



# CITY OF MORRO BAY PLANNING COMMISSION AGENDA

*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.*

**Regular Meeting - Tuesday, August 1, 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. For Public Hearing, New Business, and Unfinished Business items, additional opportunities for public comment will be provided following the Staff Report for each such 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 – NONE

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.

**A-2** Approval of minutes from the Planning Commission meeting of June 20, 2017.  
**Staff Recommendation:** Approve minutes as submitted.

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.:** #UP0-465 (Continued from the 3-21-2017 Planning Commission Hearing)

**Site Location:** 462 Arbutus Avenue, Morro Bay, CA

**Proposal:** Second public hearing for Conditional Use Permit approval for the addition of 389 sq. ft. of habitable floor area and 196 sq. ft. of decking to an existing nonconforming 1,724 sq. ft. single-family residence located within the R-1 Residential Zoning District and outside of the Coastal Commission Appeal Jurisdiction. The Applicant no longer proposes a use change in the rear structure therefore the garage and studio use will remain and will remain detached from the primary residential structure. The proposed addition and remodel is located at the front structure only.

**CEQA Determination:** Categorically Exempt, Section 15301, Class 1(e)

**Staff Recommendation:** Conditionally Approve

**Staff Contact:** Joan Gargiulo, Assistant Planner, (805) 772-6270

C. NEW BUSINESS

**C-1 Measure D/ “Working Waterfront” Subcommittee** – City Council direction on 7/11/2017 to form Planning Commission subcommittee to work with the Harbor Advisory Board on ambiguities in Measure D and the “Working Waterfront” initiative.

**Staff recommendation:** Nominate and appoint 2 Commissioners

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 August 15, 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](http://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](http://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 \$268 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 August 1, 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
<b>Hearing or Action Ready Projects:</b>										
1	Vankrieken	462 Arbutus	12/9/16	UP0-465/ CP0-535	<b>CDP and Conditional Use Permit for new 515 sq. ft. garage and remodel of existing nonconforming SFR</b>	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. Continued to a date uncertain with direction for design changes. In discussion with Applicant/Agent - resubmittal is getting closer. PC hearing 8/1/17		PN- Conditionally approved per memo dated 12/22/16		jg
2	Giovanni's	1001 Front Street	7/10/17	UP0-488	<b>Temporary Use permit for a waterfront market for local vendors in existing parking lot</b>	Under initial review. Noticed 7/24/17				rr
<b>30 -Day Review, Incomplete or Additional Submittal Review Projects:</b>										
3	Ferrin	2770 Elm	7/7/17	CP0-550/UP0-487	<b>Coastal Development and Conditional Use Permit for a 752 sq. ft. 2nd story addition and garage expansion</b>	Under Initial Review				jg
4	Gillean	479 Panay	7/6/17	CP0-549	<b>Coastal Development Permit to allow for an existing accessory dwelling unit.</b>	Under Initial Review. Correction Letter sent 7/20/2017				jg
5	Jeff Edwards	1111 Main	6/16/17	CP0-548 / UP0-485	<b>Conceptual Review for future Regular Coastal Development Permit for a mixed use project to include commercial space along Main St. with living units above as well as 8 transient occupied suites</b>	Conceptual review to be heard at Planning Commission. Tentatively scheduled for 8/15 hearing				jg

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6	Taverner	335 Piney	6/15/17	CP0-547	<b>Coastal Development Permit for the construction of a detached 624 sq. ft. accessory dwelling unit</b>	Under Initial Review. Correction Letter sent 7/11/2017				jg
7	Sotelo	2101 Sunset	6/9/17	CP0-546. UP0-484, & AD0-121	<b>Coastal Development, Use Permit, and Parking Exception for a detached secondary dwelling unit.</b>	Under review. Correction letter sent 7/6/2017. Resubmittal received 7/12/2017		PN-Conditionally Approved 7/5/17		jg
8	Guesno	210 Atascadero	6/1/17	CP0-544 / UP0-481	<b>Coastal Permit and Use Permit for commercial change in use</b>	Under Review. Correction memo sent to applicant 6-27-17. Resubmittal received 7/24/17				wm
9	Teresa Drive Estates, LLC	301 Sea Shell Cove	5/11/17	CP0-543 & UP0-480	<b>Coastal Development Permit &amp; Conditional Use Permit for new SFR on Lot 1. 2220sf living, 580sf garage, 336sf covered patio &amp; decks.</b>	Under Review. Correction memo sent to applicant 6-19-17.		PN- Conditionally Approved 6/7/17		wm
10	Morgan	101 Fig St.	4/12/17	UP0-476	<b>Conceptual Review of New SFR with accessory unit. Existing historical structure on lower level.</b>	PC Conceptual Review 5/16/17. Applicant evaluating whether to pursue project.		PN-Conditionally approved 5/11/17		wm
11	So Cal Gas Company	0 Sequoia St (Public Right of Way, 32' west of Alder Ave)	3/29/17	CP0-539	<b>Administrative Coastal Development Permit to install new class 5 wood pole, 29' above ground level. Advance Meter - Equipment attached to top of pole</b>	Under Initial Review. Working with So Cal Gas to lower pole height and locate behind future sidewalk.		PN - Disapproved 5/3/17		wm
12	So Cal Gas Company	0 Nutmeg (Public Right of Way, 710' north of Cuesta St.)	3/29/17	CP0-538	<b>Administrative Coastal Development Permit to install new class 5 wood pole, 29' above ground level. Advance Meter - Equipment attached to top of pole</b>	Under Initial Review. Working with So Cal Gas to move slightly northeast out of resident viewshed and into PUC easement.		PN - Disapproved 5/3/17		wm
13	Mathias Family Trust	2515 & 2525 Greenwood	3/29/17	CP0-537	<b>Administrative Coastal Development Permit for demolition of two residential structure, prep site for new construction, prune &amp; trim overgrown bushes, and removal of fallen tree.</b>	CDP approved for demo 4/25/17.		PN- Conditionally Approved per memo dated 5/1/17		wm
14	Assembly of God	615 Monterey	3/6/17	CP0-534/ AD0-113	<b>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.</b>	Under Initial Review. Waiting on project redlines 4/12 Resubmittal received 7/20/2017		PN- Conditionally Approved per memo dated 4/24/17		jg

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15	James / Nisbet	310 Mindoro	3/2/17	CP0-533	<b>Admin CDP for New SFR on vacant lot for 1542sf living, 462sf garage, 176sf deck.</b>	Incomplete letter sent 3/23. Requires CDP, MUP, Parking exception. Action date set for 6/27/17		PN- Conditionally Approved 7/5/17		wm
16	James/ Nisbet	300 Mindoro	3/2/17	CP0-532	<b>Admin CDP for New SFR on vacant lot, 1433sf living, 446 sf garage, 195sf deck.</b>	Incomplete letter sent 3/23. Requires CDP, MUP, and Parking Exception. Action Date set for 6/27/17		PN- Conditionally Approved 7/5/17		wm
17	Huber	2783 Coral Ave	2/24/17	CP0-530, UP0-470, S00-127	<b>Proposed 6 lot residential subdivision (Tentative Tract Map, CDP, and CUP application). Property located at corner of San Jacinto &amp; Coral Ave.</b>	Under Initial Review		PN- Not Approved per memo dated 3/16/17		wm
18	Najarian	321 Luzon	11/7/16	CP0-521 & UP0-473 and AD0-115	<b>Coastal Development Permit for a new 1,694 sq. ft. SFR</b>	CDP/MUP/Parking exception issued for plans redesigned to meet flood zone standards on 5/30/17.		PN- Conditionally Approved 5/26/17		wm
19	Najarian	320 Mindoro	11/7/16	CP0-520 & UP0-472 & AD0-114	<b>Admin CDP and MUP to build a SFR in an MCR/R-4 zone on a vacant lot. Proposed 2 story, 1694sf living, 546sf garage, &amp; 144sf deck.</b>	CDP/MUP/Parking exception issued for plans redesigned to meet flood zone standards on 5/30/17.		PN - Conditionally Approved 5/25/17		wm
20	Fennacy	939 Main Street	10/18/16	UP0-459	<b>Use permit approval for change of occupancy for the creation of outdoor dining area at the Brickhouse BBQ</b>	Project under review. Correction letter sent 11/17. Resubmittal Rcv'd 3/27, Resubmittal 5/25/17, Building correction letter. Resubmittal received 7/17/2017		Conditionally approved per memo dated 5/1/17		rr
21	Van Buerden	945 Embarcadero	5/24/16	UP0-446	<b>Conditional Use Permit for House of JuJu restaurant remodel, and City Park improvements</b>	Incomplete letter sent 6-23-16 to Applicant and Applicant Representative. Cj. Resubmitted revised plans 6-5-17. Project reviewed and discussed with Consultant. Tentative PC hearing date is 9-5-17.		Conditionally approved 6/14/16		cj
22	Eisemann	535 Atascadero	10/12/15	CP0-490 & S00-125	<b>Parcel map application &amp; CDP to split 1 R-4 zoned lot in to two lots.</b>	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. <i>Applicant now wants to remove development from proposal and process the parcel map independently of any development.</i> Waiting on updated map (4/7/2017) Rcv'd 4/17. Correction letter sent 5/30/2017. Resubmittal Received 7/10/17		PN- Diapproved per Memo dated 6/14/16		jg

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23	DeGarimore	1001 Front St.	7/14/15	A00-026 and UP0-442	<b>Amendment to CUP to modify project description to remove proposed new awning.</b>	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 7-1-17.				cj
24	Gambril	405 Atascadero Rd.	5/13/15	CP0-475 / UP0-417	<b>New construction of 10,000sf commercial retail on vacant lot</b>	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
25	Leage	833 Embarcadero	9/15/14	UP0-389	<b>Demolish existing building. Reconstruct new 1 story 19 foot building (retail/restaurant use) &amp; outdoor improvements</b>	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
<b>Planning Commission Continued projects:</b>										
2	Elster	530 Morro	4/20/16	UP0-282 & CP0-323	<b>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.</b>	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. Resubmittal Received 6/2/2017. Emailed correction comments 6/26.				ig
3	Rhine LP & Morro 94, LLC	3300 Panorama	2/24/16	CP0-500 & UP0-440	<b>Coastal Development Permit &amp; Conditional Use Permit for Demolition of 3 existing tanks, related pumps and concrete</b>	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

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4	Verizon / Knight	484 Main new location, Corner of Main and Cabrillo	11/19/14	UP0-394 and CP0-512	<b>Coastal Development Permit and Conditional Use Permit for installation of new Wireless Facility/Verizon antennas on existing pole.</b>	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		ig
5	Seashell Estates, LLC	361 Sea Shell Cove	1/26/15	CP0-459/ UP0-401	<b>Coastal Development Permit/Conditional Use Permit for new SFR. Lot 4 of 1305 Teresa Subdivision</b>	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
6	City of Morro Bay	End of Nutmeg	1/18/12	UP0-344	<b>Environmental documents for Nutmeg Tanks.</b> 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
7	AT&T	590 Morro Street	4/10/15	UP0-411 & CP0-465	<b>Conditional Use Permit &amp; Coastal Development permit to modify 2006 Planning permit approval for unmanned cell site</b>	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:**

#	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	Baston	561 Embarcadero	UP0-448	UP0-448	<b>Conditional use permit for Gray's Inn access improvements and piling repair</b>	Incomplete letter sent 8-4-16. Received resubmittal 9/16/16. Correction letter sent 10/14 and resubmittal 10/19. Met w/ Agent to review resubmittal 10/19. Project reviewed at 12/20 PC meeting and continued to 1/17 PC meeting. Project reviewed for favorable recommendation to the City Council with direction. City Council reviewed and continued to a date uncertain to allow plan revisions to sign location and ADA clarification. Resubmitted plans 5-25-17		PN- Conditionally approved per memo dated 8/3/16		cj
9	City of Morro Bay	Citywide	6/19/13	A00-015	<b>Sign Ordinance Update.</b> Text Amendment Modifying Section 17.68 "Signs"	Text Amendment Modifying Section 17.68 "Signs". Planning Commission reviewed 5/17/2010. Item heard at 5/24/11 City Council Meeting. Interim Urgency Ordinance approved to allow projecting signs. PC reviewed 2/7/2011. Workshops scheduled 9/29/11 & 10/6/11 .City Council 12/13/11. Continued to 1/10/12 CC meeting. PC reviewed 5/2/2012. Update due to City Council in June 2013. Draft Sign Ordinance reviewed by PC on 6/19/13 & 7/3/13. 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. Business workshops held fall/winter 13/14. Result of sign workshops discussed at 11-3-15 PC mtg. Revised Public Draft of Sign Ordinance posted to City website on July 6, 2017	No review performed.	N/R		sg
<b>Environmental Review</b>										
10	Bay Pines/Shorebreak Energy	1501 Quintana	11/29/16	UP0-463/CP0-525	<b>Coastal development permit &amp; Conditional Use Permit for Bay Pines Solar Project.</b>	Under Initial Review. Bio Report and Phase 1 Arch report rcv'd. Waiting for preliminary title report. Rcv'd 3/15. Sent to PW: Under Review. Correction letter sent 4/12/2017. Rcv'd email resubmittal 5/5, resubmittal under review. Requires Initial Study		PN- Conditionally Approved, 6/5/17		ig
11	City of Morro Bay	N/A		UP0-423	<b>MND for Chorro Creek Stream Gauges</b>	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
<b>Final Map Under Review Projects:</b>										

#	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
12	Tract 2739	485 S. Bay Blvd, Black Hill Villas Subdivision	1/17/17	Map	<b>Final Map - Tract 2739 / 16 lot subdivision with dedicated lot for riparian enhancement and raptor preservation.</b>	Final Map Application Under review. Map corrections forwarded to Engineering/Public Works Dept. on 3/13/16. Final Map & Public Improvement Plans resubmitted to City on 4/24/17. Corrections on CC&Rs and tree removal sent to Applicant on 6-30-17		JW/PN - Disapproved final map and public improvements		cj
13	Tract 2818	2400 Main St / Morro Mist	6/13/16	Map	<b>Final Map - Tract 2818 / 23 lot subdivision and 1 common lot</b>	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. Corrections sent 4-7-17. Resubmittal received 6-16-17.		JW/PN - Disapproved final map and public improvements		cj
14	Tract 2670	1899 -1911 Sunset	11/17/15	Map	<b>Final Map. - Tract 2670 6 lot subdivision and 1 common lot</b>	Under review. Correction letter sent on 12-17-15. Met with Applicant on 3-8-16 to review outstanding items. Received revised CC&R's 3-8-16 for review. CC&R documents reviewed and determined deficient - corrections sent 4-21-16. Met with Applicant to review final corrections 7-13-16. Revised grading/retaining wall plans to be resubmitted. Draft CC&Rs under review by City Attorney. Attorney's review forwarded to Applicant on 7/28/16. CC&Rs under review for consistency with Council conditions of approval. Waiting for revised final map, revised grading plans as of 10/27/16. Grading permit issued. Reviewed revised CC&R's and sent comments back to Applicant on 7-10		JW/PN - Approved public improvements		cj
15	Medina	3390 Main	10/7/11	Map	<b>Final Map. Issues with ESH restoration. Applicant placed processing of final map on hold by proposing an amendment to the approved tentative map and coastal development permit. Applicant proposed administrative amendment. Elevated to PC, approved 1/4/12. Appealed, scheduled for 2/14/12 CC Meeting. Appeal upheld by City Council, and project with denied 2/14/12. map check returning for corrections on 3/9/12</b>	SD--Meeting with applicant regarding ESH Area and Biological Study. MR- Received letters from biologist regarding revegetation on 9/2/12. Letter sent to biologist. Recent Submittal reviewed and memo sent to PW regarding deficiencies. Initial review shows resubmitted map does not meet the 50 foot ESH buffer setback requirement. Creek restoration required per Planning condition #4 prior to recordation of the final map. Unresolved Planning conditions. Sent correction letter to Engineering 4-14-16. Received request for extension of permit as allowed by code. One year extension of permits granted extending map to 7/19/2017. Received map resubmittal 11-28-16. Response letter sent 12-27-16. Biologist submitted revised creekside restoration plan on 6/8/17 for City review. Sent comments back to Biologist on 6-29-17	No review performed.	DH - resubmitted map and Biological study on Dec 19th 2012. PW has completed their review. Received a letter from Medina's lawyer and preparing response. PW comments sent to RS to be included with his response letter. RS said to process map for CC. Letter being prepared to send to applicant to submit		sg/cj
<b>Projects requiring coordination with another jurisdiction:</b>										

#	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
16	City of Morro Bay	Outfall			<b>Original jurisdiction CDP for the outfall and for the associated wells</b>	Coastal staff is working with staff. Coastal letter received 4/29/2013. Discussed project with Coastal staff in meeting 11-18-14.	No review performed.	City provided response to CCC on 7/12/13. Per Qtrly Conference Call CCC will take 30days to respond		
17	City of Morro Bay Desal Plant	170 Atascadero			<b>Project requires a Coastal Development Permit for upgrades at the Plant. Final action taken Sent to CCC but pursuant to their request the City has rescinded the action.</b>	Waiting for outcome from the CDP application for the outfall. Discussed project with Coastal staff in meeting 11-18-14.	No review performed.	BCR- Phase 1 Maint and Repair project is underway. Desal plant start-up scheduled for 10/15/13. Phase 1 complete and		
<b>Projects going forward to Coastal Commission for review (Pending LCP Amendments) / or State Department of Housing:</b>										
18	City of Morro Bay	Citywide	10/16/13	A00-013. A00-029: Ordinance 601	<b>Zoning Text Amendment - Second Unit</b>	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. <b>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.</b>	No review performed.			wm
<b>Projects Continued Indefinitely, No Response to Date on Incomplete Letter or inactive:</b>										
19	T-Mobile	1478 Quintana	1/30/15	UP0-403	<b>Minor Use Permit to Modify existing wireless telecommunication site at church</b>	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
<b>Grants</b>										
20	California Coastal Commission, California Ocean Protection Council	City-wide	4/6/16		<b>\$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.</b>	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
21	City of Morro Bay	City-wide			<b>Community Development Block Grant/HOME Program - Urban County Consortium</b>	Staff has ongoing responsibilities for contract management in coordination with County staff administration. Final 2016 funding recommendations reviewed by Council on 3-8-16. 2016 Subrecipient Agreement executed and Council approved 2018-2020 Cooperation Agreement with County on 6-13-17.	No review performed.	N/R		cj
22	City of Morro Bay	City-wide			<b>Climate Action Plan - Implementation</b>	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
<b>Projects in Building Plan Check:</b>										
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	4/24/17	B-31487	New SFR: 3,495sf w/ 500 sf garage on vacant land. No activity on this project. Remains in plan check.	Sent correction memo 6-13-17. cj.	Approved by cdl on 5-10-17	PN - Disapproved 6/9/17		
3	Diodati	175 Capri	5/22/17	B-31508	216sf addition to existng SFR		Approved by cdl on 6-27-17.PZ	PN- Disapproved 6/16/17		
4	Schechter	245 Driftwood	5/31/17	B-31529	Exterior elevator installation,		Approved by cdl on 6-27-17.PZ			
5	MMbs Llc	1215 Embarcadero	12/9/16	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		
6	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 bldg		

#	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
7	Rezzonico	421 Fresno	5/24/17	B-31524	Interior remodel and addition of 189sf covered deck.		Disapproved by cdl on 6/7/17.	PN- conditionally approved per memo 5/31/17		
8	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 sf garage	CDP approved 11-22-16. WM	Conditionally approved per memo dated 9/12/16.	PN-Conditionally approved per memo dated 11/17/16		
9	Stanton	2335 Ironwood	4/19/17	B-31484	75sf addition to existing SFR		Approved by cdl on 4-26-17.	PN- Not approved per memo dated 4/28/17		
10	Linkwiller/Balch	535 Kern Ave	5/10/17	B-31504	118sq.ft. 1st. Floor addition new bathroom & porch 102 sq. ft. second floor addition new observation room decrease size of existing bathroom & deck.		Disapproved by cdl on 5-12-17 . Approved by cdl on 5-17-17.	PN- Disapproved 6/6/17		
11	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		
12	Najarian	321 Luzon	6/9/17	B-31543	New SFR 2-story 1694 sq, ft, living 546 sq ft.garage 144 sq. ft. deck		Disapproved by cdl on 7-5-17.			
13	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.	PN- Approved waiting for RL sign-off of WEU form.		
14	Najarian	320 Mindoro	6/9/17	B-31544	New SFR 2-story 1694 sq, ft, living 546 sq ft.garage 144 sq. ft. deck		Disapproved by cdl on 7-5-17.			
15	Assembly of God	615 Monterey	10/14/16	B-31226	Interior remodel (to rear house) - Demo interior, replace sub floor, drywall, electrical & plumbing, new stairs over exterior	Disapproved 11-10-16. JG	Disapproved by cdl on 11-17-16.	PN- Disapproved 11/16/16		
16	Crowfoot	416 Napa	3/1/17	B-31417	Convert downstairs closet into kitchen to create secondary dwelling unit (CP0-531)		Approved by cdl on 3-23-17	PN- Disapproved per memo dated 3/29/17		
17	Robson	110 Orcas	12/9/16	B-31350	2098 s.f. living, 939 s.f. subterranean garage, and 376 s.f. decking	Corrections sent 3-24-17 to Bldg. CJ.	Disapproved by cdl on 01-12-17			
18	Fenske	470 Orcas	5/29/17	B-31525	After fact permit for basement bedroom and bathroom		Disapproved by cdl on 6-7-17.	PN- Approved 5/31/17		
19	Barfield	260 Shasta	4/24/17	B-31486	Remodel, Room Addition and new garage		Disapproved by cdl on 5-4-17.	PN - Disapproved 5/25/17		
20	Dolezal	1885 to 1905 Sunset	3/17/17	B31378	Addendum to Grading permit #G00-045 issued 12/7/16. Changes to approved Grading to on-site improvements	Disapproved 5/9/17. CJ	Disapproved by cdl on 5-12-17.	PN- Not Approved per memo dated 3/29/17		
21	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		
22	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		
23	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		

#	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
24	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		
25	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		
26	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		
27	Adamson	155 Terra	6/9/17	B-31545	Addition to single family residence. Remodel to existing living, dining, kitchen, 7 rooms.		Approved by cdl on 7/5/17.			
28	Jordan	340 Tulare	6/17/16	B-31046	2nd floor 650sf Addition & 75sf garage addition	Approved 5-17. JG	Disapproved by cdl on 1-13-16.	PN- Approved 2/2/17		

**Planning Projects & Permits with Final Action:**

1	Spencer	2445 Ironwood	5/4/17	UP0-478	<b>Conditional Use Permit for an addition to a nonconformin SFR to include 151 sq. ft. of living area and 78 sq. ft. of decking</b>	Under Initial Review. Noticed 7/7/2017. PC scheduled 7/18/2017. Approved 7/18/17				rr
2	Regan	3030 Beachcomber	6/29/17	A00-050	<b>Amendment to Admin CDP to allow recent guest room addition to become a secondary dwelling unit.</b>	Under Review. Noticed 7/6/2017. Permit issued 7/18/17				jg
3	Leage	1205 Embarcadero	9/28/16	A00-044 (UP0-058)	<b>Minor amendment to UP0-058 to relocate approved floating dock location and construct new finger slip and lease line amendment</b>	Project under review. Correction letter sent 11-21-16. Resubmittal received 1-27-17 and under review. Fire corrections forwarded to applicant to be made prior to noticing. Noticed on 5/22/17 for minor amendment. Permit issued.		PN Disapproved per memo dated 10/25/16		cj
4	Maritime Museum Association (Larry Newland)		11/21/05	UP0-092	<b>Embarcadero-Maritime Museum (Larry Newland).</b> 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. Resubmitted 3-20-17. Project located in C-VS/S.4 zoning district. <b>Museum use allowed in C-VS zone with a Minor Use Permit.</b> Determined not to require PC approval. Project located in original jurisdiction of Coastal Commission which will require CDP review. Noticed 5/9/2017. MUP issued and approved 5/22/17.	Please route project to Building upon resubmittal.	An abandonment of Front street necessary. To be scheduled for CC mtg.		cj

AGENDA ITEM: A-2

DATE: AUGUST 1, 2017

ACTION: DRAFT

ACTION MINUTES – MORRO BAY PLANNING COMMISSION  
REGULAR MEETING – JUNE 20, 2017  
VETERANS MEMORIAL BUILDING – 6:00 PM

PRESENT:	Robert Tefft Gerald Luhr Richard Sadowski Joe Ingraffia	Chairperson Vice-Chairperson Commissioner Commissioner
ABSENT:	Michael Lucas	Commissioner
STAFF:	Scot Graham Joan Gargiulo Whitney McIlvaine	Community Development Director Assistant Planner Contract Planner

ESTABLISH QUORUM AND CALL TO ORDER  
MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE  
PLANNING COMMISSIONER ANNOUNCEMENTS  
<https://youtu.be/qz5yE-5mltQ?t=2m20s>

Commissioner Sadowski announced there will be a town hall meeting in Cambria tonight at 6 p.m. to 8 p.m. regarding wind energy.

