



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, October 17, 2017
Veteran's Memorial Building – 6:00 P.M.
209 Surf Street, Morro Bay, CA**

Chairperson Gerald Luhr

Commissioner Michael Lucas
Commissioner – Vacant

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 Department 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.

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.: UP0-282 and CP0-323

Site Location: 530 Morro Avenue, Morro Bay, CA

Project Description: Project continued from the March 7, 2017 Planning Commission hearing with direction to Applicant to address architectural articulation on the rear, western facing elevation. The project is a request for Coastal Development and Conditional Use Permit approval for the construction of a new 2,444 sq. ft. single-family residence with a 548 sq. ft. secondary dwelling unit, 888 sq. ft. of garage space, 787 sq. ft. of storage, and 1,206 sq. ft. of decking located within the R-2/PD/S.4 zoning District and outside of the Coastal Commission Appeal Jurisdiction.

CEQA Determination: Categorically exempt Section 15303, Class 3

Staff Recommendation: Conditionally Approve

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

C. NEW BUSINESS - NONE

D. UNFINISHED BUSINESS

D-1 Case No.: n/a

Project: Draft Sign Ordinance

Review of the revised Draft Sign Ordinance which has been an on-going effort since 2010 to update the City of Morro Bay's Sign Ordinance. The Ordinance regulates sign types, sizes, locations, and other aspects related to signs that can affect Morro Bay's aesthetics. Proposed changes include sign districts, master sign programs, sign bonuses, and regulations for nonconforming signs. It builds on input provided from Planning Commission and City Council meetings, public outreach conducted in 2011, 2013, and 2017, and new legal cases for how cities can regulate signage.

Staff Recommendation: Review the revised Draft Sign Ordinance and provide feedback.

Staff Contact: Ryan Russell, Planning Intern, (805) 225-2619

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 November 7, 2017 at 6:00 p.m.

PLANNING COMMISSION MEETING PROCEDURES

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

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

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

This Agenda may be found on the Internet at: www.morro-bay.ca.us/planningcommission or you can subscribe to Notify Me for email notification when the Agenda is posted on the City's website. To subscribe, go to www.morro-bay.ca.us/notifyme and follow the instructions.

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

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

Commission meetings are conducted under the authority of the Chair who may modify the procedures outlined below. The Chair will announce each item. Thereafter, the hearing will be conducted as follows:

1. The Planning Division staff will present the staff report and recommendation on the proposal being heard and respond to questions from Commissioners.
2. The Chair will open the public hearing by first asking the project applicant/agent to present any points necessary for the Commission, as well as the public, to fully understand the proposal.
3. The Chair will then ask other interested persons to come to the podium to present testimony either in support of or in opposition to the proposal.
4. Finally, the Chair may invite the applicant/agent back to the podium to respond to the public testimony. Thereafter, the Chair will close the public testimony portion of the hearing and limit further discussion to the Commission and staff prior to the Commission taking action on a decision.

APPEALS

If you are dissatisfied with an approval or denial of a project, you have the right to appeal this decision to the City Council up to 10 calendar days after the date of action. Pursuant to Government Code §65009, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Commission, at, or prior to, the public hearing. The appeal form is available at the Community Development Department and on the City's web site. If legitimate coastal resource issues related to our Local Coastal Program are raised in the appeal, there is no fee if the subject property is located with the Coastal Appeal Area. If the property is located outside the Coastal Appeal Area, the fee is a \$277 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 October 17, 2017

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
Hearing or Action Ready Projects:										
1	Elster	530 Morro	4/20/16	UP0-282 & CP0-323	New 2,978 sq. ft. SFR with 1,516 sq. ft. garage, 1,191 sq. ft. of decking, and a 560 s. ft. secondary dwelling unit.	Applicant has decided against the parcel map and development of three townhomes and now proposes to build one SFR and a secondary dwelling unit. Under initial review. Waiting on PW comments. Correction letter sent 5/18/16. Spoke with Applicant 8/4/2016 - resubmittal pending. Resubmittal received. Correction Letter Sent 11/7/2016. Resubmittal received 1/17/17. PC on March 7, 2017. Continued to a date uncertain. Resubmittal Received 6/2/2017. Emailed correction comments 6/26. Resubmittal rcv'd 9/7/17. Scheduled for 10/17/17 PC hearing				ig
30 -Day Review, Incomplete or Additional Submittal Review Projects:										
2	Kwai	2780 Main	9/15/17	UP0-493	Minor Use permit for reduction in commercial use to limit commercial use to the first floor and expansion of residential use to limit residential use to second floor. No additional square footage is proposed	Under Initial Review				ig
3	Richey	2871 Juniper	8/29/17	CP0-551	Admin Coastal Development Permit for Accessory Dwelling Unit constructed under existing space	Under Review. Project noticed 9/21. Applicant is proposing change in project scope as of 9/25. Will renote after subsequent review				ig
4	MacMillan	590 Morro Bay Blvd	8/17/17	A00-051	Minor modification to UP0-460 for Distasio's restaurant	Under review. Additional minor modification proposed and added to A00-051 8/29/17. Under review. Additional changes submitted 9/5/17. Waiting on corrections				ig
5	Ferrin	2770 Elm	7/7/17	CP0-550/UP0-487	Coastal Development and Conditional Use Permit for a 752 sq. ft. 2nd story addition and garage expansion	Under Initial Review. Correction letter sent. Waiting for resubmittal		PN- Conditionally approved 8/10/2017		ig
6	Gillean	479 Panay	7/6/17	CP0-549	Coastal Development Permit to allow for an existing accessory dwelling unit.	Under Initial Review. Correction Letter sent 7/20/2017.				ig

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7	Taverner	335 Piney	6/15/17	CP0-547	Coastal Development Permit for the construction of a detached 624 sq. ft. accessory dwelling unit	Under Initial Review. Correction Letter sent 7/11/2017. Resubmittal received 9/28		PN- Conditionally approved 7/17/2017		ig
8	Guesno	210 Atascadero	6/1/17	CP0-544 / UP0-481	Coastal Development Permit and Conditional Use Permit for commercial change in use	Under Review. Correction memo sent to applicant 6-27-17. Resubmittal received 7/24/17. Incomplete letter sent 8/4/2017		PN- Disapproved 7/5/17		wm
9	Teresa Drive Estates, LLC	301 Sea Shell Cove	5/11/17	CP0-543 & UP0-480	Coastal Development Permit & Conditional Use Permit for new SFR on Lot 1. 2220sf living, 580sf garage, 336sf covered patio & decks.	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	Conceptual Review of New SFR with accessory unit. Existing historical structure on lower level.	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	Administrative Coastal Development Permit to install new class 5 wood pole, 29' above ground level. Advance Meter - Equipment attached to top of pole	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	Administrative Coastal Development Permit to install new class 5 wood pole, 29' above ground level. Advance Meter - Equipment attached to top of pole	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	Administrative Coastal Development Permit for demolition of two residential structure, prep site for new construction, prune & trim overgrown bushes, and removal of fallen tree.	CDP approved for demo 4/25/17.		PN- Conditionally Approved per memo dated 5/1/17		wm
14	James / Nisbet	310 Mindoro	3/2/17	CP0-533	Admin CDP for New SFR on vacant lot for 1542sf living, 462sf garage, 176sf deck.	Incomplete letter sent 3/23. Requires CDP, MUP, Parking exception. Action date set for 6/27/17		PN- Conditionally Approved 7/5/17		wm
15	James/ Nisbet	300 Mindoro	3/2/17	CP0-532	Admin CDP for New SFR on vacant lot, 1433sf living, 446 sf garage, 195sf deck.	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
16	Huber	2783 Coral Ave	2/24/17	CP0-530, UP0-470, S00-127	Proposed 6 lot residential subdivision (Tentative Tract Map, CDP, and CUP application). Property located at corner of San Jacinto & Coral Ave.	Under Initial Review		PN- Not Approved per memo dated 3/16/17		wm
17	Najararian	321 Luzon	11/7/16	CP0-521 & UP0-473 and AD0-115	Coastal Development Permit for a new 1,694 sq. ft. SFR	CDP/MUP/Parking exception issued for plans redesigned to meet flood zone standards on 5/30/17.		PN- Conditionally Approved 5/26/17		wm
18	Najararian	320 Mindoro	11/7/16	CP0-520 & UP0-472 & AD0-114	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, & 144sf deck.	CDP/MUP/Parking exception issued for plans redesigned to meet flood zone standards on 5/30/17.		PN - Conditionally Approved 5/25/17		wm

