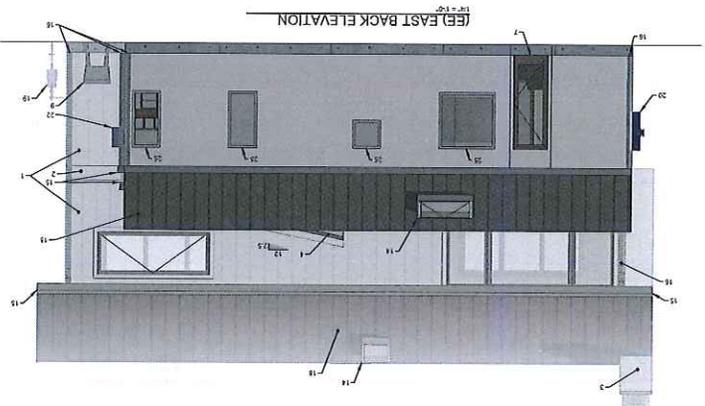
(WE) WEST FRONT ELEVATION



(NL) NORTH LEFT ELEVATION



(SE) SOUTH RIGHT ELEVATION



(EE) EAST BACK ELEVATION

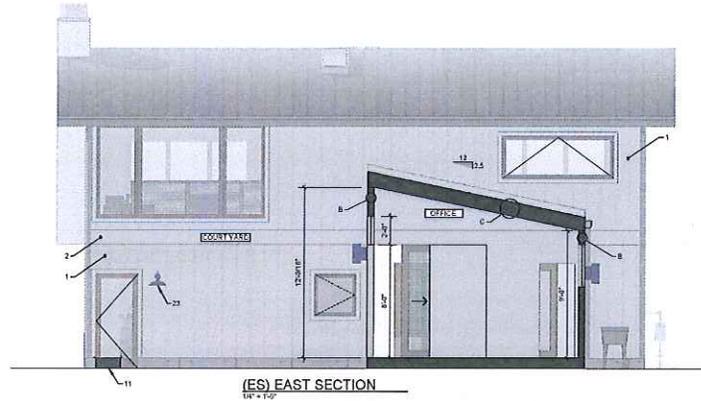
ARBUTUS AVENUE

- ELEVATION KEYNOTES**
1. WHITE FIBERCEMENT FIBER BOARD
 2. WHITE CHALKBOARD FIN JOIST
 3. WHITE CHALKBOARD AT 1/2" CHALK, TYP.
 4. WHITE GROUT STUCCO, TYP.
 5. WHITE HORIZONTAL BOARD, TYP.
 6. TAN BRASS HORIZONTAL DOORS & WINDOWS, TYP.
 7. TAN BROWN FIBERGLASS DOORS & WINDOWS, TYP.
 8. WHITE GRAY GRANITE DOOR
 9. WHITE BRK
 10. VENT W/RT. GLASS, TYP.
 11. WHITE BRK
 12. WHITE BRK & FLOOR FINISH
 13. REDUM GRAY F. ATTY. VENT
 14. REDUM GRAY F. EXTERIOR METAL OUTLET, TYP.
 15. REDUM GRAY F. EXTERIOR METAL DOWNSPUT
 16. REDUM GRAY F. EXTERIOR METAL FLANGE, TYP.
 17. REDUM GRAY FLOOR FINISH, TYP.
 18. REDUM GRAY FLOOR FINISH, TYP.
 19. GR. BRK. FLOOR FINISH, TYP.
 20. BRK. FLOOR FINISH, TYP.
 21. REDUM GRAY METAL CHIMNEY
 22. VOLET CHALKBOARD WALL LIGHT
 23. REDUM GRAY METAL CHIMNEY
 24. REDUM GRAY F. EXTERIOR METAL DOWNSPUT
 25. REDUM GRAY F. EXTERIOR METAL FLANGE, TYP.
 26. REDUM GRAY F. EXTERIOR METAL FLANGE, TYP.
- NOTE: CONSULT DESIGNER FOR EXACT COLOR SCHEDULES



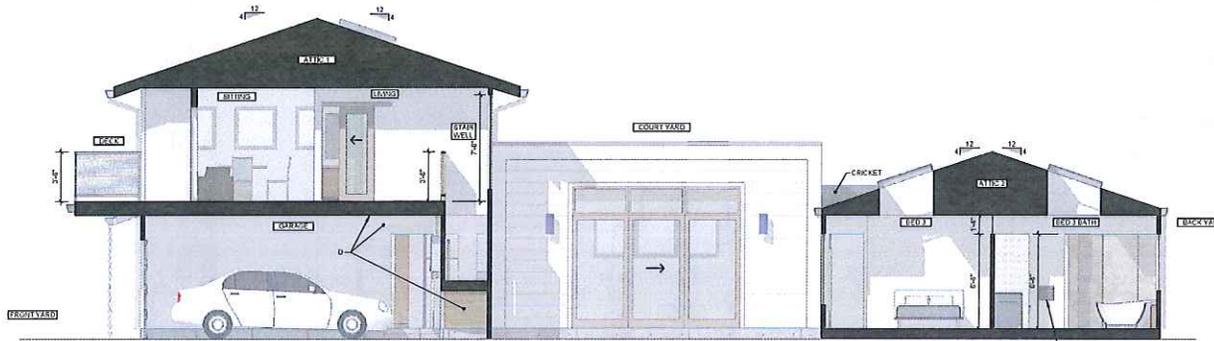


(WWS) WEST SECTION
1/4" = 1'-0"



(ES) EAST SECTION
1/4" = 1'-0"

ARBUTUS AVENUE



(SS) SOUTH SECTION
1/4" = 1'-0"



(NS) NORTH SECTION
1/4" = 1'-0"

ELEVATION KEYNOTES

1. "WHITE" FIBER-CEMENT BOARD & BATTEN SIDING
 2. "WHITE" FIBER-CEMENT RIM JOIST
 3. "WHITE" BRICK CLADDING AT (E) CHIMNEY, TYP.
 4. "WHITE" SMOOTH STUCCO, TYP.
 5. "WHITE" HORIZONTAL SIDING, TYP.
 6. "TAN" BAMBOO HARDWOOD BOFFITS, TYP. VENT AS REQUESTED
 7. "DARK BROWN" FIBERGLASS DOORS & WINDOWS, TYP.
 8. "LIGHT GRAY" GARAGE DOOR
 9. UTILITY SINK
 10. "MILK WHITE" OBSCURE GLASS, TYP.
 11. FIRE FIT
 12. "WHITE" DECK & ROOF FASCIA
 13. "MEDIUM GRAY" ATTIC VENTS
 14. "MEDIUM GRAY" EX-LIGHTS, TYP.
 15. "MEDIUM GRAY" 4" FASCIA METAL RAIN GUTTERS, TYP.
 16. "MEDIUM GRAY" 4" DIAMETER METAL DOWNSPOUTS
 17. "MEDIUM GRAY" ROOF FLASHING, TYP.
 18. "BLACK" STAINLESS BEAM METAL ROOFING, TYP.
 19. GAS METER, PAINT "VIOLET", RETAIN LEGIBILITY
 20. ELECTRICAL METER, PAINT "VIOLET", RETAIN LEGIBILITY
 21. "MEDIUM GRAY" METAL CHAIR DOWNSPROUTS
 22. "VIOLET" CINDER BLOCK WALL LIGHT
 23. "VIOLET" CLASSIC SCROOCE WALL LIGHT
 24. "MEDIUM GRAY" PERFORATED METAL GUARD RAIL
 25. FIBER STEEL WOODS WITH 1 HOUR FIRE RATING
 26. "MEDIUM GRAY" 12" X 14" ATTIC VENT
- NOTE: CONSULT DESIGNER FOR EXACT COLOR SCHEMES

SECTION KEYNOTES

- A. R19 BATT INSULATION AT (R) EXTERIOR WALLS, TYP.
 - B. R30 INSULATION AT (E) CEILING, TYP.
 - C. 1/2" O/FD OSB BOARD REQUIRED ON THE GARAGE SIDE SEPARATING DWELLING AND ATTIC AREA FROM THE GARAGE.
- NOTE: CONSULT DESIGNER FOR EXACT COLOR SCHEMES

ARBUTUS AVENUE

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Tel: 805.688.1111
Nick@CizerConstruction.com

OWNER
Reid and Wagon
1001 N. Arbutus Ave.
Marina Bay, CA 93412

PROJECT
NEW CONSTRUCTION
PROJECT NO.
MR 16-09-49

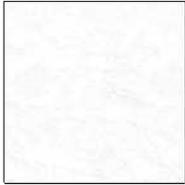
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DRAWN BY
Nicholas B. Huston

Proposed
Sections

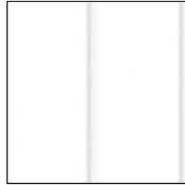


THE VAN KRIEKEN HOUSE : EXTERIOR FINISH PALLETE

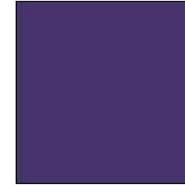
EXHIBIT D



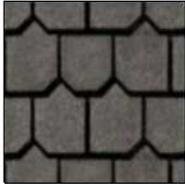
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MATERIAL: STUCCO



SIDING & TRIM
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MATERIAL: FIBER-CEMENT



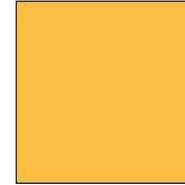
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MATERIAL: METAL



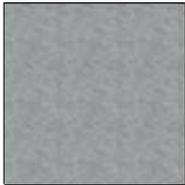
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MATERIAL: COMPOSITION



CHIMNEY CLADDING
COLOR: WHITE
TEXTURE: ROUGH
MATERIAL: BRICK



WALL LIGHT 2
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TEXTURE: ANODIZED
MATERIAL: METAL



**ATTIC VENTS, FLASHING, DECK,
GUTTERS, DOWNSPOUTS**
COLOR: MEDIUM GRAY
TEXTURE: SMOOTH
MATERIAL: VARIES



STUCCO WALL 2
COLOR: WARM GRAY
TEXTURE: SMOOTH
MATERIAL: STUCCO



SOFFITS
COLOR: TAN
TEXTURE: HARDWOOD
MATERIAL: BAMBOO



WINDOWS, DOORS
COLOR: WARM GRAY
TEXTURE: SMOOTH
MATERIAL: FIBERGLASS



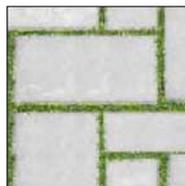
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TEXTURE: SMOOTH
MATERIAL: STUCCO



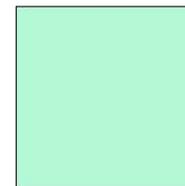
DECK FLOOR
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MATERIAL: COMPOSITE



GARAGE DOOR
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TEXTURE: ANODIZED
MATERIAL: ALUMINUM



PAVERS
COLOR: GRAY
TEXTURE: HERRINGBONE
MATERIAL: CONCRETE



ACCENT TINTING
COLOR: MINT
TEXTURE: SMOOTH
MATERIAL: GLASS

EXHIBIT D















AGENDA NO: B-3

MEETING DATE: March 21, 2017

Staff Report

TO: Planning Commissioners

DATE: March 15, 2017

FROM: Cindy Jacinth, Associate Planner

SUBJECT: Major Amendment (#A00-041) to Concept Plan approval for Conditional Use Permit (UP0-359) for conversion of second floor restaurant use to 8-boutique hotel units and conversion of one existing first floor commercial lease space to a hotel unit for an overall total of 9 hotel units. Project includes improvements to previously permitted public access as well as construction of new gangway, dock, and seven (7) boat slips (6 private rentals and 1 public slip) at 725 Embarcadero, Rose's Landing.

RECOMMENDATION:

FORWARD A FAVORABLE RECOMMENDATION TO THE CITY COUNCIL TO CONDITIONALLY APPROVE THE PROJECT by adopting a motion including the following action(s):

Adopt Planning Commission Resolution 11-17 which includes the Findings and Conditions of Approval for the project depicted on site development plans dated January 19, 2017 (Exhibit F).

APPLICANT/AGENT: Doug Redican, 725 Embarcadero LLC/
Steve Puglisi Architects

LEGAL DESCRIPTION/APN:
City lease sites 82W-85W and 82-85/
066-352-047

PROJECT SUMMARY: The Applicant is seeking a Major Amendment to Conditional Use Permit #UP0-359 for conversion of a portion of the existing Rose's Landing commercial development to



Prepared By: ___CJ___

Department Review: _____

a 9-room boutique hotel. The change of use includes conversion of the entire second floor from restaurant use to 8 boutique hotel rooms with a conversion of one of the first floor commercial lease spaces to a hotel unit facing the Morro Bay Blvd street end. Second floor rear addition of 486sf and building façade alterations to include addition of three separate outdoor bayside decks for hotel use which includes 647sf of open patios. Minor changes improving previously-approved public bayside and vertical access. Project includes the proposal for 7 boat slips and new gangway previously approved on February 23, 2016. The project site is located in the original jurisdiction of the California Coastal Commission.

The previous CUP approval for a proposed 487sf second story dining deck expansion along the west side of the restaurant building is deleted from the project.

PROJECT SETTING:

The lease site is occupied with a two-story visitor-serving facility which includes various visitor-serving retail uses and Rose’s Landing restaurant, a well-known (first floor) restaurant in existence since the late 1960’s. Because the property is a City lease site, managed through the Tidelands trust, the Applicant’s lease requirements with the Harbor Department require improvements to the lease site. As a City lease site in a Planned Development (PD) overlay, all projects are required to obtain Concept CUP approval by both Planning Commission and City Council.

<u>Adjacent Zoning/Land Use</u>			
North:	Waterfront (WF/PD, S.4) visitor-serving, commercial, Morro Bay Blvd street end	South	Waterfront (WF/PD, S.4) visitor-serving commercial and fishing dock
East:	Commercial Visitor-Serving(C-VS, PD/S.4), Commercial	West:	Harbor

<u>Site Characteristics</u>	
Overall Site Area	15,906sf (land lease only 10,253)
Existing Use	City land and water lease – Existing use is visitor-serving retail. No existing water uses.
Terrain	Land portion previously developed and paved surface
Vegetation/Wildlife	Sensitive eelgrass within project area. Project designed to avoid eelgrass disturbance.
Access	Embarcadero
Archaeological Resources	No known resources.

General Plan, Zoning Ordinance & Local Coastal Plan Designations	
General Plan/Coastal Plan Land Use Designation	Coastal dependent
Base Zone District	WF, Waterfront Zoning district
Coastal Land Use Plan	Planning Area 6 - Bayfront
Zoning Overlay District	PD, Planned Development overlay (required to also obtain City Council approval of Concept Plan) followed by Precise Plan approval at subsequent Planning Commission hearing.
Special Treatment Area	S.4
Combining District/Spec. Plan	N/A
Coastal Zone	Coastal Commission original jurisdiction. Applicant required to obtain Coastal Development permit from Coastal Commission prior to issuance of any building permit.
Parking Requirements for Docks and Restaurants	Docks: 1 space per 35 lineal feet Retail: 1 space per 300 sf. Hotel: 1 space per room, plus 1 space for each group of 10, 2 spaces for manager's unit. <i>No parking provided on-site. See parking discussion for proposed parking strategy.</i>
Development Standards	
Setbacks	No change to front or side setbacks. Rear setback is 0 feet. 10 foot setback required for lateral access. Project provides 10 foot lateral access.
View Corridor	30% of lease site. Public plaza on south side of building.
Sloping Roof, 4 in 12 for 80%	Existing roofline. Proposed rear addition 4 in 12 on northwest and 4 in 12 shed roof on southwest.. New flat roof addition area is 18%
Height	Existing building 25 feet tall, no change to maximum height.
Lot Coverage – 1 st floor 70% max. of land portion. 2nd floor is 70% of allowable first floor coverage.	No change in lot coverage to 1st floor. Coverage is 64% 2nd floor addition of 486sf over 1st floor roof on west side of building. Proposed new 2 nd lot coverage is 61%.

PROJECT BACKGROUND:

2015 City approval and 2016 Coastal Commission Violation Letter

The conditional use permit for this project was reviewed by Planning Commission on January 5, 2016 which voted 4-1 to forward a favorable recommendation to the City Council with 5 added conditions which were included as Planning conditions 10-14 (Exhibit E). City Council reviewed and approved the project on February 23, 2016 accepting the PC's favorable recommendation and imposing additional conditions which are noted as City Council conditions in Exhibit E.

Upon approval of the conditional use permit (CUP) in 2016, the Applicant applied to the Coastal Commission for their coastal development permit (CDP). During the initial review, Coastal staff determined that the existing Rose's Landing building was not consistent with the approval of past coastal development permits. As a result, a notice of violation letter dated September 19, 2016 was sent to the Applicant by Coastal Commission staff (Exhibit C) which found that deviations were made from the approved CDP permits from 1975 and 2001. The letter details each alleged violation. In summary, the violation issues include expansion of restaurant uses on both the first floor outdoor bayside southwest corner and second floor outdoor restaurant dining deck along the south elevation; as well as obstruction of public viewing/access areas, most notably in the area of the bayside lateral access, construction of unpermitted windscreen and roof; second floor unpermitted awning; unpermitted windscreen; construction of exterior public staircase versus approved interior stairway; obstruction of view corridor/public plaza along south side of building.

It is worth noting that in reviewing the permit record for this project going back to 1975, that some of the violations addressed in the letter are the result of the City's Concept/Precise Plan PD overlay (MBMC 17.40.030) which is part of the Local Coastal Plan. Specifically In 2001, when the Applicant applied for the Precise Plan CUP, *after* obtaining a CDP from Coastal, that several conditions of approval were added to the project by the Planning Commission at that time. It is unclear from the record whether those project changes were forwarded to Coastal Commission staff for concurrence. Additionally, some of the violations noted such as dining tables in public access areas were to be removed as part of the CUP and CDP applications.

Since this letter, the Applicant initially withdrew the application for new docks and boat slips, and worked to remedy the alleged violations by both moving the obstructions and as part of this project, the Applicant is proposing an expanded application which retains the dock and boat slip proposal, improves the public access/removes public obstructions as noted by Coastal and adds to the project by proposing a change of use from restaurant to hotel. City staff have also been in

contact with Coastal Commission staff to facilitate a satisfactory resolution to the Notice of Violation letter as described below in the project description details section.

PROJECT DESCRIPTION DETAILS:

For ease of organization, the staff report discusses first the proposed hotel use and associated details, followed by public access changes, and third the dock slips with relevant response to Coastal violations noted.

Approved UP0-359 (2/23/16)	Amendment to UP0-359	Difference
2nd floor 487sf dining deck expansion	2 nd floor 8-unit boutique hotel w/ 1-unit hotel unit downstairs to replace a commercial retail lease space. 486sf rear 2 nd floor addition.	New Hotel use proposed where none currently exists.
Lateral & vertical access improvements	Additional lateral & vertical access.	Improvements made to expand public access & awareness in response to Coastal violations notice.
7 boat slips & gangway	7 boat slips & gangway	No change. Project remains subject to environmental mitigation.

1. Proposed Hotel / Design

The proposed project would convert the entire second floor of the existing Rose’s Landing building and slightly enlarge the square footage by adding 486sf to the second floor rear of the building and a total of 647sf of new open patio area (which includes both the 3 room balconies and 2 patios). No change in square footage is proposed to the first floor. The second floor would create a second floor 8-room boutique hotel with public view deck and private guest room decks for five of the eight guest rooms. (See plan sheet 2.1 -Exhibit F). The 9th room of the boutique hotel is proposed to be located on the first floor by converting an existing commercial lease space from retail use to hotel use.

Consistent with the Waterfront Master Plan guidelines, and desire to maintain and enhance the pedestrian oriented visitor-serving retail uses, staff requested the Applicant retain the downstairs commercial lease space by removing the downstairs hotel unit with hotel units limited to the 2nd floor only. The Applicant has elected to keep the proposed 9th hotel unit on the first floor with a willingness to be conditioned to remove the hotel unit for retail space at the time of construction

of the Centennial Parkway project (see discussion on page 10), and also based on City permitting of other downstairs hotel units where commercial lease space was permitted for removal and replaced with hotel units (See applicant's response letter, Exhibit D).

Staff is recommending a condition of approval be added to remove the downstairs hotel unit to retain the 1st floor commercial lease space in order to maintain the pedestrian activity of the Embarcadero with hotel units limited to second floor only consistent with the Waterfront Master Plan. (Planning condition 13).

The conversion of the second floor to hotel units would also include creation of a 1200sf dedicated public view deck with a portion dedicated to a public seating area, public access from the ground floor via the stairs on the west side of the building or via the existing interior elevator located adjacent to the Embarcadero Road street side entrance as denoted on plan sheet P2.1 (Exhibit F).

Architectural Design

The architectural character of the building remains largely the same as shown in the visual simulations below with the board and batt articulated wall surfaces; orientation of windows for pedestrian activity; and varied massing with the addition of new window awnings, and outdoor balconies. Elevations plan sheet P3.1 depict the proposed façade changes and deck additions. This includes façade improvements for relocated windows, and kicker awnings on the Embarcadero Road east elevation. On the proposed south/ left elevation, elevations shows removal of the existing glass windscreen wall on the west elevation and 55 linear feet of glass windscreen from the south elevation starting from the southwest corner. A 42” see-through cable guardrail is proposed on the south west corner and the south east corner maintains a portion of the partial height wall and glass windscreen. This is proposed to address Coastal violation #4 (Exhibit C). (See visual simulation below and on plan sheet P4.0).

The Applicant’s response to Coastal’s violation letter on item #4 regarding the second floor outdoor public viewing deck now removes the outdoor dining service, dedicates 1200sf of public viewing deck for public access and removes the unpermitted windscreen wall which enhances views of Morro Rock when looking northwest. The plans do show a private patio area for 2 of the guest rooms adjacent to the public view deck and separated by a glass wall so as to avoid view obstructions from east to west.



2 PROPOSED BUILDING LOOKING NORTH-WEST



1 PROPOSED BUILDING LOOKING SOUTH-WEST

On the (west) elevations and visual simulation below, the plans show a 486sf addition to the second floor over the existing first floor roof. This addition adds 9.5' to the west rear second floor and also adds three 6 foot deep private balcony decks proposed for the three bayside-facing hotel rooms. This pop-out of square footage would be constructed over existing first floor coverage and provides for a better design by extending over currently visually unappealing flat,

blank rooftop without impact to visual obstructions to significant bay views or views of Morro Rock as noted in the visual simulations shown on project plans (See Exhibit F and site photo on page 12).



3 PROPOSED BUILDING LOOKING EAST

Parking requirement / parking plan

City records show a total of 87 memorialized historical parking credits plus a total of 20 paid in-lieu parking credits for a total of parking count of 107 parking spaces. A parking analysis shown on the site plan page of existing building uses among the various tenants indicates a total parking count for the building of 99 spaces.