PUBLIC COMMENT PERIOD  
<https://youtu.be/qz5yE-5mltQ?t=3m>

Betty Winholtz asked about the two-story home on the bluff on the Embarcadero and Marina. Winholtz stated two-story homes on the bluffs are illegal in Morro Bay and she doesn't understand how it was allowed.

Chairperson Tefft closed the Public Comment period.  
<https://youtu.be/qz5yE-5mltQ?t=4m27s>

Chairperson Tefft asked staff if they had any information on the two-story home Winholtz spoke about.

McIlvaine stated she was familiar with this project and noted there is a section along the Embarcadero (between Surf St. and Anchor St.) where the normal bluff setbacks do not apply.

PRESENTATIONS – NONE

A. CONSENT CALENDAR  
<https://youtu.be/qz5yE-5mltQ?t=6m14s>

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

A-2 Approval of minutes from the Planning Commission meeting of May 2, 2017.

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

- A-3** Approval of minutes from the Planning Commission meeting of May 16, 2017.  
**Staff Recommendation:** Approve minutes as submitted.

**MOTION:** Commissioner Sadowski moved to approved the Consent Calendar, A-1 through A-3. Commissioner Ingraffia seconded and the motion passed unanimously (4-0).

**B. PUBLIC HEARINGS**

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

**B-1 Case No.:** #CP0-545

**Site Location:** 500 Atascadero Road, Morro Bay, CA

**Proposal:** Coastal Development Permit approval (associated with the previously approved Conditional Use Permit No. UP0-458 **NO NEW DEVELOPMENT IS PROPOSED**) for the installation of underground utilities for the intensification of use on two parcels within the Silver City Mobile Home/RV Park. Specifically, the Applicant requested a change from storage use to a short-term visitor-serving commercial use as an RV park on two parcels currently zoned M-1/PD/I. The project area is located outside of the Coastal Commission Appeal Jurisdiction.

**CEQA Determination:** Categorically Exempt, Section 15303, Class 3(d)

**Staff Recommendation:** Conditionally Approve

**Staff Contact:** Joan Gargiulo, Assistant Planner, (805) 772-6270

<https://youtu.be/qz5yE-5mltQ?t=7m2s>

Gargiulo presented the staff report.

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS –  
NONE

The Commissioners presented their questions to staff.

Chairperson Tefft opened the Public Comment period.

<https://youtu.be/qz5yE-5mltQ?t=16m25s>

Angus Keith, applicant, stated he would like to make the park a permanent, affordable senior housing.

Winholtz stated the staff report is misleading because it states no new development would be proposed. Winholtz would like to know since the work was done without a permit, would there be any penalties. Winholtz wanted to also know if the city is keeping track of the water, especially if this will turn into a permanent housing.

Chairperson Tefft closed the Public Comment period.

<https://youtu.be/qz5yE-5mltQ?t=20m54s>

Discussion between Commissioners and staff.

**MOTION:** Vice-Chairperson Luhr moved to approved PC Resolution 18-17, CP0-545 for 500 Atascadero Road. Commissioner Ingraffia seconded and the motion passed unanimously (4-0).

C. NEW BUSINESS

<https://youtu.be/qz5yE-5mltQ?t=31m39s>

**C-1 Case No.:** n/a

**Project: Zoning Code Diagnosis Memo**

Review of Zoning Code Diagnosis Memo prepared as part of *Plan Morro Bay*, the City's General Plan/ Local Coastal Program & Zoning Code update. Public document available online at <http://www.morro-bay.ca.us/DocumentCenter/View/10790> with copies available upon request.

**Staff Recommendation:** Review and provide input

**Staff Contact:** Scot Graham, Community Development Director, (805) 772-6291 or Cindy Jacinth, Associate Planner (805) 772-6577

Martha Miller (RRM Design Group) presented the staff report.

The Commissioners presented their questions to staff.

Chairperson Tefft opened the Public Comment period.

<https://youtu.be/qz5yE-5mltQ?t=1h5m58s>

Winholtz stated she objects to doing zoning rewrites simultaneously with the General Plan. Winholtz disagrees with the consultant because she believes the City wouldn't be able to do the zoning until they know where the General Plan is. Winholtz doesn't know how the City could fulfill the General Plan if the General Plan hasn't been approved yet. Winholtz would like to see consistency when developing projects and spoke about the parking issues around the city.

Diane Playan, Morro Bay resident, asked why the City must hire someone to do the zoning. Playan stated if there is already something in writing for our zoning, why don't we have the staff take care of it. Playan was asking because Morro Bay is a small town and already on a budget.

Chairperson Tefft closed the Public Comment period.

<https://youtu.be/qz5yE-5mltQ?t=1h10m40s>

Discussion between the Commissioners and staff.

**C-2 Case No.:** CP0-540

**Site Location:** 2130 and 2170 Main Street

**Proposal: Conceptual Review** of a potential future public hearing project proposing to demolish existing on site development and construct a 34-suite motel on an 18,000 SF site comprised of two APN's and 3 separate lots. Plans show a 22,800 +/- SF three-story structure with two floors of suites over a lobby and semi-subterranean parking. The proposed maximum building height is 30 feet. The property is zoned for mixed commercial/residential development in the North Main Street Specific Plan area (MCR/R-4/SP) and located outside the Coastal Commission appeal jurisdiction.

**CEQA Determination:** No determination is required for conceptual review.

**Staff Recommendation:** Hear a presentation on the project and provide comments. This is a Business Item for information gathering and discussion purposes only and NO ACTION will be taken at this time.

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

<https://youtu.be/qz5yE-5mltQ?t=2h9m9s>

McIlvaine presented the staff report.

Chairperson Tefft opened the Public Comment period.

<https://youtu.be/qz5yE-5mltQ?t=2h16m>

John Belsher, architect, spoke about his ideas for the project and his use of innovative technologies he has used on other projects.

Joe Schneider, principal owner/architect of 10 Over Studios, presented his report on the proposed project.

Betty Winholtz, Morro Bay resident, is concerned about the height of the building and how it would impact the views of the neighbors. Winholtz encouraged the Commission not to approve the 30-foot height and keep it at the 25-foot height. Winholtz is also concerned with the reduction in parking space size. She would like to keep the spaces full size because most of the visitors come from the valley and they have full size vehicles.

Chairperson Tefft closed the Public Comment period.

<https://youtu.be/qz5yE-5mltQ?t=2h27m33s>

Discussion between Commissioners and staff.

Chairperson Tefft opened Public Comment

<https://youtu.be/qz5yE-5mltQ?t=2h29m10s>

The Commissioners presented their questions to the applicant.

Belsher and Schneider answered the Commissioners questions.

Chairperson Tefft closed the Public Comment period.

<https://youtu.be/qz5yE-5mltQ?t=2h47m28s>

Discussion and comments from the Commissioners.

Chairperson Tefft opened Public Comment  
<https://youtu.be/qz5yE-5mltQ?t=3h9m41s>

Belcher responded to the Commissioners comments.

Chairperson Tefft closed the Public Comment period.  
<https://youtu.be/qz5yE-5mltQ?t=3h12m56s>

D. UNFINISHED BUSINESS – NONE

E. PLANNING COMMISSIONER COMMENTS  
<https://youtu.be/qz5yE-5mltQ?t=3h12m56s>

Commissioner Sadowski spoke about Morro Bay's aquifers and how the infrastructure should be updated. Sadowski explained when new projects are presented, the Commission should look at the sewer capacity, water issues, etc. Sadowski noted there needs to be a plan for the infrastructure.

Commissioner Ingraffia would like to encourage the City Council to give incentives or subsidize/encourage applicants to build apartment buildings in areas where they are needed.

Vice-Chairperson Luhr wanted the Commissioners to give their feedback on the downtown design guidelines which was sent to them earlier. Luhr suggested the Commission add the discussion to the agenda for discussion.

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENT  
<https://youtu.be/qz5yE-5mltQ?t=3h33m37s>

Graham notified the Commissioners the July 4<sup>th</sup> Planning Commission meeting has been canceled.

G. ADJOURNMENT

The meeting adjourned at 9:34 p.m. to the regular Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on June 20, 2017, at 6:00 p.m.

ACTION MINUTES – MORRO BAY PLANNING COMMISSION  
REGULAR MEETING – JUNE 20, 2017

\_\_\_\_\_  
Robert Tefft, Chairperson

ATTEST:

\_\_\_\_\_  
Scot Graham, Secretary



AGENDA NO: B-1

MEETING DATE: August 1, 2017

## Staff Report

**TO:** Planning Commissioners **DATE:** August 1, 2017

**FROM:** Joan Gargiulo, Assistant Planner

**SUBJECT:** Continued review of Conditional Use Permit (#UP0-465) Request for 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 20-17** (Exhibit A) which includes the Findings and Conditions of Approval for the project depicted on site development plans date stamp received July 13, 2017.

**APPLICANT:**

Roeland and Megan van Kreiken

**ARCHITECT:**

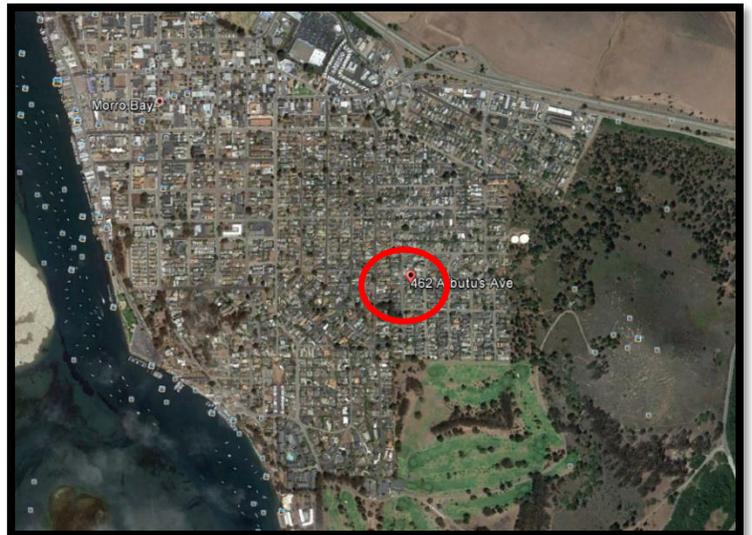
Nick Huston, Crizer Design

**ADDRESS/APN:**

462 Arbutus; 066-202-006

**BACKGROUND/DISCUSSION:**

This item was continued from the March 21, 2017 Planning Commission meeting with direction to provide greater articulation along the project's front elevation. The Commission also expressed concern related to the potential residential use of the existing studio/garage space at the rear of the lot.



Prepared By: JG

Department Review:

**Front Elevation**

The applicant has made the following revisions to the front elevation: added windows to the second floor, added two gable roof features, recessed a portion of the upper floor at the northwest corner and expanded the second-floor deck to the south. See existing and proposed front elevations below. The Plans are also provided as Exhibit C to the Staff report.



**Existing Front Elevation**



**Revised Front Elevation**

Minutes are available on the City's website at  
<http://www.morrobayca.gov/ArchiveCenter/ViewFile/Item/4241>.

### ***Residential Use of Studio***

The original project design, reviewed by the Planning Commission back in March of this year, included an addition that connected the rear studio/garage space with the main residence, converting that space to habitable bedrooms and moving the garage to the front of the house. There was some concern noted by the neighbor to the rear about converting the garage/studio space to habitable square footage given its close proximity to the neighboring residence. The applicant has decided not to pursue the conversion of the rear garage/studio space to habitable square footage, instead choosing to leave that structure as is.

It is unclear how the "Studio" space, with full bathroom, came to be. Given that this space could easily be converted to residential use, the project has been conditioned to require a deed restriction prohibiting use of the "Studio" for living purposes (Exhibit A, Planning Condition 6).

*Deed Restriction: The applicant shall record a deed restriction against the property, in a form and manner approved by the Community Development Director, prohibiting use of the "Studio" space for residential living purposes. The deed restrictions shall also prohibit the addition of cooking facilities within the studio space. The covenant shall run with the property and remain in effect so long as the Studio remains on the property, unless the Owner receives required approvals to convert the Studio to a secondary unit or guest house.*

### **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.

The Applicant is requesting Conditional Use Permit approval for the addition of 389 sq. ft. of habitable floor area and 196 sq. ft. of decking to an existing 1,724 sq. ft. single-family residence with nonconforming rear and side-yard setbacks. The proposal no longer includes changes to the rear garage and studio space which

will remain detached from the primary structure. The project is located within the R-1 Residential Zoning District and outside of the Coastal Commission Appeal Jurisdiction.



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

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

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

<b>Zoning Ordinance Standards</b>		
	<b>Standards</b>	<b>Proposed</b>
<b>Front Setback</b>	20 feet	20 feet
<b>Side-Yard Setback</b>	5 feet	<b>4' 10" (existing)</b>
<b>Rear Setback</b>	10 feet	<b>2' 7" (existing)</b>
<b>Height</b>	25 feet	22 feet
<b>Lot Coverage</b>	Max. 45%	45%
<b>Building Separation</b>	6 feet	12'2"
<b>Parking</b>	2 Car Garage	2 Car Garage

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; the carport area is enclosed with a garage door on the front or street facing elevation and is open at the rear. The project proposal no longer includes changes to the rear garage and studio structure which will remain detached from the primary residential structure and accessed through the existing carport area (Exhibit B).

**Setbacks**

The proposed 389 sq. ft. single-story addition will be located at the northeast corner of the existing single-family residence and shall be separated 12'2" from the detached structure at the rear of the parcel and shall adhere to the 5 ft. side-yard setback requirement for projects located within the R-1 zoning district. 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 studio space is 2'7" from the rear property line where 10 feet is the minimum. The side-yard setback is also slightly nonconforming sitting 4'10" from the south property line where 5 feet is the minimum required.

**Residential Design Guidelines**

The Interim Residential Design Guidelines, reauthorized by the City Council in October of 2016, have a stated purpose to maintain the high quality of the City's neighborhoods by developing reasonable, sound, and objective guidance in

identifying key design features and components of new development. The Guidelines are an implementation tool for the neighborhood compatibility policies set forth in the General Plan and the Local Coastal Plan.

- *Relationship to Homes in Immediate Neighborhood*. The project proposal no longer includes changes to the rear structure, eliminating the potential negative impacts on the neighboring residential structure abutting the parcel to the east at the rear of the lot.
- *Scale and Mass*: The single-story nature of the proposed addition and the added articulation at the front of the residence help to mitigate the existing structure's incompatible mass and scale as it relates to the surrounding neighborhood.
- *Surface Articulation* – With direction from the Planning Commission, the Applicants have added significant articulation to the front elevation as shown on the plan set attached below as Exhibit B. The proposal now includes the addition of gabled roof ends that front the street, second story setback, and porch.
- *Building Orientation* – Residences should contain visible front entryway, and shall be located on the lot in a similar manner as adjacent homes. The project proposal moves the front entryway to the ground level similar to other homes in the neighborhood.
- *Garage Placement and Design* – Garages shall be placed and designed so as not to be the most prominent feature of the front façade. The existing carport and garage situation meets this requirement because the 12'10" width of the partially enclosed single-car carport opening provides access to the two required enclosed parking spaces at the rear of the lot which reduces the prominence of the parking situation at the front elevation.
- *Building Materials* – Building materials are proposed to be consistently applied and harmonious with adjacent materials throughout the property.
- *Architectural Elements* – The architectural elements within the design are more in proportion to the overall home design and the proposal achieves balance through the vertical and horizontal alignment of the doors and windows.
- *Additions to Existing Homes* – The materials and architectural elements used in the design of the proposed addition blend seamlessly into the overall design of the home due to the extensive exterior remodeling proposed with this application.
- *Privacy* – This proposal better addresses the privacy intrusions on adjacent residences by entirely removing the proposed development from the rear structure which currently encroaches into the rear setback. The addition is

now proposed to be located along the required 5 ft. side-yard setback at the north side of the parcel and separated from the northern neighbor by a 6'6" fence.

### **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 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 389 square-foot single-story addition to a nonconforming structure. As noted above, the structure is nonconforming with regard to the rear and side-yard setbacks 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 as detailed above.*

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 Residential Zoning District.*

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 side and*

*rear-yard setbacks.*

**PUBLIC NOTICE:**

Notice of this item was published in the San Luis Obispo Tribune newspaper on July 22, 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 Conditional Use Permit (UP0-465) for the proposed project at 462 Arbutus Avenue, as shown on plans date stamped received July 13, 2017 by adopting Planning Commission **Resolution 20-17** which includes the Findings and Conditions of Approval for the project.

**EXHIBITS:**

- Exhibit A – Planning Commission Resolution 20-17
- Exhibit B – Graphics/Plan Reductions
- Exhibit C – March 21, 2017 Staff Report and Plans

## RESOLUTION NO. PC 20-17

### A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT (UP0-465) 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**, the Planning Commission of the City continued the project to a date uncertain with direction to the Applicants to allow for design revisions; and

**WHEREAS**, the Planning Commission of 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 reconsidering 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 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 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 August 1, 2017, for the project at 462 Arbutus Avenue depicted on plans date stamped July 13, 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 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 Conditions of Approval shall be the same size as other plan sheets and shall be the last sheet in the set of Building Plans.
  5. Hedges: The hedges located along the side property line within the front setback shall be kept trimmed and in compliance with the hedge height requirement as set forth in Section 17.48.100 of the Morro Bay Municipal Code.
  6. Deed Restriction: The applicant shall record a deed restriction against the property, in a form and manner approved by the Community Development Director, prohibiting use of the "Studio" space for residential living purposes. The deed restrictions shall also prohibit the addition of cooking facilities within the studio space. The covenant shall run with the property and remain in effect so long as the Studio remains on the property, unless the Owner receives required approvals to convert the Studio to a secondary unit or guest house.

## **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.morro-bay.ca.us/EZmanual](http://www.morro-bay.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:

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 1st day of August, 2017 on the following vote:

AYES:

NOES:

ABSENT:

# EXHIBIT A

Planning Commission Resolution No. 20-17

UP0-465: 462 Arbutus Avenue

Page 6

ABSTAIN:

\_\_\_\_\_  
Robert Tefft, Chairperson

ATTEST

\_\_\_\_\_  
Scot Graham, Planning Secretary

The foregoing resolution was passed and adopted this 1st day of August, 2017.



# The van Krieken Ho

462 Arbutus Ave. Morro Bay, CA 93442



**Setbacks:**  
 Front: 20'  
 Back: 10'  
 Sides: 5'

**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

**Existing Lot Coverage Calculation:**  
 Impermiable Surface: 1876 SF or 38%  
 Permiabile Surface: 3124 SF or 62%

**Proposed Lot Coverage Calculation:**  
 Impermiable Surface: 2246 SF or 45%  
 Permiabile Surface: 2754 SF or 55%

**Project Data**

**Area Square Footages:**  
 (E) Garages: 1139 SF  
 (E) Floor: 1724 SF +  
 (N) Floor: 0389 SF =  
 (N) Total Floor: 2113 SF  
 (E) Interior Remodel: 1724 SF  
 (E) Decks: 0181 SF +  
 (N) Decks: 0196 SF =  
 (N) Total Decks 0377 SF  
 Site Size: 5000 SF

**Occupancy:**  
 Single Family Dwelling: R-1

**Construction Type: V**

**APN:** 066-202-006

**Project Scope:**  
 Remodel and addition to existing primary residence

**APPLICABLE CODES**  
 2013 California Building Code  
 2013 California Residential Code  
 2013 California Electric Code  
 2013 California Mechanical Code  
 2013 California Plumbing Code  
 2013 California Energy Code  
 2013 California Green Building Standards Code (Cal Green)

**Cal Fire Notes**

**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 spare heads & wrench box in garage or near riser. (1 of each type)

**Sheet Index**

A1 Title Sheet  
 A2 Existing 1st Floor Demo Site Plan  
 A3 Proposed 1st Floor Site Plan  
 A4 Existing 2nd Floor Demo Plan  
 A5 Proposed 2nd Floor Plan  
 A6 Existing Roof Demo Plan  
 A7 Proposed Roof Plan  
 A8 Proposed Elevations

**Consultants**

**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

**General Contractor:**  
 Crizer Construction, Inc.  
 Robert C. Crizer  
 PO Box 6952  
 Los Osos, CA 93412  
 Office: (805) 528-4812  
 Bob@CrizerConstruction.com