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19	Eisemann	535 Atascadero	10/12/15	CP0-490 & S00-125	Parcel map application & GDP to split 1 R-4 zoned lot in to two lots.	Incomplete letter sent 11-5-15. Received revised plans and communicated via email to applicant regarding plan corrections. Resubmittal under review. Correction letter sent 2/18/16 with Public Works comments. Received revised info from Applicant 3-3-16. Correction sent and resubmitted 4-8-16. Met w/ Architect to discuss intent to include development of 4-plex apartments. Resubmittal rcv'd 5/10. Correction letter sent 6/14/16. Spoke with architect 8/9/2016. Resubmittal rcv'd 8/17/2016. Correction letter sent 10/13/2016. <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. Correction Letter sent 8/22		PN- Disapproved per Memo dated 8/10/2017		jg
20	DeGarimore	1001 Front St.	7/14/15	A00-026 and UP0-442	Amendment to CUP to modify project description to remove proposed new awning.	Letter sent to applicant 9-9-15 regarding public access requirements. In process. Applicant wishes to include a kiosk for Virg's Landing with the awning amendment. Reviewed prelim site plan of kiosk and provided email comment corrections on 2/24/16. Met with Virg's Landing owner to discuss kiosk plan 2-29-16. TUP application submitted for kiosk proposal adjacent to parking lot on 4-19-16. Correction letter sent 5-12-16. No recent activity as of 9-1-17.		PN- Conditionally Approved 5/17/2017		cj
21	Gambril	405 Atascadero Rd.	5/13/15	CP0-475 / UP0-417	New construction of 10,000sf commercial retail on vacant lot	WM. Under review. Will need Arch and Traffic reports. Resubmittal received 8/11/15. Incomplete letter sent 9/4/15.		PN-Plans Disapproved. Req. Stormwater & plan update-8/24/15		wm
22	Leage	833 Embarcadero	9/15/14	UP0-389	Demolish existing building. Reconstruct new 1 story 19 foot building (retail/restaurant use) & outdoor improvements	Under review. Deemed incompleted. Letter sent 10-13-14. CJ Resubmittal received 2/17/15. Incomplete letter sent . Resubmittal received. Not compliant with view corridors requirements. Resubmitta received 1-20-16. Email corrections provided to Applicant on 2/10. Reviewed revised plans received from architect via email on 3/7/16.	BC- incomplete	RPS - Disapproved for plan corrections noted in memo of 10/14/14		cj
Planning Commission Continued projects:										
23	Erlendson	299 Sienna	9/1/17	UP0-491/AD0-123	Minor use permit and parking exception for the conversion of a 2-car garage to habitable living space and a parking exception to allow for no parking or a one-car carport to satisfy the parking requirement in the R-1/S.2A zoning district	Under review. Correction letter sent 9/13/17. PC hearing 10/3/2017. Continued to a date uncertain with direction to work with staff prior to resubmittal				jg

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24	Rhine LP & Morro 94, LLC	3300 Panorama	2/24/16	CP0-500 & UP0-440	Coastal Development Permit & Conditional Use Permit for Demolition of 3 existing tanks, related pumps and concrete	Under review. Correction letter sent 5-10-16. Environmental review complete and to be routed 7-28-16 for required 30 day period. PC 9/6/16 hearing. Reviewed and PC continued hearing to 10/4/16. Project continued to 12/6 PC meeting. Project reviewed at 1/3/17 PC hearing and continued to a date uncertain.		PN- Conditionally approved per memo dated 7/26/16		wm
25	Verizon / Knight	484 Main new location, Corner of Main and Cabrillo	11/19/14	UP0-394 and CP0-512	Coastal Development Permit and Conditional Use Permit for installation of new Wireless Facility/Verizon antennas on existing pole.	Under Review. JG. Incomplete. Waiting on response from Tricia Knight. Wants to keep project open and figure out the parking situation or move location. 1/26. JG. Applicant looking to move location to pole across the street. resubmittal rcv'd 5/26. Deemed Complete, waiting for Applicant to confirm PC meeting date. PC hearing held on 9/6/16 and continued for further review to 11-1-16 PC hearing. Continuance requested. Continued to a date uncertain		PN- Conditionally approved 6/14/16		jg cj
26	Seashell Estates, LLC	361 Sea Shell Cove	1/26/15	CP0-459/ UP0-401	Coastal Development Permit/Conditional Use Permit for new SFR. Lot 4 of 1305 Teresa Subdivision	Reviewing CC&R Design Guidelines. Deemed complete 3-2-15. Anticipate 4/21 PC hearing. Project continued to a date uncertain. CJ.	2/23/15 FD Cond App TP	BCR has for review 2/3/15		wm
27	City of Morro Bay	End of Nutmeg	1/18/12	UP0-344	Environmental documents for Nutmeg Tanks. Permit number for tracking purposes only County issuing permit. Demo existing and replace with two larger reservoirs. City handling environmental review	KW--Environmental contracted out to SWCA estimated to be complete on 4/27/2012. SWCA submitted draft I.S. to City on May 1, 2012. MR-Reviewed MND and met with SWCA to make corrections. In contact with County Environmental Division for their review. MND received by SWCA on 10/7/12. MND out for public notice and 30 day review as of 11/19/12. 30 day review ends on 12/25/12. No comments received. Scheduled for 1/16/13 Planning Commission meeting and then to be referred back to SLO County. Planning Commission continued this item to address concerns regarding traffic generated from the removal of soil. In applicant's court, they are addressing issues brought up by neighbors during initial P.C. meeting. Project has been redesigned and will be going forward with concrete tanks. Modifications to the MND are in process. Neighborhood meeting conducted with Engineering on 9/27/2013. Revising project description and MND.	No review performed.	BCR- New design concept completed. Needs new MND for concrete tank, less truck trips.Neighborhood mtg held 9/27. Neighbors generally support new design that reduces truck trips by 80%. Concrete batch plant set up on site will further reduce impact. 5/5/14 - Cannon contract signed to finish permit phase. Construction will be delayed to FY15/16		wm
28	AT&T	590 Morro Street	4/10/15	UP0-411 & CP0-465	Conditional Use Permit & Coastal Development permit to modify 2006 Planning permit approval for unmanned cell site	WM.Was tentatively scheduled for 3-1-16 PC hearing. Awaiting additional info from applicant. Tentatively scheduled for 5-17-16 hearing. Applicant requested continuance. PC continued review with direction on June 21, 2016.				wm