Removal of the second floor restaurant use, which is parked at 1 space per 60sf of customer dining area, and removal of the outdoor dining area and downstairs commercial lease lowers the parking requirement by 33 parking spaces. The parking requirement is significantly less for hotel use which totals 11 spaces (1 space per hotel room, plus 1 space for each group of 10 rooms, plus 2 spaces for a manager's unit). Altogether, the proposed project with existing and proposed uses creates a requirement of 80 parking spaces where there is a total of 107 credited spaces and is therefore compliant with parking requirements.

Despite the City's past practice of grandfathering in parking credits based on historic use, as a hotel use, the Applicant is seeking to provide reasonably close physical parking spaces for hotel patrons based on previous payment of City parking in-lieu funds. Prior to the 2001 addition to the Rose's Landing building, a 15-space parking lot existed in the southerly area of the lease site. The Applicant has submitted a proposed parking strategy/ justification request letter dated February 22, 2017 (Exhibit B) requesting that 9 parking spaces be designated in the parking lot directly across the street and 1 passenger loading zone located directly adjacent to the entrance of

Rose's Landing. The Applicant is also requesting that the 9 spaces be signed as reserved for hotel guests from 3pm to 10am daily.

Given that the Applicant paid in-lieu funds for not only the removal of the 15-lot parking lot that previously existed on this lease site, but in actuality paid for a total of 20 in-lieu spaces, staff is supportive of providing for physical parking spaces which could be made available during evening hours for hotel guests when tourism traffic is lower. Although staff's recommendation is that rather than reserved spaces from 3pm to 10am daily, that spaces be made available from 6pm to 10am daily when parking demand is less. Such a program would likely be implemented through a lease agreement authorized by the City Council. This parking program could likely be developed without significant impact to the daily parking demand of the overall City lot, as customarily it would be expected that parking availability would ebb and flow based on a hotel guest's daily activities whether by foot or by car, no different than any other hotel guest in another area of town who would drive to the Embarcadero and park for daily activities. Ultimately, this decision rests with the City Council as it involves lease of existing City Parking Spaces.

LCP Policies on Low-Cost Visitor Serving Accommodations

The City's Local Coastal Plan identifies policies for low-cost visitor serving accommodations which requires room rates to serve all income ranges. Policy 2.07 states "*New hotel/motel developments within the coastal zone shall, where feasible, provide a range of rooms and room prices in order to serve all income ranges. ... Consistent with Coastal Act Section 30213, the City shall in no event (1) require that overnight room rental be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private land; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.*"

The Coastal Commission (CCC) is currently producing a guidance document to formalize their approach to implementing this policy. But generally in the past the CCC has interpreted the policy to mean 25 % of rooms need to be "low cost". There appears to be various methodologies on how to determine what is low cost – CCC staff have noted that it is usually considered as the most recent calendar year with other factors considered on a case-by-case basis.

Morro Bay is unlike other coastal towns in that we do not have a high inventory of high-cost hotels, according to the City's Tourism Department. For example, the average daily rate (ADR) for Morro Bay in October 2016 was \$122/night (<http://www.morro-bay.ca.us/DocumentCenter/View/10320>) . In order to be consistent with the LCP and CCC direction, staff is recommending that a condition of approval be added that 25% of hotel rooms

be maintained at a rate not to exceed 80% of the City's average daily room rate for the preceding calendar year as determined by data maintained by the City's Finance Department. (Planning Condition 10).

2. Additional Public Access Improvements

Bayside lateral access: The City's LCP requires a minimum 8ft wide bayside lateral access for the public for new or redevelopment projects. However, it has typically been Coastal Commission practice to require 10ft width on CDP projects that it reviews. The Coastal violation letter (Exhibit C) noted that past CDP No. 75-3 permitted a roofed 8-foot wide lateral accessway which is currently obstructed with tables. Staff has verified that those tables have since been removed. The Applicant is also proposing to extend the width from 8 feet to 10 feet (See Exhibit D for Applicant response to Coastal violation letter).

Second, Coastal's letter noted that the northern connection point to the lateral accessway permitted an open unroofed 5ft wide accessway which is now since roofed with an enclosed windscreen. The Applicant's response proposes removal of windscreen in this northwest area with request for Coastal after-the-fact permit approval for the existing roofed portion as a protection against inclement weather.

Coastal's third violation (#3) stated that CDP No. 75-3 did not allow for obstruction to public access where there is currently dining tables and chairs in the southwest corner of the lease site as well as an unpermitted mesh awning. The Applicant's response, which was part of the City's UP0-359 approval last year, is requesting Coastal Commission approval of a new 10ft public access/view deck off the existing patio, remove the wind screen wall and replace with a low height railing as well as after-the-fact Coastal permitting of the retractable awning. As shown on plan sheet 1.1, the 10-foot extension of public access allows for a more direct bayside lateral access route rather than the current circuitous route which wraps around the building.

Vertical access/ view corridor: The Waterfront Master Plan (WMP) requires a 30% view corridor requirement for 2 story buildings on lease site greater than 50 feet in width. As noted in Coastal's letter, CDP 3-01-072 approved a 34-foot wide view corridor/public plaza on the southern side of the lease site which exists today. However, there are currently obstructions in the form of tables and railings which give the impression that this is not open to the public. As shown in the approved CUP, the Applicant proposes to provide a clearly marked, stained or painted concrete 10ft path to the bayside lateral access as well as clear the obstructions in the view corridor to increase public awareness of public access, while keeping the tables and benches to allow the public free seating to enjoy the plaza.

However, the 10-foot requirement refers to the bayside lateral access. The applicant's vertical

access requirement is the 30% view corridor. In this case as the Coastal violation letter pointed out, there are additional obstruction within this view corridor. The City's WMP also requires that no items taller than 30 inches in height be allowed, and a condition of approval (Planning condition 11) has been added to reflect this which would require removal of the hostess stand, and the patio table umbrellas. The garbage containers exceed the 30 inch requirement but were previously approved by the City Council with the 2001 CUP.

Additionally, the Applicant's plan proposes removal of the southerly landscape planter area in order to provide a delineated 10 foot wide vertical accessway. Based on the minimal landscaping currently on site, staff supports maintaining the landscape planter area and moving the stained concrete path to the north. This can be accomplished by removing the additional tables and concrete bench that is perpendicular to the walkway. There are currently 5 concrete benches and 5 tables for two along with a round fountain that lend a feeling of crowdedness. By adjusting the stained concrete path over to maintain the landscape planter, it avoids visual interruption of the view corridor. (Planning condition 12).

Collectively, the enhancements to the existing bayside lateral access further improves upon the lateral and vertical access improvements as approved by the Planning Commission and City Council in 2016 and as conditioned will greatly enhance the public's visual access consistent with the Waterfront Master Plan.

Signage: The current coastal access signage is dated and not consistent with current sign design standards. The Applicant's original CUP proposal included bringing all coastal access signage up to date and is shown on plans both street side, bayside, and at the second floor view deck.

3. Docks and Gangway

No changes are proposed to the original CUP approval for new gangway, dock, and seven boat slips. The area does have existing eelgrass vegetation as discussed in the MND, and the mitigations/ conditions of approval on the project remain the same which would require pre-construction eelgrass survey prior to building permit issuance.

Environmental Determination

A Mitigated Negative Declaration (MND) was circulated on January 2, 2015 with a review period that ended on February 2, 2015. Mitigation was recommended for biological resources, cultural resources, greenhouse gas emissions, and hydrology/water quality. The MND prepared for this project was adopted by City Council on February 23, 2016. With the environmental review complete, no changes to the project were made that would require additional environmental review or result in additional impacts. The mitigations incorporated as conditions

of approval to the concept plan approval remain on the project.

PROJECT ANALYSIS/ DISCUSSION:

Visual Simulations:

Six simulation viewpoints were submitted by the Applicant as shown on Sheets P4.0 and P4.1 of the plans. These include visual simulations depicting the revised elevations as result of the façade changes related to the hotel use (from Embarcadero looking both northwest and southwest and from the bay with simulation looking east at revised elevation. Sheet P4.1 includes the original simulations for the proposed dock project which was previously approved with the CUP.

Staff's review of the visual simulations determined that public views will not be detracted as shown in the simulation. The views of the bay and views of the Rock will improve with the changes to the second floor dining deck as shown on Sheet P4.0. Additionally, the second floor rear addition which will extend the building westward will not adversely affect views. The addition is proposed over the existing first floor roof adjacent to the exterior staircase as shown on the floor plan and a site photo taken from the top of the existing staircase shown below demonstrates that views will not be impacted other than the visibility of the adjacent building to the north (Libertine site).



Centennial Stairway / Market Plaza:

As part of the fiscal year 2015/2016 goal setting process, the City Council identified one of its objectives as preparation of a plan that would both widen the Embarcadero sidewalk along the waterfront side of the street and provide a new vision for the Centennial stairway area. At its January 24, 2017 meeting the City Council adopted a concept plan for the Centennial Parkway. Centennial Parkway envisions public improvements extending from the top of the stairway west to the Morro Bay Blvd street end adjacent to the north side of the Rose's Landing lease site, with the aim to revitalize a central part of the Embarcadero. A condition of approval has been added which would require the Applicant to participate toward the development of Centennial Plaza. The amount of contribution to be negotiated as part of future lease site negotiations. (Planning condition 15).

The Market Plaza project refers to City-owned property north of Centennial Parkway wherein the City council at its March 28, 2017 meeting will consider whether to release an RFQ to solicit qualifications for proposals to redevelop the area which is east of the Rose's Landing lease site and potentially includes the public parking lot where the Applicant has requested parking approval for its proposed hotel rooms. Pending Council outcome and direction at the 3/28/17 meeting, additional requirements or conditions may be triggered on the Rose's Landing project, which would affect not only the Rose's Landing lease site redevelopment, but also other nearby lease sites, such as Off the Hook, and Libertine as they come forward for redevelopment or lease renewal negotiation. This would be addressed when the City Council reviews the Amendment to Concept CUP project after Planning Commission review.

PUBLIC NOTICE:

Notice of a public hearing on this item was posted at the site and published in the Tribune newspaper on March 10, 2017, and mailed directly to all property owners and occupants of record within 500 feet of the subject site. The notices invited the public to attend the hearing and express any concerns they may have regarding the proposed project.

CONCLUSION:

The project amendment and overall Rose's Landing project meets City goals of the Waterfront Master Plan by providing for public visual access in maximizing public access, both through the existing bayside lateral and vertical accessway; provision of new floating dock/ boat slips as well as providing an additional source of visitor-serving accommodations while also protecting and enhancing existing views. The change of use to hotel maintains the original architectural character, and as conditioned provides a mixed use building of retail on the first floor and hotel accommodations on the second floor in keeping with the fishing village community theme and will add to the ambiance of the waterfront area. It is consistent with the City's General Plan and

Local Coastal Program (LCP) because it provides for visitor-serving mixed use facilities.

As conditioned, the proposed project would be consistent with applicable development standards of the zoning ordinance and all applicable provisions of the General Plan and Local Coastal Plan with the incorporation of recommended conditions. Staff recommends that the Planning Commission forward a favorable recommendation to the City Council to amend the Concept Plan approval of Conditional Use Permit #UP0-359.

EXHIBITS:

- Exhibit A – Planning Commission Resolution 11-17
- Exhibit B – Applicant Parking Justification Request Letter dated February 22, 2017
- Exhibit C – Coastal Commission Violation Letter dated September 19, 2016
- Exhibit D – Applicant Response Letter dated March 14, 2017
- Exhibit E – Conditional Use Permit (Concept) #UP0-359 approved February 24, 2016
- Exhibit F – Plans/ Reductions dated January 19, 2017

RESOLUTION NO. PC 11-17

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION FORWARDING A FAVORABLE RECOMMENDATION TO THE MORRO BAY CITY COUNCIL FOR AMENDMENT (#A00-041) TO CONCEPT PLAN APPROVAL OF CONDITIONAL USE PERMIT (UP0-359) FOR CONVERSION OF SECOND FLOOR RESTAURANT USE TO AN 8-UNIT HOTEL, IMPROVEMENTS TO PUBLIC ACCESS AND CONSTRUCTION OF NEW GANGWAY, DOCK, AND SEVEN (7) BOAT SLIPS (6 PRIVATE RENTALS AND 1 PUBLIC SLIP) AT 725 EMBARCADERO, ROSE'S LANDING

WHEREAS, the Planning Commission of the City of Morro Bay conducted a public hearing at the Morro Bay Veteran's Hall, 209 Surf Street, Morro Bay, California, on March 21, 2017, for the purpose of considering a major amendment (#A00-041) to the Concept Plan approval of Conditional Use Permit #UP0-359; and

WHEREAS, notices of said public hearing were made at the time and in the manner required by law; and

WHEREAS, the Planning Commission has duly considered all evidence, including the testimony of the applicant, interested parties, and the evaluation and recommendations by staff, presented at said hearing.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Morro Bay as follows:

Section 1: Findings. Based upon all the evidence, the Commission makes the following findings:

California Environmental Quality Act (CEQA)

- A. That for purposes of the California Environmental Quality Act, Case No. UP0-359 is subject to a Mitigated Negative Declaration based upon potentially significant impacts to **Biological Resources, Cultural Resources, Greenhouse Gas Emissions, and Hydrology/Water Quality**. Any impacts associated with the proposed development will be brought to a less than significant level through the Mitigated Negative Declaration (MND). **Additional mitigation has been added as a result of review during the comment period by the California Coastal Commission and has been highlighted in red in the mitigation and monitoring plan. The revised plans did not result in any additional impacts that would require re-circulation and all impacts have been reduced to a level less than significant.**

Conditional Use Permit Findings

- A. The project will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood in that the conversion of the existing second floor restaurant use to a 8 unit boutique hotel use along with improvements to public

Exhibit A

Planning Commission Resolution #11-17
Maj. Amendment to Concept CUP #UP0-359

Page 2

access and new gangway, dock, seven (7) boat slips at 725 Embarcadero are permitted uses within the zoning district and said structures comply with all applicable project conditions and City regulations and is consistent with the City's Local Coastal Program.

- B. The project will not be injurious or detrimental to property and improvements in the neighborhood and the general welfare of the City in that the proposed hotel use, public access and floating dock and new slips will provide a visitor-serving recreational opportunity which will provide additional benefit and improvement to a visitor-serving commercial use and is consistent with the character of the existing development.

Waterfront Master Plan Findings

- A. The proposed project makes a positive contribution to the visual and public accessibility to the bay while increasing and maintaining commercial fishing industry:
- a. Meets the Waterfront plan height limit and maximum building coverage, bulk, and scale requirements in that the proposed project does not exceed development standards.
 - b. The proposed project provides the amenities identified in the WF Plan, facilitates pedestrian visual and physical access to the waterfront, and takes advantage of outward views and characteristics of the topography in that the bayside lateral access is improved to allow for easier pedestrian access, enjoyment and better bay views. It preserves and enhances the views as seen from street-ends and around the building in that the second floor view deck is removing the glass windscreen at the southwest corner and first floor windscreen along the bayside lateral access.
 - c. The proposed project makes a positive contribution to the working fishing village character and quality of the Embarcadero area in that the new project will add to the availability of boat slips in the bay for recreational or commercial boat rental and also with the creation of a public view deck which will maintain and enhance views of the bay.
 - d. The proposed project maintains the pedestrian orientation of the Embarcadero by maintaining commercial visitor-serving retail on the ground floor and limiting hotel uses to second floor occupancy and also in that the project will provide improved lateral public access to the water and docks while assisting in the Harborwalk plan to continue public access along the waterfront as well as create a second floor public view deck open to the public is consistent with the character of the existing development.
 - e. The project gives its occupants and the public some variety in materials and/or application in that the project, including the rear second floor addition and façade improvements retains the original building character.
 - f. The project contains the elements of harmony, continuity, proportion, simplicity, and balance, and its appearance matches its function and the uses proposed in that the new

Exhibit A

Planning Commission Resolution #11-17
Maj. Amendment to Concept CUP #UP0-359

Page 3

docks and public lateral access will be accessible to the public and also in that the second floor hotel use, related façade improvements, and public view deck provides articulation that is consistent with the character of the existing development.

- g. The proposed project does not diminish, either directly or by cumulative impact of several similar projects, the use, enjoyment, or attractiveness of adjacent buildings and provides a visual and pedestrian transition to its immediate neighbor in that the bayside lateral access is existing and will be enhanced by opening up the northerly entrance to make the lateral access more inviting to pedestrians. and conversion of second floor use to hotel use along with new construction of dock and slips is in keeping with the architectural style, massing, materials, scale, and use of its surroundings.

Architectural Consideration

- A. As required by Ordinance Section 17.48.200 the Planning Commission finds that the architectural treatment and general appearance of all proposed structures and open areas are in keeping with the character of the surrounding areas, are compatible with any design themes adopted by the city, and are not detrimental to the orderly and harmonious development; of the city or to the desirability of investment of occupation in the area.

Section 2. Action. The Planning Commission does hereby recommend for City Council approval a major amendment (#A00-41) to Concept Conditional Use Permit #UP0-359 subject to the following conditions:

STANDARD CONDITIONS

1. This permit is granted for the land described in the staff report dated March 15, 2017, for the project at 725 Embarcadero depicted on plans dated January 19, 2017, on file with the Community Development Department, as modified by these conditions of approval, and more specifically described as follows: Site development, including all buildings and other features, shall be located and designed substantially as shown on Planning Commission approved plans submitted for UP0-359, unless otherwise specified herein.
2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this Resolution and is diligently pursued, thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Any extension may be granted by the City's Community Development Manager (the "Director"), upon finding the project complies with all applicable provisions of the Morro Bay Municipal Code (the "MBMC"), General Plan and certified Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.

Exhibit A

3. Changes: Minor changes to the project description and/or conditions of approval shall be subject to review and approval by the Community Development Director. Any changes to this approved permit determined, by the Director, not to be minor shall require the filing of an application for a permit amendment subject to Planning Commission review.
4. Compliance with the Law: (a) All requirements of any law, ordinance or regulation of the State of California, the City, and any other governmental entity shall be complied with in the exercise of this approval, (b) This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan for the City.
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. Applicant understands and acknowledges the City is under no obligation to defend any legal actions challenging the City's actions with respect to the project. This condition and agreement shall be binding on all successors and assigns.
6. Compliance with Conditions: The applicant's establishment of the use 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 Director or as authorized by the Planning Commission. Failure to comply with any of 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 MBMC and is a misdemeanor.
7. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan of the City.
8. Conditions of Approval: The Findings and Conditions of Approval shall be included as a full-size sheet in the Building Plans.

Building Conditions:

1. Prior to construction, the applicant shall submit a complete building permit application and obtain the required building permit.

Fire Conditions:

1. Standpipe Plan Submittal. Marinas and boatyards shall be equipped throughout with standpipe systems in accordance with NFPA 303. Systems shall be located such that no point

Exhibit A

Planning Commission Resolution #11-17
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Page 5

on the pier or float system exceeds 150 feet from the standpipe hose connection. (CFC 3604.2, 905, and MBMC 14.52.060).

- a. Applicant shall submit plans for a Class 1 Standpipe System, for protection of the floating dock system and boat slips, in accordance with MBMC 14.52.060 CFC 904 and NFPA 303, to Morro Bay Community Development Department for review.
2. Portable fire extinguishers. One portable fire extinguisher of ordinary (moderate) hazard type shall be provided at each required standpipe hose connection. Additional portable fire extinguishers, suitable for the hazards involved, shall be provided and maintained in accordance with CFC 906. (CFC 4504.4).
 - a. Applicant shall provide one (2A-10BC) fire extinguisher and cabinet on the floating dock and depicted on Sheet 1.
 3. Construction and operations of marinas, boatyards, yacht clubs, boat condominiums, docking facilities, multiple-docking facilities and all associated piers, docks, and floats shall be in accordance with NFPA 303.
 4. Installation and Acceptance Testing. Fire detection and alarm systems, fire-extinguishing systems, fire hydrant systems, fire standpipe systems, fire pump systems, private fire service mains and all other fire protection systems and appurtenances thereto shall be subject to acceptance tests as contained in the installation standards and as approved by the fire code official. The fire code official shall be notified before required acceptance testing. (CFC 901.5).
 5. Occupancy. It shall be unlawful to occupy any portion of a building or structure until the required fire detection, alarm and suppression systems have been tested and approved. (CFC 901.5.1).
 6. Fire sprinklers. Fire protection systems shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered or augmented as necessary to maintain and continue protection whenever the building is altered, remodeled or added to. Alterations to fire protection systems shall be done in accordance with applicable standards. (CFC 901.4).
 - a. Applicant shall submit sprinkler plans for upstairs dining room bar modifications and the new dining deck expansion, to Morro Bay Community Development Department for review.

Public Works Conditions:

The following Public Works conditions shall be satisfied prior to Building Plan submittal:

Exhibit A

1. If water service to the dock is planned, an appropriate backflow prevention device is required to installed, routinely inspected and maintained per MBMC Chapter 13.08 Water Cross-Connections.
2. Erosion and Sediment Control Plan: Provide a standard erosion and sediment control plan per MBMC Chapter 14.48: The Plan shall show control measures to provide protection against erosion of adjacent property and prevent sediment or debris from entering the City right of way, adjacent properties, any harbor, waterway, or ecologically sensitive area.
3. Encroachment Permits: A standard encroachment permit may be required if utility connections are required within the City Right of Way. When utility connections require pavement cuts a traffic control plan indicating appropriate signing, marking, barricades and flaggers must be submitted with the Encroachment Permit application.
4. Water Equivalency Units: Due to a change in usage (existing restaurant water use to hotel water use) the Water Equivalency Table (MBMC 13.20.070) will apply when calculating the amount of water equivalency units for this project.

Add the following Items/Notes to the Plans:

5. No work shall occur within (or use of) the City's Right of Way without an encroachment permit. Encroachment permits are available at the City of Morro Bay Public Works Department located at 955 Shasta Ave. The Encroachment permit shall be issued concurrently with the building permit.
6. Any damage to City facilities, i.e. curb/berm , street, sewer line, water line, or any public improvements shall be repaired at no cost to the City of Morro Bay.
7. Due to mandatory water conservation requirements and stormwater requirements no pressure washing is allowed unless it is directly due to professional preparation of exterior painting of property. No discharge of non-stormwater is allowed into the municipal storm drain system and contractor must provide measures to prevent any discharge for entering the stormwater system.

Harbor Department Conditions:

1. Applicant shall request in writing to the City to adjust the lease lines as applicable at the appropriate time.

Planning Conditions:

1. A Coastal Development Permit shall be submitted to the Community Development Department prior to issuance of a building permit.
2. Inspection: The applicant shall comply with all City conditions of approval and conditions imposed by the California Coastal Commission and obtain final inspection

Exhibit A

clearance from the Planning Division at the necessary time in order to ensure all conditions have been met.