**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

**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

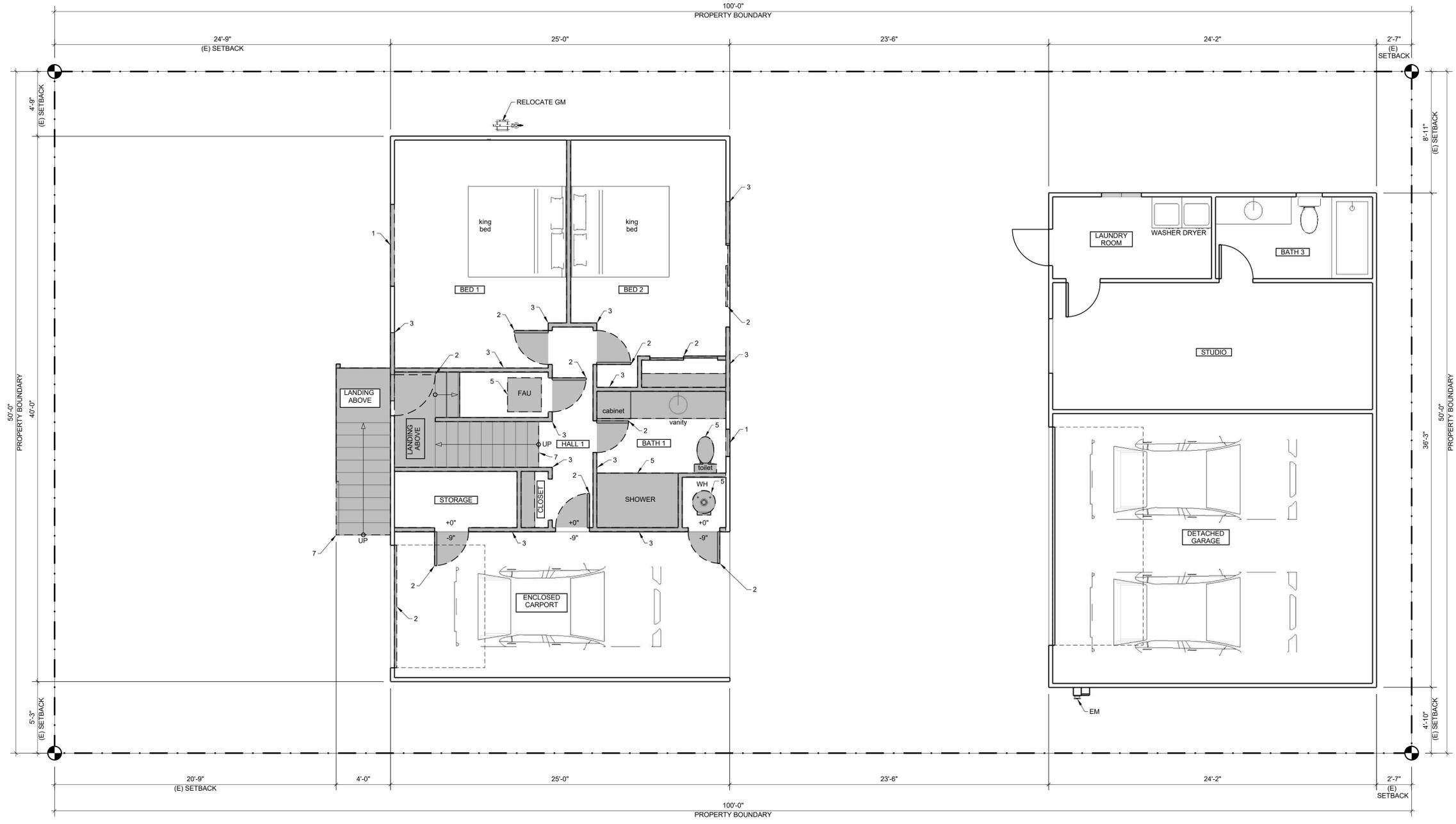
**PROJECT**  
 VAN KRIEKEN  
 PROJECT NO.  
 MB 16 09 49

**ISSUE**  
 7/5/17  
**DRAWN BY**  
 Nicholas B. Huston

**Title Sheet**

DEMO KEYNOTES:

- 1. (E) WINDOWS TO BE REMOVED
- 2. (E) DOORS TO BE REMOVED
- 3. (E) WALLS TO BE REMOVED
- 4. (E) ROOFING & EAVES 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 STAIR & FLOOR TO BE REMOVED
- 9. (E) ROOF FRAMING TO BE REMOVED



WALL LEGEND

- CONTINUOUS WALL
- PARTIAL WALL
- EXISTING WALL
- \*FROSTED\* GLASS BLOCK PARTIAL WALL
- 1 HOUR WALL

**EXISTING 1ST FLOOR DEMO SITE PLAN**  
1/4" = 1'-0"

**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  
PROJECT NO.  
MB 16 09 49

**ISSUE**  
7/5/17  
**DRAWN BY**  
Nicholas B. Huston

**Existing 1st Floor  
Demo Site Plan**



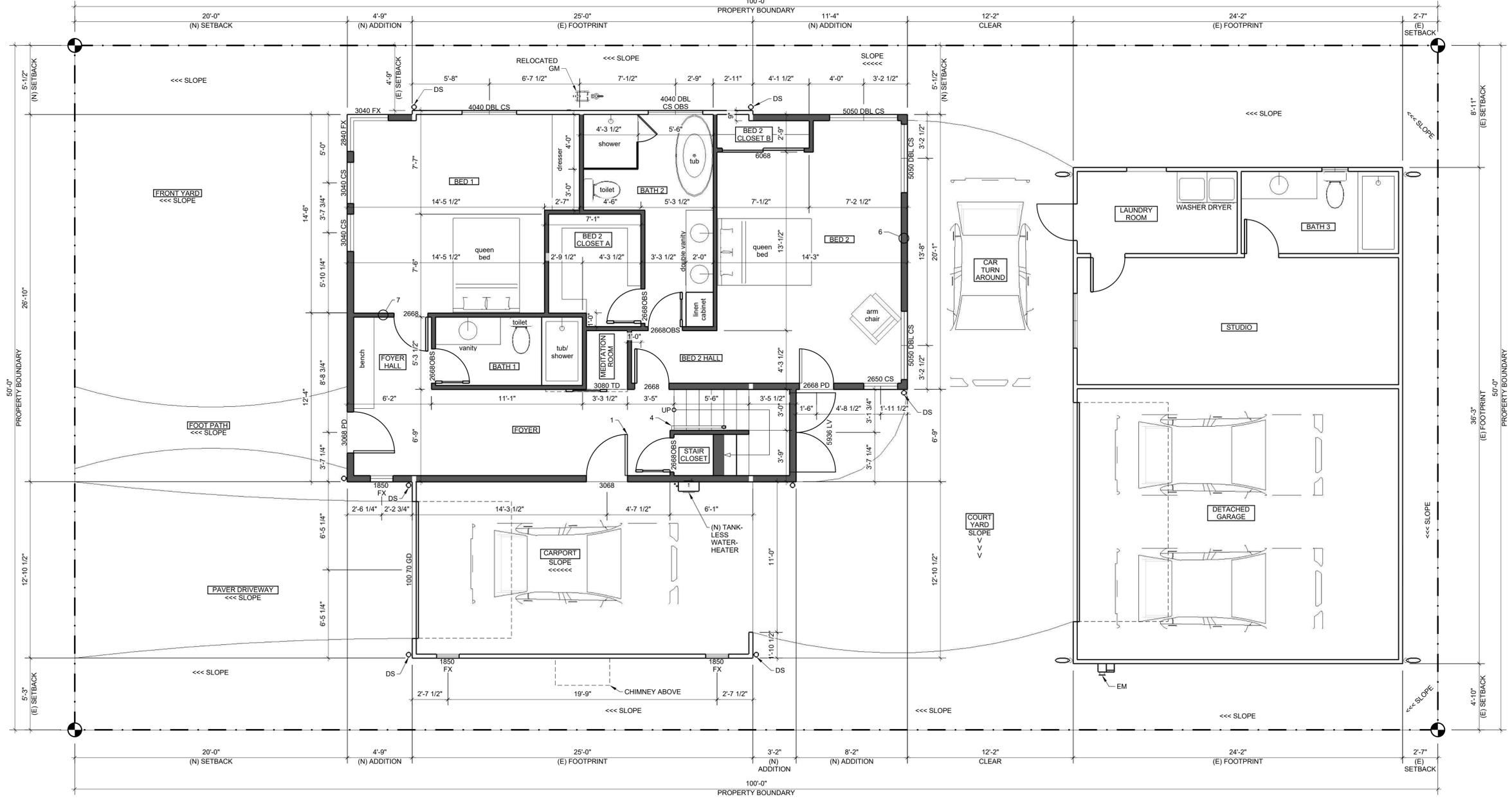
**PROPOSED FLOOR KEYNOTES**

- MINIMUM 1 3/8" SELF-CLOSING AND SELF-LATCHING, SOLID-CORE WOOD, STEEL HONEYCOMB DOOR OR 20-MINUTE FIRE RATED DOOR.
- 1/2" GYPSUM BOARD REQUIRED ON THE GARAGE SIDE SEPARATING DWELLING AND ATTIC AREA FROM THE GARAGE.
- STAIR RISE = 7 3/16". STAIR RUN = 11", TYP.
- HANDRAILS ARE TO BE INSTALLED PER CRC R311.7.8:  
-BETWEEN 34 AND 38 INCHES ABOVE THE NOSING OF THE TREAD AND LANDINGS.  
-CIRCULAR HANDGRIPS SHALL BE BETWEEN 1-1/4" TO 2"  
-THERE SHALL BE A MINIMUM 1-1/2" CLEARANCE FROM THE WALL.
- GUARDRAIL. TOP AT 42" AFF. MIN. TYP.
- 2x6 EXTERIOR WALLS, TYP
- 2x4 INTERIOR WALLS UNLESS NOTED OTHERWISE, TYP
- WATERPROOF DECKING  
Decks & balconies that are sealed underneath are to be waterproofed and have a minimum 2% slope for drainage.
- ACCESS IS TO BE PROVIDED FOR AREAS WHERE THERE IS AN ATTIC SPACE THAT EXCEEDS 30 SQUARE FEET AND HAS AT LEAST 30" HEADROOM CLEARANCE PER CRC R907.1. THE OPENING IS TO BE AT LEAST 22"x30" WITH MINIMUM HEADROOM OF 30". LOCATE IN A HALLWAY OR OTHER READILY ACCESSIBLE LOCATION.
- 42" PONY WALL

**ABBREVIATIONS**

- |     |                      |
|-----|----------------------|
| FX  | FIXED PICTURE WINDOW |
| CS  | CASEMENT WINDOW      |
| AW  | AWNING WINDOW        |
| SL  | SLIDER WINDOW        |
| SH  | SINGLE HUNG WINDOW   |
| OBS | OBSCURE GLASS        |
| DBL | DOUBLE MULLED WINDOW |
| CO  | CASED OPENING        |
| x   | ACTIVE SASH          |
| o   | INACTIVE SASH        |
| 1H  | 1 HOUR WINDOW        |
| SGD | SLIDING GLASS DOOR   |
| PD  | GLASS PATIO DOOR     |
| GD  | GARAGE DOOR          |
| LV  | LOUVERED DOOR        |
| TD  | TRACK DOOR           |
| RG  | RAIN GUTTER          |
| DS  | DOWNSPOUT            |
| GM  | GAS METER            |
| EM  | ELECTRICAL METER     |

ARBUS AVENUE



**PROPOSED 1ST FLOOR SITE PLAN**  
1/4" = 1'-0"

**PROPOSED GENERAL NOTES**

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

**WALL LEGEND**

- |       |                                    |
|-------|------------------------------------|
| —     | CONTINUOUS WALL                    |
| - - - | PARTIAL WALL                       |
| —     | EXISTING WALL                      |
| - - - | *FROSTED* GLASS BLOCK PARTIAL WALL |
| ▤     | 1 HOUR WALL                        |

**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

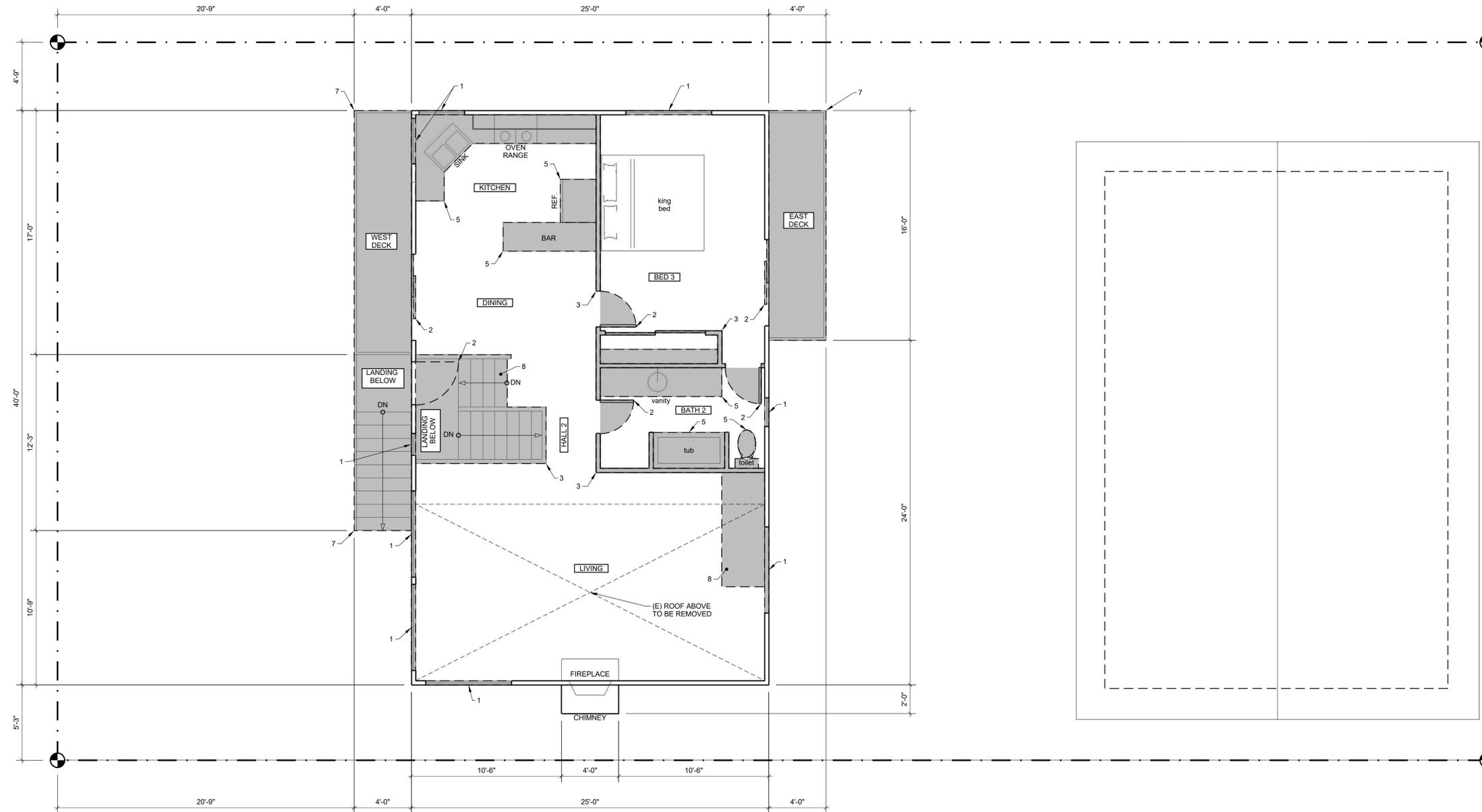
**PROJECT**  
VAN KRIEKEN  
PROJECT NO.  
MB 16 09 49

**ISSUE**  
7/5/17  
DRAWN BY  
Nicholas B. Huston

**Proposed  
1st Floor Site Plan**



- DEMO KEYNOTES:**
- (E) WINDOWS TO BE REMOVED
  - (E) DOORS TO BE REMOVED
  - (E) WALLS TO BE REMOVED
  - (E) ROOFING & EAVES TO BE REMOVED, TYP.
  - (E) CABINETS, APPLIANCES AND FIXTURES TO BE REMOVED OR RELOCATED
  - (E) CONCRETE SLAB TO BE REMOVED
  - (E) STAIRS & DECKS TO BE REMOVED
  - (E) INTERIOR STAIR & FLOOR TO BE REMOVED
  - (E) ROOF FRAMING TO BE REMOVED



**WALL LEGEND**

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

**EXISTING 2ND FLOOR DEMO PLAN**  
1/4" = 1'-0"

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**Existing 2nd  
Floor Demo Plan**

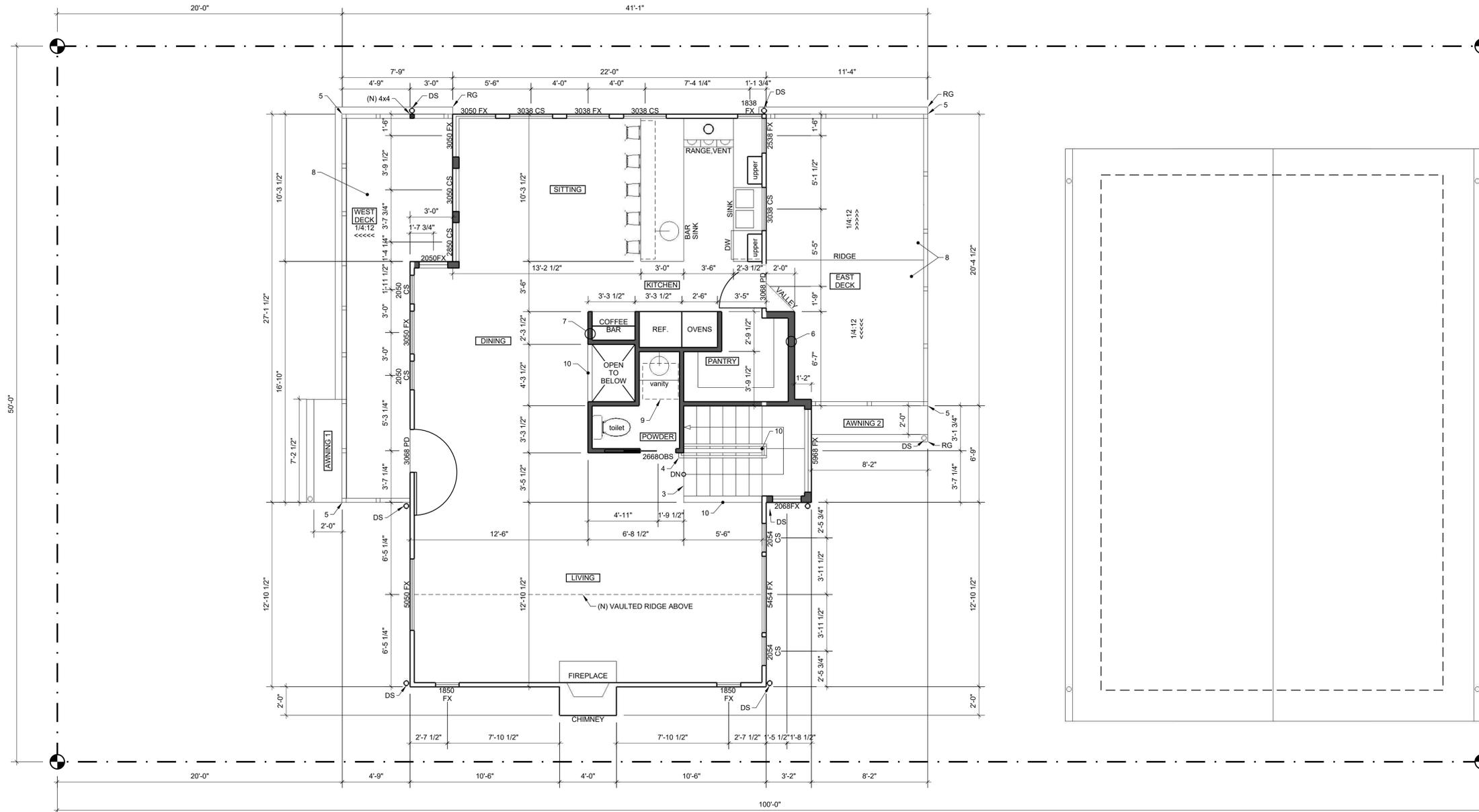


**PROPOSED FLOOR KEYNOTES**

- MINIMUM 1 3/8" SELF-CLOSING AND SELF-LATCHING, SOLID-CORE WOOD, STEEL HONEYCOMB DOOR OR 20-MINUTE FIRE RATED DOOR.
- 1/2" GYPSUM BOARD REQUIRED ON THE GARAGE SIDE SEPARATING DWELLING AND ATTIC AREA FROM THE GARAGE.
- STAIR RISE = 7 3/16". STAIR RUN = 11", TYP.
- HANDRAILS ARE TO BE INSTALLED PER CRC R311.7.8:  
-BETWEEN 34 AND 38 INCHES ABOVE THE NOSING OF THE TREAD AND LANDINGS.  
-CIRCULAR HANDGRIPS SHALL BE BETWEEN 1-1/4" TO 2"  
-THERE SHALL BE A MINIMUM 1-1/2" CLEARANCE FROM THE WALL.
- GUARDRAIL. TOP AT 42" AFF. MIN. TYP.
- 2x6 EXTERIOR WALLS, TYP
- 2x4 INTERIOR WALLS UNLESS NOTED OTHERWISE, TYP
- WATERPROOF DECKING  
Decks & balconies that are sealed underneath are to be waterproofed and have a minimum 2% slope for drainage.
- ACCESS IS TO BE PROVIDED FOR AREAS WHERE THERE IS AN ATTIC SPACE THAT EXCEEDS 30 SQUARE FEET AND HAS AT LEAST 30" HEADROOM CLEARANCE PER CRC R807.1. THE OPENING IS TO BE AT LEAST 22"x30" WITH MINIMUM HEADROOM OF 30". LOCATE IN A HALLWAY OR OTHER READILY ACCESSIBLE LOCATION.
- 42" PONY WALL

**ABBREVIATIONS**

FX	FIXED PICTURE WINDOW
CS	CASEMENT WINDOW
AW	AWNING WINDOW
SL	SLIDER WINDOW
SH	SINGLE HUNG WINDOW
OBS	OBSCURE GLASS
DBL	DOUBLE MULLED WINDOW
CO	CASED OPENING
x	ACTIVE SASH
o	INACTIVE SASH
H	1 HOUR WINDOW
SGD	SLIDING GLASS DOOR
PD	GLASS PATIO DOOR
GD	GARAGE DOOR
LV	LOUVERED DOOR
TD	TRACK DOOR
RG	RAIN GUTTER
DS	DOWNSPOUT
GM	GAS METER
EM	ELECTRICAL METER



**PROPOSED 2ND FLOOR PLAN**  
1/4" = 1'-0"

**PROPOSED GENERAL NOTES**

- A. GLAZING TO BE TEMPERED WHERE THE NEAREST EXPOSED EDGE OF THE GLASS IS WITHIN A 24" ARC OF EITHER VERTICAL EDGE OF THE DOOR IN A CLOSED POSITION AND THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 60" ABOVE WALKING SURFACE. GLAZING TO BE TEMPERED 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.