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Projects Appealed or Forwarded to City Council:										
29	Van Buerden	945 Embarcadero	5/24/16	UP0-446	Conditional Use Permit for House of JuJu restaurant remodel, and City Park improvements	Incomplete letter sent 6-23-16 to Applicant and Applicant Representative. Cj. Resubmitted revised plans 6-5-17. Project reviewed and discussed with Consultant. PC hearing date is 9-5-17. Conditionally approved via Favorable Recommendation to City Council for approval. Council reviewed on 10-10-17 and continued project to 11-14-17.		Conditionally approved 6/14/16		cj
30	Baston	561 Embarcadero	UP0-448	UP0-448	Conditional use permit for Gray's Inn access improvements and piling repair	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. Met with Applicant and Agent 9-2017 to discuss project issues related to parking.		PN- Conditionally approved per memo dated 8/3/16		cj
31	City of Morro Bay	Citywide	6/19/13	A00-015	Sign Ordinance Update. Text Amendment Modifying Section 17.68 "Signs"	Text Amendment Modifying Section 17.68 "Signs". Planning Commission 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
Environmental Review										

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32	Bay Pines/Shorebreak Energy	1501 Quintana	11/29/16	UP0-463/CP0-525	Coastal development permit & Conditional Use Permit for Bay Pines Solar Project.	Under Initial Review. Bio Report and Phase 1 Arch report rcv'd. Waiting for preliminary title report. 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		cg
33	City of Morro Bay	N/A		UP0-423	MND for Chorro Creek Stream Gauges	Applicant requesting meeting for week of 9/9/13. SWCA performing the environmental review. Received completed MND from Water Systems Consulting (WSC) on 4/1/15. Routed to State Clearinghouse for required 30 day review period. Tentative hearing 8/4/15. No recent activity.	No review performed.	MND complete. Cut permit checks to RWQCB and CDFW on 2/27/15		cg
Final Map Under Review Projects:										
34	Tract 2739	485 S. Bay Blvd, Black Hill Villas Subdivision	1/17/17	Map	Final Map - Tract 2739 / 16 lot subdivision with dedicated lot for riparian enhancement and raptor preservation.	Final Map Application Under review. Map corrections forwarded to Engineering/Public Works Dept. on 3/13/16. Final Map & Public Improvement Plans resubmitted to City on 4/24/17. Correspondence with applicant regarding CC&Rs and affordable housing covenants ongoing. Approved rough grading permit. Addendum to grading permit forthcoming to minimize amount of cut.		JW/PN - Disapproved final map and public improvements 8/16/2017		cg
35	Tract 2818	2400 Main St / Morro Mist	6/13/16	Map	Final Map - Tract 2818 / 23 lot subdivision and 1 common lot	Initial submittal for final map processing received 6-13-16. Correction letter sent 7-6-16. Draft CC&Rs received. Resubmittal received 1/5/17. Corrections sent 4-7-17. Resubmittal received 6-16-17 and 9-5-17.		JW/PN - Disapproved final map and public improvements 8/1/2017		cg
36	Tract 2670	1899 -1911 Sunset	11/17/15	Map	Final Map. - Tract 2670 6 lot subdivision and 1 common lot	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. Met with Applicant 9-8-17 to address Final Map outstanding items. Tentative Council consent calendar item is 10/24/17		JW/PN - Approved public improvements 3/28/2017		cg

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37	Medina	3390 Main	10/7/11	Map	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	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 mylars for CC meeting.		sg/cj
Projects requiring coordination with another jurisdiction:										
38	City of Morro Bay	Outfall			Original jurisdiction CDP for the outfall and for the associated wells	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		
39	City of Morro Bay Desal Plant	170 Atascadero			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.	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 finalized. Phase 2 on hold as of 7/22/14.		
Projects going forward to Coastal Commission for review (Pending LCP Amendments) / or State Department of Housing:										

#	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
41	City of Morro Bay	Citywide			Plan Morro Bay: General Plan / Local Coastal Program / Zoning Code Update project	Comprehensive overall update to the City's 1988 General Plan, 1984 Local Coastal Program, and 1997 Zoning Code. General Plan Advisory Committee meetings ongoing. For more information or to get involved, visit www.morrobayca.gov/planmb . Project to be complete with documents ready for adoption and certification by end of 2018.				
40	City of Morro Bay	Citywide	10/16/13	A00-013. A00-029: Ordinance 601	Zoning Text Amendment - Second Unit	Secondary Unit Ordinance Amendment. Ordinance 576 passed by City Council in 2012. 6-11-13 City Council direction to staff to bring back to Planning Commission for review of ordinance. At 10-16-13 PC meeting, Commission recommended changes to maximum unit size and tandem parking design where units over 900 sf and/or tandem parking design of second unit triggers a CUP process. Council accepted PC recommendation at 2-11-14 meeting and directed staff to bring back revised ordinance for a first reading and introduction. Item continued to 4/22/14 Council meeting to allow time for Coastal staff comment regarding proposed changes. Council approved Into and First Reading on 4/22/14. Final Adoption of Ord. 585 at 5/13/14 Council meeting. Ordinance to be sent as an LCP Amendment for certification by Coastal Commission. New language for PC and Council review. Second reading going to council on April 12, 2016. PC reviewed change 5-3-16. CC second First Reading 6-28-16.. Application submitted to Coastal Commission August 2016. Coastal objected to ban on use as vacation rentals. New State legislation will force additional changes.	No review performed.			wm
Projects Continued Indefinitely, No Response to Date on Incomplete Letter or inactive:										
41	T-Mobile	1478 Quintana	1/30/15	UP0-403	Minor Use Permit to Modify existing wireless telecommunication site at church	JG - Under initial review. Correction letter sent 3/5/2015. JG. Partial resubmittal rcv'd via email 9/18		JW approved		yg
Grants										
42	California Coastal Commission, California Ocean Protection Council	City-wide	4/6/16		\$400,000 Grant for LCP update to address sea-level rise and climate change impacts. Round 3 Grant award of \$200,000 for Lateral Access Plan, and ESHA delineation.	Grant agreements for both the grants are in place and grant administration has been turned over to Michael Baker International, per terms of the GP/LCP update contract. Received signed grant agreement for \$200,000 LCP Planning grant by CCC for Round 3 awards 2-27-17.	No review performed.	N/A		sg

#	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
43	City of Morro Bay	City-wide				Community Development Block Grant/HOME Program - Urban County Consortium	Staff has ongoing responsibilities for contract management in coordination with County staff administraiton. Final 2016 funding recommendations reviewed by Council on 3-8-16. 2016 Subrecipient Agreement executed and Council approved 2018-2020 Cooperation Agreement with County on 6-13-17.	No review performed.	N/R		cj
44	City of Morro Bay	City-wide				Climate Action Plan - Implementation	Staff has ongoing responsibilities for implementation of Climate Action Plan as adopted by City Council January 2014. Staff coordinating activities with other Cities and County of SLO via APCD.				cj
Projects in Building Plan Check:											
1	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 6-15-17. cj.	Approved by cdl on 5-10-17	PN - Disapproved 6/9/17		
2	Barker	2214	Coral	9/11/17	B-31668	SFR NEW	Conditional Approval by jg on 9-19-17	Disapproved by cdl on 9-15-17.	Disapproved by jb on 10-6-17.		
3	Schechter	245	Driftwood	5/31/17	B-31529	Exterior elevator installation,	Approved by jg on 6-16-17.	Approved by cdl on 6-27-17.PZ			
4	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		
5	Rezzonico	421	Fresno	5/24/17	B-31524	Interior remodel and addition of 189sf covered deck.	Approved by jg on 6-7-17.	Approved by by cdl on 6/27/17.	Approved by pn on 7-7-17.		
6	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	CDP approved 11-22-16. WM	Conditionally approved per memo dated 9/12/16.	PN-Conditionally approved per memo dated 11/17/16		
7	Weisberger	115	Hatteras	7/31/17	B-31604	Sf alteration .	Approved by jg on 8-7-17.	Approved by cdl on 8/11/17.			
8	Bulatov	2980	Hemlock	9/11/17	B-31651	Remodel existing SFR, new 1st & 2nd floor addition (1444 sq. ft.), new 310 sf deck above	Disapproved by jg on 9-8-17.	Disapproved by cdl on 9-18-17.	Disapproved by jb on 9-15-17.		
9	Spencer	2445	Ironwood	7/21/17	B-31594	151sf single story addition at rear of SFR, new second bath, new 78 sf deck at rear of SFR	Approved by rr on 8-1-17.	Approved by cdl on 8-29-17	Approved by pn on 9-6-17		
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 rr on 8-22-17.	Disapproved by cdl on 8-8-17	Disapproved by pn on 8-22-17.		
11	Grover	484	Kings	8/31/17	B-31650	Single Family Addition	Approved by jg on 9-6-17.	Disapproved by cdl on 9-7-17.	Disapproved by jb on 9-14-17.		
12	Wright	6/3/1901	LaJolla	7/21/17	B-31595	Enclose 10'x20' carport for single car garage	Disapproved by rr on 7-26-17.	Disapproved by cdl on 8/11/17.			
13	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		
14	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.	PN- Not Approved 7/26/17		