3. Bayside Lateral Public Accessway. The existing semi-enclosed public accessway along west side of building shall maintain a 10-foot wide coastal access with open unobstructed access in order to maximize public use and enjoyment. Any uses that obstruct the accessway such as private uses or barriers such as furniture, planters, ropes, or restaurant seating and specifically table seating within the 10 foot coastal accessway shall be prohibited.
4. Floating dock. The floating dock shall be publicly available for general public pedestrian access and either short-term or long-term use by recreational or commercial boats. Signs discouraging the public from walking on the docks during daylight hours are prohibited. The docks shall be open to the general public during at least daylight hours (i.e. one hour before sunrise to one hour after sunset).
5. Final precise plans shall be revised to include coastal public access signs on the northeast and southeast face of the building on Embarcadero Road (street entrance). Signs announcing public coastal access shall be placed at both north and south entry points to the semi-enclosed public access way or as consistent with a Public Access Management Plan as approved by the California Coastal Commission.
6. Shading of eelgrass – No part of any floating dock, boat structure or other portion thereof shall be located vertically above any existing eelgrass bed as identified on the approved site plan. Nothing shall be allowed to dock, for any length of time, above any existing eelgrass bed. Translucent grating shall be used to the greatest extent feasible on the floating dock area over the unvegetated 5 meter eelgrass buffer.
7. The Mitigation and Monitoring Plan, previously adopted by the City Council on February 23, 2016 shall remain in full force and effect which has been incorporated as conditions of approval.
8. Second Floor Public View Deck. Signage shall be added to entrance of public view deck and at street level announcing public access and no purchase required. Form and design of signage shall be consistent with the approved public coastal access signs as approved by the California Coastal Commission. Precise plans submitted for approval to the City shall denote all signage locations.
9. The open courtyard area to the south of the Rose's Landing building shall maintain a 10 foot wide lateral access to provide public access from Embarcadero Road west to the bay. Any existing public tables and benches which impinge on the 10 foot requirement shall be moved to allow for open pedestrian access. Any existing outdoor dining tables on the lease site shall have table signs permanently affixed informing the public that no purchase is required.
10. Twenty five percent of hotel rooms shall be set at no more than 80% of ADR for the preceding

Exhibit A

calendar year as determined by the City's Finance Department .

11. The 30% view corridor located along the south side of the building shall be maintained with no furniture item, table umbrellas or hostess stands to exceed 30 inches in height per the Waterfront Master Plan.
12. Applicant shall maintain the landscape concrete planter on the south side of the lease site and relocate north the stained 10 foot vertical accessway path. Pathway shall be maintained free and clear. Public benches shall number no more than 4 in the plaza and table seating shall be limited to no more than 3.
13. Applicant shall remove the downstairs hotel unit to retain the 1st floor commercial lease space in order to maintain the pedestrian activity of the Embarcadero with hotel units limited to second floor only.
14. The applicant shall enter into a lease agreement with the City for use of nine City owned parking spaces in the City lot across the street from Rose's Landing. Said lease agreement shall reserve the nine parking spaces, from 6pm to 10am daily, for hotel guests only. In addition, 1 permanent and signed passenger loading/unloading parking zone space shall be provided in the public right of way immediately in front of the Rose's Landing main entrance.
15. The Applicant shall participate toward the development of Centennial Plaza. The amount of contribution to be negotiated as part of future lease site negotiations.

Planning Commission Conditions added 1/5/2016:

16. Improve connections between lateral access on north side of building and existing public view deck seaward of the Front Street terminus. Improvements to include a bridge from the viewing deck to the existing lateral access way.
17. Public access space and private dining shall be clearly delineated and enclosed with railing as required by Waterfront Master Plan.
18. Glass windscreen and/or roof of the bayside lateral access walkway shall be removed along its length north of the outdoor first floor dining facilities located at southwest end of building.
19. Precise Plan shall include a specific sign plan with both commercial tenant and public access signs shown, including but not limited to, plans denoting size and material of sign, location of signs and method of attachment.
20. Plans shall be revised to the greatest extent feasible, to ensure lateral access at the south end of the lease site is able to accommodate a connection point to future lateral access to Lease Site 18.

Exhibit A

City Council Conditions added 2/23/2016:

21. To the greatest extent feasible, the project plans shall consider, include and identify additional stormwater management and educational components to improve stormwater runoff for the project beyond those impacts related to just the construction phase of the project.
22. Plans shall be revised to include a minimum of two benches to be located on the second floor public observation deck.
23. The outdoor trash receptacles located to the south of the building shall be redesigned with a cover and doors in order to be screened from the public view with a height not to exceed 5 feet. The redesign shall be included for approval with the Precise Plan submittal.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 21st day of March, 2017 on the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Chairperson Robert Tefft

ATTEST

Scot Graham, Community Development Director

The foregoing resolution was passed and adopted this 21st day of March, 2017.

Exhibit B



February 22nd, 2017

Parking Entitlement Justification Letter

City of Morro Bay
Planning Department
ATTN: Scot Graham and Cindy Jacinth

To Whom It May Concern,

Our client and lease-holder, Doug Redican, has proposed a change in use to the existing Rose's Landing Land Lease Sites 82-85 and Water Lease Sites 82W-85W.

The applicant currently has 87 historical parking credits and has purchased an additional 20 in-lieu parking spaces in conjunction with the approval of the CUP-72-00, for a total of 107 parking spaces. The existing use, under CUP-72-00, consists of a lower level restaurant, retail shops and a second story restaurant. The project in total requires 99 parking spaces.

The proposed change of use consists of replacing the upper level restaurant with a boutique hotel use, as well as, replacing one retail space on the lower level to convert to a hotel room. This change in use reduces the parking demand from 99 spaces to 80 spaces. The hotel use requires 9 of these parking spaces.

The applicant is requesting of the City, to provide 9 designated parking spaces, in the immediate vicinity of Rose's landing, with signage to restrict the spaces from public use between the hours of 3 pm to 10 am daily. In addition, the applicant is requesting one permanent and appropriately signed passenger loading zone directly adjacent to the entrance of Rose's Landing on Embarcadero.

We appreciate your consideration regarding this decision,

Michael Dammeyer
Project Manager
Steven Puglisi ARCHITECTS, Inc.

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
Phone (831) 427-4863
FAX (831) 427-4877
WEB: WWW.COASTAL.CA.GOV

**NOTICE OF VIOLATION OF THE CALIFORNIA COASTAL ACT**

September 19, 2016

Steven Puglisi Architects, Inc.
569 Higuera Street
San Luis Obispo, CA 93401

Violation File Number: V-3-16-0072

Property location: 725 Embarcadero, City of Morro Bay; Lease Sites 82-3-4-5 East and 82-3-4-5 West; San Luis Obispo County (APN 066-322-001)

Violation¹: Deviations from approved plans and project descriptions and non-compliance with terms and conditions of coastal development permits ("CDPs") Nos. 75-3 and 3-01-072, including expansion of restaurant uses into, and obstruction of, public viewing/access areas

Dear Mr. Puglisi:

The California Coastal Act² was enacted by the State Legislature in 1976 to provide long-term protection of California's 1,100-mile coastline through implementation of a comprehensive planning and regulatory program designed to manage conservation and development of coastal resources. The California Coastal Commission ("Commission") is the state agency created by, and charged with administering, the Coastal Act of 1976. In making its permit and land use planning decisions, the Commission carries out Coastal Act policies, which, amongst other goals, seek to protect and restore sensitive habitats; protect natural landforms; protect scenic landscapes and views of the sea;

¹ Please note that the description herein of the violation at issue is not necessarily a complete list of all development on the subject property that is in violation of the Coastal Act and/or that may be of concern to the Commission. Accordingly, you should not treat the Commission's silence regarding (or failure to address) other development on the subject property as indicative of Commission acceptance of, or acquiescence in, any such development. Please further note that the term "violation", as used throughout this letter, refers to alleged violations of the Coastal Act.

² The Coastal Act is codified in sections 30,000 to 30,900 of the California Public Resources Code. All further section references are to that code, and thus, to the Coastal Act, unless otherwise indicated.

Exhibit C

V-3-16-0072 – Rose's Landing

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protect against loss of life and property from coastal hazards; and provide maximum public access to the sea.

Violation

In the course of processing CDP application No. 3-16-0318, Commission staff became aware that current development at Rose's Landing does not conform to previously issued CDPs. As we discussed on July 14, 2016, it appears that various additions and changes from approved CDPs have been made over the years including the following³:

1. Eight-foot-wide bayfront public accessway. CDP No. 75-3 permitted a roofed, eight-foot-wide bayfront lateral public accessway with a 42-inch-high railing and no windscreen. CDP No. 75-3 did not allow for any obstruction to public access along this accessway. Currently the accessway is enclosed by a windscreen and is obstructed by tables.
2. Five-foot-wide northern public accessway. CDP No. 75-3 permitted an open, unroofed, five-foot-wide public accessway with a 42-inch-high railing. This accessway connects to the eight-foot-wide bayfront lateral public accessway from the north. Currently, this northern public accessway is fully enclosed by an unpermitted windscreen and roof.
3. Public Patio. CDP No. 75-3 permitted an open, 20-foot by 23-foot, unroofed public patio with a 42-inch-high railing at the southwest corner of the building. CDP 75-3 did not allow for any obstruction to public access to this public patio. Currently, however, access to the patio is obstructed by dining tables and chairs belonging to, and being served by, Rose's Landing restaurant. The patio is also covered by an unpermitted retractable mesh awning.
4. Second floor outdoor public viewing deck. CDP No. 3-01-072 permitted a second floor outdoor free public viewing deck with associated public access signage and a 42-inch-high windscreen. The approved access to the deck was either through an elevator located adjacent to the Embarcadero, or through the then-existing second floor restaurant via a flight of stairs from the southern plaza. Currently the second floor public viewing deck is enclosed by an eight-foot-high wood-and-glass windscreen, is mostly occupied by restaurant table service, and is shaded by a retractable mesh awning. Additionally, access to the deck from the public plaza (see #5 below) is via a set of switchback stairs located adjacent to the public patio and also via the elevator located off of the Embarcadero, but not through the second floor restaurant as approved in CDP 3-01-072.
5. View corridor/public plaza. CDP No. 3-01-072 approved a 34-foot-wide view corridor/public plaza at the southern portion of the lease lot. The approved plans show that the plaza would be largely open with only four benches and minimal landscaping. Currently, access through the plaza is obstructed by tables and railings, which create a strong impression that the plaza is not open to the public but instead is for restaurant use. In addition, the required public access signage for the plaza is not readily visible to those who may wish to enter the plaza, i.e. it

³ Please see an attached site plan that shows each of the referenced areas.

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is located on the portion of the building that faces the Embarcadero and can be easily missed by persons who may wish to enter the plaza.

Pursuant to Section 30600 (a) of the Coastal Act, any person wishing to perform or undertake development in the Coastal Zone must obtain a coastal development permit, in addition to any other permit required by law. "Development" is defined by Section 30106 of the Coastal Act as:

"Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of the use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvest of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations....

The above-described development activities that deviate from approved CDPs constitute development under the Coastal Act and, therefore, require a coastal development permit. Any non-exempt development activity (which is the case here) conducted in the Coastal Zone without a valid coastal development permit, or which does not substantially conform to a previously issued permit, constitutes a violation of the Coastal Act.

Background

On March 11, 1976 the Regional Commission approved CDP No. 75-3 authorizing development of a new cocktail lounge, deck, and remodel of (addition to) an existing restaurant at 725 Embarcadero. The approved plans depict a covered eight-foot-wide bayfront accessway with open 42-inch-high railings located seaward of the restaurant addition, a five-foot-wide accessway on the north, and a 20-foot by 28-foot uncovered patio on the south. The patio is specified as a "viewing deck." These areas are intended to provide for lateral public access and viewing. The CDP did not approve use of these areas for restaurant/cocktail seating.

On April 6, 2001 the City of Morro Bay Planning Commission conceptually approved Conditional Use Permit ("CUP") No. 72-00 to authorize a remodel of the existing 5,776-square-foot, two-story restaurant and replacement of a parking lot with a new 4,640-square-foot two-story retail/restaurant use and a new public plaza on a City-owned lease site at 725 Embarcadero. On June 11, 2001, the City Council approved the "Concept Plan" approved by the Planning Commission. On November 14, 2001 the Coastal Commission approved CDP No. 3-01-072 authorizing the project as described in the City's approvals. CDP No. 3-01-072 requires that development occur in strict

Exhibit C

V-3-16-0072 – Rose's Landing

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compliance with the terms of CUP No. 72-00. On March 17, 2003, the City Planning Commission approved the "Precise Plan" to implement the approved Concept Plan thereby making approval of CUP No. 72-00 final.

In order to address impacts to public access and public views, the projects approved pursuant to CUP No. 72-00 and CDP No. 3-01-072 include: a public plaza/view corridor on the south side with benches, planters, trash cans, public art, etc.; a 2nd story public viewing deck, public bathrooms; approved signage, a handicapped access ramp that connects with the existing lateral access; wider sidewalks; payment of parking in-lieu fees, etc.

Public Access Violation

In cases involving violations of the public access provisions of the Coastal Act, which is the case here, Section 30821 authorizes the Commission to impose administrative civil penalties in an amount of up to \$11,250 per day for each violation.

In this case, the subject unpermitted development activities including enclosing the public access areas and placing tables and chairs for guest service in those areas, which negatively affects public access by making it appear that these public areas are reserved for paying guests and are not available to the general public. Therefore, the subject unpermitted development activities are violations of the public access provisions of the Coastal Act.

Resolution

As we discussed on July 14, 2016, some cases involving unpermitted development may be resolved administratively by removal of the unpermitted development and restoration of any damaged resources or by obtaining a coastal development permit authorizing the development after-the-fact. When we spoke, it was anticipated that your client, Doug Redican, would address these matters through his pending CDP application (No. 3-16-0318). However, your client has since opted to withdraw said application. Therefore, in order to resolve this matter in a timely manner and reduce the possibility of a monetary penalty or fine, we are requesting that you bring the subject property into strict compliance with the terms, conditions, and approved plans of CDP Nos. 75-3 and 3-01-072 or submit a complete coastal development permit application by **October 19, 2016** to authorize the as-built development. Please contact me by no later than **September 30, 2016** regarding how you intend to resolve this violation.

While we are hopeful that we can resolve this matter amicably, please be advised that in addition to the administrative penalty authority discussed above, the Coastal Act has a number of potential remedies to address violations of the Coastal Act including the following:

Section 30809 states that if the Executive Director of the Commission determines that any person has undertaken, or is threatening to undertake, any activity that may require

Exhibit C

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a permit from the Coastal Commission without first securing a permit, the Executive Director may issue an order directing that person to cease and desist. Section 30810 states that the Coastal Commission may also issue a cease and desist order. A cease and desist order may be subject to terms and conditions that are necessary to avoid irreparable injury to the area or to ensure compliance with the Coastal Act. Section 30811 also provides the Coastal Commission the authority to issue a restoration order to address violations at a site. A violation of a cease and desist order or restoration order can result in civil fines of up to \$6,000 for each day in which each violation persists.

Additionally, Sections 30803 and 30805 authorize the Commission to initiate litigation to seek injunctive relief and an award of civil fines in response to any violation of the Coastal Act. Section 30820(a)(1) provides that any person who undertakes development in violation of the Coastal Act may be subject to a penalty amount that shall not exceed \$30,000 and shall not be less than \$500 per violation. Section 30820(b) states that, in addition to any other penalties, any person who "knowingly and intentionally" performs or undertakes any development in violation of the Coastal Act can be subject to a civil penalty of not less than \$1,000 and not more than \$15,000 per violation for each day in which each violation persists.

Finally, Section 30812 authorizes the Executive Director to record a Notice of Violation against any property determined to have been developed in violation of the Coastal Act. If the Executive Director chooses to pursue that course, you will first be given notice of the Executive Director's intent to record such a notice, and you will have the opportunity to object and to provide evidence to the Commission at a public hearing as to why such a notice of violation should not be recorded. If a notice of violation is ultimately recorded against your property, it will serve as notice of the violation to all successors in interest in that property⁴.

Thank you for your attention to this matter. If you have any questions regarding this letter or the pending enforcement case, please feel free to contact me.

Sincerely,



N. Patrick Veasart
Enforcement Supervisor

⁴ Even without such notice, by law, while liability for Coastal Act violations attaches to the person or persons originally responsible for said violations (and continues to do so even if they no longer own the property), liability additionally attaches to whomsoever owns the property upon which a Coastal Act violation persists (see *Leslie Salt Co. v. San Francisco Bay Conservation and Development Com.* [1984], 153 Cal. App.3d 605, 622). Therefore, any new owner(s) of the subject property will share liability for, and the duty to correct, any remaining violations. Under California Real Estate law, if you plan to sell the subject property, it is incumbent upon you to inform any potential new owner(s) of same.

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Attachment: Annotated Site Plan

cc: Lisa Haage, Chief of Enforcement
Susan Craig, Central Coast District Manager
Kevin Kahn, Supervisor, Planning and Regulation
Yair Chaver, Coastal Program Analyst
Sharif Traylor, District Enforcement Analyst
Alex Helperin, Senior Staff Counsel
Cindy Jacinth, City of Morro Bay Planning Department

Exhibit C
113.05'

56'52" W 298.03' R



F.F. 9.56'

F.F. 9.72'

F.F. 9.52'

N76°27'22"E 141.26'

ROSE'S LANDING LAND LEASE 82-85

UPPER DINING
FF = 18.31

4

5

F.F. 9.6'

90.15'

N76°27'22"E 140.15'

ASPHALT

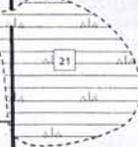
EXISTING LEA

WATER LEASE 82W-85W

F.F. 7.49'

GRADE BREAK AT ROCKS

93.71'



3

CATWALK

93.71'

RAMP

BELOW 26

67'-10 1/4" TO EXISTING BUILDING
67'-6 1/8" TO EXISTING DECK
SLIP 5

Exhibit D



569 Higuera Street, Suite A
San Luis Obispo, CA 93401
Phone 805.595.1962 fax 805.595.1980

14 March 2017

Cindy Jacinth
Associate Planner
City of Morro Bay Planning Department

Project: 725 Embarcadero Rose's Landing Major Amendment to #UP0-359
Re: Response to Incomplete Letter Dated October 21st, 2016

Dear Cindy,

Please find our responses to your incomplete letter below:

Use:

1. We are proposing to maintain the ground level room for reasons of providing an additional room for the hotel. The client is willing to condition the removal of this room with the construction commencement of the "Centennial Parkway" improvement plans. The room would then be replaced with a visitor's serving lobby or retail space. Additionally, as recently as 2009, there have been examples of hotel rooms approved on the lower level of buildings on the Embarcadero, namely, The Estero Inn.

Lateral Access:

1. Existing westerly catwalk has been extended to 10'-0" See Note "11" as well as dimensioning on sheet P1.1.
2. All proposed widening or new coastal lateral access has been dimensioned on sheet P1.1.
3. At this time we are proposing the northerly diagonal lateral access as shown on Sheet P1.1.
4. See Sheet P1.1, note "32" as well as dimensions for the proposed 10'-0" stained or painted concrete coastal access path. Also, per note "40", we will be providing a signage upgrade to improve public awareness of coastal lateral access.
5. Existing wood and glass windscreen to be removed and replaced with a low-height, metal railing to delineate between the 10'-0" public view area and the restaurant patio. See sheet P1.1, notes "33" and "34".

Exhibit D



569 Higuera Street, Suite A
San Luis Obispo, CA 93401
Phone 805.595.1962 fax 805.595.1980

6. The glass wind screen and wall will be replaced with a 42" see-through metal rail on both the west-side and northern side. The roof is to remain with the proposal of large skylights. See sheet P1.1, notes "35" and "11". Please refer to attached letter dated August 13, 1993 clarifying the windscreen issue.

Second Floor:

1. We are proposing to remove all of glass windscreen wall on the west elevation and 55 linear feet of glass windscreen from the south elevation starting from the southwest corner. The existing glass windscreen will only occur at the southeast and east side of the second floor public viewing deck. This will be replaced by a 42" see-through metal railing, increasing the view potential towards the bay. See notations on the Upper Floor Plan, Sheet P2.1, as well as, on the South / Left Elevation on Sheet P3.1.
2. Refer to the hatched area on the Proposed Upper Floor Plan, Sheet P2.1, as well as, the note detailing the use of the area. In total, there is a 1200 sq ft area for public seating and viewing from the second floor deck with direct access from the interior stair and elevator.

Elevations:

1. See Existing elevations sheet P3.1

Response to Coastal Violation Letter Dated September 16th, 2016:

Violation #1.

We are removing said windscreen and removing all tables and chairs from the lateral access.

Violation #2.

We are removing said windscreen and request that the Coastal Commission permit the existing roofed portion as it serves as protection from inclement weather and wildlife happenstance.

Violation #3.

We are extending a new 10'-0" public access / view deck off of the existing patio and removing the wind screen wall and replacing it with a low-height metal railing. This will provide clear delineation between public and

Exhibit D



569 Higuera Street, Suite A
San Luis Obispo, CA 93401
Phone 805.595.1962 fax 805.595.1980

restaurant use. We request that the Coastal Commission permit the retractable awning over the existing patio.

Violation #4.

We are providing 1200 sf of public view area on the second floor. We are removing 55 linear feet of unpermitted windscreen wall and replacing with a 42" low-height railing. This replacement occurs at the west and south-west area of the upper deck, which is the primary view of the bay. We are providing direct access from both the existing switch-back stairs and the stair/elevator from the first floor of Rose's Landing. The public can access the upper view deck through a clearly marked door on the second floor. The retractable mesh awning shall be removed.

Violation #5.

The applicant has agreed to clear the majority of "obstructions" and provide a clearly marked, unobstructed (stained or painted concrete) 10'-0" path to the coastal lateral access. To improve public awareness of access, we are proposing to upgrade easily identifiable signage from the sidewalk on Embarcadero. Removing all seating in the plaza would be contrary to how the public currently enjoys the plaza.

x

The Public Works note has been added to the Title Sheet, P1.0 on the plans.

Respectfully,

Michael Dammeyer
Project Manager
Steven Puglisi Architects, Inc.

Exhibit E



CITY OF MORRO BAY
COMMUNITY DEVELOPMENT DEPARTMENT
955 Shasta Avenue
Morro Bay, CA 93442

February 24, 2016

Doug Redican
725 Embarcadero LLC
1427 Doral Ct.
San Luis Obispo, CA 93401

SUBJECT: Case No.: UP0-359

SITE: 725 EMBARCADERO ROAD,
LEASE SITES 82-85, 82W-85W

Dear Mr. Redican,

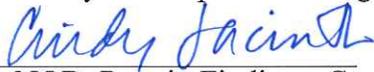
At its regular meeting on February 23, 2016 the City of Morro Bay City Council conditionally approved your request for Conditional Use Permit #UP0-359 as Concept Plan approval for a new floating dock, boat slips, 2nd floor dining deck expansion and improvements coastal public access. This action does not constitute a building permit. Any further processing of this project must be initiated by the applicant, subject to the applicable rules and regulations of the Morro Bay Municipal Code. ***Please be advised that you must return the enclosed Acceptance of Conditions form, signed, to this department or the action is null and void.***

Note this approval is a concept plan approval. Precise plan permit approval of the CUP is required within one year of the date of this approval pursuant to MBMC 17.40.030.H1. Because your project is within the original jurisdiction of the California Coastal Commission, you will also be required to obtain a Coastal Development Permit prior to precise plan approval and building permit application. An unsigned resolution with language approved by the City Council is attached. A copy of the signed resolution approving your project is forthcoming.