**WALL LEGEND**

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

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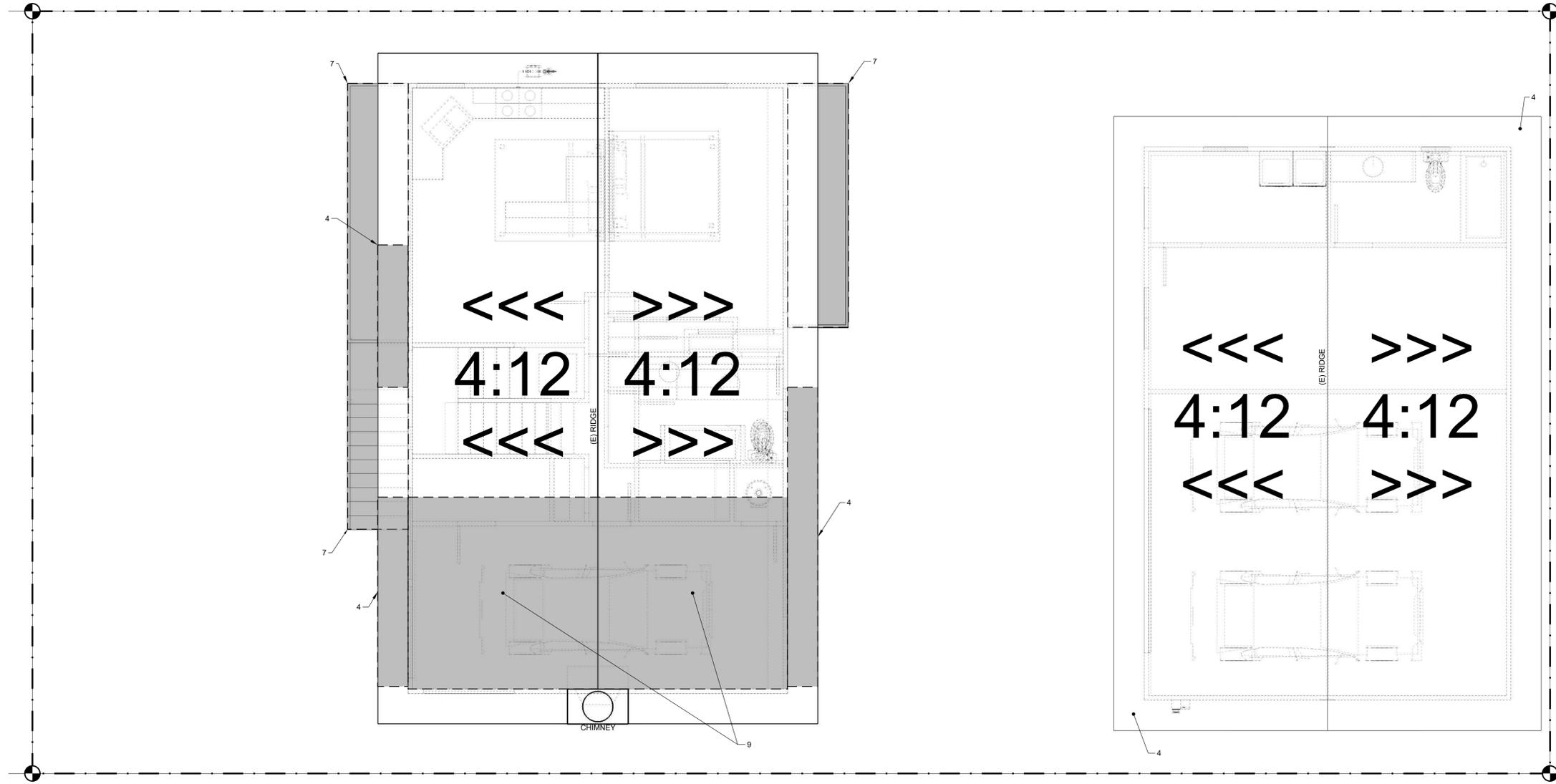
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PROJECT NO.  
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7/5/17  
DRAWN BY  
Nicholas B. Huston

**Proposed  
2nd Floor Plan**

DEMO KEYNOTES:

- 1. (E) WINDOWS TO BE REMOVED
- 2. (E) DOORS TO BE REMOVED
- 3. (E) WALLS TO BE REMOVED
- 4. (E) ROOFING & EAVES 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 STAIR & FLOOR TO BE REMOVED
- 9. (E) ROOF FRAMING TO BE REMOVED



ROOF DEMO LEGEND

- (E) FEATURE TO BE REMOVED
- (E) FEATURE TO REMAIN

**EXISTING ROOF DEMO PLAN**  
1/4" = 1'-0"

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**Existing  
Roof Demo Plan**

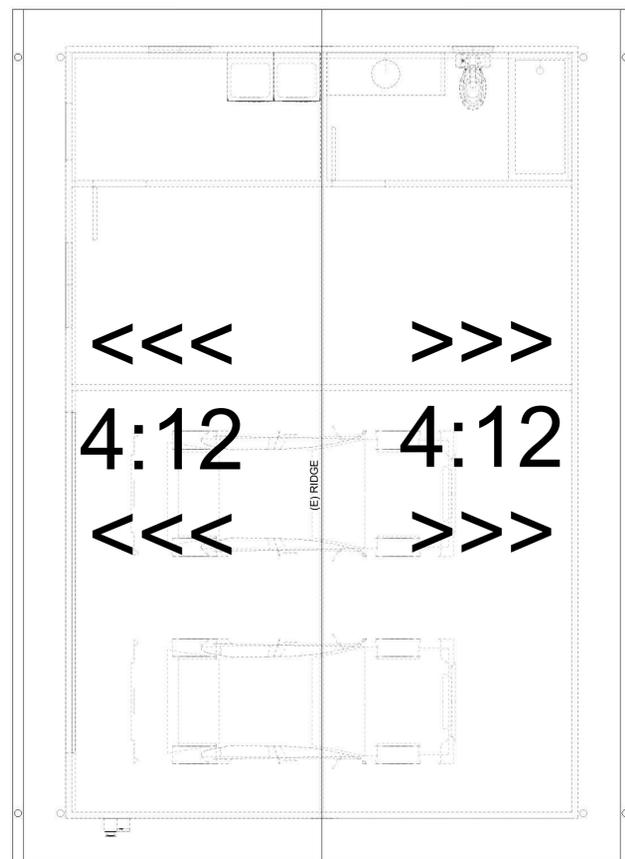
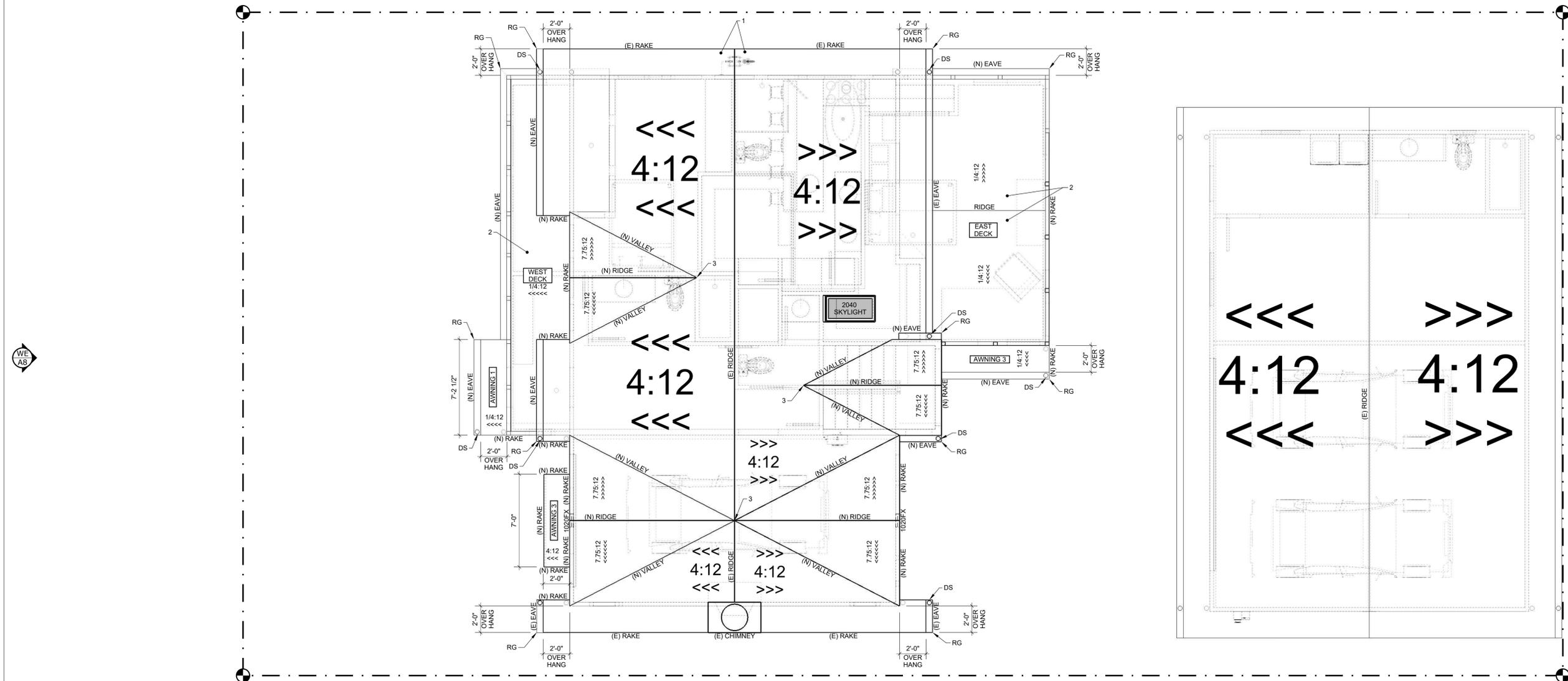


**ROOF KEYNOTES**

- (N) COMPOSITION SHINGLE ROOFING, TYP. ATOP:  
**RADIANT BARRIER ROOF SHEATHING REQUIRED FOR NEW CONSTRUCTION, ADDITIONS AND/OR ALTERATIONS**  
Per the SLO County Green Building Ordinance all for new construction, replacement roof sheathing and addition roof sheathing shall be radiant barrier.
- Decks & balconies that are sealed underneath are to be waterproofed and have a minimum 2% slope for drainage.
- Exposed valley flashings shall be at least No. 26-gauge corrosion-resistant metal installed over a minimum 36"-wide underlayment consisting of one layer of No. 72 ASTM cap sheet running the full length of the valley. Asphalt shingles overlapping the valley are an acceptable alternative.

**ABBREVIATIONS**

- RG RAIN GUTTER  
DS DOWNSPOUT



**PROPOSED ROOF PLAN**  
1/4" = 1'-0"

**WALL LEGEND**

- CONTINUOUS WALL
- PARTIAL WALL
- EXISTING WALL
- \*FROSTED\* GLASS BLOCK PARTIAL WALL
- 1 HOUR WALL

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**Proposed  
Roof Plan**

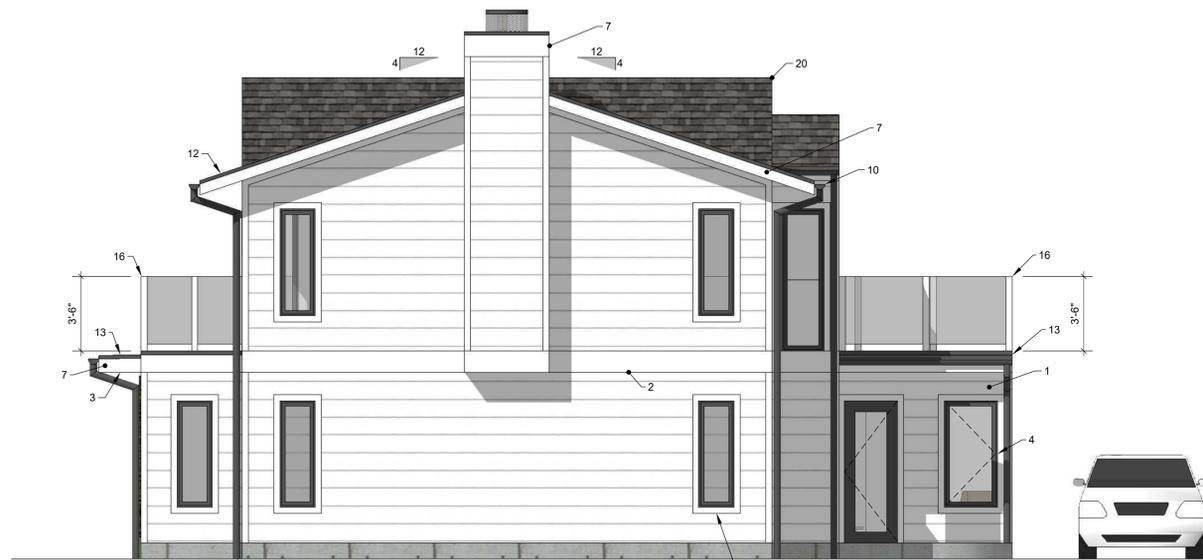


**(WE) WEST FRONT ELEVATION**  
1/4" = 1'-0"



**(EE) EAST BACK ELEVATION**  
1/4" = 1'-0"

ARBUTUS AVENUE



**(SE) SOUTH RIGHT ELEVATION**  
1/4" = 1'-0"



**(NE) NORTH LEFT ELEVATION**  
1/4" = 1'-0"

**ELEVATION KEYNOTES**

1. "WHITE" FIBER-CEMENT HORIZONTAL SIDING THROUGHOUT, TYP.
2. "WHITE" FIBER-CEMENT RIM JOIST, TYP.
3. "TAN" BAMBOO HARDWOOD SOFFITS, TYP. VENT AS REQUIRED
4. "BLACK" FIBERGLASS DOORS & WINDOWS, TYP.
5. "WHITE" GARAGE DOOR
6. "MILK WHITE" OBSCURE GLASS, TYP.
7. "WHITE" DECK & ROOF FASCIAS, TYP.
8. "BLACK" ATTIC VENTS
9. "BLACK" 2040 FIXED SKYLIGHT
10. "BLACK" HALF-ROUND RAIN GUTTERS, TYP.
11. "BLACK" ROUND DOWNSPOUTS
12. "BLACK" ROOF FLASHING, TYP.
13. "BLACK" STANDING SEAM METAL ROOFING AT AWNINGS, TYP.
14. GAS METER. PAINT "BLACK". RETAIN LEGIBILITY
- 15.
16. "WHITE" 4x4 GUARD RAIL POSTS WITH GLASS PANELS. TYP.
17. "WHITE" LOUVERED DOORS TO UNDERSTAIR STORAGE.
18. "WHITE" 3.5" TRIM AT DOORS, WINDOWS VENTS, & OUTSIDE WALL CORNERS, TYP.
19. TANKLESS WATER HEATER. PAINT "BLACK". RETAIN LEGIBILITY
20. "BLACK" COMPOSITION SHINGLE ROOFING, TYP.

ARBUTUS AVENUE

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Nicholas B. Huston

**Proposed Elevations**

## RESOLUTION NO. PC 09-17

### A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION APPROVING COASTAL DEVELOPMENT PERMIT (CP0-535) AND CONDITIONAL USE PERMIT (UP0-465) 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

- 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 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 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.morro-bay.ca.us/EZmanual](http://www.morro-bay.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:

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:

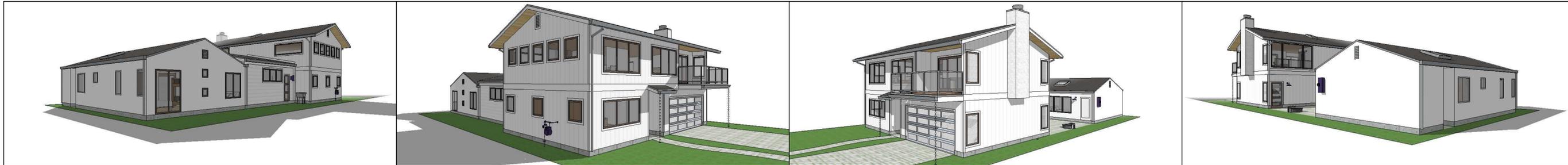
ABSTAIN:

\_\_\_\_\_  
Robert Tefft, Chairperson

ATTEST

\_\_\_\_\_  
Scot Graham, Planning Secretary

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



# The van Krieken Ho

462 Arbutus Ave. Morro Bay, CA 93442



**Setbacks:**  
 Front: 20'  
 Back: 10'  
 Sides: 5'

**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

**Existing Lot Coverage Calculation:**  
 Impermiable Surface: 1876 SF or 38%  
 Permiabile Surface: 3124 SF or 62%

**Proposed Lot Coverage Calculation:**  
 Impermiable Surface: 2249 SF or 45%  
 Permiabile Surface: 2751 SF or 55%

**Project Data**

**Area Square Footages:**  
 (E) Garages: 1139 SF  
 (N) Garage: 0519 SF  
 (E) Floor: 1724 SF +  
 (N) Floor: 0870 SF =  
 (N) Total Floor: 2594 SF  
 (E) Interior Remodel: 1724 SF  
 (E) Decks: 0181 SF -  
 (N) Decks: 0121 SF =  
 (N) Total Decks 0060 SF  
 Site Size: 5000 SF

**Occupancy:**  
 Single Family Dwelling: R-1

**Construction Type:** V

**APN:** 066-202-006

**Project Scope:**  
 Remodel and addition to existing residence

**APPLICABLE CODES**  
 2013 California Building Code  
 2013 California Residential Code  
 2013 California Electric Code  
 2013 California Mechanical Code  
 2013 California Plumbing Code  
 2013 California Energy Code  
 2013 California Green Building Standards Code (Cal Green)

**Cal Fire Notes**

**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 spare heads & wrench box in garage or near riser. (1 of each type)

**Sheet Index**

- A1 Title Sheet
- A2 Existing 1st Floor Demo Site Plan
- A3 Proposed 1st Floor Site Plan
- A4 Existing 2nd Floor Demo Plan
- A5 Proposed 2nd Floor Plan
- A6 Existing Roof Demo Plan
- A7 Proposed Roof Plan
- A8 Proposed Elevations
- A9 Sections
- E1 Electrical Plan
- S0 Structural Notes
- S1 Foundation Plan
- S2 2nd Floor Framing Plan
- S3 Roof Framing Plan
- S4 Shear Wall Elevations

**Consultants**

**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

**General Contractor:**  
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 Office: (805) 528-4812  
 Bob@CrizerConstruction.com

**Architectural Design:**  
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 Nicholas Huston, Associate AIA  
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 Mobile: (805) 704-5775  
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**Structural Engineer:**

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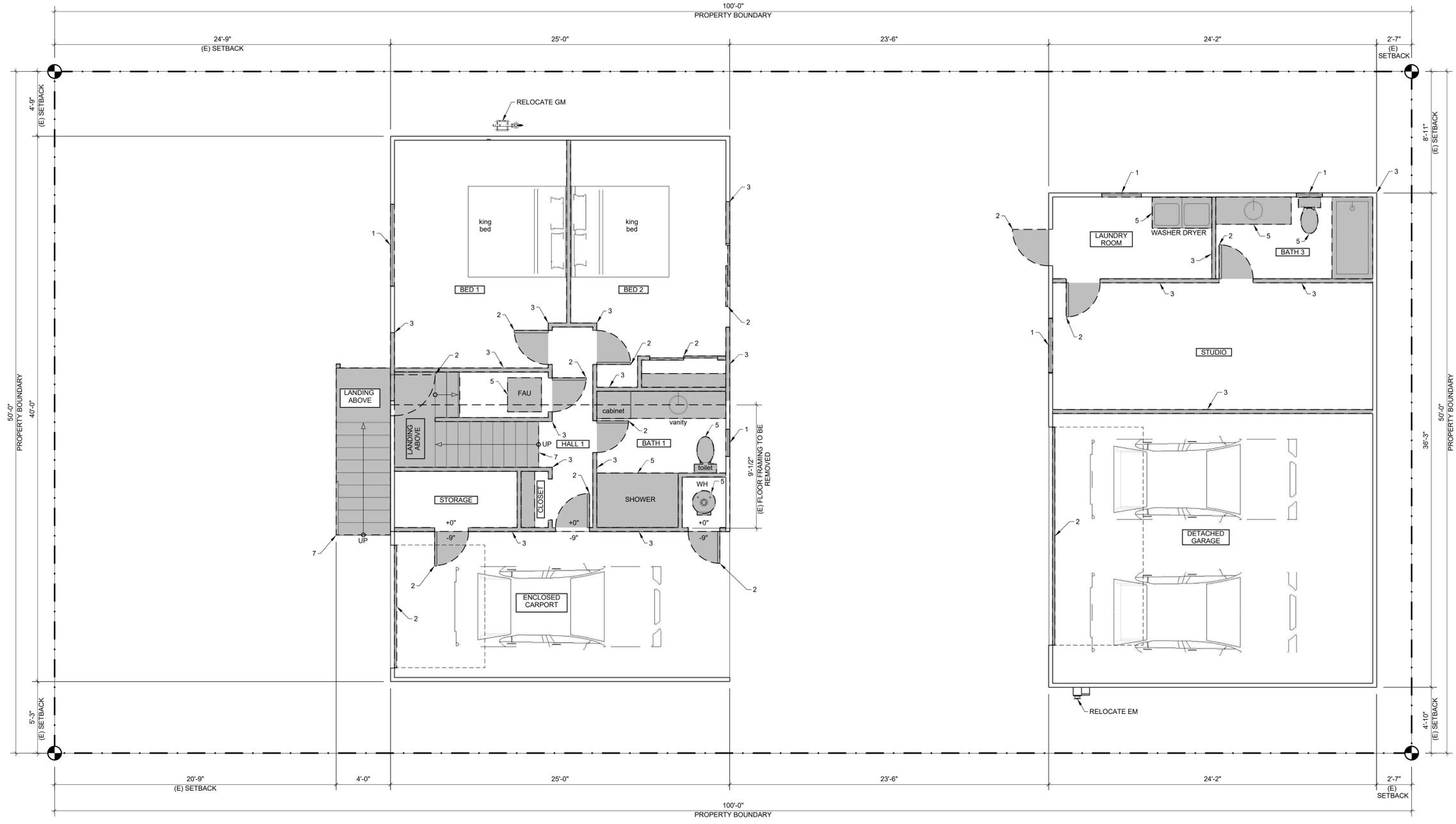
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 PROJECT NO.  
 MB 16 09 49

**ISSUE**  
 2/27/17  
**DRAWN BY**  
 Nicholas B. Huston

Title Sheet



- DEMO KEYNOTES:**
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**WALL LEGEND**

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

**EXISTING 1ST FLOOR DEMO SITE PLAN**  
1/4" = 1'-0"

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

**PROJECT**  
VAN KRIEKEN  
PROJECT NO.  
MB 16 09 49

**ISSUE**  
2/27/17  
**DRAWN BY**  
Nicholas B. Huston

**Existing 1st Floor  
Demo Site Plan**

Wood Framed



1 Hour Fire-Rated Construction	Loadbearing	Acoustical Performance	Reference
<p><b>Construction Detail</b></p>	<p><b>Description</b></p> <ul style="list-style-type: none"> <li>5/8" SHEETROCK FIRECODE Core gypsum panels</li> <li>2x4 wood studs 24" o.c.</li> <li>joints finished</li> <li>optional insulation</li> <li>optional plywood or OSB for shear purposes</li> </ul>	<p><b>Test Number</b></p> <p>UL Des U344</p>	<p><b>Index</b></p> <p>A-61</p>

Exterior walls of Dwellings with automatic residential fire sprinkler protection that are less than 3 ft. from the property line shall be one-hour fire-resistive rated with exposure from both sides per CRC Table R302.1(2)

1 HOUR EXTERIOR STUCCO WALL  
A3 NOT TO SCALE

PROPOSED FLOOR KEYNOTES

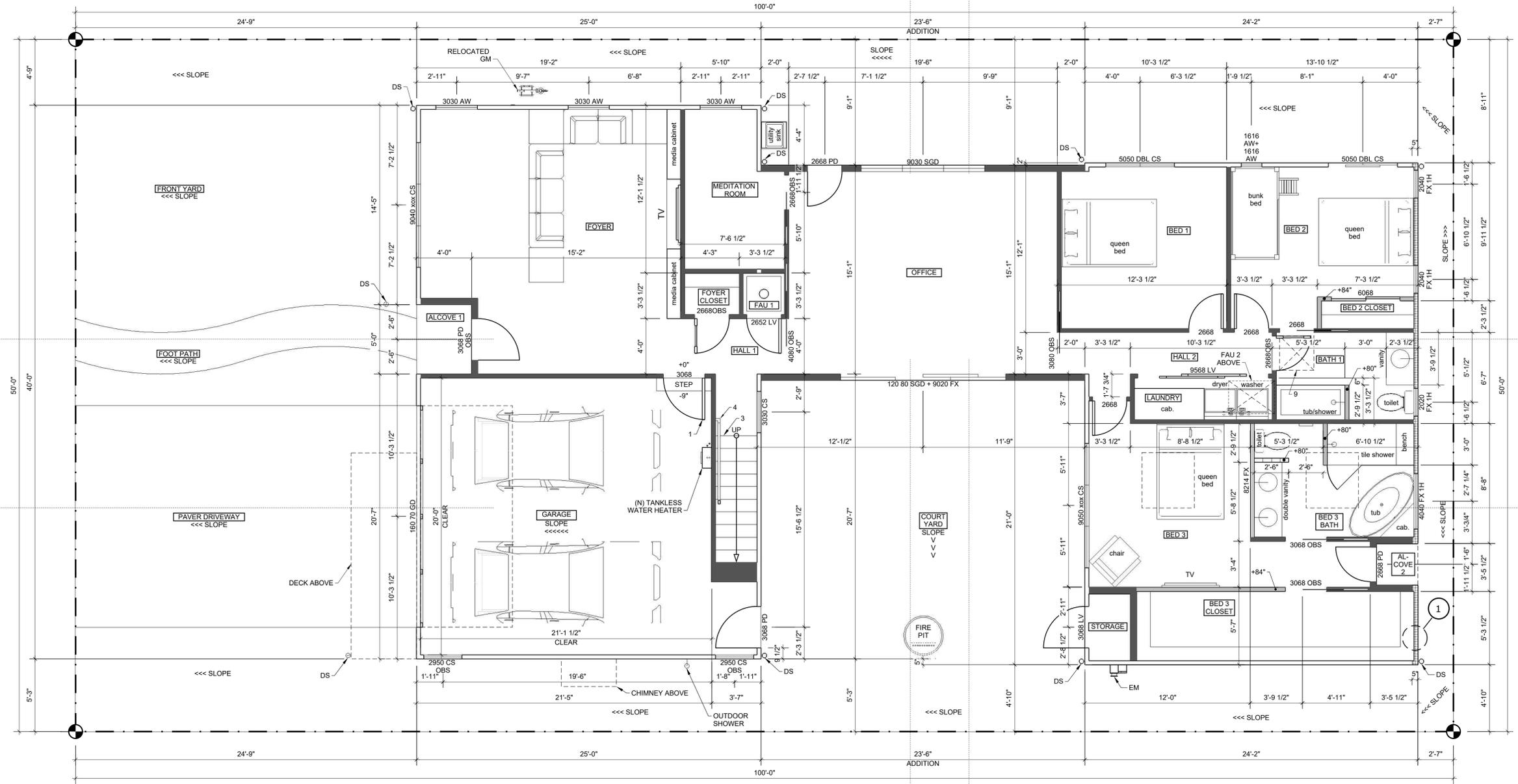
- MINIMUM 1 3/8" SELF-CLOSING AND SELF-LATCHING, SOLID-CORE WOOD, STEEL HONEYCOMB DOOR OR 20-MINUTE FIRE RATED DOOR.
- 1/2" GYPSUM BOARD REQUIRED ON THE GARAGE SIDE SEPARATING DWELLING AND ATTIC AREA FROM THE GARAGE.
- STAIR RISE = 6 3/4", STAIR RUN = 11", TYP.
- HANDRAILS ARE TO BE INSTALLED PER CRC R311.7.8:
  - BETWEEN 34 AND 38 INCHES ABOVE THE NOSING OF THE TREAD AND LANDINGS.
  - CIRCULAR HANDGRIPS SHALL BE BETWEEN 1-1/4" TO 2".
  - THERE SHALL BE A MINIMUM 1-1/2" CLEARANCE FROM THE WALL.
- GUARDRAIL, TOP AT 42" AFF, MIN. TYP.
- 2x6 EXTERIOR WALLS, TYP
- 2x4 INTERIOR WALLS UNLESS NOTED OTHERWISE, TYP
- WATERPROOF DECKING  
Decks & balconies that are sealed underneath are to be waterproofed and have a minimum 2% slope for drainage.
- ACCESS IS TO BE PROVIDED FOR AREAS WHERE THERE IS AN ATTIC SPACE THAT EXCEEDS 30 SQUARE FEET AND HAS AT LEAST 30" HEADROOM CLEARANCE PER CRC R807.1. THE OPENING IS TO BE AT LEAST 22"x30" WITH MINIMUM HEADROOM OF 30". LOCATE IN A HALLWAY OR OTHER READILY ACCESSIBLE LOCATION.