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
15	Kinsinger	220 Main	8/21/17	B-31639	Interior remodel of kitchen, bath and living room, add new deck area, remodel exterior of building	Correction memo sent 9-27-17. Approved 10-2-17.	Approved by cdl on 9-21-17.			
16	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.		
17	Lau	2780 Main	9/15/17	B-31680	Remodel existing resteraunt/ apartment. Reduce size of restaurant by 500 sf and add that to the Apartment.					
18	Bradley/Edwards	310 Mindoro	7/19/17	B-31592	SFNew 1486 ft. of living, 446 sq. ft. of decking	Approved by wm on 10-9-17.	Disapproved by cdl on 10-31-17.	Disapproved by jb on 10-3-17.		
19	Najarian	320 Mindoro	6/9/17	B-31544	New SFR 2-story 1694 sq. ft, living 546 sq ft.garage 144 sq. ft. deck	Approved by wm on 9-18-17.	Approved by cdl on 9-18-17.	PN- Not Approved 7/26/17		
20	Assembly of God	615 Monterey	10/14/16	B-31226	Interior remodel (to rear house) - Demo interior, replace sub floor, drywall, electrical & plumbing, new stucco over exterior	Disapproved 11-10-16. JG	Disapproved by cdl on 11-17-16.	PN- Disapproved 11/16/16		
21	Swindle	590 Morro	9/25/17	B-31690	Remove and relocate panel antennas to roof top cell site.					
22	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		
23	Phelps	490 Piney Way	8/24/17	B-31643	Repair walls to utility/storage room, new concrete re-inforced slab, new stem wall,	Disapproved 8-29-17. RR. Approved 10-11-17	Disapproved by cdl on 9-19-17.	Approved 9-6-17.		
24	Densley	680 Quintana	9/15/17	B-31675	Tennant Improvement. Anytime Fitness	Disapproved 10-6-17. JG	Approved by cdl on 9-19-17.	Approved 9-15-17. JB.		
25	Henderson	1000 Quintana	9/25/17	B-31690	Remove and relocate panel antennas to roof top cell site.		Approved by cdl on 9-27-17	Approved by jb on		
26	Giannini	750 Radcliff	9/15/17	B-31681	Remove & Replace antenna on tower,	Disapproved 9-18-17. JG	Approved by cdl on 9-19-17. PZ	Disapproved 9-15-17. JB		
27	Brisson	341 Sicily	9/12/17	B-31670	Single Family Alteration	Conditional approval 9-27-17. RR	Disapproved by cdl on 9-21-17.			
28	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 8-14-17.	PN- Approved 7/14/16		
29	Dolezal	1889 Sunset	11/30/15	B-30757	Lot 5: New SFR with 1140sf with 480 garage. Remains in plan check Status.	Conditional Approval cj (until map is recorded per scot) on 8-17-17	Approved by cdl on 8-14-17.	PN- Approved 7/14/16		
30	Dolezal	1893 Sunset	11/30/15	B-30756	Lot 4: New SFR with 1140sf living and 480sf garage. Remains in plan check Status.	Conditional Approval cj (until map is recorded per scot) on 8-17-17	Approved by cdl on 8-14-17.	PN- Approved 7/14/16		
31	Dolezal	1897 Sunset	11/30/15	B-30753	Lot 1: New SFR with 1140sf living and 480sf garage. Remains in plan check Status.	Conditional Approval cj (until map is recorded per scot) on 8-17-17	Approved by cdl on 8-14-17.	PN- Approved 7/14/16		
32	Dolezal	1901 Sunset	11/30/15	B-30754	Lot 2: New SFR with 1541sf living and 483sf garage. Remains in plan check Status.	Conditional Approval cj (until map is recorded per scot) on 8-17-17	Approved by cdl on 8-14-17.	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
33	Dolezal	1905 Sunset	11/30/15	B-30755	Lot 3: New SFR with 1457sf living and 480sf garage. Remains in plan check Status.	Conditional Approval cj (until map is recorded per scot) on 8-17-17	Approved by cdl on 8-14-17.	PN- Approved 7/14/16		
34	Sotelo	2101 Sunset	10/3/17	B-31698	Proposed detached accessory building 625 sq. ft.		Disapproved by cdl on 10/4/17.	Disapproved by jb on 10-05-17.		
35	Adamson	155 Terra	6/9/17	B-31545	Addition to single family residence. Remodel to existing living, dining,kitchen, 7 rooms.	Disapproved 9-13-17. JG. Needs a Minor Use Permit.	Approved by cdl on 7/5/17.	PN- Approved 9/6/17		
Planning Projects & Permits with Final Action:										
1	Adamson	155 Terra	9/14/17	UP0-492	Minor Use Permit for 254 sq. ft. guest house addition to an exisiting SFR	Under Initial Review. Noticed 9/25. MUP issued10/3				JG



AGENDA NO: B-1

MEETING DATE: October 17, 2017

Staff Report

TO: Planning Commissioners **DATE:** October 17, 2017

FROM: Joan Gargiulo, Assistant Planner

SUBJECT: Continued review of Coastal Development Permit (#CP0-323) and Conditional Use Permit (#UP0-282) 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 25-17 (Exhibit A) which includes the Findings and Conditions of Approval for the project depicted on site development plans date stamp received September 7, 2017.

APPLICANT:

Bruce Elster, Morro Seaview, LLC

ARCHITECT:

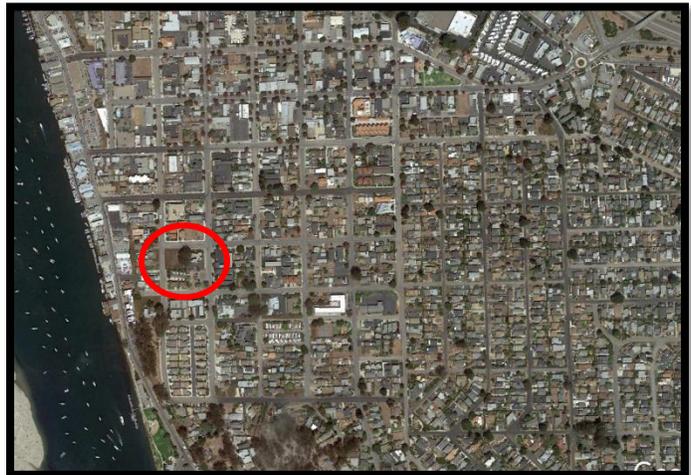
Chris Parker, Architect

ADDRESS/APN:

530 Morro; 066-134-016

BACKGROUND/DISCUSSION:

This item was continued from the March 7, 2017 Planning Commission meeting with direction to provide greater articulation along the project's rear elevation (Exhibit C). Also, see project Planning Commission meeting minutes for March 7, 2017 Attached as Exhibit E.