In addition, a Mitigated Negative Declaration (MND) was approved and adopted by the City Council for your project. A Notice of Determination (NOD) has been prepared and is attached to this permit. ***The NOD is required to be filed with the San Luis Obispo County Recorder's Office within five day of adoption.*** California Department of Fish and Wildlife imposes a filing fee of \$2,210.25 as well as the Recorder's Office filing fee of \$50. These fees can be paid together with the filing of the NOD. If you have any questions, please let me know at 772-6577.

Sincerely,

Scot Graham
Community Development Manager

By: 

enc: NOD, Permit, Findings, Conditions of Approval, and Acceptance of Conditions Form

e-copy: Steven Puglisi Architects

Notice of Determination

Appendix D

To:

Office of Planning and Research
U.S. Mail: Street Address:
P.O. Box 3044 1400 Tenth St., Rm 113
Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk
County of: San Luis Obispo
Address:

From:

Public Agency: City of Morro Bay
Address: 595 Harbor Street
Morro Bay, CA 93442
Contact: Cindy Jacinth, Assoc. Planner
Phone: 805-772-6577

Lead Agency (if different from above):
same as above
Address:
Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): SCH # 2014111065

Project Title: Rose's Landing Docks Project

Project Applicant: Doug Redican

Project Location (include county): 725 Embarcadero Road, Morro Bay, San Luis Obispo County

Project Description:

CUP (#UP0-342) for construction of new gangway, dock and 7 boat slips, with 487sf second story dining deck expansion. The dock and slips would be supported by 11 new guide piles consisting of 35-55ft x 16in diameter 0.375 wall steel. The upper 25 feet of the exterior surface that would be exposed will be coated with a marine grade epoxy/polyurethane coating. All on-site work would occur from a barge stocked and prepared at the APC dock in Morro Bay, and tugged into position for pile installation. In addition, the project proposes improvements to bayside lateral access, including new pedestrian connections to existing lateral access on northwest & southwest building bayside.

This is to advise that the City of Morro Bay has approved the above (Lead Agency or Responsible Agency)

described project on February 23, 2016 and has made the following determinations regarding the above described project.

- 1. The project will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was adopted for this project.
5. A statement of Overriding Considerations was adopted for this project.
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at: City of Morro Bay, Community Development Dept., 955 Shasta Ave, Morro Bay, CA 93442

Signature (Public Agency): Cindy Jacinth Title: Associate Planner

Date: 2-24-2016 Date Received for filing at OPR:

Exhibit E



CITY OF MORRO BAY
COMMUNITY DEVELOPMENT DEPARTMENT
955 Shasta Avenue
Morro Bay, CA 93442

CONDITIONAL USE PERMIT

CASE NO: UP0-359

THIS PERMIT IS HEREBY APPROVED AND ISSUED FOR:

SITE ADDRESS: 725 EMBARCADERO ROAD, LEASE SITES 82-85,82W-85W. APN #066-352-047

APPLICANT: Doug Redican, 725 Embarcadero LLC

APN/LEGAL: # 066-352-047

DATE APPROVED: February 23, 2016 APPROVED BY: City Council

CEQA DETERMINATION: Mitigated Negative Declaration adopted 2/23/16. SCH # 2014111065.

DESCRIPTION OF APPROVAL CUP (#UP0-342) for construction of new gangway, dock and 7 boat slips with 487sf second story dining deck expansion. The dock and slips would be supported by 11 new guide piles consisting of 35-55ft x 16in diameter 0.375 wall steel. The upper 25 feet of the exterior surface that would be exposed will be coated with a marine grade epoxy/polyurethane coating. All on-site work would occur from a barge stocked and prepared at the APC dock in Morro Bay, and tugged into position for pile installation. In addition, the project proposes improvements to bayside lateral access, including new pedestrian connections to existing lateral access on northwest & southwest building bayside.

THIS APPROVAL IS BASED UPON THE ATTACHED FINDINGS AND IS VALID ONLY IF CONDITIONS (ATTACHED) ARE MET AND ONLY AFTER THE APPLICABLE APPEAL PERIOD. Failure to comply with the conditions of this permit shall, at the discretion of the Community Development Manager pursuant to Municipal Code Section 17.60.150, render this entitlement null and void.

YOUR PROPERTY IS LOCATED IN THE CITY OF MORRO BAY JURISDICTION. CONDITIONAL USE PERMITS APPROVED BY CITY COUNCIL ARE FINAL AS OF DATE OF APPROVAL. THIS PROPERTY IS LOCATED WITHIN THE ORIGINAL JURISDICTION OF THE CALIFORNIA COASTAL COMMISSION, WHICH RETAINS AUTHORITY FOR ISSUANCE OF COASTAL DEVELOPMENT PERMITS AND RELATED COMPLIANCE REVIEW.

YOUR PROPERTY IS LOCATED IN THE COASTAL COMMISSION APPEALS JURISDICTION: THE FOLLOWING COASTAL COMMISSION APPEAL PERIOD APPLIES TO YOUR PROJECT: This City decision is appealable to the California Coastal Commission pursuant to the California Public Resource Code, Section 30603. The applicant or any aggrieved person may appeal this decision to the Coastal Commission within TEN (10) *Working days* following Commission receipt of this notice. Appeals must be in writing and should be addressed to: California Coastal Commission, 725 Front Street, Ste.300, Santa Cruz, CA 95060, 831-427-4863. If you have any questions, please call the City of Morro Bay Community Development Dept, 772-6261.

ATTEST: Cindy Smith DATE: 2/24/16

THIS IS A DISCRETIONARY APPROVAL AND DOES NOT CONSTITUTE A BUILDING PERMIT

Exhibit E

RESOLUTION NO. 09-16

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA
TO APPROVE CONCEPT PLAN APPROVAL OF CONDITIONAL USE PERMIT (UP0-359) FOR CONSTRUCTION OF NEW GANGWAY, FLOATING DOCK, SEVEN BOAT SLIPS, AND 487 SQUARE FOOT SECOND FLOOR DINING DECK EXPANSION AS WELL AS IMPROVEMENTS TO BAYSIDE LATERAL ACCESS ON BOTH NORTH, WEST AND SOUTH SIDES OF LEASE SITE AT
725 EMBARCADERO, ALSO KNOWN AS LEASE SITE 82-85/82W-85W.**

**THE CITY COUNCIL
City of Morro Bay, California**

WHEREAS, the Planning Commission of the City of Morro Bay conducted a public hearing at the Morro Bay Veteran's Hall, 209 Surf Street, Morro Bay, California, on January 5, 2016, for the purpose of considering Concept Plan approval of Conditional Use Permit #UP0-359 (the "Proposed Project") and adopted PC Resolution 04-16 to forward a favorable recommendation with conditions to the City Council for Concept Plan approval; and

WHEREAS, the City Council conducted a public hearing at the Morro Bay Veteran's Hall, 209 Surf Street, Morro Bay, California, on February 23, 2016, pursuant to the Planned Development regulations (Morro Bay Municipal Code (MBMC) section 17.40.030), for the purpose of considering the Proposed Project for 725 Embarcadero Road, also known as land lease site 82-85 / 82W-85W (APN #066-351-012, 013, 014, 015) in an area within the original jurisdiction of the California Coastal Commission; and

WHEREAS, notices of the public hearings were made at the time and in the manner required by law; and

WHEREAS, the City Council has duly considered all evidence, including the recommendations made by the Planning Commission, the testimony of the applicant, interested parties, and the evaluation and recommendations by staff, presented at said hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Morro Bay as follows:

Section 1: Findings. Based upon all the written and oral testimony and evidence presented to the Council at and for the above public hearing, the City Council makes the following findings:

Exhibit E

California Environmental Quality Act (CEQA)

1. That for purposes of the California Environmental Quality Act, Case No. UP0-359 is subject to a Mitigated Negative Declaration based upon potentially significant impacts to Biological Resources, Cultural Resources, Greenhouse Gas Emissions, and Hydrology/Water Quality. Any impacts associated with the proposed development will be brought to a less than significant level through the Mitigated Negative Declaration (MND). Additional mitigation has been added as a result of review during the comment period by the California Coastal Commission and has been highlighted in red in the mitigation and monitoring plan. The revised plans did not result in any additional impacts that would require re-circulation and all impacts have been reduced to a level less than significant.
2. The City Council finds that the Applicant has revised the dock plans to the greatest extent feasible in order to avoid impact to eelgrass habitat pursuant to the California Eelgrass Mitigation Policy.

Conditional Use Permit Findings

1. The project will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood in that the construction of new gangway, dock, seven (7) boat slips, dining deck expansion, observation deck, and improved public lateral access at 725 Embarcadero are permitted uses within the zoning district and said structures comply with all applicable project conditions and City regulations and is consistent with the City's Local Coastal Program.
2. The project will not be injurious or detrimental to property and improvements in the neighborhood and the general welfare of the City in that the proposed floating dock and new slips will provide a water-oriented visitor-serving recreational opportunity as well as the dining deck expansion will provide additional benefit and improvement to a visitor-serving commercial use and is consistent with the character of the existing development.

Waterfront Master Plan Findings

- A. The proposed project makes a positive contribution to the visual and public accessibility to the bay while increasing and maintaining commercial fishing industry:
 1. Meets the Waterfront plan height limit and maximum building coverage, bulk, and scale requirements in that the proposed project does not exceed development standards.
 2. The proposed project provides the amenities identified in the WF Plan, facilitates pedestrian visual and physical access to the waterfront, and takes advantage of

Exhibit E

City Council Resolution #09-16
UP0-359 Concept Plan
725 Embarcadero
Page 3

outward views and characteristics of the topography in that the bayside lateral access is improved to allow for easier pedestrian access, enjoyment and better bay views.

3. The proposed project makes a positive contribution to the working fishing village character and quality of the Embarcadero area in that the new project will add to the availability of boat slips in the bay for recreational or commercial boat rental and also with the creation of an observation deck and deck expansion will maintain and enhance views of the bay.
4. The design recognizes the pedestrian orientation of the Embarcadero and provides an interesting and enhanced pedestrian experience in that the project will provide improved lateral public access to the water and docks while assisting in the Harborwalk plan to continue public access along the waterfront as well as create a second floor observation deck open to the public and the deck expansion design is consistent with the character of the existing development.
5. The project gives its occupants and the public some variety in materials and/or application in that the deck expansion and dock construction will be of wood or aluminum material.
6. The project contains the elements of harmony, continuity, proportion, simplicity, and balance, and its appearance matches its function and the uses proposed in that the new docks and public lateral access will be accessible to the public and also in that the dining deck expansion provides articulation that is consistent with the character of the existing development.
7. The proposed project does not diminish, either directly or by cumulative impact of several similar projects, the use, enjoyment, or attractiveness of adjacent buildings and provides a visual and pedestrian transition to its immediate neighbor in that the bayside lateral access is existing and will be enhanced by creating a bridge connection point, which further opens up the northerly entrance, removes the wood and glass wall and adds roof skylights along the west semi-enclosed lateral access to make it more inviting to pedestrians along with widening the lateral access at the southwest corner to go around existing outdoor dining rather than through the dining area; and new construction of floating dock and slips and dining deck expansion is in keeping with the architectural style, massing, materials, scale, and use of its surroundings.

Architectural Consideration Finding

The City Council finds the architectural treatment and general appearance of all buildings, structures and open areas of the Proposed Project are in keeping with the character of the surrounding waterfront area, are compatible with the Waterfront Master

Exhibit E

Plan design theme adopted by the City, and are not detrimental to the orderly and harmonious development; of the City or to the desirability of investment of occupation in the area.

Section 2. Action. The City Council does hereby approve Conditional Use Permit #UP0-359 subject to the following conditions:

STANDARD CONDITIONS

1. This permit is granted for the land described in the staff report dated February 10, 2016, for the project at 725 Embarcadero depicted on plans dated February 4, 2016, on file with the Community Development Department, as modified by these conditions of approval, and more specifically described as follows: Site development, including all buildings and other features, shall be located and designed substantially as shown on City Council approved plans submitted for UP0-359, unless otherwise specified herein.
2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this Resolution and is diligently pursued, thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Any extension may be granted by the City's Community Development Manager (the "CDM") upon finding the project complies with all applicable provisions of the MBMC, General Plan and certified 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 conditions of approval shall be subject to review and approval by the CDM. Any changes to this approved permit determined, by the CDM, not to be minor shall require the filing of an application for a permit amendment subject to Planning Commission review.
4. Compliance with the Law: (a) All requirements of any law, ordinance or regulation of the State of California, the City, and any other governmental entity shall be complied with in the exercise of this approval, (b) This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan for the City.
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. Applicant understands and acknowledges the City is under no obligation to defend any legal actions challenging the City's actions with respect to the project. This condition and agreement shall be binding on all successors and assigns.

Exhibit E

6. Compliance with Conditions: The applicant's establishment of the use 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 CDM or as authorized by the Planning Commission or City Council. Failure to comply with any of these conditions shall render this entitlement, at the discretion of the CDM, null and void. Continuation of the use without a valid entitlement will constitute a violation of the MBMC and is a misdemeanor.
7. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan of the City.
8. Conditions of Approval: The Findings and Conditions of Approval shall be included as a full-size sheet in the Building Plans.

Building Conditions:

Prior to construction, the applicant shall submit a complete building permit application and obtain all required building permits.

Fire Conditions:

1. Standpipe Plan Submittal. Marinas and boatyards shall be equipped throughout with standpipe systems in accordance with NFPA 303. Systems shall be located such that no point on the pier or float system exceeds 150 feet from the standpipe hose connection. (CFC 3604.2, 905, and MBMC 14.52.060).
 - a. Applicant shall submit plans for a Class 1 Standpipe System, for protection of the floating dock system and boat slips, in accordance with MBMC 14.52.060 CFC 904 and NFPA 303, to Moro Bay Community Development Department for review.
2. Portable fire extinguishers. One portable fire extinguisher of ordinary (moderate) hazard type shall be provided at each required standpipe hose connection. Additional portable fire extinguishers, suitable for the hazards involved, shall be provided and maintained in accordance with CFC 906. (CFC 4504.4).
 - a. Applicant shall provide one (2A-10BC) fire extinguisher and cabinet on the floating dock and depicted on Sheet 1.
3. Construction and operations of marinas, boatyards, yacht clubs, boat condominiums, docking facilities, multiple-docking facilities and all associated piers, docks, and floats shall be in accordance with NFPA 303.

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City Council Resolution #09-16
UP0-359 Concept Plan
725 Embarcadero
Page 6

4. Installation and Acceptance Testing. Fire detection and alarm systems, fire-extinguishing systems, fire hydrant systems, fire standpipe systems, fire pump systems, private fire service mains and all other fire protection systems and appurtenances thereto shall be subject to acceptance tests as contained in the installation standards and as approved by the fire code official. The fire code official shall be notified before required acceptance testing. (CFC 901.5).
5. Occupancy. It shall be unlawful to occupy any portion of a building or structure until the required fire detection, alarm and suppression systems have been tested and approved. (CFC 901.5.1).
6. Fire sprinklers. Fire protection systems shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered or augmented as necessary to maintain and continue protection whenever the building is altered, remodeled or added to. Alterations to fire protection systems shall be done in accordance with applicable standards. (CFC 901.4).
7. Applicant shall submit sprinkler plans for upstairs dining room bar modifications and the new dining deck expansion, to Morro Bay Community Development Department for review.

Public Works Conditions:

The following Public Works conditions shall be satisfied prior to Building Plan submittal:

1. If water service to the dock is planned, an appropriate backflow prevention device is required to be installed, routinely inspected and maintained per MBMC Chapter 13.08 Water Cross-Connections.
2. Erosion and Sediment Control Plan: Provide a standard erosion and sediment control plan per MBMC Chapter 14.48: The Plan shall show control measures to provide protection against erosion of adjacent property and prevent sediment or debris from entering the City right of way, adjacent properties, any harbor, waterway, or ecologically sensitive area.
3. Encroachment Permits: A standard encroachment permit may be required if utility connections are required within the City Right of Way. When utility connections require pavement cuts a traffic control plan indicating appropriate signing, marking, barricades and flaggers must be submitted with the Encroachment Permit application.

Add the following Items/Notes to the Plans:

4. No work shall occur within (or use of) the City's Right of Way without an encroachment permit. Encroachment permits are available at the City of Morro Bay Public Works Department located at 955 Shasta Ave. The Encroachment permit shall be issued concurrently with the building permit.

Exhibit E

City Council Resolution #09-16
UP0-359 Concept Plan
725 Embarcadero
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- a. Any damage to City facilities, i.e. curb/berm, street, sewer line, water line, or any public improvements shall be repaired at no cost to the City of Morro Bay.

Harbor Department Conditions:

1. Applicant shall request in writing to the City to adjust the lease lines as applicable at the appropriate time.
2. The bridge material shall be submitted for review and approval to the Harbor Director and the Community Development Manager prior to issuance of a building permit. Applicant shall retain responsibility for maintenance and legal responsibility if the bridge is made of wood or other highly perishable material.

Planning Conditions:

1. A Coastal Development Permit shall be submitted to the Community Development Department prior to issuance of a building permit.
2. Inspection: The applicant shall comply with all City conditions of approval and conditions imposed by the California Coastal Commission and obtain final inspection clearance from the Planning Division at the necessary time in order to ensure all conditions have been met.
3. Bayside Lateral Public Accessway. The existing semi-enclosed public accessway along west side of building shall maintain a minimum 8 foot wide coastal access with open unobstructed access in order to maximize public use and enjoyment. Any uses that obstruct the accessway such as private uses or barriers such as furniture, planters, ropes, or restaurant seating and specifically table seating within the 8 foot coastal accessway shall be prohibited.
4. Floating dock. The floating dock shall be publicly available for general public pedestrian access and either short-term or long-term use by recreational or commercial boats. Signs discouraging the public from walking on the docks during daylight hours are prohibited. The docks shall be open to the general public during at least daylight hours (i.e. one hour before sunrise to one hour after sunset).
5. Final precise plans shall be revised to include coastal public access signs on the northeast and southeast face of the building on Embarcadero Road (street entrance). Signs announcing public coastal access shall be placed at both north and south entry points to the semi-enclosed public access way or as consistent with a Public Access Management Plan as approved by the California Coastal Commission.
6. Shading of eelgrass – No part of any floating dock, boat structure or other portion thereof shall be located vertically above any existing eelgrass bed as identified on the approved site plan. Nothing shall be allowed to dock, for any length of time, above any existing

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eelgrass bed. Translucent grating shall be used to the greatest extent feasible on the floating dock area over the unvegetated 5 meter eelgrass buffer.

7. Observation Deck. Signage shall be added to entrance of observation deck and at street level announcing public access and no purchase required. Form and design of signage shall be consistent with the approved public coastal access signs as approved by the California Coastal Commission. Precise plans submitted for approval to the City shall denote all signage locations.
8. The open courtyard area to the south of the Rose's Landing building shall maintain a minimum of 8 foot wide lateral access to provide public access from Embarcadero Road west to the bay. Any existing public tables and benches, which impinge on the 8 foot requirement shall be moved to allow for open pedestrian access. Any existing outdoor dining tables on the lease site shall have table signs permanently affixed informing the public that no purchase is required.
9. The Mitigation and Monitoring Plan, attached to this City Council resolution as Attachment A shall be incorporated as conditions of approval.
10. Improve connections between lateral access on north side of building and existing public view deck seaward of the Front Street street terminus. Improvements to include a bridge from the viewing deck to the existing lateral access way.
11. Public access space and private dining shall be clearly delineated and enclosed with railing as required by Waterfront Master Plan.
12. Glass windscreen and/or roof of the bayside lateral access walkway shall be removed along its length north of the outdoor first floor dining facilities located at southwest end of building.
13. Precise Plan shall include a specific sign plan with both commercial tenant and public access signs shown, including but not limited to, plans denoting size and material of sign, location of signs and method of attachment.
14. Plans shall be revised to the greatest extent feasible, to ensure lateral access at the south end of the lease site is able to accommodate a connection point to future lateral access to Lease Site 18.

City Council Conditions:

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City Council Resolution #09-16
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1. To the greatest extent feasible, the project plans shall consider, include and identify additional stormwater management and educational components to improve stormwater runoff for the project beyond those impacts related to just the construction phase of the project.
2. Plans shall be revised to include a minimum of two benches to be located on the second floor public observation deck.
3. The outdoor trash receptacles located to the south of the building shall be redesigned with a cover and doors in order to be screened and covered from the public view and maintain the view corridor to the satisfaction of the Community Development Manager. The redesign shall be included for approval with the Precise Plan submittal.

PASSED AND ADOPTED by the City Council of the City of Morro Bay at a regular meeting thereof held on this 23rd day of February, 2016 on the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

JAMIE L. IRONS, Mayor

ATTEST

DANA SWANSON, City Clerk

Attachment A
**SUMMARY OF REQUIRED MITIGATION MEASURES &
MONITORING PLAN**

BIOLOGICAL RESOURCES

Mitigation Measure BIO 1 An eelgrass restoration plan shall be prepared in accordance with the California Eelgrass Mitigation Policy and submitted for approval to the Planning and Building Manager. The eelgrass restoration plan shall be submitted for review and approval within three months of completion of construction. The report shall at a minimum include a site plan and written description of the status of eelgrass beds in the project area. If the report identifies a reduction in eelgrass coverage as compared to the existing eelgrass coverage at the time of the pre-construction survey, then the report shall identify remedial measure to offset such reduction within the eelgrass beds in the project area at a 1.2:1 basis. In such case, reporting shall continue on an annual basis for at least three years or until all such eelgrass beds are supporting eelgrass as documented in two consecutive annual reports, whichever is later. In addition, a pre-and post-construction survey shall be completed to determine the final areas of impact and submitted to the Planning and Building Manager. The pre-construction survey shall be submitted for review prior to issuance of a building permit.

➤ **Monitoring Plan, BIO 1:** Construction plans shall clearly note the above mitigation measure on project plans and be clearly visible to contractors and City staff. Public Service Department planning staff will be responsible for reviewing the pre-construction survey prior to issuance of any building permits. The post-construction survey shall be submitted to the City Planning and Building Manager for review and approval within three months of completion of construction. The report shall at a minimum include a site plan and written description of the status of eelgrass beds in the project area. If the report identifies a reduction in eelgrass coverage as compared to the existing eelgrass coverage at the time of the pre-construction survey, then the report shall identify remedial measure to offset such reduction within the eelgrass beds in the project area at a 1.2:1 basis. In such case, reporting shall continue on an annual basis for at least three years or until all such eelgrass beds are supporting eelgrass as documented in two consecutive annual reports, whichever is later.

Mitigation Measure BIO 2 To reduce potential turbidity-associated impacts, silt screens should be used when and where they will be effective. The relatively high tidal currents within Morro Bay could reduce the effectiveness of silt screens and should be considered prior to lacing of these screens. All in-water, bottom-disturbing activities should occur within the pre-determined project footprint.