ABBREVIATIONS

FX	FIXED PICTURE WINDOW
CS	CASEMENT WINDOW
AW	AWNING WINDOW
SL	SLIDER WINDOW
SH	SINGLE HUNG WINDOW
OBS	OBSCURE GLASS
DBL	DOUBLE MULLED WINDOW
CO	CASED OPENING
x	ACTIVE SASH
o	INACTIVE SASH
1H	1 HOUR WINDOW
SGD	SLIDING GLASS DOOR
PD	GLASS PATIO DOOR
GD	GARAGE DOOR
LV	LOUVERED DOOR
RG	RAIN GUTTER
DS	DOWNSPOUT
GM	GAS METER
EM	ELECTRICAL METER



ARBUTUS AVENUE



PROPOSED 1ST FLOOR SITE PLAN  
1/4" = 1'-0"

PROPOSED GENERAL NOTES

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

WALL LEGEND

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

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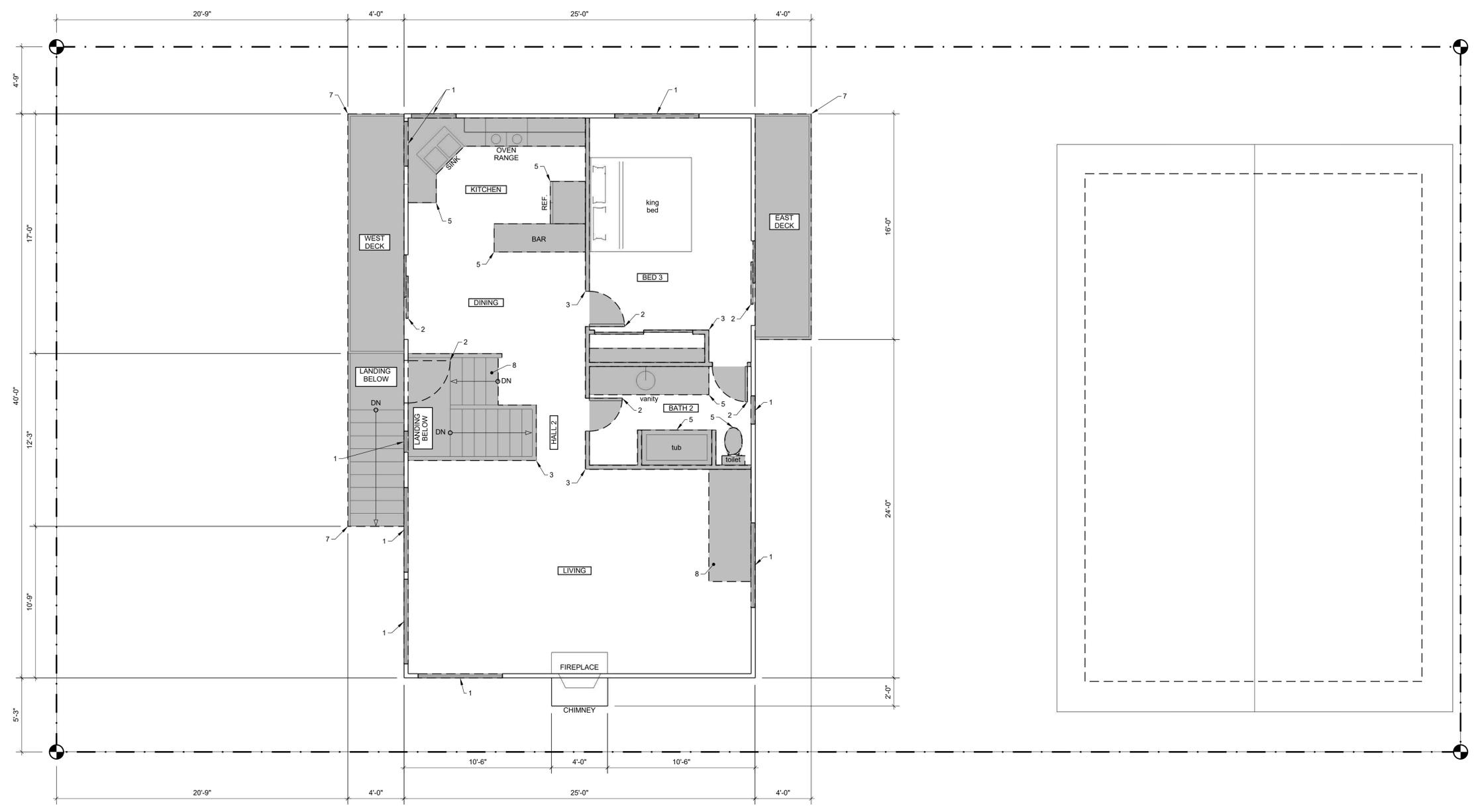
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2/27/17  
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Proposed  
1st Floor Site Plan



- DEMO KEYNOTES:**
1. (E) WINDOWS TO BE REMOVED
  2. (E) DOORS TO BE REMOVED
  3. (E) WALLS TO BE REMOVED
  4. (E) ROOFING & EAVES 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 STAIR & FLOOR TO BE REMOVED



**WALL LEGEND**

- CONTINUOUS WALL
- PARTIAL WALL
- EXISTING WALL
- \*FROSTED\* GLASS BLOCK PARTIAL WALL
- 1 HOUR WALL

**EXISTING 2ND FLOOR DEMO PLAN**  
 1/4" = 1'-0"

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**Existing 2nd  
 Floor Demo Plan**

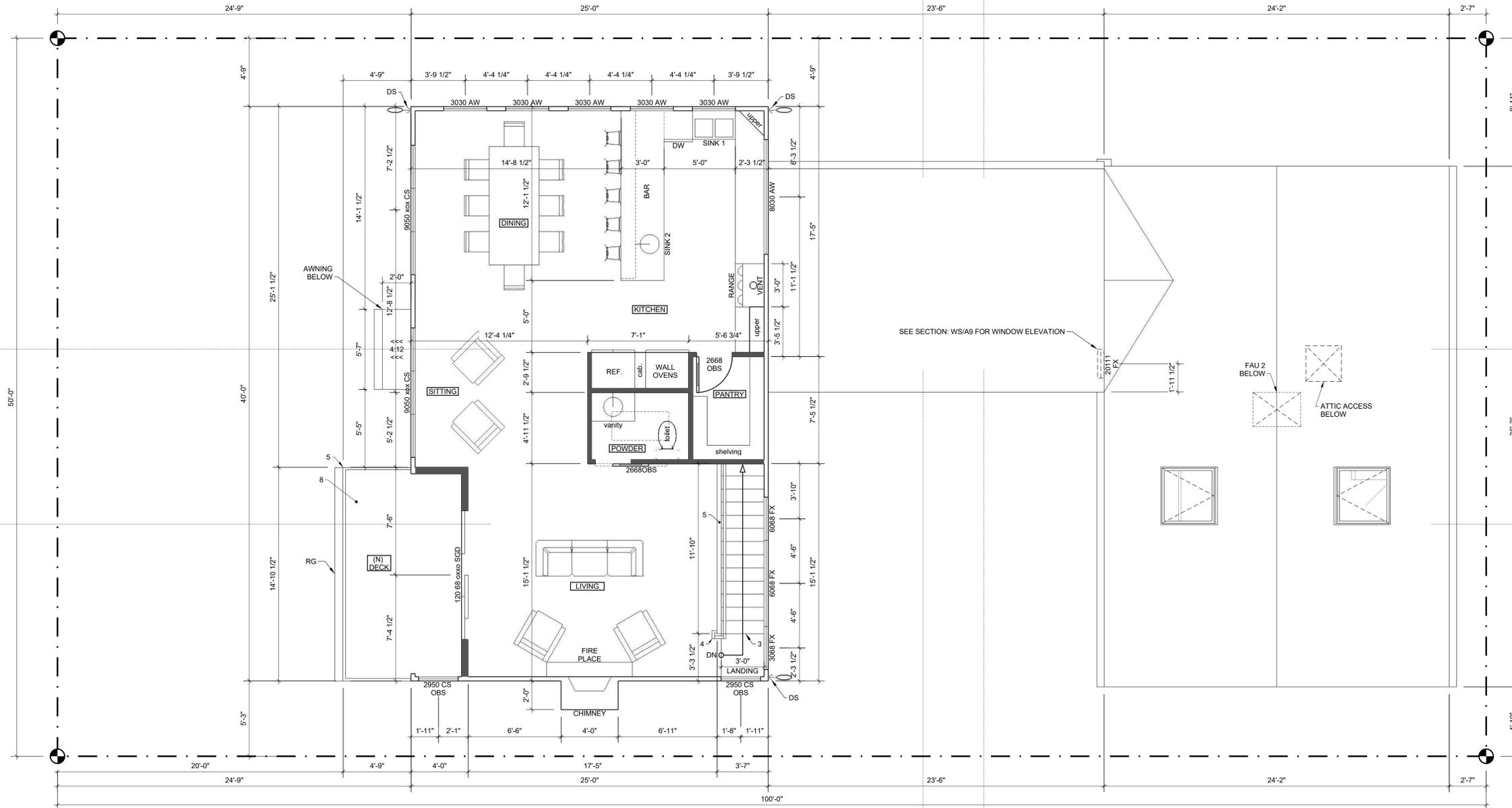


**PROPOSED FLOOR KEYNOTES**

- MINIMUM 1 3/8" SELF-CLOSING AND SELF-LATCHING, SOLID-CORE WOOD, STEEL HONEYCOMB DOOR OR 20-MINUTE FIRE RATED DOOR.
- 1/2" GYPSUM BOARD REQUIRED ON THE GARAGE SIDE SEPARATING DWELLING AND ATTIC AREA FROM THE GARAGE.
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RG	RAIN GUTTER
DS	DOWNPOUT
GM	GAS METER
EM	ELECTRICAL METER



SEE SECTION: WS/A9 FOR WINDOW ELEVATION

ATTIC ACCESS BELOW

**PROPOSED 2ND FLOOR PLAN**  
1/4" = 1'-0"

**PROPOSED GENERAL NOTES**

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

**WALL LEGEND**

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

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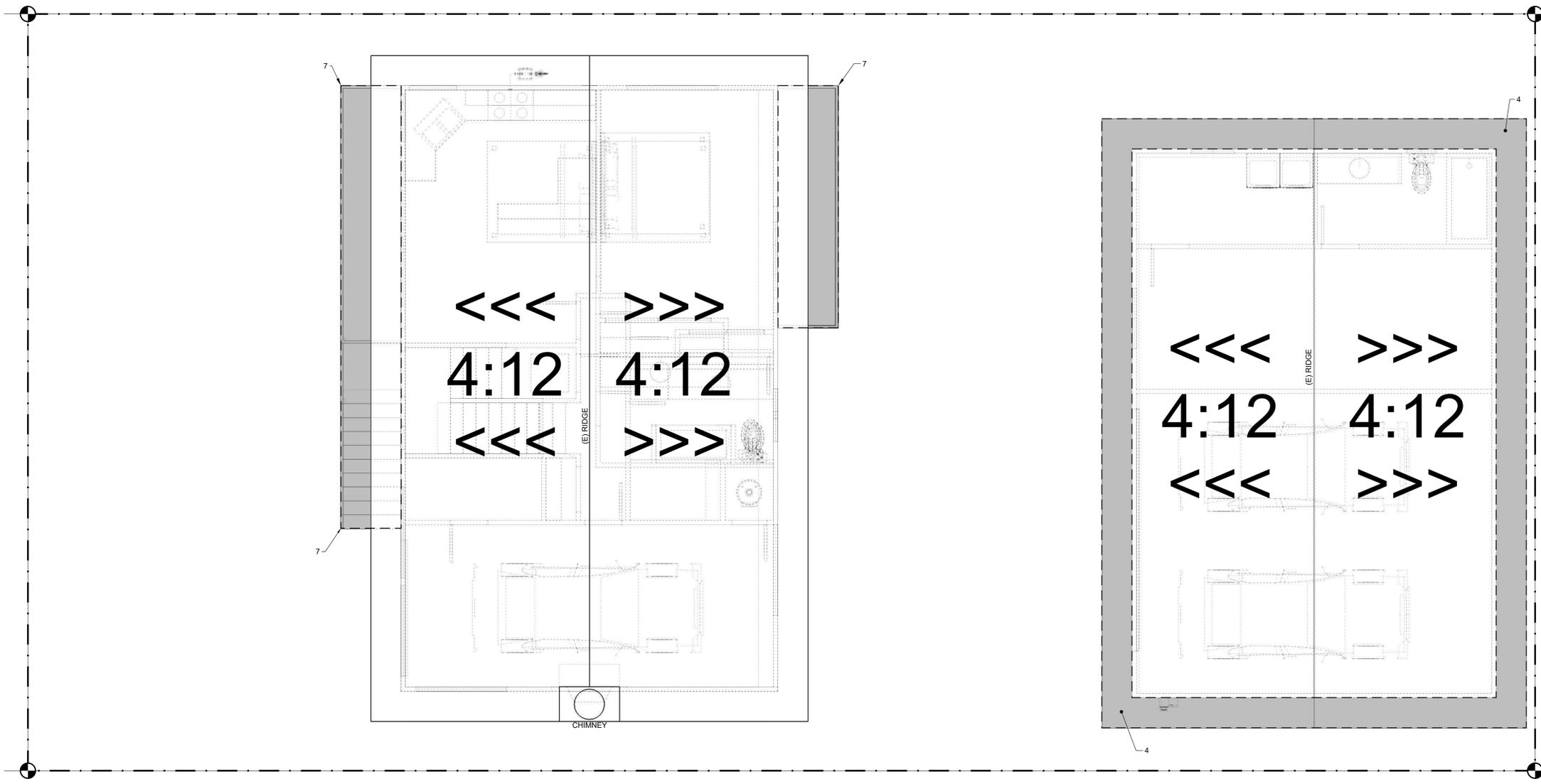
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**Proposed  
2nd Floor Plan**



- DEMO KEYNOTES:**
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  2. (E) DOORS TO BE REMOVED
  3. (E) WALLS TO BE REMOVED
  4. (E) ROOFING & EAVES 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 STAIR & FLOOR TO BE REMOVED



 **EXISTING ROOF DEMO PLAN**  
1/4" = 1'-0"

- ROOF DEMO LEGEND**
-  (E) FEATURE TO BE REMOVED
  -  (E) FEATURE TO REMAIN

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**Existing  
Roof Demo Plan**

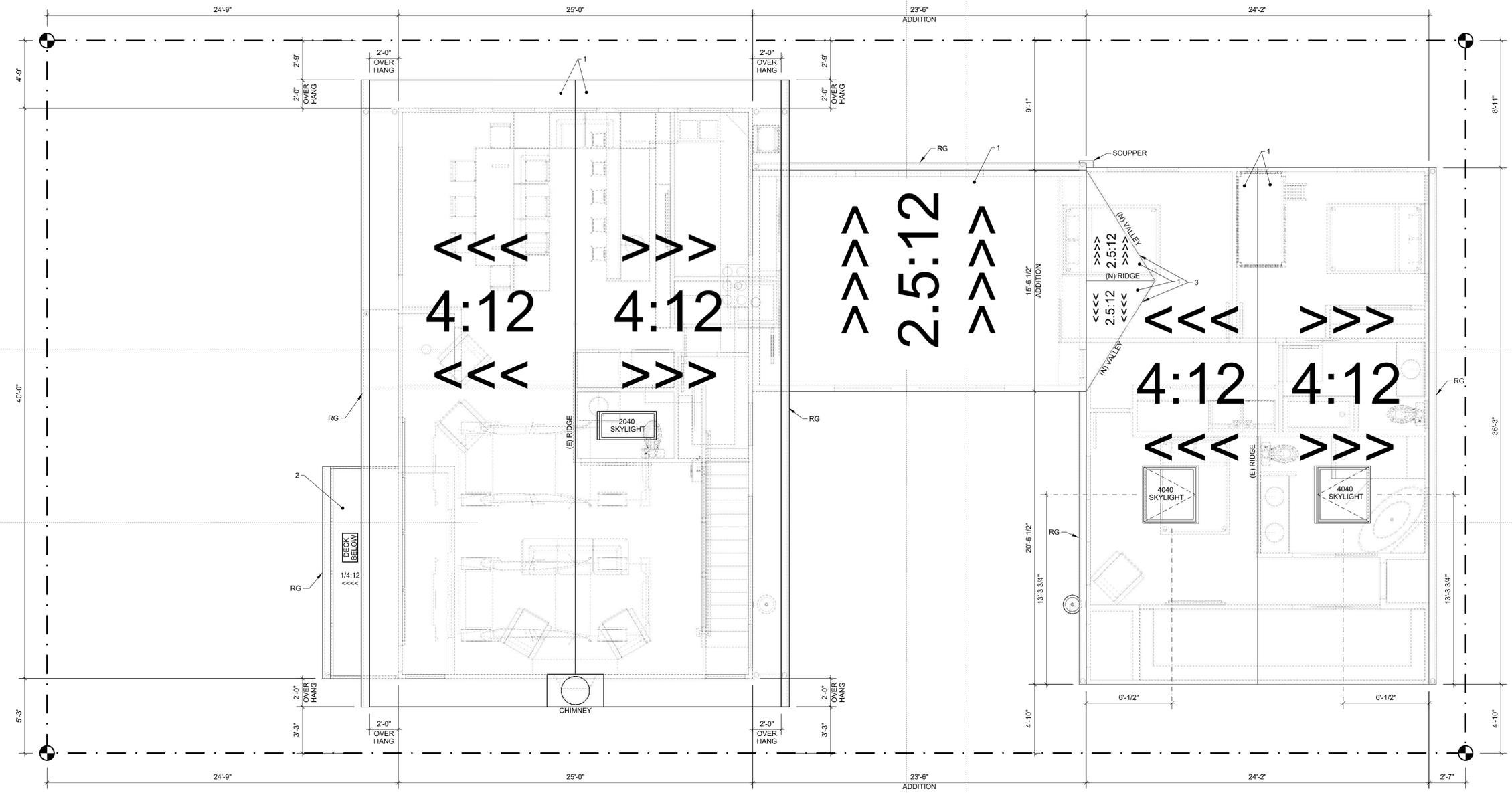


ROOF KEYNOTES

- 1. (N) STANDING SEAM METAL ROOFING, TYP. ATOP. RADIANT BARRIER ROOF SHEATHING REQUIRED FOR NEW CONSTRUCTION, ADDITIONS AND/OR ALTERATIONS. Per the SLO County Green Building Ordinance all for new construction, replacement roof sheathing and addition roof sheathing shall be radiant barrier.
- 2. Decks & balconies that are sealed underneath are to be waterproofed and have a minimum 2% slope for drainage.
- 3. Exposed valley flashings shall be at least No. 26-gauge corrosion-resistant metal installed over a minimum 36"-wide underlayment consisting of one layer of No. 72 ASTM cap sheet running the full length of the valley. Asphalt shingles overlapping the valley are an acceptable alternative.