Prepared By: JG

Department Review:

Rear Elevation

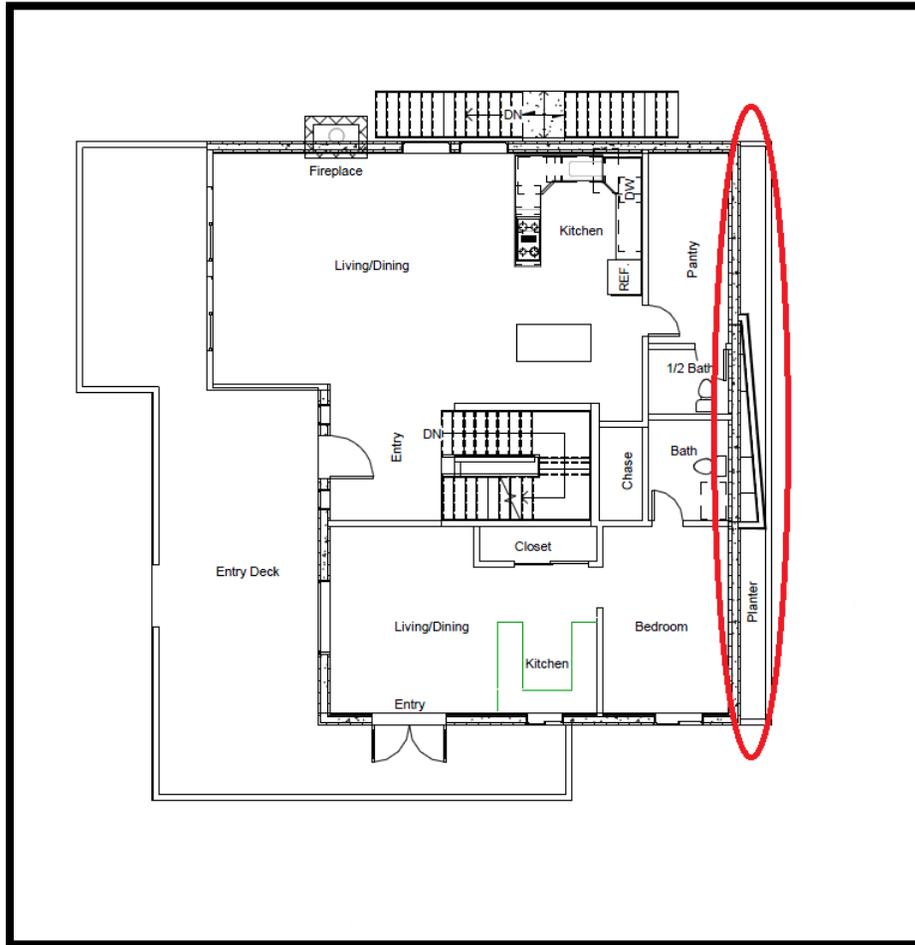
The applicant has made the following revisions to the rear elevation: removed the double cornice from the roof, added an angular architectural projection to the center of the rear elevation that extends the full height of the structure, and concentrated the use of corrugated metal in the center projection. The Applicant also proposes to install a CMU wall/planter in place of the previously proposed guardrail. See Original and Proposed rear elevations below. The Plans are also provided as Exhibit B to the Staff report.



Original Rear Elevation (3/7/17 PC Meeting)



Proposed Rear Elevation (10/17/17 PC Meeting)



Proposed Level 2 Floor Plan Illustrating Planter and Projection (10/17/17 PC Meeting)

Minutes are available on the City's website at
<https://www.youtube.com/watch?v=2j1qG8bCQN8&feature=youtu.be&t=3h20m57s>

PROJECT SETTING:

The project is located in the Bayfront Neighborhood, designated as Planning Area No. 6 in the Local Coastal Plan, within the R-2/PD/S.4 Zoning District. The parcel at 530 Morro Avenue lies to the East of the Embarcadero, to the west of Main Street, to the south of Driftwood Street, and to the north of Olive Street. The 8,740 sq. ft. rectangular shaped lot slopes up to the east. Development in the surrounding area includes one and two-story residential and commercial development in a variety of architectural styles.

Adjacent Zoning/Land Use			
North:	R-2/PD/S.4 Vacant lot	South:	R-2/PD/S.4 Multifamily Residential
East:	R-4/S.4 Office parking	West:	R-2/PD/S.4 Residential

Site Characteristics	
Site Area	8,740 square feet
Existing Use	Vacant Lot
Terrain	Undeveloped and sloping down to the west
Vegetation/Wildlife	Low grasses and iceplant
Archaeological Resources	N/A
Access	Morro Avenue

General Plan, Zoning Ordinance, & Local Coastal Plan Designations	
General Plan/Coastal Plan Land Use Designation	Low-Medium Density Residential
Base Zone District	R-2
Zoning Overlay District	PD Planned Development
Special Treatment Area	S.4
Combining District	n/a
Specific Plan Area	n/a
Coastal Zone	Located outside the Coastal Commission Appeal Jurisdiction
Density	Minimum lot area per unit: 2,900 SF (2 units maximum)

Zoning Ordinance Standards		
	Standards	Proposed
Front Setback	20 feet	56'6"
Side-Yard Setback	5 feet	5'1"
Rear Setback	5 feet	13'5"
Height	25 Feet	24'1"
Lot Coverage	Max. 50%	29%
Parking	2 Car Garage +1	3 Garage Parking Spaces
Landscaping	Plan Required	Submitted with Plan Set

Permit Requirements

Title 17 of the Morro Bay Municipal Code (MBMC) establishes land use and zoning permit requirements. The project at 530 Morro Avenue proposes construction of a new single-family dwelling on a vacant lot in the R-2 Residential Zoning District with a Planned Development (PD) overlay. This project requires Planning Commission approval of both a coastal development permit and a conditional use permit. Development within the Planned Development overlay zone requires a conditional use permit (MBMC Section 17.40.030). This overlay is applied to parcels, which because of location, size, or public ownership warrant more detailed review.

Conditional Use Permit

The Zoning Ordinance, subsection 17.40.030, requires approval of a conditional use permit for any development located within the Planned Development (PD) Overlay Zone. Approval of a Conditional Use Permit within the PD Overlay zone requires the following findings to be made:

1. The new development is found to be consistent with the applicable policies of the Morro Bay General Plan and the Local Coastal Plan.

The proposed development is consistent with all provisions of the Morro Bay Municipal Code.

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 the construction of a single-family residence with associated secondary dwelling unit which is an allowed use in the R-2 zone. The surrounding neighborhood is developed with one and two-story residential and commercial development.

PUBLIC NOTICE:

Notice of this item was published in the San Luis Obispo Tribune newspaper on October 7, 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 15303 Class 3. 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 Medium Density land use designation and because the project meets the development standards set forth in the Ordinance.

RECOMMENDATION:

Staff recommends the Planning Commission approve the requested Coastal Development Permit (CP0-323) and Conditional Use Permit (UP0-282) for the proposed project at 530 Morro Avenue, as shown on plans date stamped received July 13, 2017 by adopting Planning Commission **Resolution 25-17** which includes the Findings and Conditions of Approval for the project.