➤ **Monitoring Plan, BIO 2:** Construction plans shall clearly note the above mitigation measure on project plans and be clearly visible to contractors and City staff. Details pertaining to the type, location, and method of securing the silt screens shall be provided on construction documents. Public Service Department staff will periodically inspect the site for continued compliance with the above mitigation measure.

Mitigation Measure BIO 3: A Marine Wildlife Contingency Plan shall be developed and approved by the NMFS, USFWS, and CDFG prior to the initiation of pile driving activities. This plan shall describe specific methods that will be used to reduce pile-driving noise. Power to the pile driver shall be ramped up to allow marine wildlife to detect a lower sound level and depart the area before full-power noise levels are produced. The plan shall identify a USFWS-approved biologist to monitor all construction within the water-lease area who shall be retained by the applicant. The plan shall describe on-site marine wildlife monitoring and reporting requirements as well as identify specific conditions when the biological monitor shall be allowed to stop work, such as observance of a marine mammal within 100 feet of the project area. The biologist shall be responsible to monitor for compliance with all environmental mitigation measures, and regulatory permit conditions (as applicable). The approved biological monitor shall be present onsite during construction and shall have the authority to stop construction if any individuals of southern sea otter are seen within 100 feet of the project area. Construction will be allowed to resume after sighted otters have left the 100-foot radius of the project area. The

Exhibit E

species shall not be disturbed or forced from the project site by equipment, noise, or other disruptive activity. The monitor will have discretionary authority to temporarily halt the project if it is determined that the otter, or other marine mammal, could be affected by the project, even if the animal is beyond the 100-foot boundary. All construction crew employees shall be informed on the requirements of this condition.

- **Monitoring Plan, BIO 3:** Construction plans shall clearly note the above mitigation measure on project plans and be clearly visible to contractors and City staff. The Marine Wildlife Contingency Plan and documentation that it has been approved by the NMFS, USFWS, and CDFW shall be submitted along with the applications for construction permits. The biological monitor shall submit a weekly monitoring report to the City, including a summary of each day's activities, summary of any violations or inconsistencies with the mitigation measures/conditions of approval, any remediation actions undertaken by the applicant/construction manager, any verbal or written correspondence with regulatory agencies, and photo-documentation. Public Service Department staff will periodically inspect the site for continued compliance with the above mitigation measure.

Mitigation Measure BIO 4 A project-specific Oil Spill Response and Recovery Plan that includes specifics on reporting and response procedures, available on-site equipment and contracted services, and responsibilities shall be completed and approved prior to the initiation of construction activities. Specifically, the project shall include the following Best Management Practices (BMPs):

1. No refueling of equipment without adequate containment and spill response equipment. The barge shall have only double contained fuel storage below decks, with the spill containment and clean up kits on-site and easily accessible. Spill containment and clean up kits shall include the following:
 - a. 150 feet Absorbent Boom 200 square feet Absorbent Tarp (for use during pile driving operations)
 - b. Barrel Absorbent Pads
 - c. Container Absorbent Granules
2. Rainwater runoff pollution from equipment stored on deck shall be prevented through ongoing equipment maintenance and appropriate double containment.
3. The work area shall be contained within a boom to prevent debris from falling into the water.
4. All equipment fueling shall take place on the barge, with containment in-place. No refueling between vessels shall occur.
5. An Absorption Tarp shall be placed underneath any portable equipment while in use.
6. No equipment shall be permitted to enter the water with any petroleum products.
7. All equipment used during pile driving operations shall be in good condition without fuel or oil leakage.
8. Should any equipment begin to leak, that equipment shall be removed immediately from the barge and repaired or replaced.
9. All vessels shall have portable, regularly serviced sanitation equipment. No overboard discharge is permitted

- **Monitoring Plan, BIO 4:** Construction plans shall clearly note the above mitigation measure on project plans and be clearly visible to contractors and City staff. The Oil Spill Response and Recovery Plan shall be submitted along with the applications for building permits and reviewed by the Public Service Department planning staff and Fire Department for adequacy. Public Service Department staff will periodically inspect the site for continued compliance with the above mitigation measure.

Mitigation Measure BIO 5 Prior to issuance of building permits, the applicant shall either acquire all required regulatory permits and authorizations (i.e. U.S. Army Corps of Engineers, Regional Water Quality Control Board, California Department of Fish and Game), or submit documentation that such permits are not required.

- **Monitoring Plan, BIO 5:** Construction plans shall clearly note the above mitigation measure on project plans and be clearly visible to contractors and City staff. Submittal of all required outside agencies regulatory permits shall be reviewed by the Public Service Department planning staff.

Mitigation Measure BIO 6. Pre- and Post-construction surveys. A survey identifying areas of eelgrass within the lease areas shall be completed no earlier than 90 days and no later than 30 days prior to issuance of a building

Exhibit E

permit. The survey shall be submitted to the Community Development Manager for review as part of the final plans. If additional eelgrass is identified that would be directly shaded by the proposed project, then the report shall identify remedial measures to offset such reduction within the eelgrass beds at a ratio of 1.2:1 in line with the specifications for mitigation of eelgrass habitat as provided for in the California Eelgrass Mitigation Policy. A post construction survey identifying areas of eelgrass shall be completed on an annual basis with the first report due within 90 days of completion of construction and subsequent reports due at one year increments after that. All annual reports shall at a minimum include a site plan and written description of the status of eelgrass beds in the project area. Annual reporting shall continue for at least three years or until all eelgrass beds to be protected are supporting eelgrass as documented in two consecutive annual reports, whichever is later. Any change in eelgrass extent shall be documented and reported to the Community Development Manager. If the report identifies a reduction in eelgrass coverage as compared to the existing eelgrass coverage as identified in the Applicant's Site Plan, then the report shall identify remedial measures to offset such reduction within the eelgrass beds in the project area at a 1.2:1 ratio in line with the specifications for mitigation of eelgrass habitat as provided for in the California Eelgrass Mitigation Policy.

- **Monitoring Plan, BIO 6:** Construction plans shall clearly note the above mitigation measure on project plans and be clearly visible to contractors and City staff. Submittal of all required outside agencies regulatory permits shall be reviewed by the Community Development Manager.

Mitigation Measure BIO 7 Prior to issuance of a building permit, a pile driving plan and hydroacoustical monitoring plan shall be submitted to the Community Development Manager to ensure that underwater noise generated by pile driving activities is minimized to the maximum extent feasible and does not exceed: (1) an accumulated 187 dB SEL as measured 5 meters from the source; and (2) peak dB above 208 dB as measured 10 meters from the source as determined by the Fisheries Hydroacoustic Working Group. In the instance anything other than a vibratory hammer is to be used for pile driving activities, the plan shall provide for a hydro-acoustical monitor to ensure that underwater noise generated by pile driving activities does not exceed such limits. The plan shall identify the type of method used to install pilings. Vibratory hammers shall be used where feasible; if another method is used, a bubble curtain shall be employed to contain both noise and sediment. The plan shall also provide for additional acoustical BMPs to be applied if monitoring shows underwater noise above such limits (including, but not limited to, alternative pile driving methods (press-in pile placement, drilling, dewatered isolation casings, etc.) and additional noise dampening measures (sound shielding and other noise attenuation devices).

- **Monitoring Plan, BIO 7:** Construction plans shall clearly note the above mitigation measure on project plans and be clearly visible to contractors and City staff. The Community Development Department shall verify for required compliance in the field..

CULTURAL RESOURCES

Mitigation Measure CULT 1 If materials (including but not limited to bedrock mortars, historical trash deposits, and paleontological or geological resources) are encountered during excavation, work shall cease until a qualified archaeologist makes determinations on possible significance, recommends appropriate measures to minimize impacts, and provides information on how to proceed in light of the discoveries. All specialist recommendations shall be communicated to the City of Morro Bay Public Services Department prior to resuming work to ensure the project continues within procedural parameters accepted by the City of Morro Bay and the State of California.

- **Monitoring Plan, CULT 1:** Construction plans shall clearly note the above mitigation measure on Sheet 1 of project plans and be clearly visible to contractors and City staff. Public Service Department staff will periodically inspect the site for continued compliance with the above mitigation measure.

Mitigation Measure CULT 2 The following actions must be taken immediately upon the discovery of human remains:

Stop immediately and contact the County Coroner. The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission. The Native American Heritage Commission will

Exhibit E

immediately notify the person it believes to be the most likely descendent of the deceased Native American. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods. If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or; If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission Discuss and confer means the meaningful and timely discussion careful consideration of the views of each party.

- **Monitoring Plan, CULT 2:** Construction plans shall clearly note the above mitigation measure on Sheet 1 of project plans and be clearly visible to contractors and City staff. Public Service Department staff will periodically inspect the site for continued compliance with the above mitigation measure.

GREENHOUSE GAS EMISSIONS

Mitigation Measure GHG 1 Requirements to limit Greenhouse Gas emissions shall apply to this project which includes to the greatest extent feasible: 1) a minimum of six percent of construction vehicles and equipment shall be electrically-powered or use alternative fuels such as compressed natural gas, and 2) The contractor shall limit idling of construction equipment to three signs and post signs to the effect.

- **Monitoring Plan, GHG 1:** Construction plans shall clearly note the above mitigation measure on Sheet 1 of project plans and be clearly visible to contractors and City staff. Details pertaining to the type of construction vehicles to be used shall be provided on construction documents. Public Service Department staff will periodically inspect the site for continued compliance with the above mitigation measure.

HYDROLOGY AND WATER QUALITY

Mitigation Measure HYDRO 1 Netting or fencing around and underneath the project site shall be installed to catch and remove debris released during and after construction.

- **Monitoring Plan, HYDRO 1:** Construction plans shall clearly note the above mitigation measure on Sheet 1 of project plans and be clearly visible to contractors and City staff. Details pertaining to the type, location, and method of securing the catchment netting or fencing shall be provided on construction documents. Public Service Department staff will periodically inspect the site for continued compliance with the above mitigation measure.

Mitigation Measure HYDRO 2 To reduce potential turbidity-associated impacts, silt screens should be used when and where they will be effective. The relatively high tidal currents within Morro Bay could reduce the effectiveness of silt screens and should be considered prior to placing of these screens.

- **Monitoring Plan, HYDRO 2:** Construction plans shall clearly note the above mitigation measure on Sheet 1 of project plans and be clearly visible to contractors and City staff. Details pertaining to the type, location, and method of securing the silt screens shall be provided on construction documents. Public Service Department staff will periodically inspect the site for continued compliance with the above mitigation measure.

Exhibit E



CITY OF MORRO BAY
COMMUNITY DEVELOPMENT DEPARTMENT
955 Shasta Avenue
Morro Bay, CA 93442

NOTICE OF FINAL ACTION ON CONDITIONAL USE PERMIT

NOTICE OF FINAL CITY ACTION on Conditional Use Permit No. UP0-359

THE FOLLOWING PROJECT IS LOCATED IN THE MORRO BAY COASTAL ZONE AND A CONDITIONAL USE PERMIT APPLICATION HAS BEEN ACTED ON BY THE CITY.

Applicant: Doug Redican, 725 Embarcadero LLC

Address: 725 EMBARCADERO ROAD, LEASE SITES 82-85,82W-85W. APN #066-352-047

Project Description: CUP (#UP0-342) for construction of new gangway, dock and 7 boat slips , with 487sf second story dining deck expansion. The dock and slips would be supported by 11 new guide piles consisting of 35-55ft x 16in diameter 0.375 wall steel. The upper 25 feet of the exterior surface that would be exposed will be coated with a marine grade epoxy/polyurethane coating. All on-site work would occur from a barge stocked and prepared at the APC dock in Morro Bay, and tugged into position for pile installation. In addition, the project proposes improvements to bayside lateral access, including new pedestrian connections to existing lateral access on northwest & southwest building bayside.

Project Location: 725 Embarcadero Road, Morro Bay, CA 93442

APN/Legal: APN #066-352-047 **Lot Area:** 15,906sf

Zoning: Waterfront / PD (Planned Development) overlay/ S.4

LUP/General Plan: Waterfront/ Harbor / Visitor-Serving Commercial

Filing Date: February 10, 2016 **Action Date:** February 23, 2016

Action By: City Council **Action Taken:** Approved with Conditions

THIS SITE IS OUTSIDE OF THE COASTAL COMMISSION APPEAL JURISDICTION

THIS SITE IS WITHIN THE COASTAL COMMISSION ORIGINAL JURISDICTION

This City decision is appealable to the California Coastal Commission pursuant to the California Public Resource Code, Section 30603. The applicant or any aggrieved person may appeal this decision to the Coastal Commission within TEN (10) working days following Commission receipt of this notice. Appeals must be in writing and should be addressed to: California Coastal Commission, 725 Front Street, #300, Santa Cruz, CA 95060,415-427-4863

Exhibit E

APPLICANT'S ACCEPTANCE
OF
CONDITIONS OF APPROVAL

CASE NO. UP0-359

SITE LOCATION: 725 EMBARCADERO ROAD, LEASE SITES 82-85,82W-85W.
APN #066-352-047

APPLICANT NAME: Doug Redican, Embarcadero LLC

APPROVAL BODY: Public Services Director
 Zoning Administrator
 Planning Commission
 City Council

DATE OF ACTION: 2-23-2016

I, _____ the undersigned, have read and
(APPLICANT'S NAME - PLEASE PRINT)

reviewed the conditions of approval imposed by the Approval Body in its action

approving Case Number: UP0-359

I UNDERSTAND AND ACCEPT SAID CONDITIONS AND AGREE TO FULLY COMPLY WITH THEM.

APPLICANT'S SIGNATURE

DATE:

Rose's Landing Embarcadero Hotel Remodel



Steven Puglisi
ARCHITECTS
INC.

569 Higuera Street
Suite A
San Luis Obispo, CA
93401
Ph: 805.595.1962
Fx: 805.595.1980



PROJECT:
ROSE'S LANDING
EMBARCADERO HOTEL REMODEL
725 Embarcadero Road, Morro Bay, CA
Doug Redican

SHEET:
TITLE SHEET, STATISTICS
and
EXISTING ARCHITECTURAL
SITE PLAN

All ideas, designs, arrangements and plans indicated or represented by the drawings are owned by, and the property of, Steven Puglisi, ARCHITECTS, INC. and were created and developed for use, and in conjunction with, the specific project described herein. None of these ideas, designs and arrangements or plans shall be used by, or disclosed to any person, firm, or corporation for any purpose without permission of Steven Puglisi, ARCHITECTS, INC. Filing these drawings with a public agency is not a publication of same, and no copying, reproduction or use thereof is permissible without the consent of Steven Puglisi, ARCHITECTS, INC.

DATE: 19 January 2017
JOB: 11-017
DRAWN: m.dammeyer
REV. 1: Incomplete Letter Response 10/21/2016

SHEET N^o
P1.0

DIRECTORY

LEASEES: DOUG REDICAN
725 EMBARCADERO ROAD
MORRO BAY, CA 93442
PH: (805) 704-7771

ARCHITECT: STEVEN PUGLISI ARCHITECTS, INC.
569 HIGUERA STREET, SUITE A
SAN LUIS OBISPO, CA 93401
PH: (805) 595-1962
FAX: (805) 595-1980

LAND SURVEYOR: MBS LAND SURVEYS
3563 SUELDO STREET, SUITE Q
SAN LUIS OBISPO, CA 93401
(805) 594-1960

PROJECT DESCRIPTION

A PROPOSAL TO REPLACE THE EXISTING UPPER FLOOR RESTAURANT WITH AN 8-ROOM BOUTIQUE HOTEL, AS WELL AS, A PROPOSAL FOR 7 BOAT SLIPS AND NEW GANGWAY FOR NON-COMMERCIAL PURPOSES. ADDITIONALLY, 1 HOTEL ROOM TO REPLACE (E) LEASE SPACE ON LOWER FLOOR.

DOCKS WILL BE AVAILABLE FOR MONTH-TO-MONTH RENTING. SLIP 1 WILL BE CONTROLLED BY THE MORRO BAY HARBOR DEPARTMENT.

THE PROJECT INCLUDES:
*EXPANSION OF WATER LEASE SITE 82-85W
*THE EXPANSION OF THE NORTHERLY COASTAL ACCESS BOARDWALK
*NEW COASTAL ACCESS SIGNAGE

THE ORIGINAL BUILDING CHARACTER WILL REMAIN WITH ALTERNATIONS FOR NEW WINDOW LOCATIONS, THE ADDITION OF THREE OUTDOOR DECKS SERVING HOTEL ROOMS TOWARDS THE BAY, AND REMOVAL OF A PORTION OF THE HALF-HEIGHT WALL AND GLASS WIND SCREEN ON THE SOUTH-SIDE OBSERVATION DECK. THE WALL WILL BE REPLACED WITH A 42" HIGH CABLE RAIL SYSTEM.

A 10'-0" WIDE PORTION ON THE UPPER FLOOR OUTDOOR DECK WILL REMAIN DEDICATED TO PUBLIC OBSERVATION AREA.

GENERAL SITE INFORMATION

PROJECT ADDRESS: 725 EMBARCADERO ROAD
MORRO BAY, CALIFORNIA

LEASE SITE A.P.N.: LAND LEASE 82-85
WATER LEASE 82W-85W 066-352-047

ZONING: WATERFRONT (WF)
PLANNED DEVELOPMENT OVERLAY DISTRICT (PD)
AREA 3: EMBARCADERO VISITOR AREA - PER WMP

LAND LEASE LOT SIZE: 10,252.68 S.F.

LAND LEASE LOT COVERAGE PROPOSED: 10,252.68 X 70% = 7,176.8 S.F. ALLOWED (BUILDING AREA)
6,582 SF (64%)

UPPER FLOOR LOT COVERAGE PROPOSED: 6582 X 70% = 4,607.4 S.F. ALLOWED (BUILDING AREA)
4,006 S.F. (61%)

LAND LEASE EXISTING BUILDING AREA

LOWER FLOOR BUILDING AREA: 6582 square feet

UPPER FLOOR BUILDING AREA: 3520 square feet
OBSERVATION DECK: 1879 square feet

TOTAL EXISTING BUILDING AREA: 10102 square feet

LAND LEASE PROPOSED BUILDING AREA

LOWER FLOOR BUILDING AREA: 6582 square feet

UPPER FLOOR (E) BUILDING AREA: 3520 square feet
(N) HOTEL ROOM: 486 square feet
(N) OPEN PATIOS: 647 square feet
OBSERVATION DECK: 1484 square feet

TOTAL PROPOSED BUILDING AREA: 10588 square feet

WATER LEASE EXISTING BUILDING AREA

LOWER FLOOR BUILDING AREA: 754 square feet
(E) COASTAL ACCESS: 969 square feet

TOTAL EXISTING BUILDING AREA: 754 square feet

UPPER FLOOR (N) OPEN PATIOS: 252 square feet
(N) COASTAL ACCESS: 1596 square feet

TOTAL PROPOSED BUILDING AREA: NA

SHEET INDEX

- P1.0 TITLE SHEET, STATISTICS AND EXISTING ARCHITECTURAL SITE PLAN
- P1.1 PROPOSED ARCHITECTURAL SITE PLAN
- P2.0 EXISTING LOWER and UPPER FLOOR PLANS
- P2.1 PROPOSED LOWER and UPPER FLOOR PLANS
- P3.0 EXISTING EXTERIOR ELEVATIONS
- P3.1 PROPOSED EXTERIOR ELEVATIONS AND BUILDING SECTION
- P4.0 EXISTING BUILDING/SITE PHOTOS AND PROPOSED RENDERINGS
- P4.1 DOCK DETAILS AND PHOTO SIMULATIONS

PARKING CREDITS and REQUIREMENTS

CURRENT PARKING CREDITS

Historical Parking Credits: 87
Paid In-Lieu Parking Spaces: 20
Total Parking Credits 107

EXISTING BUILDING PARKING CALCULATION

Building Use/Lease Space	Square Footage	Zoning Ordinance Space per s.f.	Required Parking
Arcade	638 s.f.	100 s.f. gross	6
Kelly's Kandies	780 s.f.	300 s.f. gross	3
Retail Shop	1605 s.f.	300 s.f. gross	5
Psychic	707 s.f.	300 s.f. gross	2
Lower Floor Restaurant & Bar	1135 s.f.	60 s.f. customer use area	19
Lower Outdoor Patio	563 s.f.	60 s.f. customer use area	5
Upper Floor Restaurant	1547 s.f.	60 s.f. customer use area	26
Observation Deck/Outdoor Dining*	1744 s.f.	60 s.f. customer use area / 2	18
Removed Street Parking			15
Total Parking Required for Building			99

*Note Outdoor Dining Area at Observation Deck to be removed. See Calculation below

TOTAL PARKING REDUCTION FOR UPPER RESTAURANT / BOAT SLIP AND OUTDOOR DINING AREA REMOVAL

Upper Floor Restaurant	1547 s.f. removed	60 s.f. customer use area	-26.0
Outdoor Dining Area	668 s.f. removed	60 s.f. customer use area/2	-6.0
Phycic	400 s.f. removed	300 s.f. customer use area/2	-1.0
Total Parking Reduction			-33

PROPOSED HOTEL PARKING CALCULATION

Hotel Guests	1 per Room	9.0
1 add'l space per 10 rooms		0.0
Employee Parking		2.0
Total Parking Required for Proposed Hotel		11

PROPOSED BOAT SLIP PARKING CALCULATION

Boat Slips	1 per 35 lineal ft	2.7
Total Parking Reduction		3.0

TOTAL PARKING REQ'D FOR (E) BUILDING & PROPOSED HOTEL ADDITION

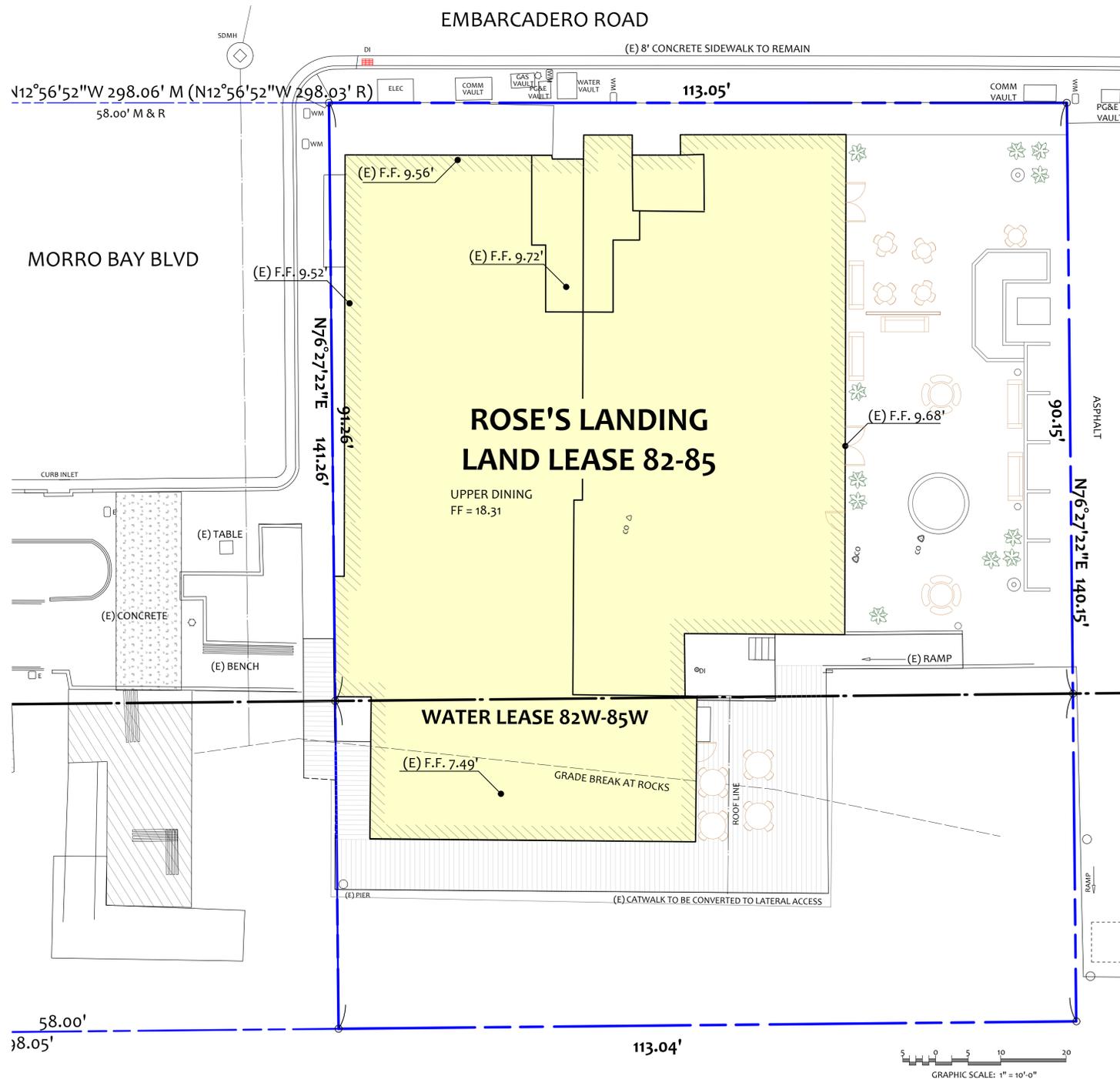
80

PROPOSED PARKING STRATEGY FOR HOTEL:

TRANSIENT OCCUPANTS OF THE HOTEL WILL REQUIRE A MINIMUM OF 9 PARKING SPACES AND 1 PERMANENT AND APPROPRIATELY DESIGNATED PASSENGER LOADING ZONE LOCATED DIRECTLY ADJACENT TO THE ENTRANCE OF ROSE'S LANDING. THE APPLICANT REQUESTS THE 9 PARKING SPACES TO BE LOCATED IN THE PARKING LOT ACROSS THE EMBARCADERO WHICH SHALL BE PROVIDED SIGNAGE READING "RESERVED FOR HOTEL GUESTS FROM 3PM TO 10 AM DAILY".