ABBREVIATIONS

- RG RAIN GUTTER
- DS DOWNSPOUT



PROPOSED ROOF PLAN  
1/4" = 1'-0"

WALL LEGEND

- CONTINUOUS WALL
- +TOP AFF- PARTIAL WALL
- EXISTING WALL
- +TOP AFF- "FROSTED" GLASS BLOCK PARTIAL WALL
- 1 HOUR WALL

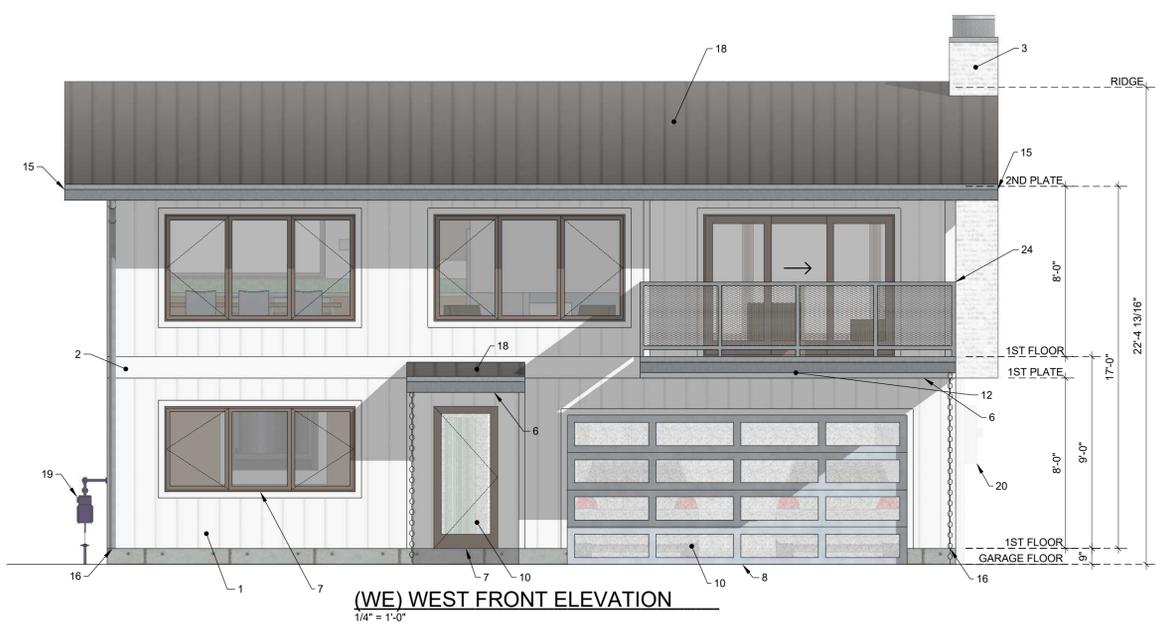
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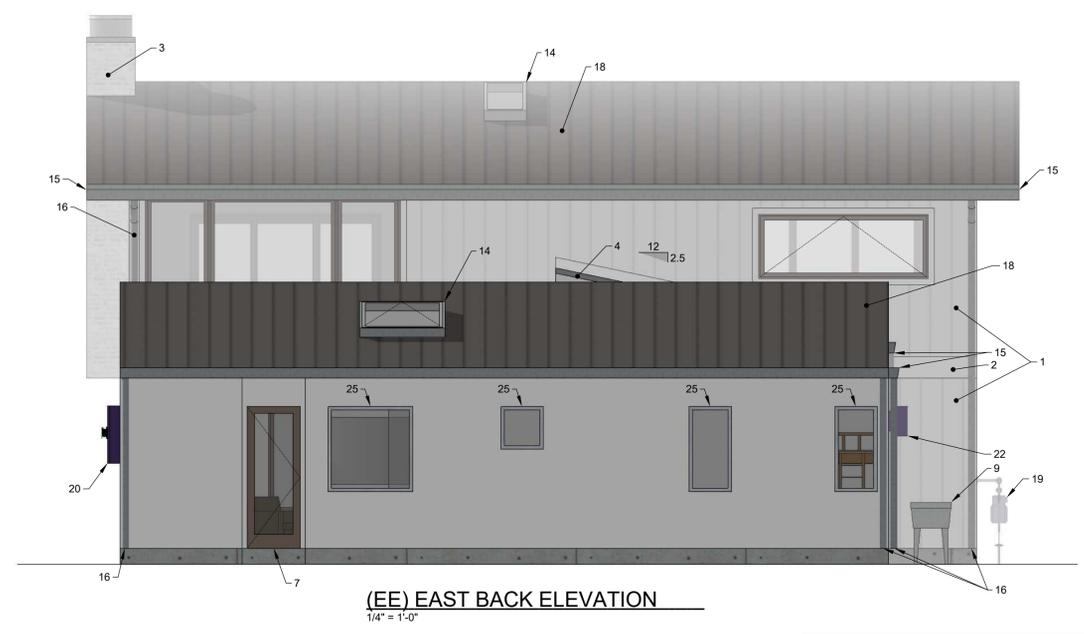
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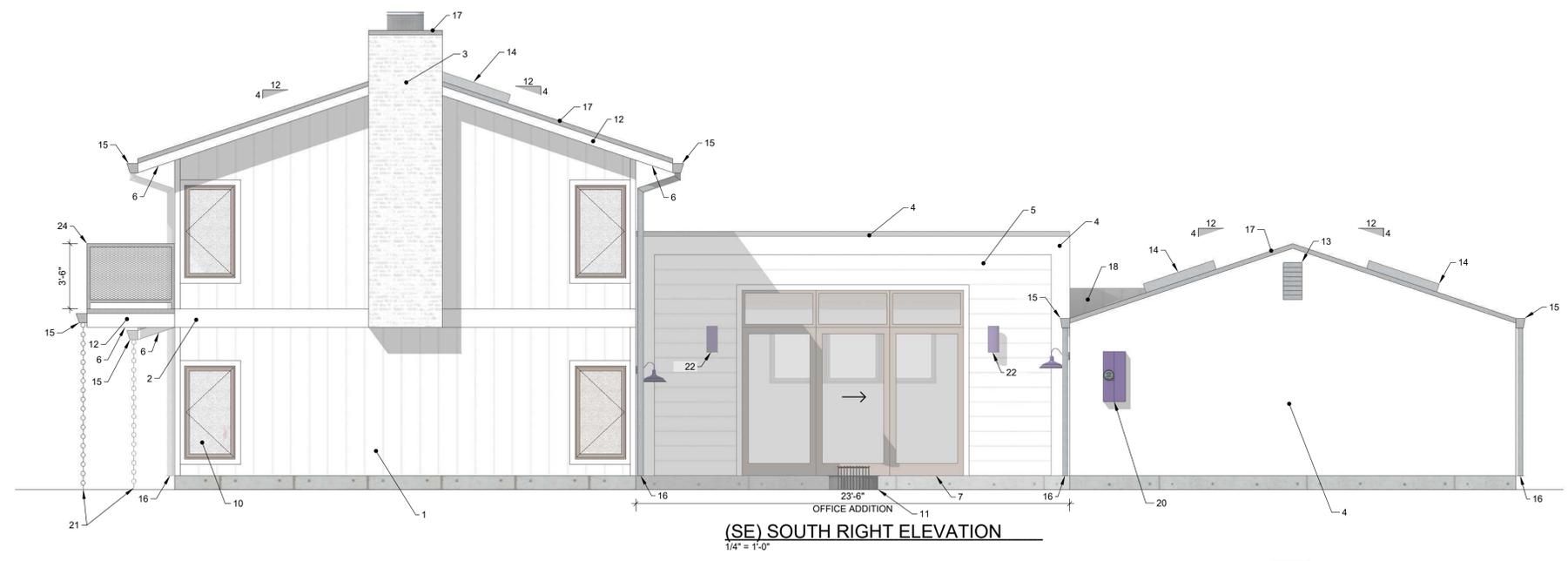
Proposed  
Roof Plan



(WE) WEST FRONT ELEVATION  
1/4" = 1'-0"



(EE) EAST BACK ELEVATION  
1/4" = 1'-0"



(SE) SOUTH RIGHT ELEVATION  
1/4" = 1'-0"



(NE) NORTH LEFT ELEVATION  
1/4" = 1'-0"

**ELEVATION KEYNOTES**

- "WHITE" FIBER-CEMENT BOARD & BATTEN SIDING
- "WHITE" FIBER-CEMENT RIM JOIST
- "WHITE" BRICK CLADDING AT (E) CHIMNEY, TYP.
- "WHITE" SMOOTH STUCCO, TYP.
- "WHITE" HORIZONTAL SIDING, TYP.
- "TAN" BAMBOO HARDWOOD SOFFITS, TYP. VENT AS REQUIRED
- "DARK BROWN" FIBERGLASS DOORS & WINDOWS, TYP.
- "LIGHT GRAY" GARAGE DOOR
- UTILITY SINK
- "MILK WHITE" OBSCURE GLASS, TYP.
- FIRE PIT
- "WHITE" DECK & ROOF FASCIA
- "MEDIUM GRAY" ATTIC VENTS
- "MEDIUM GRAY" SKYLIGHTS, TYP.
- "MEDIUM GRAY" 6" FASCIA METAL RAIN GUTTERS, TYP.
- "MEDIUM GRAY" 4" DIAMETER METAL DOWNSPOUTS
- "MEDIUM GRAY" ROOF FLASHING, TYP.
- "BLACK" STANDING SEAM METAL ROOFING, TYP.
- GAS METER. PAINT "VIOLET". RETAIN LEGIBILITY
- ELECTRICAL METER. PAINT "VIOLET". RETAIN LEGIBILITY
- "MEDIUM GRAY" METAL CHAIN DOWNSPOUTS
- "VIOLET" CYLINDER SCENCE WALL LIGHT
- "VIOLET" CLASSIC WALL LIGHT
- "MEDIUM GRAY" PERFORATED METAL GUARD RAIL
- FIXED STEEL WINDOWS WITH 1 HOUR FIRE RATING
- "MEDIUM GRAY" 18"x18" ATTIC VENT

**NOTE:** CONSULT DESIGNER FOR EXACT COLOR SCHEMES

ARBUTUS AVENUE

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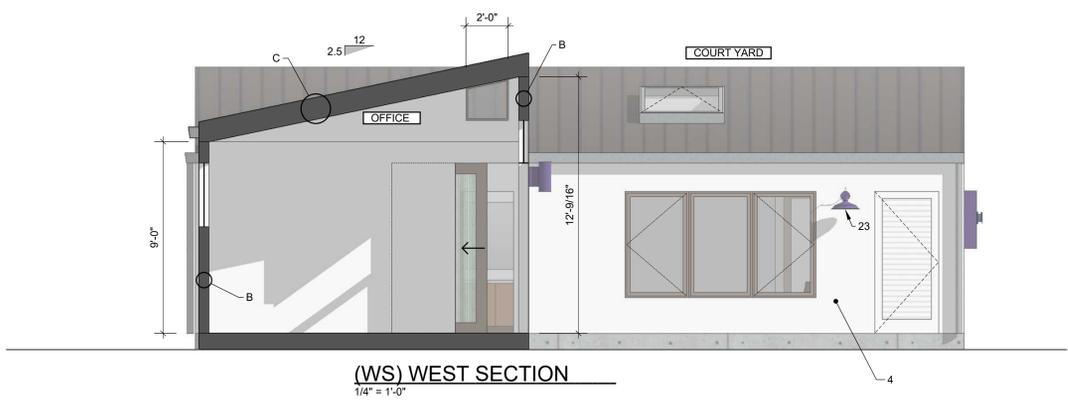
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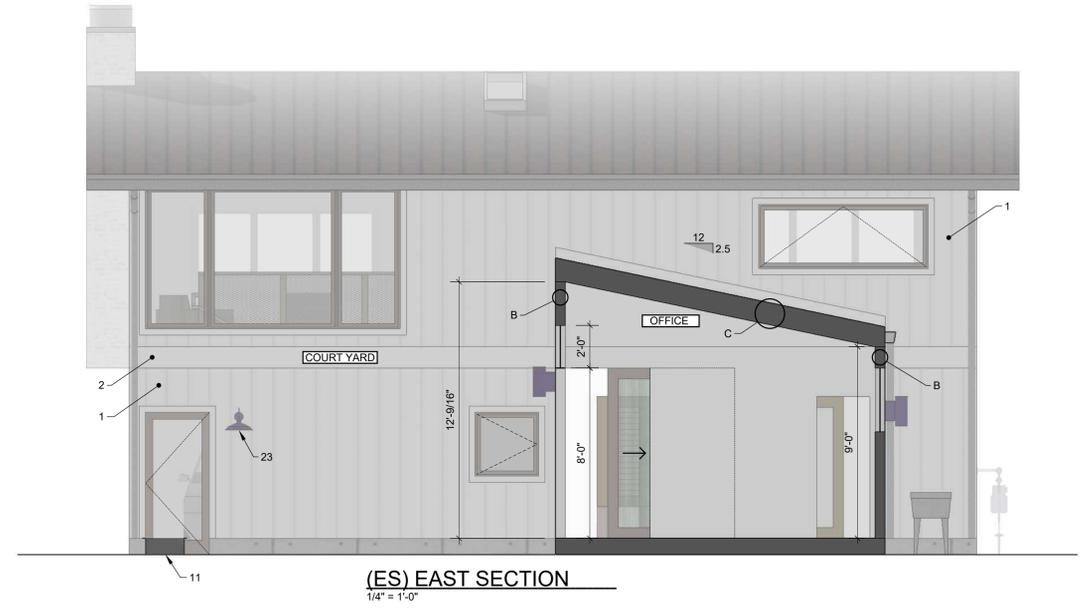
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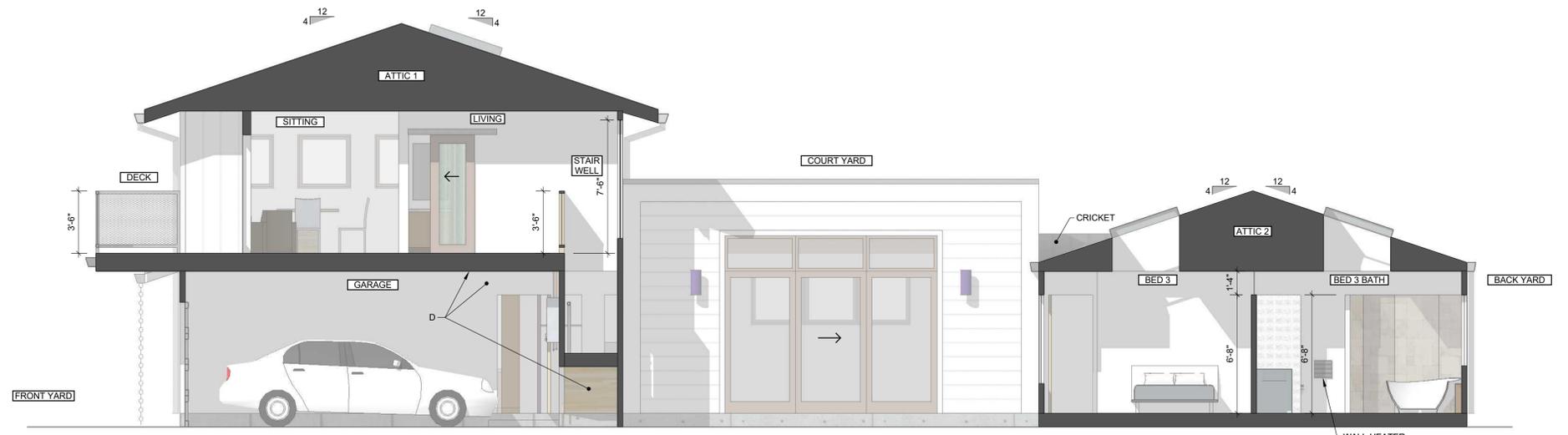
Proposed Elevations



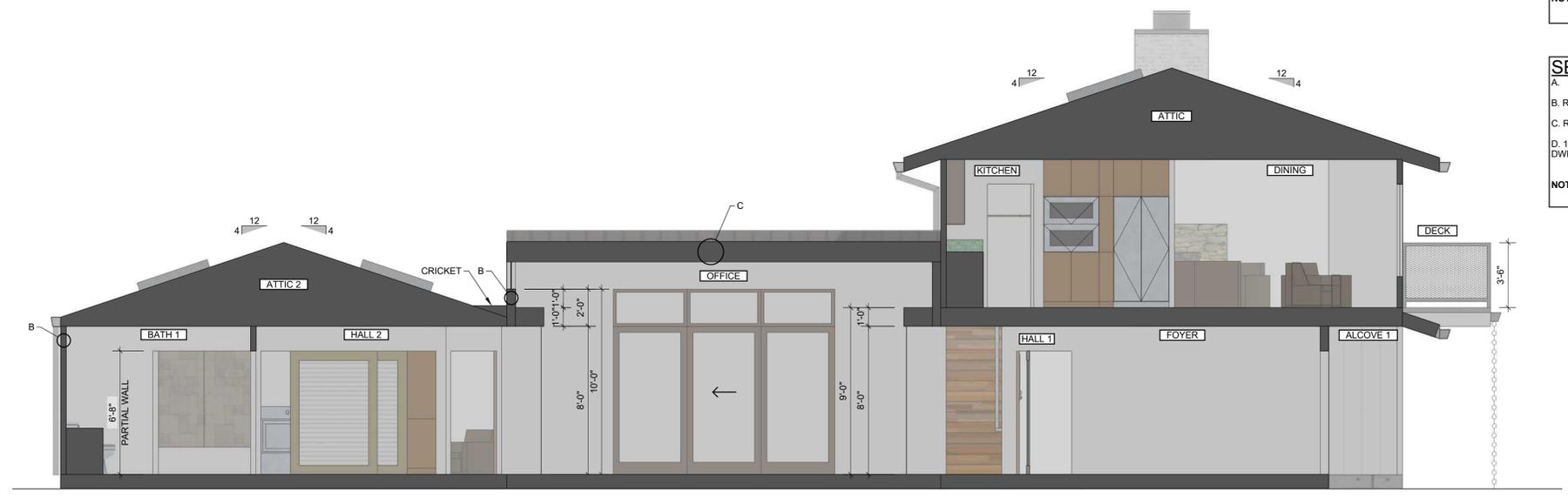
(WS) WEST SECTION  
1/4" = 1'-0"



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



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



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

- ELEVATION KEYNOTES**
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  - UTILITY SINK
  - "MILK WHITE" OBSCURE GLASS, TYP.
  - FIRE PIT
  - "WHITE" DECK & ROOF FASCIA
  - "MEDIUM GRAY" ATTIC VENTS
  - "MEDIUM GRAY" SKYLIGHTS, TYP.
  - "MEDIUM GRAY" 6" FASCIA METAL RAIN GUTTERS, TYP.
  - "MEDIUM GRAY" 4" DIAMETER METAL DOWNSPOUTS
  - "MEDIUM GRAY" ROOF FLASHING, TYP.
  - "BLACK" STANDING SEAM METAL ROOFING, TYP.
  - GAS METER. PAINT "VIOLET". RETAIN LEGIBILITY
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  - "MEDIUM GRAY" PERFORATED METAL GUARD RAIL
  - FIXED STEEL WINDOWS WITH 1 HOUR FIRE RATING
  - "MEDIUM GRAY" 18"x18" ATTIC VENT
- NOTE:** CONSULT DESIGNER FOR EXACT COLOR SCHEMES

- SECTION KEYNOTES**
- R19 BATT INSULATION AT (N) EXTERIOR WALLS, TYP.
  - R30 INSULATION AT (N) CEILINGS, TYP.
  - 1/2" GYPSUM BOARD REQUIRED ON THE GARAGE SIDE SEPARATING DWELLING AND ATTIC AREA FROM THE GARAGE.
- NOTE:** CONSULT DESIGNER FOR EXACT COLOR SCHEMES

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Proposed Sections



**Elec./Mech./Plumb. Legend:**

	Fan/ Light Combo. Switch Light & Fan Separately		Smoke Detector (Hard-Wired) w/ Battery Backup
	High Efficacy Vanity Lighting		Carbon Monoxide Detector (Hard-Wired) w/ Battery Backup
	Natural Gas Stub		Electrical Panel
	110v Duplex Outlet		Chimes
	Ground Fault Circuit Interrupter		Chandelier
	"Weather Proof" GFI Outlet		Push Button Control
	Arc Fault Circuit Interrupter		Exhaust Fan
	Single Pole Light Switch		Recessed Directional
	3-Way Light Switch		Wall Sconce
	Dimmer Switch		Flourescent Light Fixture- (2) 48" Bulbs
	Recessed LED Light Fixture		Pendant/Suspended Light
	Interior/Exterior Wall-Mounted Light Fixture		Under/Above Cabinet Lighting
	Floor Outlet		