EXHIBITS:

- Exhibit A – Planning Commission Resolution 25-17
- Exhibit B – Graphics/Plan Reductions
- Exhibit C – Applicant Comment Letter
- Exhibit D – March 7, 2017 Staff Report and Plans
- Exhibit E – March 7, 2017 PC Minutes

EXHIBIT A

RESOLUTION NO. PC 25-17

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION APPROVING COASTAL DEVELOPMENT PERMIT (CP0-323) AND CONDITIONAL USE PERMIT (UP0-282) TO ALLOW THE CONSTRUCTION OF A NEW SINGLE- FAMILY DWELLING WITH SECONDARY DWELLING UNIT AT 530 MORRO 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 7, 2017, for the purpose of considering Coastal Development Permit CP0-323 and Conditional Use Permit UP0-282 for construction of a new single-family home at 530 Morro Avenue (APN 066-134-016); and

WHEREAS, the Planning Commission of the City continued the project to a date uncertain with direction to the Applicants for design revisions to the rear elevation to increase articulation ; and

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 October 17, 2017, for the purpose of reconsidering Coastal Development Permit CP0-323 and Conditional Use Permit UP0-282 for construction of a new single-family home at 530 Morro Avenue (APN 066-134-016); 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 under Section 15303, Class 3(a), exempting construction of one single family residence. None of the exceptions found in CEQA Section 15300.2 apply to this project.

Conditional Use Permit and Planned Development 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.

EXHIBIT A

Resolution 25-17
CP0-323/UP0-282
530 Morro Avenue
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2. The proposed project 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.

Section 2. Action. The Planning Commission does hereby approve Coastal Development Permit CP0-323 and Conditional Use Permit UPO-282 for property located at 530 Morro Avenue subject to the following conditions:

STANDARD CONDITIONS

1. This permit is granted for the land described in the staff reports dated March 7, 2017 and October 17, 2017 for the project at 530 Morro Avenue (APN:066-134-016) depicted on plans received by the City on January 17, 2017, as part of Coastal Development Permit CP0-323 and Conditional Use Permit UPO-282, 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

EXHIBIT A

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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 9.28.030.1, 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

EXHIBIT A

Resolution 25-17
CP0-323/UP0-282
530 Morro Avenue
Page 4

- 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 on Building Plans: Prior to the issuance of a Building Permit, the final Conditions of Approval shall be attached to the set of approved plans. The sheet containing Conditions of Approval shall be the same size as other plan sheets and shall be the last sheet in the set of Building Plans.
 5. Architecture: Building color and materials shall be as shown on plans approved by the Planning Commission and specifically called out on the plans submitted for a Building Permit to the satisfaction of the Community Development Director.
 6. Boundaries and Setbacks: The property owner is responsible for verification of lot boundaries. Prior to requesting foundation inspection, a licensed land surveyor shall verify lot boundaries and building setbacks to the satisfaction of the Community Development Director. A copy of the surveyor's *Form Certification* based on a boundary survey shall be submitted with the request for foundation inspection.
 7. Building Height Verification: Prior to foundation inspection, a licensed land surveyor shall measure and inspect the forms and submit a letter to the Community Development Director certifying that the tops of the forms are in compliance with the finish floor elevations as shown on approved plans. Prior to either roof nail or framing inspection, a licensed surveyor shall submit a letter to the building inspector certifying that the height of the structures is in accordance with the approved plans and zoning ordinance standards, including the bluff development standards.
 8. Building Height Calculation: Plans submitted for a building permit shall clearly identify the high and low topographic elevation points within the footprint of the new structure as certified by a licensed land surveyor.
 9. Mechanical Roof Equipment: Any and all mechanical roof equipment shall be located so as to be entirely not visible from Driftwood Street, Morro Avenue, or Main Street.

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 Projects with more than 2,500 sq. ft. of new or redeveloped impervious area are subject to these requirements. Complete and submit the "SFR Performance Requirement Determination Form".

EXHIBIT A

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2. Frontage Improvements: The installation of frontage improvements is required. Show the installation of a City standard driveway approach per City of Morro Bay standard drawing B-6, curb & gutter per B-1, sidewalk per B-5, a street tree per B-12 and the bike lane striping extension. Pavers are not allowed within the City right-of-way. If permeable pavers are to be used outside of City right-of-way, a modified driveway approach with a 12" wide PCC grade beam should be constructed to stabilize the front edge of the pavers.
3. Encroachment Permit: 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 the installation of the 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.
4. Sewer Lateral: Label if new or existing 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.
5. Sewer Backflow: 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.
6. Erosion Control: 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.
7. Water Meter: Label existing or new water meter upon Building Permit application submittal.
8. Add the following Notes to the Plans:
 - a. 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.
 - b. 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 Office located at 955 Shasta Ave. The Encroachment permit shall be issued concurrently with the building permit.

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Page 6

BUILDING CONDITION

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

FIRE CONDITIONS

1. Sprinklers: An automatic fire sprinkler system, in accordance with NFPA 13-D, California Fire Code (Section 903), California Residential Code (Section R313), and Morro Bay Municipal Code (Section 14.08.090) is required.

Applicant shall submit plans for an automatic fire sprinkler system, in accordance with NFPA 13-D, to Morro Bay Community Development Department for review.

2. Carbon Monoxide Detector: Carbon monoxide alarms in new dwellings and sleeping units. An approved carbon monoxide alarm shall be installed in dwellings having a fossil fuel-burning heater or appliance, fireplace, or an attached garage. Carbon monoxide alarms shall be installed and maintained in accordance with NFPA 720 and the manufacturer's instructions (CRC R315.2)

Applicant shall provide carbon monoxide detection in accordance with CRC R315.2

3. Fire safety during construction and demolition shall be in accordance with 2013 California Fire Code, Chapter 33. This chapter prescribes minimum safeguards for construction, alteration, and demolition operations to provide reasonable safety to life and property from fire during such operations.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 17th day of October, 2017 on the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Chairperson Gerald Luhr