CITY OF MORRO BAY PUBLIC WORKS GENERAL NOTE:

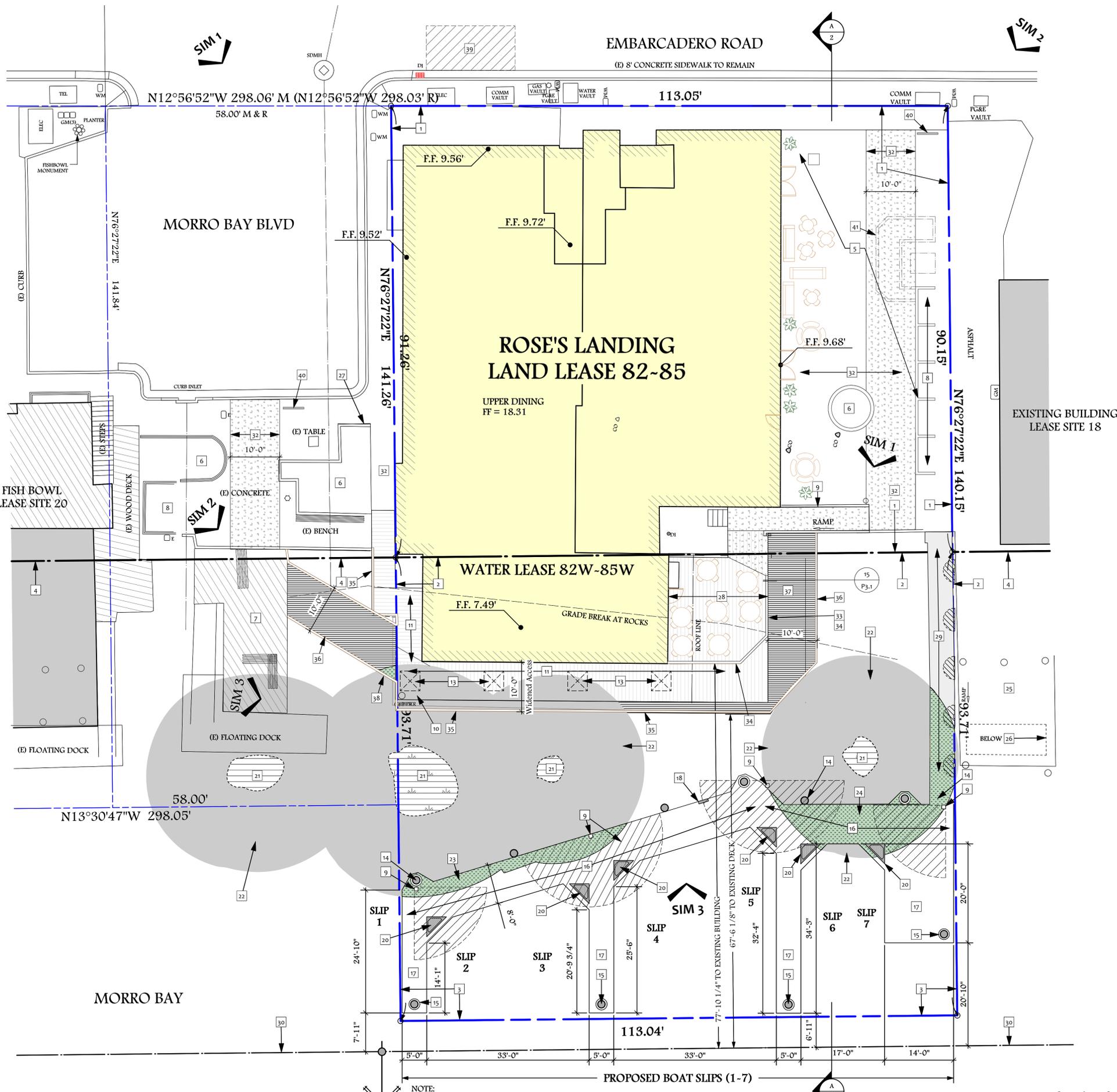
1. ANY DAMAGE, AS A RESULT OF CONSTRUCTION OPERATIONS FOR THIS PROJECT, TO CITY FACILITIES, I.E. CURB/BERM, STREET, SEWER LINE, WATER LINE, OR ANY PUBLIC IMPROVEMENTS SHALL BE REPAIRED AT NO COST TO THE CITY OF MORRO BAY



Scale: 1" = 10'



EXISTING ARCHITECTURAL SITE PLAN



BOAT SLIPS SITE PLAN REFERENCE NOTES

- [1] (E) LAND LEASE LINE
- [2] (E) WATER LEASE LINE
- [3] (N) WATER LEASE LINE PER EXHIBIT 'A' LEASE SITE MAP FOR LEASE SITE 19W PREPARED BY MBS LAND SURVEYS
- [4] SHORE CONTROL EASEMENT
- [5] (E) PLAZA TO REMAIN
- [6] (E) PLANTER TO REMAIN
- [7] (E) WOOD PIER AND BENCHES TO REMAIN
- [8] (E) TRASH ENCLOSURE TO REMAIN
- [9] (N) COASTAL ACCESSWAY SIGN
- [10] (N) COASTAL ACCESSWAY SIGN TO INDICATE THROUGH ACCESS
- [11] (E) 8'-0" COASTAL ACCESS TO BE EXTENDED TO 10'-0" PER COASTAL COMM.
- [12] HATCH INDICATES THE WIDENING OF THE COASTAL ACCESS PATHWAY
- [13] DASHED LINE INDICATES (N) 36" SQ. SKYLIGHT. TOTAL OF FOUR (4).
- [14] (N) PILING AT MAIN DOCK. TOTAL OF SIX (6).
- [15] (N) PILING AT DOCK FINGERS. TOTAL OF FOUR (4).
- [16] (N) WOOD OR ALUMINUM DOCK w/ GATOR GRATING (WHERE POSSIBLE)
- [17] (N) WOOD OR ALUMINUM DOCK
- [18] (N) AUTOMATIC WET-CLASS III STANDPIPE SYSTEM HOSE CABINET. 31" X 6" X 48"H
- [19] (N) 8" DIA. X 36" H PEDESTAL LIGHT. HATCH INDICATES APPROX. LIGHTING PATTERN.
- [20] (N) DOCK CABINET w/ WATER, POWER & TELEPHONE. 48" X 28" X 31" H. TOTAL OF SIX (6).
- [21] HATCH INDICATES EXISTING EELGRASS LOCATION PER EELGRASS SURVEY DATED APRIL 2, 2014. TYPICAL
- [22] SHADED AREA INDICATES THE 5 METER SURROUNDING AREA OF THE EELGRASS HABITAT AREA
- [23] 145 S.F. 5M HABITAT AREA INTRUSION
- [24] 354 S.F. 5M HABITAT AREA INTRUSION
- [25] (E) OBSERVATION DECK TO REMAIN
- [26] (E) FLOATING DOCK TO REMAIN
- [27] (N) COASTAL ACCESS SIGN TO INDICATE THROUGH ACCESS. (E) PUBLIC ACCESS AND DINING DECK TO BE REMOVED
- [28] (E) RESTAURANT DINING PATIO TO REMAIN
- [29] (N) ALUMINUM GANGWAY
- [30] LIMIT OF CHANNEL
- [31] EXISTING SITE FURNITURE LAYOUT (AS OF 12/30/15)
- [32] STAINED CONCRETE PATH INDICATING COASTAL ACCESS
- [33] (E) GLASS AND WOOD WALL TO BE REMOVED
- [34] (N) LOW GLASS AND WOOD WALL ALONG (E) RESTAURANT PATIO
- [35] (N) 42" TALL METAL RAILING TO REPLACE (E) WOOD AND GLASS WALL
- [36] (N) 42" TALL METAL RAILING ALONG (N) COASTAL ACCESS
- [37] (N) COASTAL ACCESS WALKWAY. REFER TO PLAN FOR WIDTHS
- [38] 5 S.F. 5M HABITAT AREA INTRUSION
- [39] (N) PASSENGER LOADING ZONE
- [40] IMPROVED COASTAL ACCESS SIGNAGE. FINAL LOCATION AND DETAILS TO BE APPROVED BY COASTAL COMMISSION.
- [41] (E) CONCRETE PLANTER TO BE REMOVED

BOAT SLIP NOTES:

- 1. ALL FINGERS ARE 5' WIDE, EXCEPT AS NOTED
- 2. 11 PILES PROPOSED
- 3. SLIP 1 FOR PUBLIC USE AND CONTROLLED BY MORRO BAY HARBOR DEPT.
- 4. SLIPS 2 THRU 7 FOR PRIVATE USE

FIRE PROTECTION FOR WHARVES AND DOCKS

FIREFIGHTING APPLIANCES AND EQUIPMENT SHALL BE PROVIDED AND MAINTAINED IN AN OPERABLE MANNER FOR ALL COMMERCIALY OPERATED MARINAS AND DOCK FACILITIES, AS SPECIFIED BY ORDINANCES OF THE CITY, AND ALL INSTALLATIONS SHALL BE SUBJECT TO THE APPROVAL OF THE CHIEF OF THE FIRE DEPARTMENT. (MBMC SECTIONS 14.08.090 (K) AND 14.52.060)

FIRE PROTECTION EQUIPMENT-STANDPIPES. MARINAS AND BOATYARDS SHALL BE EQUIPPED THROUGHOUT WITH STANDPIPE SYSTEMS, IN ACCORDANCE WITH NFPA 303. SYSTEMS SHALL BE PROVIDED WITH HOSE CONNECTIONS LOCATED SUCH THAT NO POINT ON THE MARINA PIER OR FLOAT SYSTEM EXCEEDS 150 FEET FROM A STANDPIPE HOSE CONNECTION. (CFC 4504.2)

APPLICANT MUST SUBMIT PLANS FOR THE STANDPIPE SYSTEM AND HOSE CABINET, IN ACCORDANCE WITH NFPA 13, PER THE SUBMITTAL REQUIREMENTS FOR BUILDING PERMIT ISSUANCE

FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION

MINIMUM SAFEGUARDS FOR CONSTRUCTION AND DEMOLITION SHALL BE PROVIDED FOR REASONABLE SAFETY TO LIFE AND PROPERTY FROM FIRE DURING SUCH OPERATIONS PER CFC CHAPTER 14. COMPLIANCE WITH NFPA 241 IS REQUIRED FOR ALL ITEMS NOT SPECIFICALLY ADDRESSED HEREIN.



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PROJECT:
ROSE'S LANDING
EMBARCADERO HOTEL REMODEL
725 Embarcadero Road, Morro Bay, CA
Doug Redican

SHEET:
PROPOSED ARCHITECTURAL SITE PLAN

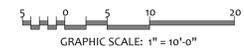
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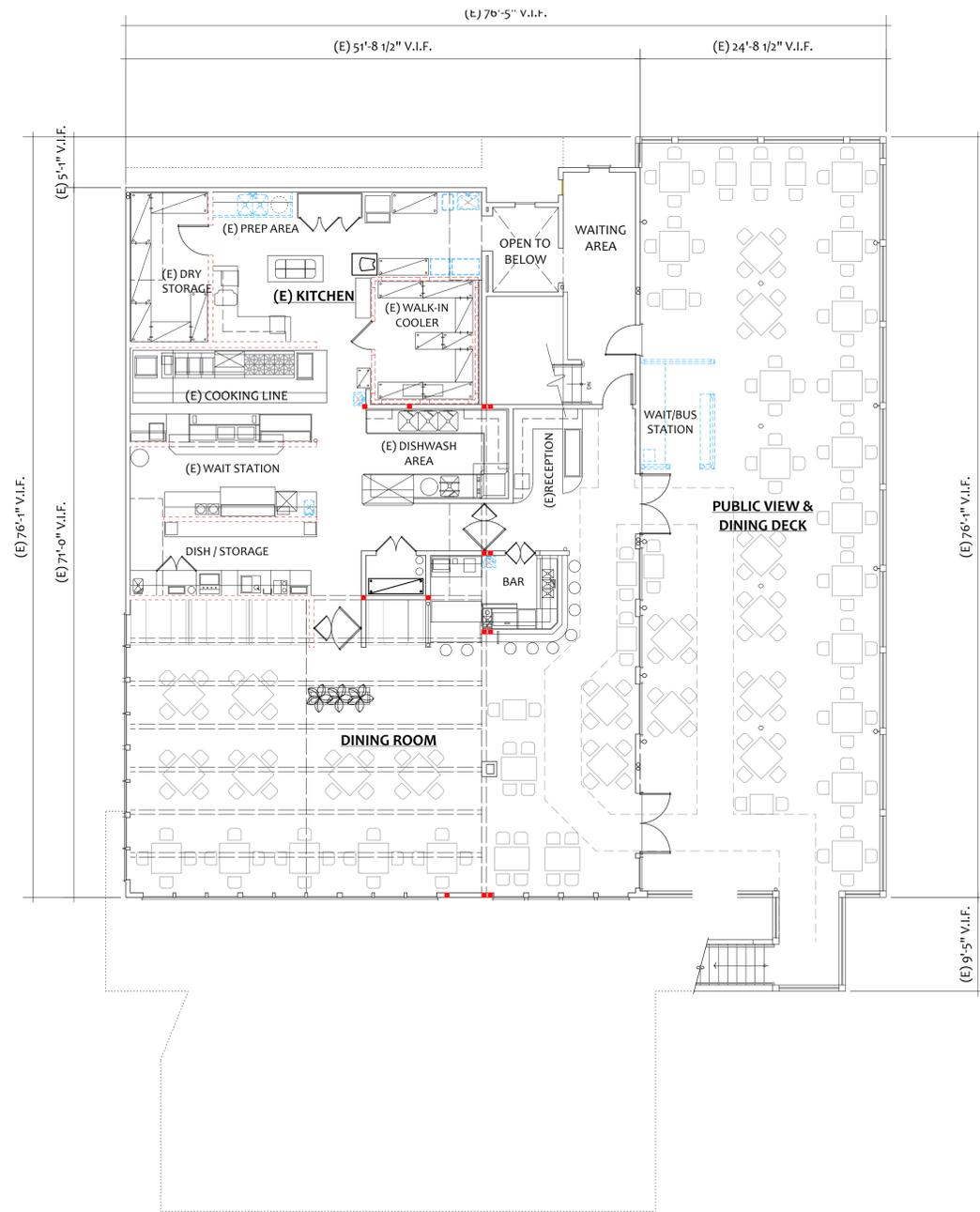
DATE: 19 January 2017
JOB: 11-017
DRAWN: m.dammeyer
REV: Incomplete Letter Response 10/21/2016

SHEET N^o
P1.1

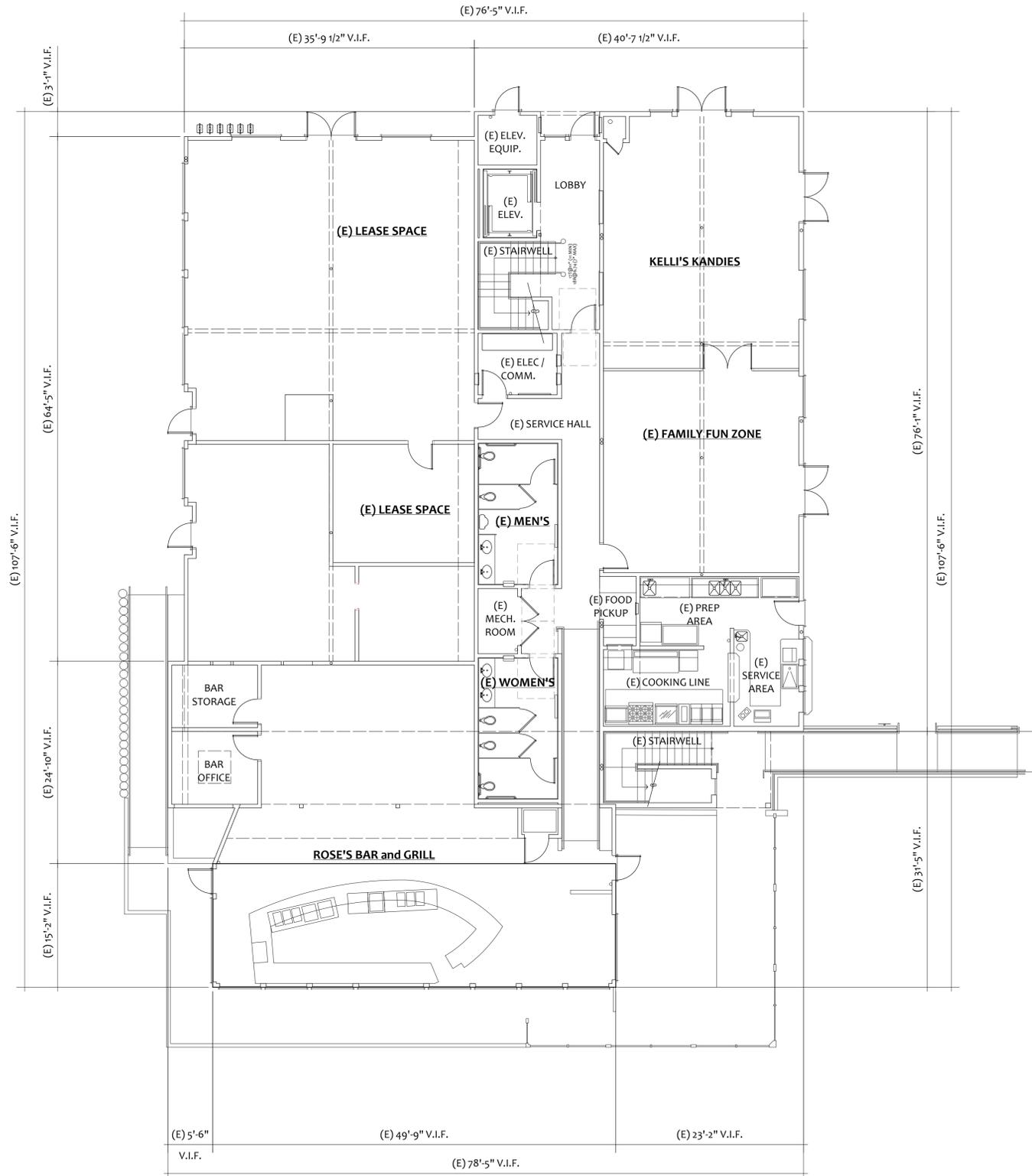
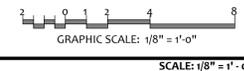
NOTE:
CHANNEL WIDTH IS 75'-0" +/- WIDE IN THE WESTERLY DIRECTION

Scale: 1" = 10'

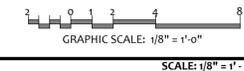




EXISTING UPPER FLOOR PLAN



EXISTING LOWER FLOOR PLAN



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PROJECT:
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EMBARCADERO HOTEL REMODEL
725 Embarcadero Road, Morro Bay, CA
Doug Redican

SHEET:
EXISTING LOWER and UPPER FLOOR PLANS

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DATE:	19 January 2017
JOB:	11-017
DRAWN:	m.dammeyer
REV:	Incomplete Letter Response 10/21/2016