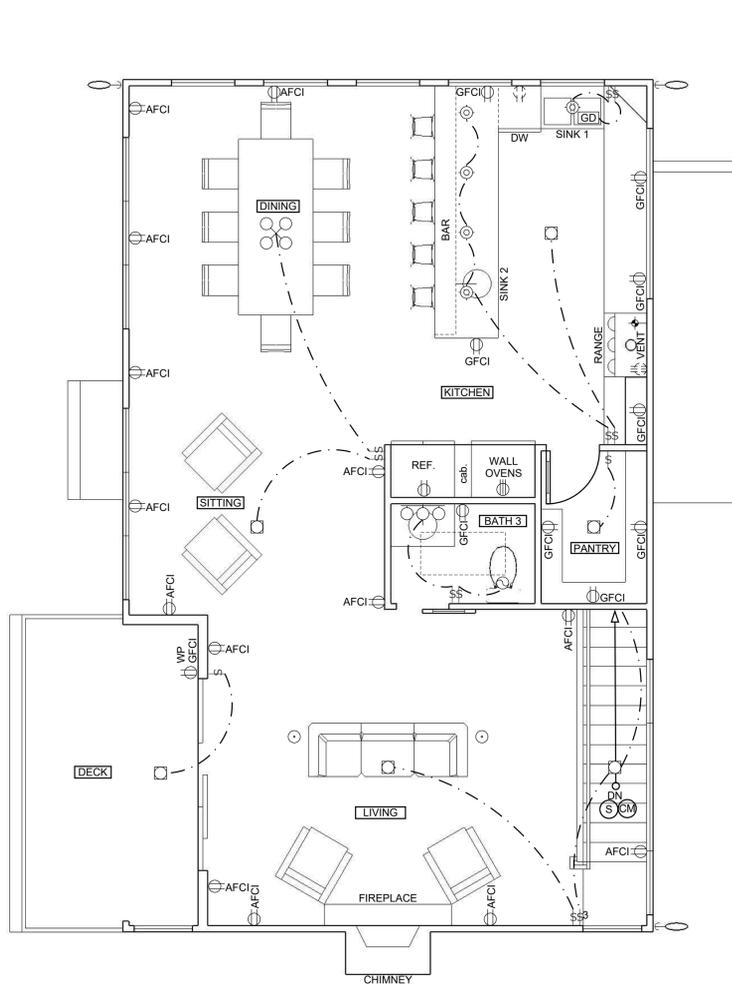
**ELECTRICAL NOTES**

- Exhaust fans that are ENERGY STAR-compliant, ducted and that terminate outside the building will be provided in every bathroom. 2013 CGC 4.506.1 Unless functioning as a component of a whole-house ventilation system, fans must be controlled by a humidistat. 2013 CGC 4.506.1
- Kitchen exhaust shall meet the requirements of ASHRAE 62.2. Minimum of 100 cfm.
- All areas specified in 210.52 all 125-volt, 15- and 20- ampere receptacles shall be listed tamper-resistant receptacles. (CEC 406.12)
- All 120-volt, 15- and 20- ampere branch circuits supplying outlets in dwelling unit family rooms, dining rooms, living rooms, bedrooms, sunrooms, recreation rooms, closets, hallways, parlors, libraries or other similar rooms or areas shall be protected by a listed arc-fault circuit interrupter, combination-type device. (CEC 210.12(A))
- All receptacle outlets serving countertops in guesthouse bar sinks and countertops in kitchens of dwelling units to be GFCI protected. CEC (210.52 (C) (1))
- Wall counter space: a receptacle outlet shall be installed at each wall counter space 12 inches or wider. Receptacles outlet shall be installed so that no point along the wall is more than 24 inches, measured horizontally from a receptacle outlet in the space. (CEC 210.52 (C) (1))
- Island counter space: At least one receptacle outlet shall be installed at each island counter space with a long dimension of 24 inches or greater and a short dimension of 12 inches or greater. (CEC 210.52(C) (2))
- Counter spaces separated by range tops, refrigerators, or sinks shall be considered as separate counter spaces. The requirements per sec. 210.52 (C) (1) (2) (3). (CEC 210.52(C) (4))
- Receptacle outlets shall be located on or not more than 20 inches above the countertop. Listed receptacle outlets shall be permitted to be installed in countertops. Receptacle outlets rendered not readily accessible by appliances fastened in place or appliances occupying dedicated space shall not be considered as these required outlets. (CEC 210.52 (C))
- Single- or multiple- station smoke alarms (detectors with built-in battery) shall be installed in the following locations: (CBC 907.2.11.2, R314)
  - In each story within a sleeping/dwelling unit including basement.
  - In enclosed common stairwells of multiple dwelling complexes.
  - In sleeping areas in Group R-1 and rooms used for sleeping in Groups R-2, R-3, R-3.1, R-4 and I-1 occupancies.
  - In every room in path of egress from the sleeping area to the door leading from the sleeping unit that are in primary transient occupancies (Group R-1 occupancy).
  - In the immediate vicinity outside of separate sleeping areas of Groups R-2, R-3, R-3.1, R-4 and I-1 occupancies.
- Carbon monoxide detectors shall be required where the dwelling unit has a fuel burning appliance or the garage is attached. Carbon monoxide detectors shall be installed outside sleeping areas in the vicinity of bedrooms, and on every level of a dwelling unit including the basement. (CBC 420.6, R315)
- Provide 120V smoke detector/ Carbon monoxide with battery backup and interlocked at all sleeping rooms and hallways and each level. (CBC 907.2.11.3, 420.5, 420.6)
- See lighting mandatory measures on attached Building Energy Analysis Report. (Title 24, Part 1, Section 10-103(a))
- At kitchens a minimum of 50% of the total rated wattage of permanently installed lighting shall be high efficacy. (CEC 150(k)3A)
- Lighting installed in bathrooms shall meet the following requirements: (CEC 150(k)5)
  - A minimum of one high efficacy luminaire shall be installed in each bathroom; and
  - All other lighting installed in each bathroom shall be high efficacy or controlled by vacancy sensors.
- Lighting in attached and detached garages, laundry rooms and utility rooms shall be high efficacy luminaires and controlled by vacancy sensors. (CEC 150(k)6)
- Permanently installed luminaires located in rooms or area other than in kitchens, bathrooms, garages, laundry rooms, closets, and utility rooms shall be high efficacy, or controlled by either a dimmer or vacancy sensors. (CEC 150(k)7)
  - Luminaires in closets less than 70 square feet
  - Lighting in detached storage building less than 1,000 square feet located on a residential site.
- Luminaires recessed into insulated ceiling shall be listed for zero clearance insulation contact (IC) by Underwriters Laboratories or other nationally recognized testing/rating laboratory; have a label that certifies the luminaire is airtight with air leakage less than 2.0 cfm at 75 Pascals when tested in accordance with ASTM E283; and be sealed with a gasket or caulk between the luminaire housing and ceiling. (CEC 150(k)8)
- Luminaires providing outdoor lighting, including lighting for private patios, entrances, balconies, porches, etc., which are permanently mounted to a residential building shall be high efficacy or may be low efficacy if controlled by ON and OFF switch, which does not override to ON motion sensor and photocontrol, motion sensor without override, photocontrol without override. (CEC 150(k)9)
- Each bathroom containing a bathtub, shower or tub/shower combination shall be mechanically ventilated for purposes of humidity. The minimum local exhaust rates shall be 50 cfm for intermittent ventilation or 20 cfm for continuous ventilation.
- At least one 20-ampere branch circuit shall be provided to supply bathroom receptacle outlet(s).
- All 125 volt, single phase 15- and 20-ampere receptacles installed within 6 feet of laundry, utility or wet bar shall be ground fault circuit interrupter.
- Water heater shall be secured to resist earthquakes in Seismic Design Category D, E or F. One at upper on-third and one at lower one-third of vertical dimension with the lower strap being a minimum distance of 4 inches above the controls.
- Domestic dryer ducts shall not exceed a combined horizontal and vertical length of 14 feet, including two 90 degree elbows. Two (2) feet will be deducted for each elbow in excess of two.

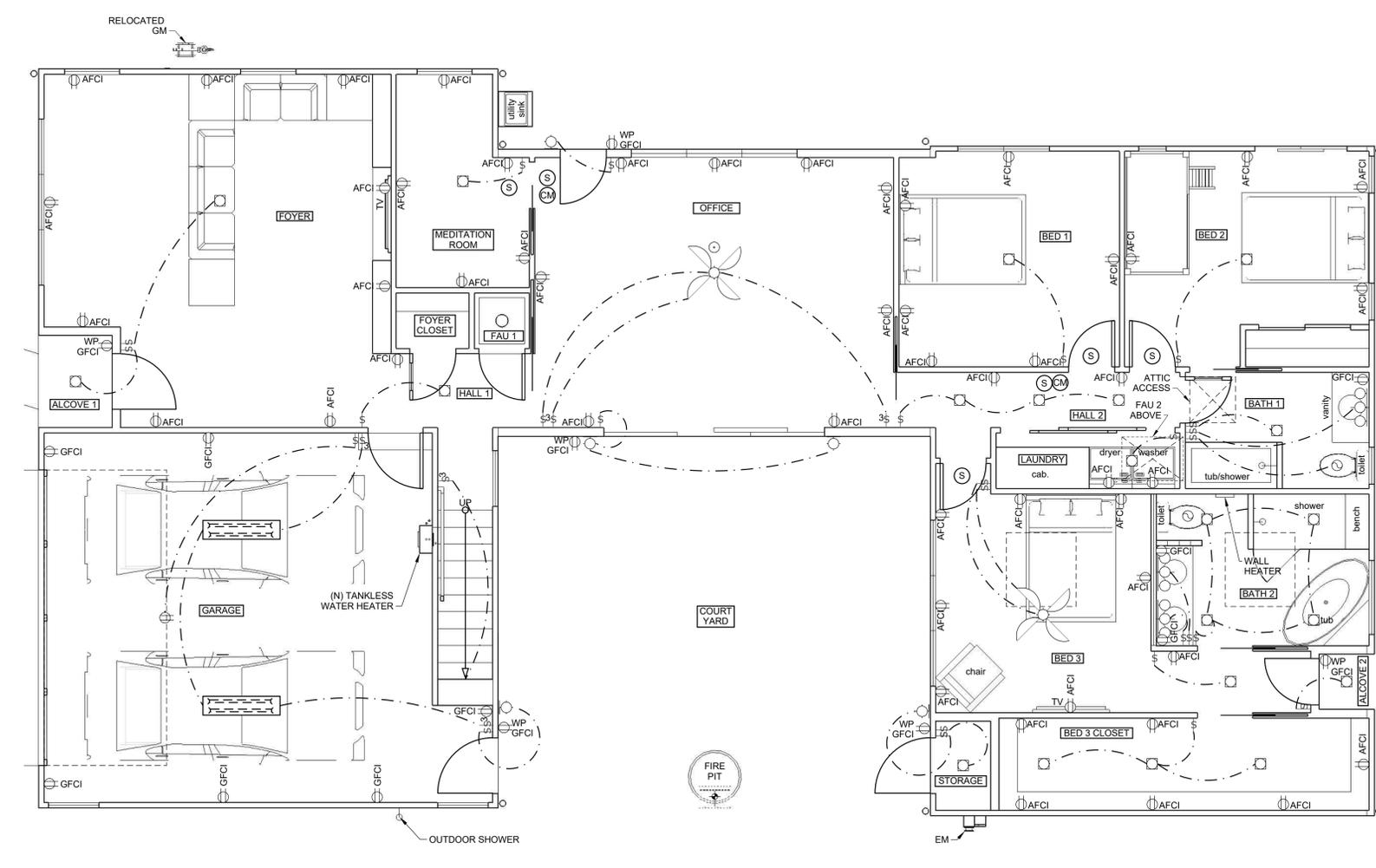
**PLUMBING NOTES**

- California State Plumbing Code now requires that all water fixtures meet the following minimum water use requirements for fixtures.
 

Fixture Type	Maximum Flow Rate
Showersheds	2.00 gpm @ 80 psi
Lavatory faucets residential	1.50 gpm @ 60 psi
Kitchen faucets	1.80 gpm @ 60 psi
Water Closets	1.28 gallons/flush
Urinals	1.00 gallons/flush
- Per the SLO County Green Building Ordinance, for new construction or when alterations or additions exceed 50% of habitable space, an on-demand recirculating system shall be installed.



**2ND FLOOR ELECTRICAL PLAN**  
1/4" = 1'-0"



**1ST FLOOR ELECTRICAL PLAN**  
1/4" = 1'-0"

**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  
PROJECT NO.  
MB 16 09 49

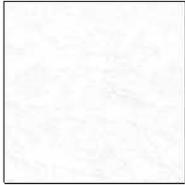
**ISSUE**  
2/27/17  
**DRAWN BY**  
Nicholas B. Huston

**Electrical Plans**

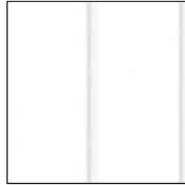


# THE VAN KRIEKEN HOUSE : EXTERIOR FINISH PALLETE

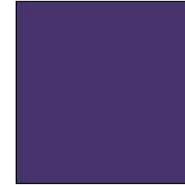
EXHIBIT C



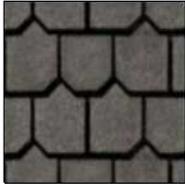
**STUCCO WALL 1**  
COLOR: WHITE  
TEXTURE: SMOOTH  
MATERIAL: STUCCO



**SIDING & TRIM**  
COLOR: WHITE  
TEXTURE: BOARD & BATTEN  
MATERIAL: FIBER-CEMENT



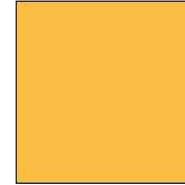
**WALL LIGHT 1**  
COLOR: VIOLET  
TEXTURE: ANODIZED  
MATERIAL: METAL



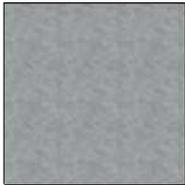
**ROOF**  
COLOR: BLACK  
TEXTURE: SHINGLE  
MATERIAL: COMPOSITION



**CHIMNEY CLADDING**  
COLOR: WHITE  
TEXTURE: ROUGH  
MATERIAL: BRICK



**WALL LIGHT 2**  
COLOR: YELLOW-ORANGE  
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



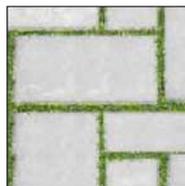
**STUCCO WALL 3**  
COLOR: RICH BROWN  
TEXTURE: SMOOTH  
MATERIAL: STUCCO



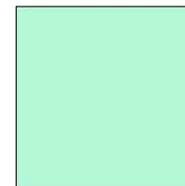
**DECK FLOOR**  
COLOR: MEDIUM BROWN  
TEXTURE: SMOOTH  
MATERIAL: COMPOSITE



**GARAGE DOOR**  
COLOR: LIGHT GRAY  
TEXTURE: ANODIZED  
MATERIAL: ALUMINUM



**PAVERS**  
COLOR: GRAY  
TEXTURE: HERRINGBONE  
MATERIAL: CONCRETE



**ACCENT TINTING**  
COLOR: MINT  
TEXTURE: SMOOTH  
MATERIAL: GLASS

EXHIBIT C















AGENDA NO: C-1

MEETING DATE: August 1, 2017

## Staff Report

**TO:** City of Morro Bay Planning Commission **DATE:** 07/24/17

**FROM:** Scot Graham, Community Development Director

**SUBJECT:** Measure "D" /Working Waterfront Subcommittee

### **RECOMMENDATION**

Nominate and appoint a 2-member sub-committee of the Planning Commission to work with the Harbor Advisory Board (HAB) ad hoc committee on resolving ambiguities in Measure D language and to further the Working Waterfront initiative.

### **BACKGROUND/DISCUSSION**

The City Council, on July 11, 2017 authorized both the Harbor Advisory Board and Planning Commission to work jointly on development of policy language to better define and resolve ambiguities of Measure D and to advance policy language to better define "Working Waterfront". The intent is to insert the new policy language into the General Plan/Local Coastal Program and Zoning Code update. See Council July 11, 2017 Staff report provided as Attachment 1.

### **CONCLUSION**

Based on direction provided by Council on July 11, 2017, the Planning Commission should form a two-member sub-committee to work with the two-member HAB ad hoc committee on resolving the items noted above. The desire is to have the two subcommittees combine efforts in preparation of cohesive policy language. It is envisioned that the subcommittees would work together to develop policy language that would then be brought back to a joint PC/HAB meeting, where public input could be provided and where policy language could be finalized and forwarded to the General Plan Advisory Committee (GPAC) for inclusion in the GP/LCP/Zoning Code update.

### **ATTACHMENTS**

1. July 11, 2017 Council Staff report with Attachments.

Prepared By: SG Dept Review: SG

AGENDA NO: C-2

MEETING DATE: July 11, 2017

## Staff Report

**TO:** Honorable Mayor and City Council **DATE:** June 29, 2017

**FROM:** Eric Endersby, Harbor Director  
Scot Graham, Community Development Director

**SUBJECT:** Discussion and Direction Regarding Harbor Advisory Board Request to Resolve Ambiguities in Measure D, and Recommendations on Morro Bay “Working Waterfront” Initiative

### **RECOMMENDATION**

Staff recommend the City Council consider the Harbor Advisory Board’s requests and recommendations regarding ambiguities in Measure D and the “Working Waterfront” initiative, and approve the approach recommended by staff to address the issues identified by the Board.

### **ALTERNATIVES**

The City Council could direct measures, activities or actions taken other than, or additional to, those recommended in this staff report.

### **FISCAL IMPACT**

There is no direct fiscal impact of the recommended actions in this report.

### **BACKGROUND**

The issue of ambiguous language in “Measure D,” Ordinance No. 207, of the City of Morro Bay relating to the restriction of further non-commercial or non-recreational fishing land/water use development on City lease sites between Beach Street and Target Rock, is an ongoing issue the Harbor Advisory Board (HAB) has grappled with in recent years. Additionally, the General Plan Advisory Committee (GPAC) and Planning Commission (PC) are addressing Measure D in the General Plan (GP) and Local Coastal Plan (LCP) updates currently underway.

As part of its fiscal year 2016/2017 City Council Goal Objective Work Plans, the HAB has pursued the prospect of official “designation” or other possible recognition of Morro Bay as a “Working Waterfront.” That goal objective work plan item is also included in the 2017/2018 approved plans.

A summation of the requests, activities, actions, and recommendations made by the HAB regarding Measure D and Working Waterfronts is provided in a March 3, 2017, letter from HAB Chairman Ron Reisner to the City Council, and in an 11-page report by Mr. Reisner, dated June 11, 2017, included as Attachments 1 and 2 to this report. In addition, the text of Measure D is included with this staff report as Attachment 3.

### **DISCUSSION**

Staff is seeking Council direction on how it wishes to proceed from a process standpoint with the

various HAB requests and recommendations on these two separate, but quite related, issues.

## **Measure D**

The HAB requests its involvement in consideration of the two recognized ambiguities in the measure by way of the GP and LCP updates. That is to say, the HAB recommends a process by which the ambiguities in Measure D be addressed by the City, and requests it be involved in that process, and that process be incorporated into or somehow involve the GP/LCP update process. With Measure D on the docket for GP/LCP consideration, the latter should be accounted for.

The City Council Goal 4 Objective Work Plan Element regarding Measure D is:

*HAB Working Waterfront Ad-Hoc Committee to work with staff, consultants and GPAC to provide input and review relative to clarification of Measure D and incorporation of clarifications into the GP/LCP.*

## **Working Waterfront**

The HAB approved a Working Waterfront Mission Statement, as outlined in Mr. Reisner's report, as-requested by the City Council for consideration of approval.

Additionally, the HAB recommended the GP/LCP update include consideration of Working Waterfront uses, and included a representative list of those uses for consideration of approval.

The City Council Goal 4 Objective Work Plan Element regarding working waterfronts is:

*HAB Working Waterfront Ad-Hoc Committee to develop a "Working Waterfront" mission statement or policy for incorporation into the GP/LCP.*

## **CONCLUSION**

Given the PC and GPAC are also working on Measure D and Working Waterfront-type issues in their involvement with the GP/LCP updates, it makes sense HAB, PC and GPAC all work together, so their combined efforts are both harmonious and non-duplicative.

The Harbor Director and Community Development Director, therefore, recommend the City Council approve an approach where *ad hoc* committee of two members from the PC work with the existing HAB Working Waterfront Ad-Hoc Committee to combine their work efforts and product for a cohesive approach to addressing the issues. Their combined work product and recommendations would be brought to a joint HAB/PC meeting (to be determined), where additional public and other input could be taken, the end results being forwarded to the GPAC for inclusion in the GP/LCP update process. Additionally, on an as-needed basis, draft language, policy and other items could be routed back to the Ad-Hoc Committee and/or HAB/PC for further vetting.

Pursuant to the Brown Act, the new body made up of two PC Members and two HAB Ad-Hoc Committee Members would be a legislative body and only able to meet at duly noticed public meetings. Since the HAB Ad-Hoc Committee already exists, if the two members of the PC *ad hoc* committee were to attend one or more of the HAB Ad-Hoc Committee meetings to provide input to that Committee, but not participate in deciding actual recommendations of the HAB Ad-Hoc Committee, then that would not create a legislative body pursuant to the Brown Act. Alternatively, the two HAB Ad-Hoc Committee Members could similarly provide input to the PC *ad hoc* committee.

## **ATTACHMENTS**

1. March 3, 2017 HAB Measure D request letter.
2. June 11, 2017 HAB Working Waterfront and Measure D recommendations document.
3. Measure D (Ordinance No. 207) text.



**CITY OF MORRO BAY**

HARBOR DEPARTMENT  
1275 Embarcadero Road  
Morro Bay, CA 93442

TO: MAYOR IRONS AND CITY COUNCIL

FROM: THE MORRO BAY HARBOR ADVISORY BOARD

MARCH 3, 2017

RE: HARBOR ADVISORY BOARD "MEASURE D" REQUEST

Dear Mayor Irons and City Council,

I am writing on behalf of the Harbor Advisory Board (HAB), which, during its March 2, 2017 meeting, determined to make the following request.

The HAB is aware that the City, with the assistance of consultant Michael Baker Int., is engaged in an update of the City's General Plan and Local Coastal Plan. Agenda item C-5 from the HAB's March 2, 2017 meeting included the following Staff Recommendation, "Consider whether clarification of Measure D's apparent ambiguities should be tied to the City's update of the General Plan and Local Coastal Plan, and make recommendations accordingly".

Over the past two years, the HAB has on several occasions identified and discussed apparent ambiguities in the text of Measure D. The two most apparent ambiguities revolve around: 1. the reference to "primarily" as it relates to uses of the Measure D waterfront for "purposes of serving or facilitating licensed commercial fishing activities or non-commercial recreational activities . . ."; and 2., the reference to "clearly incidental thereto" as it relates to consideration of waterfront land use in terms of being for "purposes of serving or facilitating licensed commercial fishing activities or non-commercial recreational activities . . .".

The HAB has carefully considered this Measure D language, its meaning, and its implications. Additionally, the HAB has on more than one occasion considered Measure D as it relates to usage of Tidelands Trust lands, i.e. Morro Bay's waterfront from Beach Street north to Target Rock.

Considering the above, the Harbor Advisory Board formally requests involvement in the consideration of Measure D, as it relates to the City's current update of the General Plan and Local Coastal Plan. Please advise us as to how we can best become involved to the benefit of the City, the Council, and the community.

Regards,

Ron Reisner, Chairman, Harbor Advisory Board

cc: Mr. Dave Buckingham, City Manager  
Mr. Scot Graham, Community Development Director  
Mr. Eric Endersby, Harbor Director

**Morro Bay Working Waterfront Initiative and Measure D  
Harbor Advisory Board Recommendations**

**June 11, 2017**

Eleven Pages

**Executive Summary**

In August 2016, the Morro Bay City Council tasked the Morro Bay Harbor Advisory Board (HAB) to, “. . . begin a “Working Waterfront” policy-making process for Morro Bay”. Per the relevant City Staff Report in August, the HAB was requested to address three Working Waterfront “Work Plan Elements” (WPE) to “. . . guide the process and help achieve the goal”.

The first of those WPE’s (WPE1) was addressed by the HAB during the first quarter (Q1) of the City’s FY 2016/2017. WPE1 called for the HAB and the Committee to, “Research ‘Working Waterfronts’, their designations, guidelines and other information pertinent to Morro Bay for consideration of a Morro Bay policy and possible designation”.

In September 2016, after considerable research into Working Waterfronts in the U.S., as well as research into and consideration of the Working Waterfront concept as it relates to Morro Bay, the HAB presented a written report highlighting a number of key points, as well as relevant data, and imperatives. This report was subsequently enhanced in an updated Committee reported dated November 10, 2016. Further, during its October 6, 2016 meeting, the HAB passed a formal recommendation to the City Council, stating, *“Recommended to the City Council that in order to ensure a vibrant waterfront, the City of Morro Bay self-designate a working waterfront area from Morro Rock to the State Park Marina, with follow-on policies, perhaps zoning, and other land and water use implementation strategies and/or measures.”*

In December 2016 and January 2017, the HAB addressed WPE2, which called for the development of a draft Morro Bay Working Waterfront policy, for consideration by the City Council. On January 26, 2017, the HAB published a report which stated in part that to achieve the goal of WPE2, the HAB concluded that development of a Morro Bay Working Waterfront Policy, including Morro Bay’s definition of “Working Waterfront”, best occurs in concert with the current update of the City’s General Plan and Local Coastal Plan. Further, the HAB concluded that Morro Bay is in a position to self-designate its Working Waterfront, and develop Working Waterfront definitions that are of greatest advantage and opportunity.

Additionally, the January 26, 2017 report commented on a December 12, 2016 meeting with the then City Manager, Councilman Makowetski, and at the beginning of the meeting Councilman-elect Davis. During that meeting, the City Manager discussed issues relative to the HAB’s October 6 recommendation, suggesting that the concept of a Working Waterfront in Morro Bay be concentrated on the area presently delineated by Measure D.

The HAB responded to the City Manager’s suggestion by reiterating its reasoning behind the October 6, 2016 recommendation to Council. However, toward the end of the meeting, HAB

representatives suggested the possibility of designating three separate Working Waterfront sectors for Morro Bay:

- A Working Waterfront Fisheries Sector, extending from Beach Street north to the exiting northern boundary of Measure D. This sector would also include the “Triangle Lot”, given that it is the most viable site identified for a boatyard/marine services facility.
- A Working Waterfront Visitors Sector, extending from Beach Street south to Mariner’s Park.
- A Working Waterfront Commercial Sector, extending from Mariner’s Park south to the State Park Marina.

Through its work relative to a Morro Bay Working Waterfront, the HAB clearly determined that such concept must be integrated into the City’s General Plan, the Local Coastal Plan, and the Waterfront Master Plan. Further, such integration must include the City’s Measure D. Additionally, development of a Morro Bay working waterfront policy should take place in light of waterfront related business and land use projects that are underway, or are being contemplated.

During an April 11, 2017 City Council and HAB joint meeting, the Mayor, speaking for the City Council, requested the HAB provide Council with a generalized “mission statement” regarding a Morro Bay Working Waterfront, and Measure D, for consideration by Council for possible inclusion in the current General Plan/Local Coastal Plan update.

This proposed generalized mission statement was to be sufficiently broad to facilitate the future generation of a Morro Bay Working Waterfront policy, and sufficiently broad to address Measure D, but not at this time be specific as to either a Working Waterfront definition or policy, or any clarification of Measure D.