ATTEST

Scot Graham, Planning Secretary

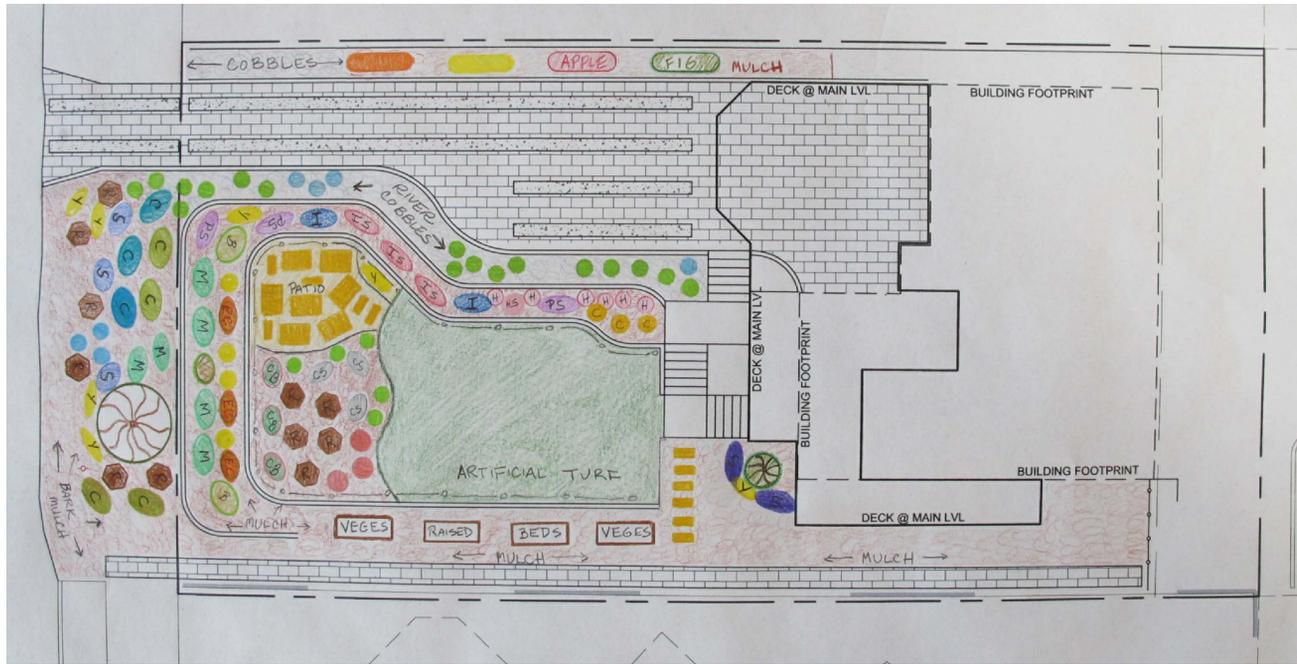
EXHIBIT A

Resolution 25-17
CP0-323/UP0-282
530 Morro Avenue
Page 7

The foregoing resolution was passed and adopted this 17th day of October, 2017.

SYMBOL	TYPE	NAME	SCIENTIFIC NAME	SIZE
	Shrub	Santa Cruz Island Buckwheat	<i>Eriogonum arborescens</i>	1 gal
	Shrub	Saffron Buckwheat	<i>Eriogonum crocatum</i>	1 gal
	Shrub	Red Buckwheat	<i>Eriogonum grande rubescens</i>	1 gal
	Shrub	Coast Buckwheat	<i>Eriogonum latifolium</i>	1 gal
	Street Tree	Ceanothus Ray Hartman	<i>Ceanothus arborescens</i>	5 gal
	Shrub	San Simeon ceanothus	<i>Ceanothus hearstiorum</i>	1 gal
	Shrub	Ceanothus blue blossom	<i>Ceanothus thyrsiflorus repens</i>	1 gal
	Shrub	Salvia Bee's Bliss	<i>Salvia hybrid</i>	1 gal
	Shrub	Brandegees Sage	<i>Salvia brandegei</i>	1 gal
	Shrub	Cleveland sage	<i>Salvia clevelandii</i>	1 gal
	Perennial	Hummingbird sage	<i>Salvia spathacea</i>	1 gal
	Shrub	Island snapdragon	<i>Galvesia speciosa</i>	1 gal
	Perennial	Succulents	Various species	1 gal
	Perennial	Dudleya	<i>Dudleya caespitosa</i>	1 gal
	Perennial	Yarrow	<i>Achillea millefolium californica</i>	1 gal
	Shrub	Manzanita Carmel Sur	<i>Arctostaphylos edmundsii</i>	1 gal
	Shrub	Morro Manzanita	<i>Arctostaphylos morroensis</i>	1 gal
	Shrub	Western columbine	<i>Aquilegia formosa</i>	1 gal
	Shrub	Pitcher sage	<i>Lepechinia fragrans</i>	1 gal
	Shrub	California fuchsia	<i>Epilobium canum</i>	1 gal
	Perennial	Deep Blue Douglas Iris	<i>Iris douglasiana</i>	1 gal
	Perennial	Island Alum Root	<i>Heuchera maxima</i>	1 gal
	Shrub	Coffeeberry Eve Case	<i>Rhamnus californica</i>	1 gal
	Fruit tree	Lemon Tree	<i>Espalier</i>	5 gal
	Fruit tree	Fig Tree	<i>Espalier</i>	5 gal
	Fruit tree	Mandarin Tree	<i>Espalier</i>	5 gal
	Fruit tree	Apple Tree	<i>Espalier</i>	5 gal
		Stone pavers		
		Rocks		

2 LANDSCAPE PLAN LEGEND
SCALE: 1:10



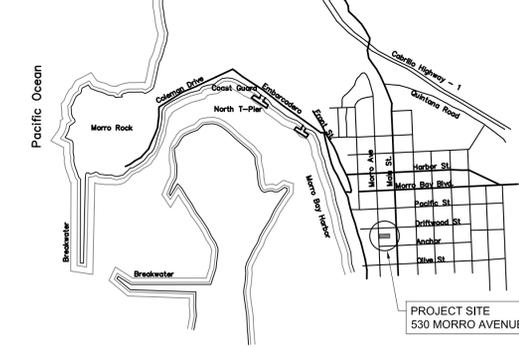
2 CONCEPT LANDSCAPE PLAN
SCALE: 1:10

Nomenclature:

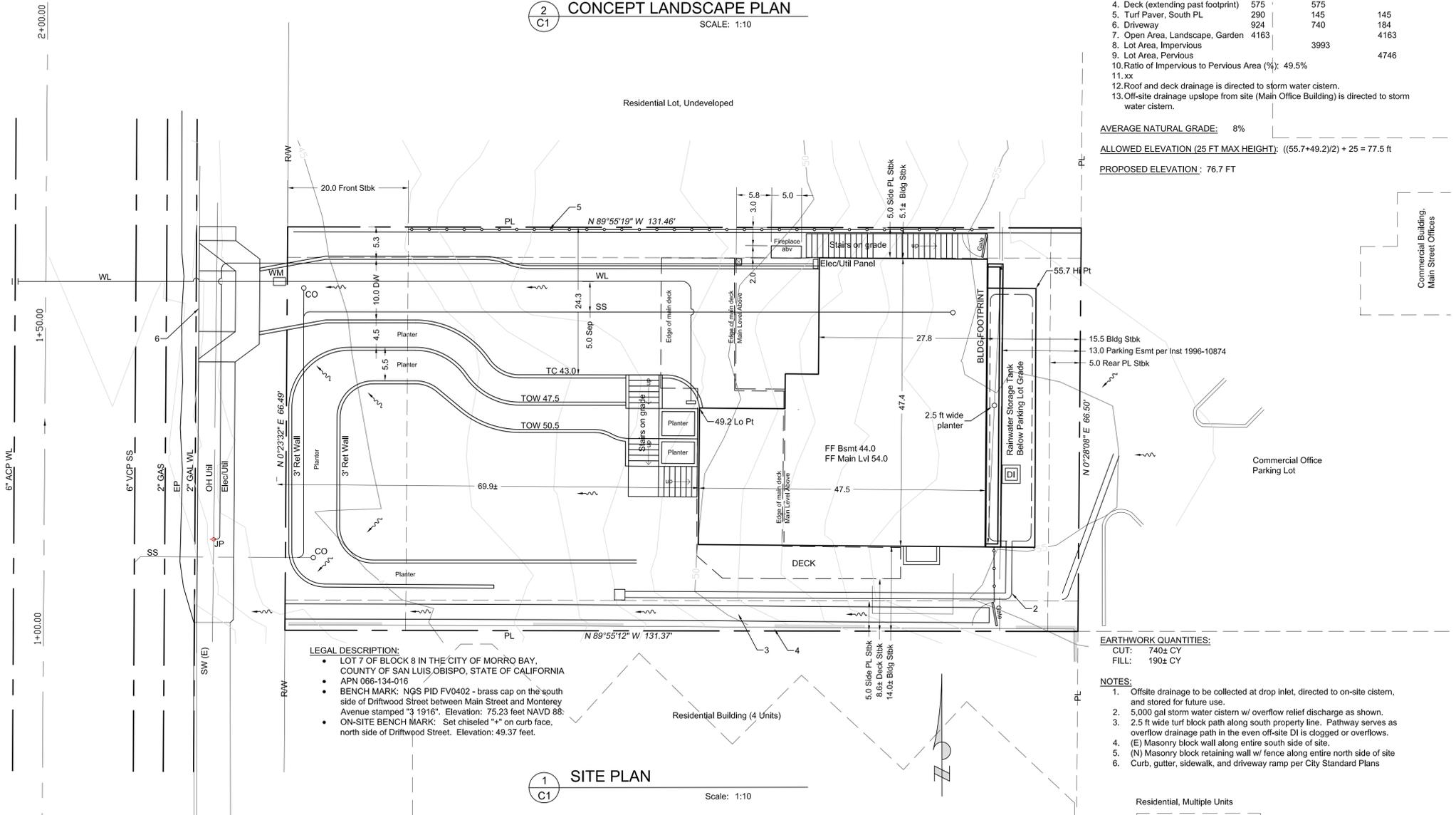
- A area
- ACP asphaltic concrete pipe
- add'l additional
- app'd approved
- AB anchor bolt
- @ at
- Bsmt basement
- bm beam
- BOW bottom of wall
- calc calculations
- cc center to center
- cl center line
- clear
- CO Clean Out
- col column
- conc concrete
- cont continuous
- det detail
- Ø diameter
- DJ storm drain inlet
- dim dimension
- dbl double
- dwg drawing
- (E) existing
- ea each
- enr engineer
- elec electric
- elev elevation
- eq equal
- ex existing
- ext exterior
- ft or ' foot
- fig footing
- FF Finish Floor
- FG Finish Grade
- FL Flow Line
- hdr header
- HD hold down
- Horiz horizontal