SHEET N^o
P2.0



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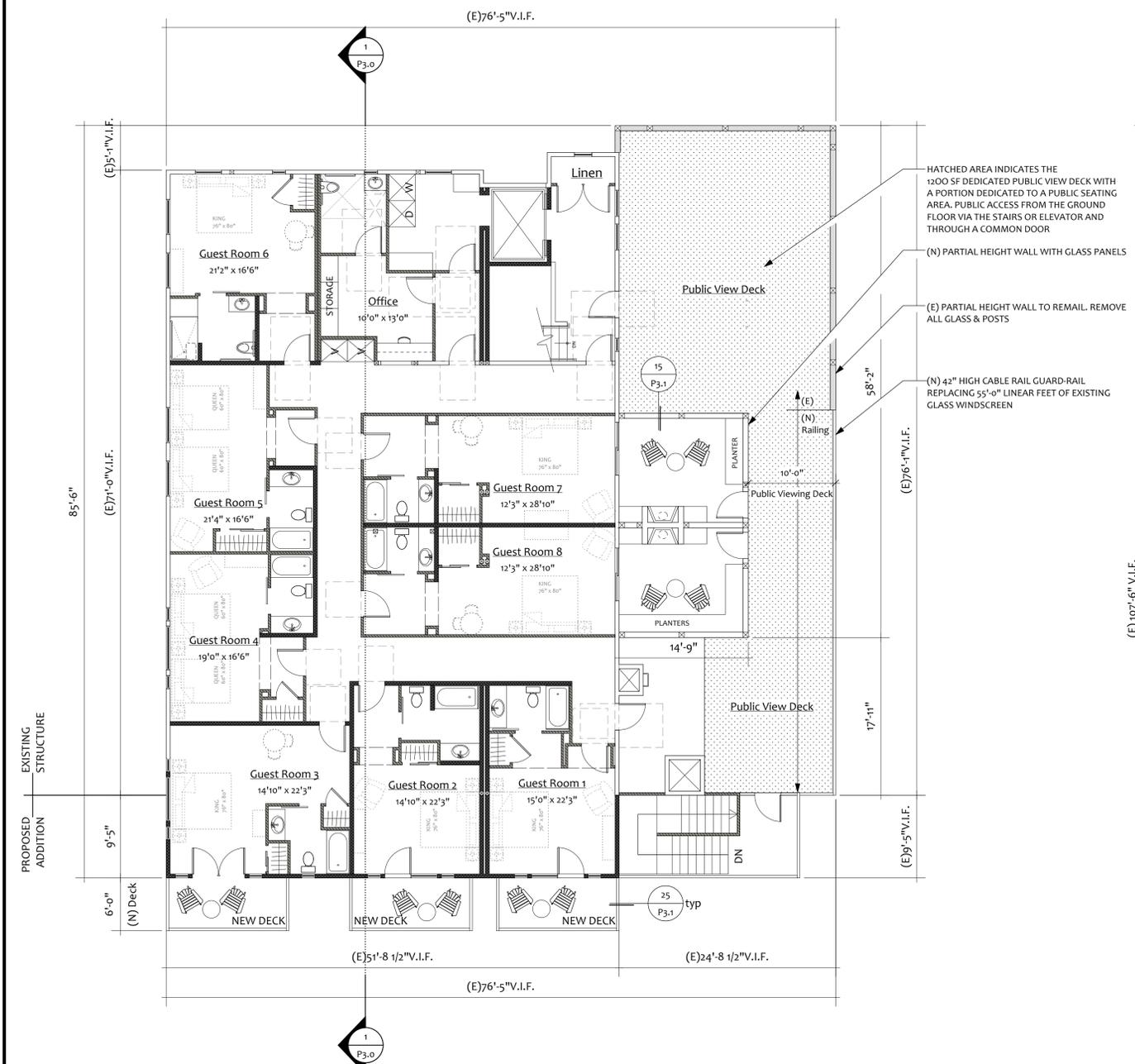
PROJECT:
ROSE'S LANDING
EMBARCADERO HOTEL REMODEL
725 Embarcadero Road, Morro Bay, CA
Doug Redican

SHEET:
PROPOSED UPPER and LOWER FLOOR PLANS

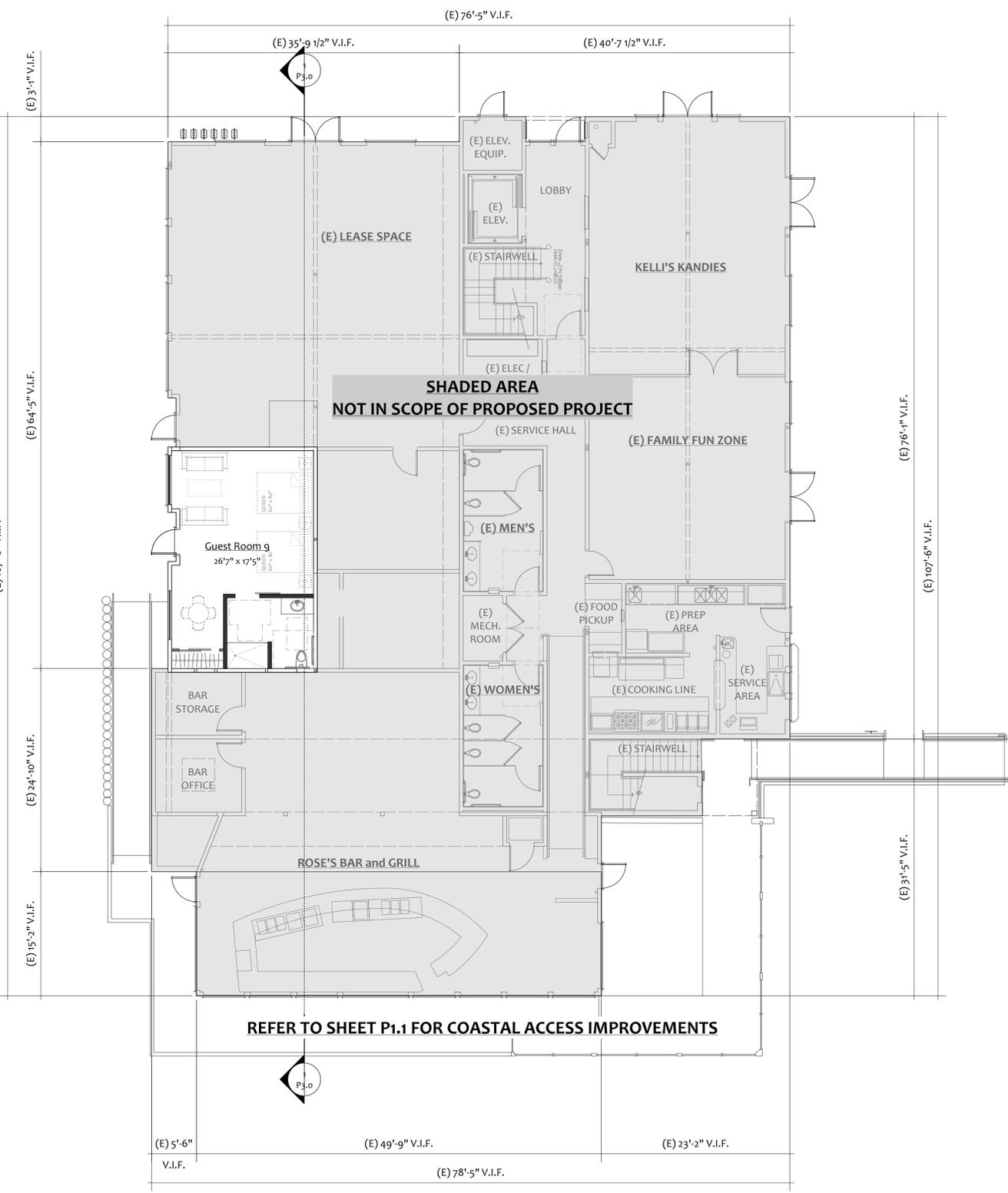
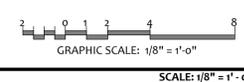
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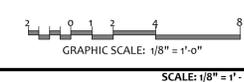
SHEET N^o
P2.1



PROPOSED UPPER FLOOR PLAN



PROPOSED LOWER FLOOR PLAN

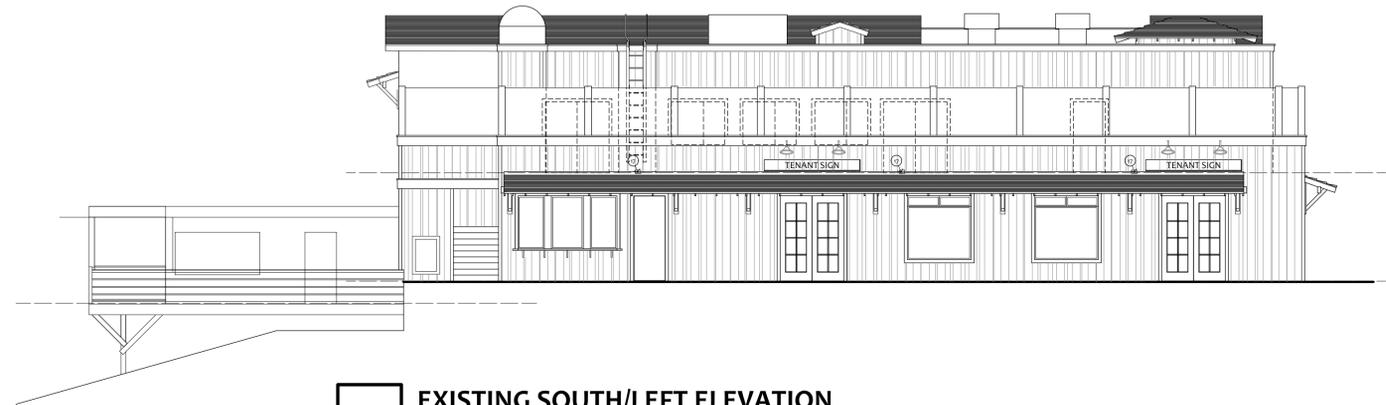


REFER TO SHEET P1.1 FOR COASTAL ACCESS IMPROVEMENTS



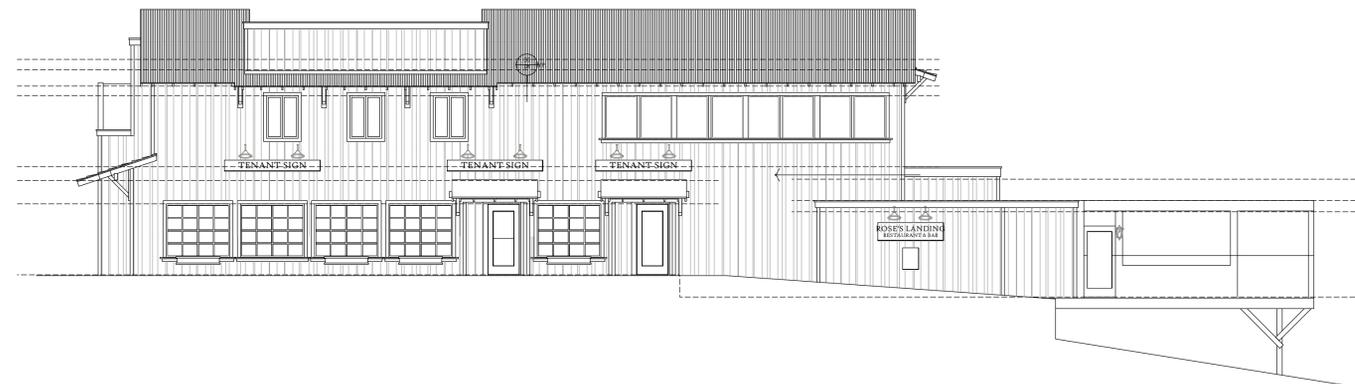
EXISTING EAST/EMBARCADERO ROAD ELEVATION

1/8"=1'-0"



EXISTING SOUTH/LEFT ELEVATION

1/8"=1'-0"



EXISTING NORTH/RIGHT ELEVATION

1/8"=1'-0"



EXISTING WEST/REAR ELEVATION

1/8"=1'-0"



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PROJECT:
ROSE'S LANDING
EMBARCADERO HOTEL REMODEL
725 Embarcadero Road, Morro Bay, CA
Doug Redican

SHEET:
EXISTING
EXTERIOR ELEVATIONS

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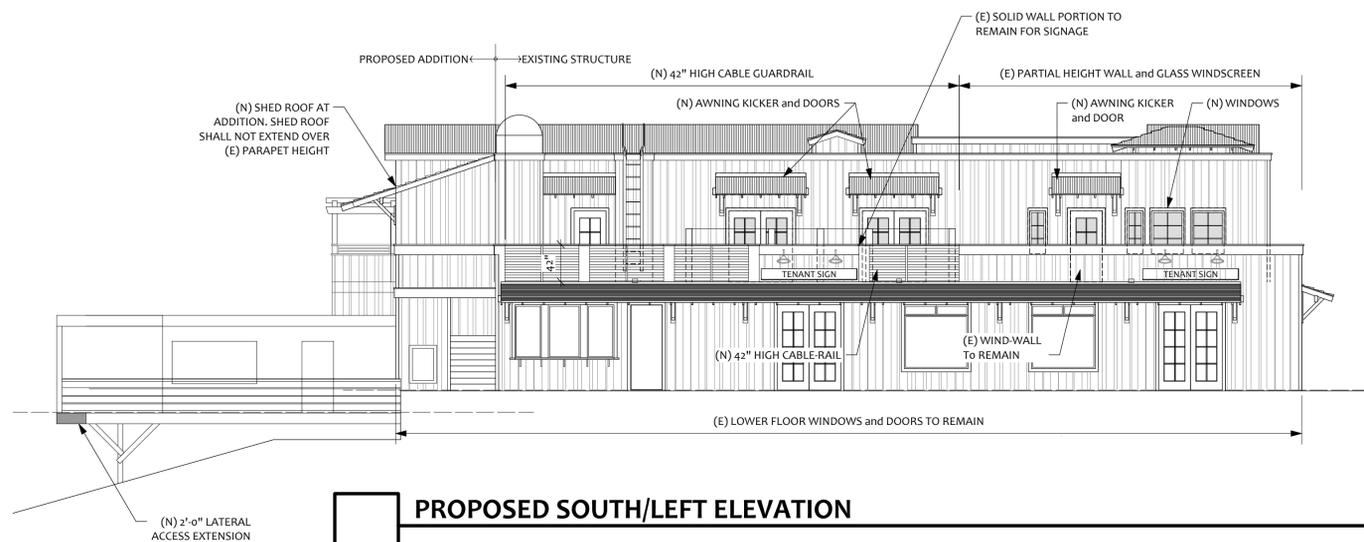
DATE: 19 January 2017
JOB: 11-017
DRAWN: m.dammeyer
REV:
▲ Incomplete Letter
▲ response 10/21/2016
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▲

SHEET N^o
P3.0



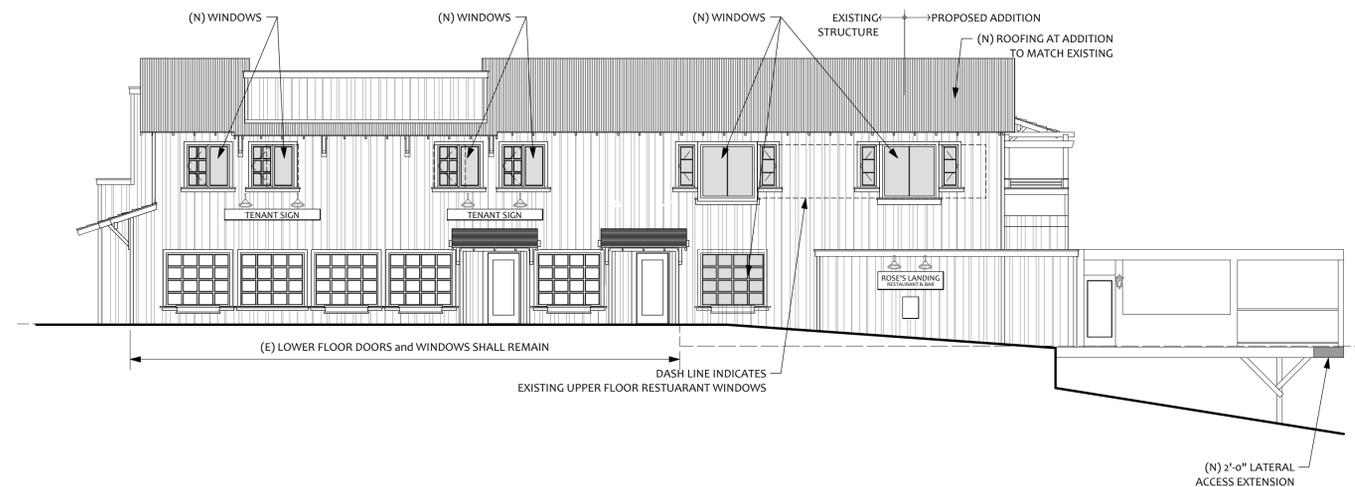
PROPOSED EAST/EMBARCADERO ROAD ELEVATION

1/8"=1'-0"



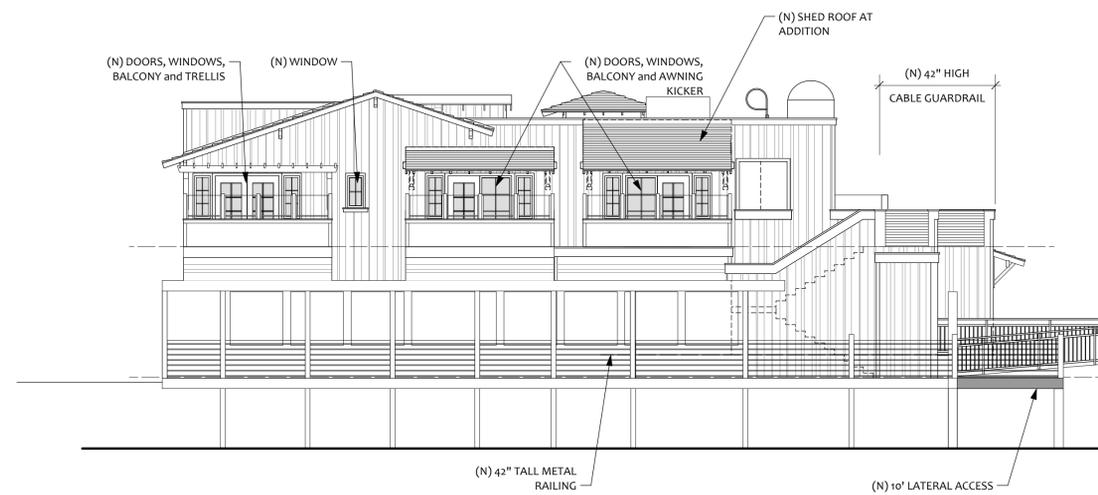
PROPOSED SOUTH/LEFT ELEVATION

1/8"=1'-0"



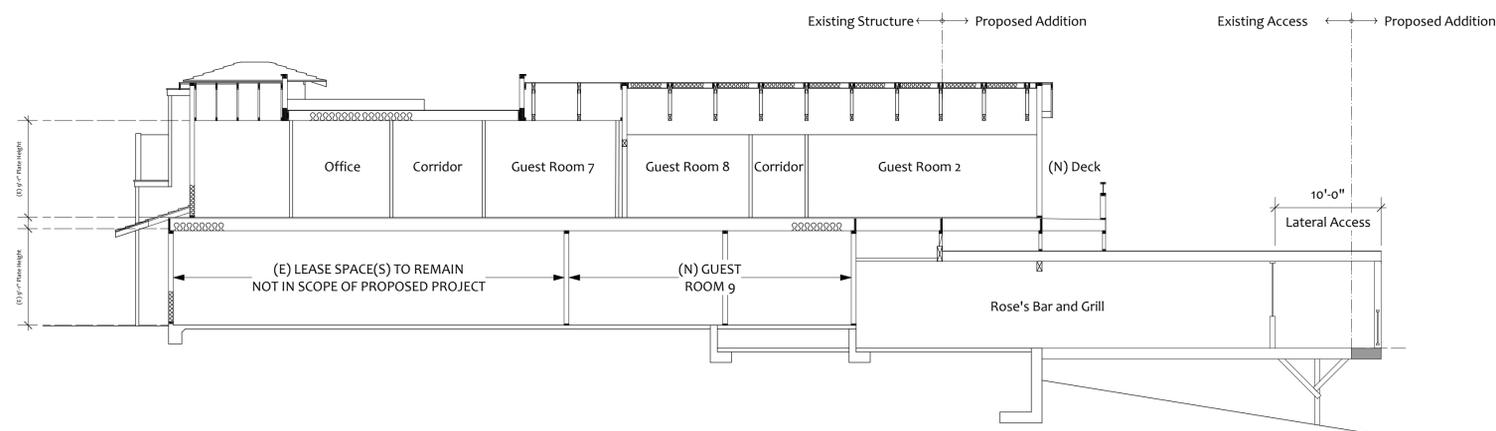
PROPOSED NORTH/RIGHT ELEVATION

1/8"=1'-0"



PROPOSED WEST/REAR ELEVATION

1/8"=1'-0"



PROPOSED BUILDING SECTION

1/8"=1'-0"

25

TYPICAL WINDSCREEN

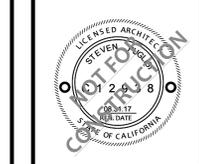
3/4"=1'-0"

15

WINDSCREEN @ BAY ROOM



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PROJECT:
ROSE'S LANDING
EMBARCADERO HOTEL REMODEL
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Doug Redican

SHEET:
PROPOSED EXTERIOR ELEVATIONS & BUILDING SECTION

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SHEET N^o

P3.1

3/4"=1'-0"



EXISTING PHOTO LOOKING SOUTH-WEST



1 PROPOSED BUILDING LOOKING SOUTH-WEST



EXISTING PHOTO LOOKING NORTH-WEST



2 PROPOSED BUILDING LOOKING NORTH-WEST



EXISTING PHOTO LOOKING EAST



3 PROPOSED BUILDING LOOKING EAST



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PROJECT:
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SHEET:
**EXISTING SITE PHOTOS &
PROPOSED RENDERINGS**

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DATE: 19 January 2017
JOB: 11-017
DRAWN: m.dammeyer
REV: Incomplete Letter
Response 10/21/2016

SHEET N^o
P4.0



PHOTO SIMULATION 2



PHOTO SIMULATION 3



DOCK BOX



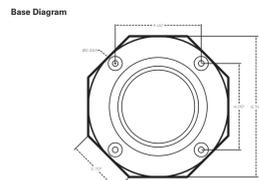
STANDPIPE HOSE CABINET

Mariner Lighting Bollard
Product Focus



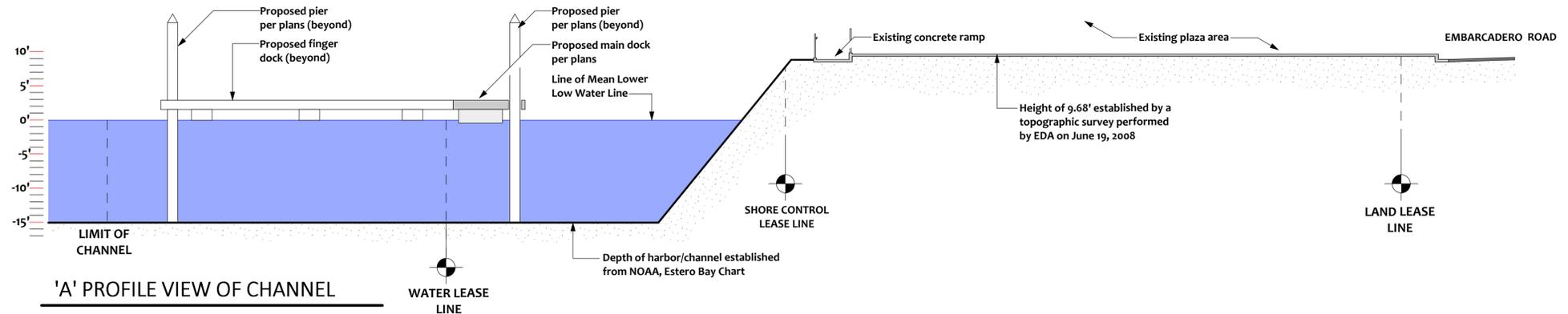
The Mariner lighting bollard is available from 18 to 36 inches tall and can be used in various applications from marina docks, to landscaped areas, golf courses, and beyond. The Mariner is designed to withstand the harsh marine environments from Alaska to the tropics.