Subsequently, during its June 1, 2017 meeting, the HAB passed the following motions relative to a Morro Bay Working Waterfront, and Measure D. Consistent with the request of Council, both motions are intended to inform and enhance the current GP/LCP/WMP updates, as they relate to a Morro Bay Working Waterfront and Measure D:

**Motion A. – Working Waterfront Mission Statement:**

*The City of Morro Bay is uniquely located and situated to capitalize on the waters of Morro Bay and the adjacent Pacific Ocean in its General Plan and Local Coastal Plan. Further, the City of Morro Bay is dedicated to ensuring a vibrant Working Waterfront for the purposes of providing, promoting and supporting land uses and access in support of water-dependent commercial activities, water-dependent recreational activities, waterfront enhanced commercial activities, water-enhanced recreational activities, and for purposes related to providing public access to Tidelands Trust lands.*

*Therefore, the Morro Bay Harbor Advisory Board recommends to the Morro Bay City Council*

*that incorporated into the current Morro Bay General Plan and Local Coastal Plan update is a Morro Bay Working Waterfront land area and its uses, consistent with the requirements of the California Coastal Act. This Morro Bay Working Waterfront land area encompasses the Morro Bay waterfront from Target Rock in the North, to the southern boundary of the State Park Marina in the South, and encompass all waters of Morro Bay within the City limits, as well as all tidelands within the City limits, and all wetlands within the City limits (i.e. inclusive of City property from the West shore of the Sand Spit, to the bottom of the bluff along the east side of Embarcadero Road).*

## **Motion B. – Working Waterfront Land Uses:**

*The Morro Bay Harbor Advisory Board recommends to the Morro Bay City Council that in the update of the Morro Bay General Plan, the Morro Bay Local Coastal Plan, and the Morro Bay Waterfront Master Plan, that consideration be given to Working Waterfront uses including, but not limited to: Harbor Tract lease sites and other City lands adjacent to Morro Bay; structures on, over, or adjacent to Morro Bay along the waterfront within the City limits; infrastructure, facilities and properties that provide access to Morro Bay; infrastructure, facilities and properties that are used for water-dependent or Harbor related private, commercial, industrial, or City activities including tourism, boating, commercial fishing, recreational fishing, mariculture, charter boat operations, boat repair and maintenance, boat building, marine supply services, marine construction, marine industry support services, seafood processing, seafood sales, aquariums, transportation, shipping, military activities, coastal-dependent energy production, boat marinas, boat moorage, boat dockage, wharfage, boat launching, and other water dependent uses. Further, that the designated Measure D area and its defined uses be incorporated into the City of Morro Bay’s Working Waterfront.*

## **Background and Timeline**

August 2016: In August 2016, the Morro Bay City Council tasked the HAB to, “. . . begin a “Working Waterfront” policy-making process for Morro Bay”. The HAB in turn created a Working Waterfront Ad-Hoc Committee (Committee) to pursue that task.

Per the relevant City Staff Report in August, the HAB and the Committee were requested to address three Working Waterfront “Work Plan Elements” (WPE) to “. . . guide the process and help achieve the goal”.

The first of those WPE’s (WPE1) was to be addressed by the HAB and the Committee during the first quarter (Q1) of the current City fiscal year – July 2016 through September 2016. WPE1 calls for the HAB and the Committee to, “Research ‘Working Waterfronts’, their designations, guidelines and other information pertinent to Morro Bay for consideration of a Morro Bay policy and possible designation”. During August and September 2016, the HAB conducted considerable research into the concept of Working Waterfronts around the U.S., and various implementations of Working Waterfront policies.

September 2016: Having conducted considerable research into Working Waterfronts around the U.S., as well as research into and consideration of the Working Waterfront concept as it relates to Morro Bay, the HAB published a written report, highlighting a number of key points, relevant data, and imperatives. This report was subsequently enhanced in an updated report dated November 10, 2016.

Through these reports and the HAB's subsequent deliberations related to a Morro Bay Working Waterfront, the HAB clearly determined that such a concept must be integrated into the City's General Plan, the Local Coastal Plan, and the Waterfront Master Plan. Further, such integration must include the City's Measure D. Additionally, development of a Morro Bay Working Waterfront policy should take place in light of waterfront related business and land use projects that are underway, or are being contemplated.

October 2016: During the regular October 6, 2016 HAB meeting, and in response to the Morro Bay City Council's WPE2 assignment relative to a Working Waterfront initiative in Morro Bay, the HAB voted unanimously to recommend the following to the City Council:

*Recommended to the City Council that in order to ensure a vibrant waterfront, the City of Morro Bay self-designate a working waterfront area from Morro Rock to the State Park Marina with follow-on policies, perhaps zoning, and other land and water use implementation strategies and/or measures.*

This recommendation was transmitted to the City Council in a letter from the HAB dated October 10, 2016.

December 2016: On December 12, 2016, HAB members met with the then City Manager, Councilman Makowetski, and at the beginning of the meeting Councilman-elect Davis. During that meeting, the City Manager discussed issues relative to the HAB's October 6 recommendation, suggesting that the concept of a Working Waterfront in Morro Bay be concentrated on the geographic area presently delineated by Measure D.

The Ad Hoc Committee responded to the City Manager's suggestion by reiterating its reasoning behind the October 6, 2016 recommendation. However, toward the end of the meeting, the Committee suggested the possibility of designating three separate Working Waterfront sectors for Morro Bay:

- A Working Waterfront Fisheries Sector, extending from Beach Street north to the exiting northern boundary of Measure D. This sector would also include the "Triangle Lot", given that it is the most viable site identified for a boatyard/marine services facility.
- A Working Waterfront Visitors Sector, extending from Beach Street south to Mariner's Park.
- A Working Waterfront Commercial Sector, extending from Mariner's Park south to the State Park Marina.

Delineating these three Working Waterfront sectors, should the City determine to self-designate a Working Waterfront, provides opportunity for each of the sectors to be defined separately.

- The Fisheries Sector incorporates the existing land use protections provided to commercial and recreational fisheries by Measure D, and provides: a discrete portion of the waterfront for fisheries related facilities and services; and a discrete portion of the waterfront for fisheries related commercial activities and opportunities – some of which could readily enhance tourism.
- The Visitors Sector allows the City to define this area in ways that optimize the existing Tidelands Trust enterprise zone to the advantage of enterprise zone lease holders and to the City. This in turn provides optimal opportunities and advantages for visitors, as well as for the community at large, and the City that exists to serve the community.
- The Commercial Sector allows the City to define this area to the advantage of existing commercial lease holders; to the advantage of existing and future commercial enterprise; to the advantage of the community; and to the potential advantage of the City’s management arrangement with the State of California for the State Park Marina.

Additionally, the HAB recognized the definition of working waterfront as adopted by the State of Florida:

Florida’s Working Waterfront Protection Act [Fla. Const. art. VII (amended 2008); Fla. Stat. § 342.201 (2009); and Fla. Stat. § 342.07 (2009)] incorporates a broad definition of working waterfront, a definition that may be useful in the development of a Morro Bay Working Waterfront policy. The Florida Act describes and protects “recreational and commercial working waterfront,” including boatyards, marinas, and, since 2006, resort hotels.

In Florida’s Act, the term “recreational and commercial working waterfront” means a parcel or parcels of real property that provide access for water-dependent commercial activities, including hotels and motels...or provide access for the public to the navigable waters of the state. Recreational and commercial working waterfronts require direct access to or a location on, over, or adjacent to a navigable body of water. The term includes water-dependent facilities that are open to the public and offer public access by vessels to the waters of the state or that are support facilities for recreational, commercial, research, or governmental vessels. These facilities include public lodging establishments, docks, wharfs, lifts, wet and dry marinas, boat ramps, boat hauling and repair facilities, commercial fishing facilities, boat construction facilities, and other support structures over the water.

January 2017: The second WPE (WPE2) was to be addressed during the second quarter (Q2) of the current City fiscal year – October through December. WPE2 called for the HAB and the Ad Hoc Committee to: “Develop draft Morro Bay “Working Waterfront” policy for City Council consideration (FY Q2)”.

Toward that end, and as noted above, in December 2016 the HAB developed the three-sector Working Waterfront plan described in the Executive Summary.

March 2017: During its March 2, 2017 regular meeting, the HAB discussed the following agenda item, “Consider whether clarification of Measure D’s apparent ambiguities should be tied to the City’s update of the General Plan and Local Coastal Plan, and make recommendations accordingly”.

During the two-year period, the HAB carefully considered this Measure D language, its meaning, and its implications. Additionally, the HAB has on more than one occasion considered Measure D as it relates to usage of Tidelands Trust lands, i.e. Morro Bay’s waterfront from Beach Street north to Target Rock. During these considerations, the HAB on several occasions identified and discussed apparent ambiguities in the text of Measure D.

Following discussion on March 2, the HAB resolved to formally request that the City Council direct the HAB to further involve itself with Measure D, specifically as it related to the City’s current update of the General Plan and Local Coastal Plan. The HAB further requested, concerning Measure D, that the City Council advise the HAB as to how best it could become involved to the benefit of the City, the Council, and the community. On March 3, 2017, the HAB sent a letter to Council presenting those requests.

May - June 2017: During an April 11, 2017 City Council/HAB joint meeting, the Mayor, speaking for the City Council, requested the HAB provide Council with a generalized “mission statement” regarding a Morro Bay Working Waterfront, and Measure D, for consideration by Council for possible inclusion in the current General Plan/Local Coastal Plan update. This proposed generalized mission statement was to be sufficiently broad to facilitate the future generation of a Morro Bay Working Waterfront policy, and sufficiently broad to address Measure D, but not at this time be specific as to either a Working Waterfront definition or policy, or any clarification of Measure D.

Subsequently, during its June 1, 2017 regular meeting, the HAB passed two motions relative to a Morro Bay Working Waterfront, and Measure D. Consistent with the request of Council, both motions are intended to inform and enhance the current GP/LCP/WMP updates, as they relate to a Morro Bay Working Waterfront and Measure D. The two motions are documented in the above Executive Summary.

## **Developing a Working Waterfront Policy**

To achieve the goal of WPE2, the HAB concluded that development of a Morro Bay Working Waterfront Policy best occurs in concert with the current update of the City’s General Plan and its Local Coastal Plan.

Borrowing from the *Sustainable Working Waterfronts Toolkit* developed by the Economic Development Administration division of the U.S. Department of Commerce, the following applies to the City of Morro Bay’s process of developing definitions for self-designated Working Waterfront Sectors:

Economics

In the economics element, consideration needs to be given to quantifying, to the greatest degree possible, the present financial contribution to Morro Bay, as well as the potential future contribution to Morro Bay economics, of: harboring vessels; marine service facilities; marine construction; coastal tourism and recreation; living marine resources and the marine environment; the commercial fishing industry; onshore and offshore energy production; marine transportation; etc.

Financing

The Financing element focuses on identifying economic resources that may be available to support a Working Waterfront in Morro Bay. Such resources include, but are not limited to: local taxation; State resources, Federal resources, foundations, etc. For instance, State resources are reported to include working waterfront funding mechanisms for thirty coastal states, and Federal resources are reported to include a compilation of federal programs and independent sources with national scope that qualify to be used on working waterfront issues. Additionally, there are reportedly philanthropic foundations that have either funded working waterfront projects or have focused on the economic aspects of coastal communities.

Law and Policy

Reportedly, with the exception of a few States such as Maine and Florida, working waterfronts have not been a primary focus for policymakers, and very few legal tools and policy approaches have reportedly been developed specifically with working waterfronts in mind. There reportedly are, however, tools available to help formulate working waterfront policy in the context of Morro Bay. These tools include: information on how local policymakers can apply water-dependent use definitions; addressing land use and tax policy; considerations of historic preservation laws; and addressing land conservation and acquisition programs relative to a Morro Bay working waterfront. Key components of Morro Bay developing a Working Waterfront policy include identifying existing policy-making tools, assessing those tools for relevance and sufficiency, developing and/or accessing additional tools as may be needed, and then developing and executing a policy-making plan utilizing appropriate tools.

Tools for Development of Working Waterfront Policy

Taken directly from the *Sustainable Working Waterfronts Toolkit*, the three tables below list a number of “Tools” useful to the development of Working Waterfront policy. It would be incumbent upon Morro Bay to use these tools, and to develop and apply any other tools necessary to the development of a well-conceived Working Waterfront policy.

**Table 1. Working Waterfront Tools**

Category	Tools
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Policy and Regulation	Building Code; Coastal Zone Management Program; Design Standards; Exaction; Historic Preservation; Litigation; Moratorium; No Net Loss Policy; Police Power; Public Trust Doctrine; Real Estate Disclosure; Special Purpose Political Subdivision; User Fee; Visual Access
Financing	Appropriation, Bond Financing, Dedicated Revenue, Economic Development Entity, Foundation, Grant, Loan, Loan Guarantee Subsidy, Tax Increment Financing, Trade Association
Planning	Action Planning, Business Recruitment Plan, Comprehensive Plan, Disaster Recovery Planning, Growth Management, Harbor Management Plans, Historic Resources Survey, Land Use Planning, Marine Spatial Planning, Six Hats Exercise, Smart Growth, Special Area Management Plan, SWOT Analysis; Waterfront Master Plan
Zoning	Contract Zoning, Form-based Code, Impact Fees, Incentive Zoning, Overlay Zoning, Private Zoning, Shoreland Zoning, Water Dependent Use, Water Dependent Use Zoning, Zoning, Zoning Ordinance
Taxation	Ad Valorem Tax, Current Use Taxation, Excise Tax, Income Tax, Property Tax, Real Estate Transfer Tax, Sales Tax; Special Assessment, Special Taxing Districts Tax, Tax Abatement/Deferral, Tax Incentives
Community/Stakeholder Engagement	Branding, Coalition, Conflict Resolution, Focus Group, Initiative, Partnerships, Stakeholder Analysis, Technical Assistance, Visioning Exercise
Mapping, Inventory, Study	Build Out Analysis, Coastal Access Site Inventory, Community Assets, Mapping/Inventory, Economic Analysis/Assessment, Force Field Analysis, Legal Tools Inventory, Legislative Task Force, Marketing Study, Natural Resource Inventory, Needs Assessment Repository, Visual Preference Survey, Working Waterfront Inventory
Land Conservation, Transfer, Acquisition	Acquisition; Compensation, Conservation Easement, Conveyance, Covenant, Deed Restriction, Easement, Eminent Domain, Land Bank, Land Trust, Lease, Liability Waiver, Purchase of Development Rights, Right-of-Way, Transferable Development Rights, Transferable Slip Rights, Working Waterfront Conservancy
Private Agreements	Consideration, Contracting for Access, Installment Contract, Lease-Option Contract, Private Use Agreements, Use Permitting

**Table 2: Working Waterfront Tools for Decision and Policymakers**

Category	Tools
Policy and Regulation	Decision and Policymakers may adopt formal policies or regulations to address discrete working waterfront issues. Building and development codes, for example, may impose water-dependent use requirements. Permitting programs can be designed to require consideration and mitigation of the impact of a working waterfront conversion on water-dependent business or uses.
Financing	Many states have created special funding programs to preserve working waterfront access. Money for such programs can come from a variety of sources, including grants, general fund revenue, and the issuance of state and municipal bonds. Indirectly, taxes can also be used by a government entity as a means of raising funds the public can invest in the acquisition of public access or working waterfronts. A land gains tax, real estate transfer tax, impact fees, or tax increment financing can all be explored for these purposes.
Planning	Local governments can use comprehensive plans, including waterfront master plans, harbor management plans, and special area management plans, to incorporate provisions to preserve and plan for the needs of working waterfronts.

Zoning	Zoning may be used to help fully realize any working waterfront goals, especially if those goals have been clearly articulated in local comprehensive plans. For example, zoning may help ensure that water-dependent uses, such as marinas, maintain priority and that other authorized uses, such as commercial spaces, are compatible. For example, Portland, Maine has worked hard to preserve its working waterfronts through zoning that ensures compatibility of uses located on the piers and the city waterfront, while being sensitive to the long-term operation and maintenance needs of pier owners as fishing in the Gulf of Maine has declined. ( <a href="http://www.wateraccessus.case_study.cfm?ID=32">www.wateraccessus.case_study.cfm?ID=32</a> )
Taxation	Impacts of high waterfront taxes can be mitigated through changes in tax policy that provide incentives for maintaining working waterfront access or protection. For example, a change in tax policy to an ad valorem, or "current use," tax that assesses working waterfront property based on the value of land as it is currently being used can help communities retain water-dependent business that may be struggling to pay property taxes assessed on the fair market value or "highest and best use" of the property.
Community/Stakeholder Engagement	Working waterfront stakeholders in any given community are those who are most affected by changes to the waterfront. As such, their engagement and participation is critical in visioning, planning, and implementing actions along the waterfront. Without the stakeholders at the table, initiatives are much less likely to succeed. The Middle Peninsula Planning District Commission in Virginia, for example, established the York River Use Conflict Committee to gain a better understanding of existing uses and conflicts along the York River and inform the development of policy recommendations.
<b>Category</b>	<b>Tools</b>
	( <a href="http://www.wateraccessus/case_study.cfm?ID=38">www.wateraccessus/case_study.cfm?ID=38</a> )
Mapping, Inventory, Study	To clearly delineate their programs and policies, Decision and Policymakers must gather information about their working waterfronts. North Carolina and Alabama, for example, established legislative study committees in response to public concerns regarding loss of traditional working waterfronts. Maine and other states have inventoried and mapped working waterfront land (including ownership patterns), providing for the first time a comprehensive understanding of the status of working waterfront access and a baseline for tracking change.
Land Conservation, Transfer, Acquisition	Sometimes the most effective means of protecting or enhancing a working waterfront is to buy the property. A local government, for instance, may choose to purchase a dock or marina to ensure continued public use and access. Private owners, nonprofit organizations, and government agencies can form public/private partnerships to pursue the purchase and acquisition of working waterfront property and interests.
Private Agreements	Although a government decision-making body cannot require private entities to enter into contracts, policy can be crafted providing incentives for agreements that support working waterfronts. These can be implemented through other tools identified above, such as zoning. Additionally, local and state governments also own working waterfront infrastructure and can enter into private agreements like any other private land owner.

**Table 3: Waterfront Users, and Working Waterfront Tools for Waterfront Users**

Many who rely on access to working waterfronts for their livelihood or other activities do not have a guaranteed right to that access. Working waterfronts can be publicly owned, managed by a quasi-public entity like a port authority, or privately owned. Competing, and at times conflicting, demands on waterfront space can result in the loss of access for traditional waterfront activities and water-dependent uses. Loss of access frequently impacts the user more than the landowner.

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Lacking ownership interest in their working waterfront and the direct ability to make laws, change zoning, or other regulatory decisions means that waterfront users have the fewest tools at their disposal. However, they are often key partners in the implementation of working waterfront initiatives. Displacement of waterfront users is frequently the catalyst for communities to come together and figure out how to protect land usage and access.

Category	Tools
Policy and Regulation	Working waterfront users can have considerable influence on local and state policies and regulations like tax or policy incentives for waterfront landowners that grant preferences to working waterfronts. In addition, many waterfront users are businesses that require access to the water, and often make important contributions to the local economy and character of coastal communities.
Financing	For many users of working waterfront infrastructure, tools for financing capital improvements or ongoing operations and maintenance costs are not directly applicable. Users, for instance, cannot get a loan or a grant to make an investment on somebody else's property. Working waterfront users, however, frequently help finance the ongoing viability of the infrastructure they use through the payments of taxes, fees, and rent. By entering into leases or other business arrangements, waterfront users may be able to help provide the financing needed to keep the infrastructure operational. In addition, many public financing programs require a commitment from the waterfront landowner to support water-dependent uses for a specific period of time. Users may also influence the funding for public financing through the provision of stakeholder input, or by advocating for a specific appropriation, bond financing, or dedicated revenue.
Planning	Waterfront users can be important participants in planning processes. This is true whether policymakers are developing comprehensive land use plans, harbor management plans, special area management plans, or engaging in marine spatial planning. Some strategies, like development of business recruitment and growth management plans, can be quite focused on the needs of working waterfront users. Concerns about losing a historic industry often drive these planning processes. For example, in Gloucester, Massachusetts, the comprehensive planning process helped identify issues facing waterfront users and provided a forum for negotiating compromises that allow continued access to the working waterfront.
Zoning	Waterfront users are often impacted by zoning decisions. Changes in the economic condition of the working waterfront can cause waterfront landowners to seek changes to or exemptions from zoning ordinances that may shift or displace traditional uses. The public process around zoning decisions gives waterfront users a chance to participate in the decision-making process and contribute to the development of solutions that work for the community, users, and landowners.
Taxation	Waterfront users often indirectly benefit from tax incentives for working waterfronts. Tax programs, including current use taxation, property tax abatement and other tax incentives,
Category	Tools
	can help landowners maintain working waterfronts on their property. This in turn ensures continued access for water-dependent uses. Waterfront users also support working waterfronts through tax payments, which are often the revenue source for public financing of working waterfront initiatives.

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Community/Stakeholder Engagement	Waterfront users are often the most identifiable stakeholder in a community's working waterfront. Users can influence the local and state decision-making and policy processes by utilizing community and stakeholder engagement tools like coalition-building and forming partnerships.
Mapping, Inventory, Study	Some inventories, mapping projects, or studies may come from and be conducted by users or groups working closely with working waterfront users. Others may emerge as part of a public process. Participation in mapping, working waterfront inventories, and other studies can be an extremely important way to influence decisions being made by others about working waterfronts.
Land Conservation, Transfer, Acquisition	Waterfront users in some communities have purchased development rights, easements, covenants, or otherwise placed restrictions on properties they rely on to increase the likelihood of continued water access. Waterfront users are at a high risk for displacement around the time a working waterfront is being transferred or sold. They can work with the sellers, land trusts, and the community to acquire the property for the benefit of the broader community.
Private Agreements	Private arrangements between the landowner and user can help ensure that specific users or a community of working waterfront users maintains water access. Formal private agreements like leases, private use agreements, or other contracts, can provide revenue for the landowner and certainty for the user. Informal arrangements that allow access across private property can also be important; however, many coastal communities have seen that, as pressures on landowners increase, users of working waterfronts are likely to see changes to or the ending of these informal arrangements. Users with informal agreements are particularly at risk for displacement when a property is transferred, particularly if the new owner does not have a connection to those working waterfront users. In any private agreement, a tangible benefit to the landowner will help fortify the agreement, should it need to go before the court.

ORDINANCE NO. 207

AN ORDINANCE TO RESTRICT FURTHER DEVELOPMENTS  
AND USES BETWEEN BEACH STREET AND TARGET ROCK  
TO THOSE PRIMARILY SERVING LICENSED COMMERCIAL  
FISHING OR RECREATIONAL FISHING

The people of the City of Morro Bay do ordain an ordinance relating to the restriction of further developments and uses between Beach Street and Target Rock to those primarily serving licensed commercial fishing or recreational fishing as follows:

Municipal Code Section 17.36.020C. The City shall not grant any permit, authorization or other approval of any state owned tidelands subject to city lease between Beach Street and Target Rock, unless such development or use is primarily for the purpose of serving or facilitating licensed commercial fishing activities or noncommercial recreational fishing activities, or is clearly incidental thereto. For purposes of illustration only, and not by way of limitation, no approval shall be granted for any new passenger for hire boats or supporting facilities, or for any new restaurant, cafe, gift shop or other retail establishments serving the general public, and any existing such uses shall hereafter be considered nonconforming and shall not be expanded or enlarged.

I, BONITA KAY MURRAY, Deputy City Clerk of the City of Morro Bay, do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by a majority vote of the electors voting in the special municipal election held in the City of Morro Bay on the 2nd day of June, 1981.

DATED: June 8, 1981

  
BONITA KAY MURRAY, Deputy City Clerk