Product Specifications	Dimensions	
	IN.	MM.
• Can Be Configured with a 7, 9, or 13 Watt Compact Fluorescent Light or LED Lighting	7 Watt	7.0 177.8
• Mounting Base and Painted Pole Supplied for Desired Height	9 Watt/13 Watt LED	8.0 203.2
• Custom Colors Available		9.0 228.6
• 18, 24 or 36 Inch Total Height	MOUNTING BASE AND POLE	
	18" - 36"	



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Marina Power & Lighting
143 Warwick Court
Williamsburg, VA 23185
United States
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www.marinapower.com

LIGHT PEDESTAL



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PROJECT:
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725 Embarcadero Road, Morro Bay, CA
Doug Redican

SHEET:
DOCK DETAILS AND SECTION PROFILE

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DATE: 19 January 2017
JOB: 11-017
DRAWN: m.dammeyer
REV: Incomplete Letter response 10/21/2016

SHEET N^o
P4.1



AGENDA NO: C-1

MEETING DATE: March 21, 2017

Staff Report

TO: Morro Bay Planning Commission **DATE:** March 17, 2017
FROM: Scot Graham, Community Development Director
SUBJECT: FY 17/18 PC Work Plan

RECOMMENDATION

Staff recommends the Planning Commission (PC) review the staff report and attached materials and establish a consensus on the items to be included in the Draft FY 17/18 PC work plan that will be the basis of discussion during the annual joint Meeting with the City Council in April.

DISCUSSION

At their February 14, 2017 meeting, the City Council considered and continued discussion to focus on the details of goal one in the final draft *FY17/18 Goals and Objectives*. The Council draft goals and objectives for FY 17/18 have been streamlined and more narrowly focused than the previous two sets of goals and objectives for FY 15/16 and FY16/17. See Draft FY 17/18 Goals and Objectives provided in Attachment 1.

The PC work plan should incorporate all the objectives that have a Planning Commission focus. The Commission may add additional items into their work program that are more routine yet still very important to the community. Any items proposed to be added to the work plan by the Commission should be discussed with staff to determine the capacity to bring those items forward based on current and future workload.

Goal Related Work Plan Items:

Goal 1. (Essential Goal) Achieve Economic and Fiscal Sustainability

Obj. 5. Facilitate private revitalization / redevelopment activities that will result in planning approval for a 3% increase in number of hotel rooms in the City, with priority placed on 3 and 4-star properties to better balance our hotel stock. **Staff comment: Project with hotel and motel units will likely be coming forward for review in FY 17/18.**

Obj. 7. Research and bring to Council consideration of various approaches for parking management, including paid parking, in downtown and/or Embarcadero areas; include consideration of one or more parking districts. ***Should be combined with Goal 3...Objective 3.***

Goal 2. (Essential Goal) Complete WRF Project and "OneWater" Program

Prepared By: ___SG___

Dept Review: _SG__

Obj. 2 Following CEQA guidelines, bring the WRF Environmental Impact Report (EIR) to Council for approval and certification. **The PC will likely be required to review the WRF EIR.**

Goal 3. (Important Goal) Improve Infrastructure and Public Spaces

Obj. 3. Bring to Council for information, consideration and possible implementation a review of parking management plans and options in the downtown and waterfront districts; seek, and bring to Council for consideration, partnerships that will result in the construction of one or two moderately sized parking facilities in waterfront /downtown areas of the City. ***Should be combined with Goal 1...Objective 7.***

Goal #4 (Important Goal) - Review and Update Significant City Land Use Plans

Obj. 1. Complete the GP/ LCP rewrite approved and started in FY16.

Obj. 2. Complete the zoning code update approved and started in FY17.

Obj. 3. Ensure affordable housing and vacation rental challenges are addressed in the GP/LCP process and all land use planning.

Obj. 4. Bring to Council for consideration the results of Code Enforcement outreach on existing codes related to fences and hedges, and boat, RV and trailer parking /storage on City streets and neighborhoods to determine whether to keep, or modify, related existing ordinances.

Obj 5. Bring to Council for adoption a rewrite of the secondary unit ordinance (updated in FY16) based on changes in State law.

Obj 6. Begin community outreach and Council discussion on future use of the 26-acre Atascadero Road site (location of the existing WWTP) to be prepared to begin master planning that site in FY19.

Other Items to add to the Planning Commission Work Program

Under normal circumstances staff would have added several options for the Planning Commission to consider adding to the work program, but this year is somewhat special as we are ramping up on the Zoning Code update. Update of the Zoning Code will require substantial input from the Planning Commission, therefore; staff is proposing only one item to consider for inclusion in the work plan that is unrelated to the Zoning Code update:

- Review of the residential design guidelines

As for the zoning code update, we are kicking that effort off with stakeholder interviews and a presentation to the General Plan Advisory Committee on March 16, 2017. Staff has assembled a list of items that need to be amended, revised, updated or added. Attachment 2 to this staff report includes a copy of the list that has been provided to the consultant for consideration in the zoning code update. The Planning Commission should review the list and identify any desired additions.

Attachments

1. Council Draft FY 17/18 Goals and Objectives (as of Feb. 15, 2017)
2. List Zoning Code update items (March 2017)

City of Morro Bay
FY18 Final Goals and Objectives
as of: February 15, 2017

This document is the City of Morro Bay's FY18 Goals and Objectives for final review. Following review, this document will be formatted for adoption by Council action at their Feb 28, 2017 regular meeting.

Section I – Goals, Goal Descriptors, and Objectives

Goal #1 (Essential Goal) – Achieve Economic and Fiscal Sustainability

Description: This essential goal recognizes the City is not currently able to fund all basic services and requirements at the level our community expects, along with the importance of strengthening and maintaining strong financial management practices. As of January 2017, our General Fund revenues are around 25% below requirements to deliver services the community deserves. This goal centers around economic development and fiscal actions (revenue enhancement, public funding measures, cost control, and sound fiscal practices) that target a 25% increase in revenues, while ensuring sound fiscal management practices are in place.

Duration: This is an 8-year goal - the City intends to achieve fiscal sustainability by 2025.

Focus: This goal includes objectives related to revenue enhancement, general economic development, cost control, and assurance of sound financial management practices are in place.

1. Working with local and regional businesses and groups, promote a balanced economic development approach consistent with our Economic Development Strategic Plan that retains, expands, and attracts businesses for a strong, stable, complementary, and diverse business environment, including tourism, coastal resources, development, redevelopment, and conservation that honors the character of our community and is consistent with our Community Vision.
2. Pursue opportunities and relationships that may result in building demolition/reuse, remediation and complete redevelopment of the Morro Bay Power Plant in a way that will increase TOT, property tax, and sales tax revenue, while converting a portion of the existing property for public use such as recreation areas, cultural and educational amenities, parks, and paths. Advocate for appropriate specialty uses such as an ambulatory medical plaza.
3. Take appropriate action, including implementation of specific programs, to increase shoulder-season and off-season TOT-producing visitor nights by 10 % over FY17 levels.
4. Research and bring to Council for decision incentive programs, including a TOT rebate program, that would reasonably result in the renovation of some existing hotel stock and deliver higher average daily rates and thus higher TOT revenues.

City of Morro Bay
FY18 Final Goals and Objectives
as of: February 15, 2017

5. Facilitate private revitalization / redevelopment activities that will result in planning approval for a 3% increase in number of hotel rooms in the City, with priority placed on 3 and 4-star properties to better balance our hotel stock.
6. Take proactive action to facilitate the revitalization of underused and vacant parcels in commercial districts, including encouraging ~~sales-tax producing~~ digital or other “green” industries and businesses providing multiple head of household jobs.
7. Research and bring to Council consideration of various approaches for parking management, including paid parking, in downtown and/or Embarcadero areas; include consideration of one or more parking districts.
8. Evaluate opportunities for new revenue sources and present to Council for consideration; include possible marijuana tax measures, other tax measures, and cost control approaches that include a staffing review.

Goal #2 (Essential Goal) – Complete WRF Project and “OneWater” Program

Description: This essential City goal centers around completion of the City’s Water Reclamation Facility (WRF) and includes implementation of a fiscally conservative, comprehensive water resource policy, program and infrastructure to ensure a sustainable water future. Key items include building the WRF and associated reclamation system, developing a “OneWater” policy, and diversifying our water supply toward achieving water independence.

Duration: This is a 6-year goal that we intend to complete by July 2023.

Focus: This goal includes objectives related to the Water Reclamation Facility, and “OneWater” planning and implementation.

1. Complete water/sewer rate study and bring to Council for Prop 218 process consideration any rate increase requirements to fund the proposed WRF.
2. Following CEQA guidelines, bring the WRF Environmental Impact Report (EIR) to Council for approval and certification.
3. Complete and submit the State Revolving Fund loan application with the State Water Control Board for the WRF project, to secure funding for the project.
4. Complete the acquisition of the preferred site for the WRF project.
5. Take appropriate selection action and bring to Council for approval, a contract for the design-build construction delivery of the new WRF.
6. Take all appropriate actions, and bring to Council for information/approval, as required, information that will allow the City to make a decision to achieve water independence - including weaning off State Water and appropriately disposing of (likely leasing) our State water allocation.

City of Morro Bay
FY18 Final Goals and Objectives
as of: February 15, 2017

7. Budget for, select a consultant, complete, and bring to Council for initial consideration, a “OneWater” plan for the City that considers all water resources - from storm water to groundwater to waste water - as a single “water resource.”

Goal #3 (Important Goal) - Improve Infrastructure and Public Spaces

Description: This important goal centers around substantially improving the City’s streets, multi-modal transportation infrastructure, facilities and public spaces. The City does not currently have sufficient revenues to fund the capital improvement program required to make substantial and necessary infrastructure improvements and, therefore, this goal is contingent on making significant progress on Goal #1 – Achieve Fiscal Sustainability.

Duration: This is, at minimum, an 8-year goal.

Focus: This goal includes objectives related to streets, bike / pedestrian / parking improvements, City facilities, and beautification of public spaces.

1. Bring to Council for decision an item to consider adding a street improvement tax measure to the November 2018 ballot.
2. Budget for and complete planning for rebuilding of the City-owned access alley to the commercial fish dock between the USCG station and Morro Bay Landing (ex-Virg’s) lease site, work toward synchronizing City improvements with possible USCG station and Morro Bay Landing lease site development.
3. Bring to Council for information, consideration and possible implementation a review of parking management plans and options in the downtown and waterfront districts; seek, and bring to Council for consideration, partnerships that will result in the construction of one or two moderately sized parking facilities in waterfront / downtown areas of the City.
4. Bring to Council for decision proposals that result in a public/private partnership redevelopment of the City-owned “Market Plaza” property consisting of the DiStasios’s parcel, and, if appropriate to be included in redevelopment, the “Front Street” parking lot (below DiStasio’s), and the parking lot at Pacific and Market.
5. Complete the approved RFQ process and, if required, a feasibility study, for a marine services facility (boatyard) and bring to Council for information and consideration of next steps.
6. Inventory, evaluate and refresh existing programs for volunteer groups to provide routine maintenance in the City (such as adopt-a-park programs); while soliciting and facilitating additional volunteer group support for routine maintenance (such as park beautification) and small capital projects (such as park bathroom reconstruction).

City of Morro Bay
FY18 Final Goals and Objectives
as of: February 15, 2017

Goal #4 (Important Goal) - Review and Update Significant City Land Use Plans

Description: This important goal centers around completion of the City's General Plan (GP) / Local Coastal Program(LCP) rewrite, and update of other essential land use documents. While the General Plan is the important task, update of other essential land use plans and master plans is also priority.

Duration: This is a 2-year goal that should be complete by summer 2019.

Focus: This goal includes objectives related to completion of the GP/ LCP and other important planning documents.

1. Complete the GP/ LCP rewrite approved and started in FY16.
2. Complete the zoning code update approved and started in FY17.
3. Ensure affordable housing and vacation rental challenges are addressed in the GP/LCP process and all land use planning.
4. Bring to Council for consideration the results of Code Enforcement outreach on existing codes related to fences and hedges, and boat, RV and trailer parking / storage on City streets and neighborhoods to determine whether to keep, or modify, related existing ordinances.
5. Bring to Council for adoption a rewrite of the secondary unit ordinance (updated in FY16) based on changes in State law.
6. Begin community outreach and Council discussion on future use of the 26-acre Atascadero Road site (location of the existing WWTP) to be prepared to begin master planning that site in FY19.

Section I –Proposed Mission Statement

- a. The City of Morro Bay provides essential public services and infrastructure to maintain a safe, clean and healthy place for residents and visitors to live, work and play.*
- b. The City of Morro Bay provides essential public services and infrastructure to maintain a safe, clean and healthy quality of life for residents and visitors to live, work and play.*
- c. The City of Morro Bay provides essential public services and infrastructure to maintain a safe, clean and healthy quality of life for residents and visitors.*



CITY OF MORRO BAY

COMMUNITY DEVELOPMENT DEPARTMENT

955 Shasta Avenue
Morro Bay, CA 93442

Date: March 8, 2017

From: Scot Graham, Community Development Director
To Martha Miller, RRM**RE: Items for Zoning Code update**

1. **Landscaping.** Add landscape/irrigation plan requirements for new single family development and for expansions in excess of 500 square feet. Should be consistent with current state law.
2. **Vacation Rental.** Vacation rental ordinance (review county ordinances for Cayucos and Los Osos). We currently have a capped moratorium on vacation rentals that expires June 14, 2018 . Cap is 250. Look at including following policies:
 - a. Separation of 100 to 200 feet in R-A, R-1, R-2, R-3 & R-4 zones.
 - b. No separation in commercial/visitor serving zones
3. **Parking.** Parking solutions: paid parking areas, Parking districts.
 - a. Parking calculation: don't base on gross square footage (appropriate to exclude hallways, bathroom etc..). update parking reqs. For restaurant.
4. **Height.** Height increase in downtown area to 35' to 37'
5. **Bluff Development.** Bluff development standards: current LCP/Zoning policies treat this area as if it were a bluff subject to wave action. New policy should recognize that the bluff in most of the Embarcadero/waterfront area are not subject to wave action so development limitation related to grading are not necessary.
6. **Archaeology.** Add Archaeology Overlay
7. **Chickens.** Allow chickens...# based on lot size.
8. **Undergrounding.** Emphasis on undergrounding? Interest from Public, but unsure about GPAC and PC.
9. **Permit process.** All development should have a planning review process. Right now, conforming additions to conforming residences do not require a planning permit. Should have an administrative process for these.
 - a. Discuss with Coastal about removing sfr's from CDP requirements (these can be exempted...need examples of policies CCC support/like). Can we exempt them from hearing reqs.? Make staff level for all conforming construction.
10. **Wireless ord.** Need wireless communications policy
 - a. Subset for antenna (amateur radio and other)
11. **Theatre use.** Add theatre use to allowed uses
12. **Food Truck.** Food truck requirements for private property
13. **Solar Ready.** Add Solar ready requirement for new SFR's
14. **Grey Water.** Consider Grey water requirements for new SFR's
15. **Tiny Home.** Tiny home ordinance?

16. **Cross referenced document.** Document should include cross referencing to related policies. what about cross referencing to related GP/LCP policies?
17. **Conceptual Review.** Create conceptual review process. Relates to permitting, and happens pre-discretionary permit application submittal. Would go to PC and be noticed. No discretionary action. Idea is to get general input from PC and to let neighborhood know project is coming forward. Most likely geared toward mixed use, commercial and multifamily residential projects. Fee would be credited toward future discretionary permit application.
18. **FAR.** Add Floor Area Ratios
19. **Design Guidelines.** Zoning code should reference design review and adopted residential design guidelines. Also, refer to downtown and water front design guidelines located in DWSP.
20. **Env. Monitoring.** Add monitoring requirements for waterfront development (otter/sea life monitor). May also add req. for eel grass reporting/monitoring and noise attenuation and methods for driving piles.
21. **Accessory Dwelling Unit Ord.** Need to update our secondary dwelling unit ordinance to comply with the January 2017 changes associated with the following legislative changes: SB 1069, AB 2299, AB 2406.
22. **Incorporate draft Sign Ord. update.**
- 23.Environmental Buffer overlay – consistent with item 20 above (17.40.040)**
- 24.Minimum lot size of 6,000 too large. Reduce to 5,000.**
- 25.Develop Commercial guidelines for North Main/Quintana everything but DWSP– development standards for articulation/fenestration.**
- 26.Community Housing Ordinance deleted from Zoning Ordinance in 2007, and City adopted a Compact In-fill Ordinance but put it in the Subdivision Ordinance. This was not certified by Coastal so Chapter 17.49 still exists in my zoning book.**
- 27.Simplify definition for lot coverage**
- 28.Simplify requirements for above ground level encroachments into setbacks, such as the current 17.48.120 section which is confusing and wordy.**
- 29.Increase PC threshold trigger for conforming additions to non-conforming SFRs. Currently 17.56.160 requires PC review for additions of greater than 25%. Increase staff level review threshold to 50% instead.**
- 30.Simplify 17.56.160.A5.b section regarding parking. Confusing and wordy.**
- 31.Include cross-referencing in Zoning.**
- 32.Include applicability requirement for CDP in zoning table. Nothing in current zoning ordinance tells you whether something requires a CDP unless you go to 17.58, and even then it’s confusing. 17.58.020 states applicability of procedures and calls out requirements for additions to SFRs or new homes, but doesn’t mention commercial requirements, which are not mentioned until 17.58.040.**

33. Include a time limit on number of extensions for regular CDP's, 17.58.130 only mentioned zoning administrative actions.
34. Update 17.24 zoning district tables to reflect modern uses. For example, when was last time we permitted a "plumbing shop"?
35. Clarify MCR zoning district. Delete ability to have exclusive residential use.
36. Incorporate Measure D interpretation in CF zoning district??
37. Expand non-permanent vending, both city-wide, Embarcadero, on the beach. Currently it only allows flower and balloon sales (17.30.030.T.1)
38. Update to ESH chapter 17.40.040.
39. Delete Beach Street Specific Plan and incorporate as an overlay. 17.40.100 also states a fee of \$2 per linear foot of property fronting along the top of the bluff, or 100 dollars whichever is less. Delete reference to specific dollar amount or revise 17.40.100.F.2).
40. Delete North Main Specific Plan and incorporate as an overlay.
41. Delete S.3 and S.6 overlay zone or revise. These zones declared non-conforming residential as conforming uses as of 1982 (date of last LCP update). Or allowed homes for 50 years from construction. Many homes built in the 1960s, which as of 2017 makes them now non-conforming (17.40.050.I.1).
42. Parking Ordinance - where do I even start with this one?!
43. Parking - allow for parking reduction for mixed use commercial (similar to City of SLO).
44. Update requirement for off-street parking by use- Use categories are dated - update to modern-day use categories.
45. Allow staff ability to process an administrative parking exception in certain instances (without a user permit) 17.44.050.
46. Bluff Development standards - include a definition for landward bluff where alteration of natural land forms and protective devices would be appropriate for seaward bluffs but not on a landward bluff - for example 219 Marina - subject to bluff standards, but west of this property is a parking lot.
47. Better define permissible development 17.45.070
48. Increase ability to apply rounding versus 17.48.030 which appears to limit rounding only to determination of required parking spaces.
49. Fencing 17.48.100 - Allow staff ability to approve fence/hedge height exceptions.
50. Pools/hot tubs 17.48.150. Reduce setback requirement for filter and heating systems - as current modern day technology has quieter filter/heating systems that would not necessitate 25 foot setback.
51. Review applicability of 17.48.270 for Amusement and pinball machines and arcades.
52. Require landscaping plan

53.17.48.340 Satellite dish antennas – reflect current modern-day regulations and technologies

54.17.48.350 Manufactured homes – Better define “permanent foundation”

55. Chapter 17.50 Affordable housing chapter just certified by Coastal in December and in process of being codified. Do you have the new chapter? Etc.

Whitney's comments:

56. Use Table versus Zone Site development table! A Use Table would list all uses (and groups of uses) and specify if a permit is necessary, what type permit, parking requirements, allowable zones. Good quick reference by use versus by zone and in parking chapter. Footnote for special standards.

57. Yard/Setback. Ditch % as a setback measure. Reconsider the frontage standard (narrowest frontage rule is not working for folks.)

58. Zoning Map. District names. Boundaries. Review all names. Add a Public Facility zone. Ditch Golf Course? Remove M-1 island. Make logical: Why is Suburban Residential RA? Why General Office? Why not just Office? General Commercial? Better descriptors. How about a Mixed Use Overlay or actual designation for the Downtown and Office zones?? Is MCR still relevant? Don't we want to encourage vertical mixed use?

59. Revise or delete Community Housing Project (17.49) Still referenced even though recinded...how is different from a PUD?

60. Revisit the 10%, 25% addition rules.

61. Exception Process. Provide for an administrative process for minor exceptions to fence height, setbacks, parking, etc. Include required findings / lesser noticing.

62. Garage Setbacks. Lots of different rules in different places.... Ditch the 1-foot allowed setback for detached garages. Min should be 3'.

63. Special Use Permit Section. Why not just list in use table and require one of the following: admin/PC/temporary/special event permits?

64. Hillside Development standards. Include under General Regulations?...There are standards in the Coastal Plan.....

65. Specific Plans. Ditch them!

66. Planned Development – Review/revise. Reduce the number of sites with this overlay. Maybe this is the logical place for something like the Community Housing Projects....

67. Neighborhood compatibility / view protection – Where to best address these?

68. Use Permit Chapter 17.60. Ditch “minor variance” replace with Exceptions. Be more general about when this may apply. In general, this section should describe the type of permit, the decision maker, findings, noticing, appeals, hearing, expiration, revocation. basically what it is and what it entails – BUT not so much specific uses like Large family daycare (Random!) or temporary ag produce stand – too obscure! Put these in the Use Table and footnote if necessary. Limit time extensions to 2 maximum!

69. Coastal Development Chapter: Ditto – just what it is / how it’s processed. Will still need an Applicability section....Continuity in referencing the “Coastal Commission Appeal Jurisdiction” also described as “coastal development permit appeal area” This needs to be better described up front in the CDP section.any reference to accessory dwelling units needs updated here too.
70. Performance Standards. Add night sky standards under lighting, specify lighting levels. Review Noise standards and update table. Clarify that temporary construction noise is not the same as a stationary noise source. Vibration standard is really broad!
71. General Regulations. Like Special use permits, this is kinda the junk drawer....Consider relocating some of this content to other sections. Rounding – clarify to the nearest what! Inch? Foot?
72. Definitions – Review and revise to modernize. Get standards out of definitions.
73. NEW ZONING MAP!!!!!!!!!!!!
74. FORMAT!!!!!! For better reference. Better visual hierarchy / numbering.
- 23-75. _____