Nomenclature:

- Insp inspection
- in or " inch
- int interior
- JP joint pile
- long longitudinal
- L length
- Lvl Level
- max. maximum
- M.B. machine bolt
- max maximum
- min minimum
- (N) new
- N.T.S. not to scale
- oc on center
- oh opposite hand, overhead
- PL property line
- pla plate
- ply plywood
- PTDF Pressure Treated Douglas-Fir
- R/W Right-of-Way
- SD storm drain
- SW sidewalk
- shtg sheathing
- sps shear panel schedule
- sq square
- SS sanitary sewer
- setbk setback
- std standard
- th thick
- TOW Top of Wall
- TOS Top of Slope
- trans transverse
- typ typical
- UNO Unless Noted Otherwise
- Util utility
- vert vertical
- VCP vitrified clay pipe
- W width
- WL waterline



1 VICINITY MAP
SCALE: No Scale



1 SITE PLAN
Scale: 1:10

PROJECT INFORMATION:

Project Description: Single family residence with a secondary dwelling unit
 Project Address: 530 Morro Avenue, Morro Bay
 Owner: Morro Seaview LLC, 1176 Las Tunas, Morro Bay 93442
 Contact: Bruce Elster, PE 772-6466
 Prepared by: Bruce Elster, PE, Shoreline Engineering, Inc, 505 Harbor Street, Morro Bay 93442, 772-6466
 Christopher Parker, Architect, 630 Quintana Road, #330, Morro Bay, CA 93442, 772-5700

MORRO BAY CITY PERMIT REFERENCES:

CONDITIONAL USE PERMIT #UPO-282
 COASTAL DEVELOPMENT PERMIT #CPO-323

SHEET INDEX:

DESCRIPTION	SHEET
OVERALL SITE/LANDSCAPE PLAN, PROJECT INFORMATION	C-1
BASEMENT LEVEL FLOOR PLAN	A1
MAIN LEVEL FLOOR PLAN	A1
UPPER LEVEL FLOOR PLAN	A1
ELEVATIONS	A4

NOTES:

- ADDRESS: 530 MORRO AVENUE
- ZONING: R-2/PD/S.4
- AREAS:
- LOT AREA: 8738.7 sf
- LOT COVERAGE: 2504 sf (29%)

DRAINAGE NOTES:

Item	A, Gross (sf)	Impervious (sf)	Pervious (sf)
1. Lot Area, Total	8739 sf		
2. Easement, Comm Parking Lot	858	858	
3. Building Footprint	1675	1675	
4. Deck (extending past footprint)	575	575	
5. Turf Paver, South PL	290	145	145
6. Driveway	924	740	184
7. Open Area, Landscape, Garden	4163		4163
8. Lot Area, Impervious		3993	
9. Lot Area, Pervious			4746
10. Ratio of Impervious to Pervious Area (%):		49.5%	
11. xx			
12. Roof and deck drainage is directed to storm water cistern.			
13. Off-site drainage upslope from site (Main Office Building) is directed to storm water cistern.			

AVERAGE NATURAL GRADE: 8%

ALLOWED ELEVATION (25 FT MAX HEIGHT): ((55.7+49.2)/2) + 25 = 77.5 ft

PROPOSED ELEVATION : 76.7 FT

EARTHWORK QUANTITIES:

CUT: 740± CY
 FILL: 190± CY

NOTES:

- Offsite drainage to be collected at drop inlet, directed to on-site cistern, and stored for future use.
- 5,000 gal storm water cistern w/ overflow relief discharge as shown.
- 2.5 ft wide turf block path along south property line. Pathway serves as overflow drainage path in the even off-site DI is clogged or overflows.
- (E) Masonry block wall along entire south side of site.
- (N) Masonry block retaining wall w/ fence along entire north side of site.
- Curb, gutter, sidewalk, and driveway ramp per City Standard Plans

Revisions | Date

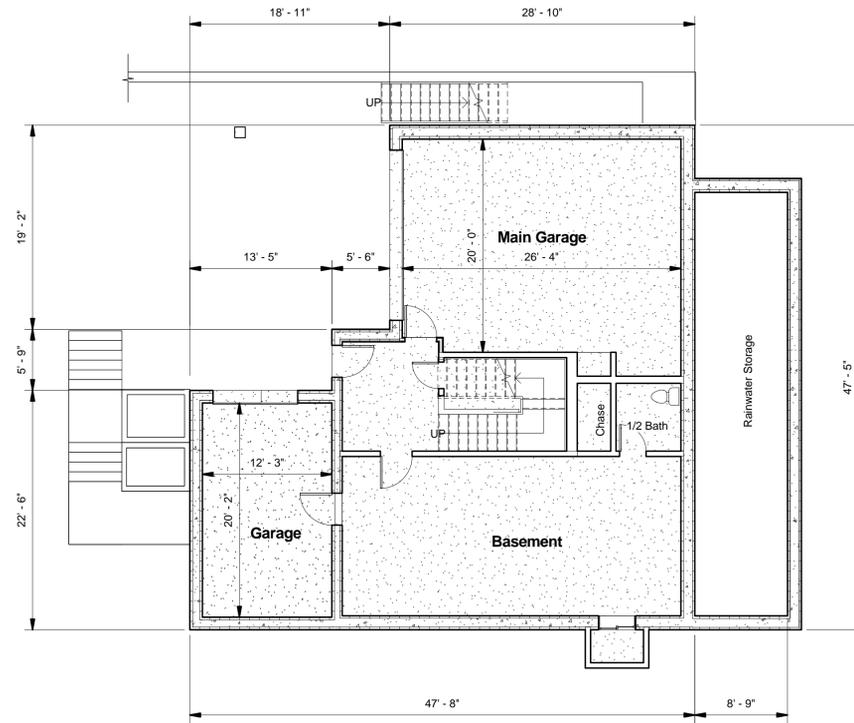
Shoreline Engineering, Inc.
 Structural & Civil Engineering
 505 Harbor Street, Morro Bay, CA 93442
 Ph: 805-772-6466, Fax: 805-772-6467, e-mail: info@shoreline-engineering.net

530 Morro Avenue
 Morro Bay, CA

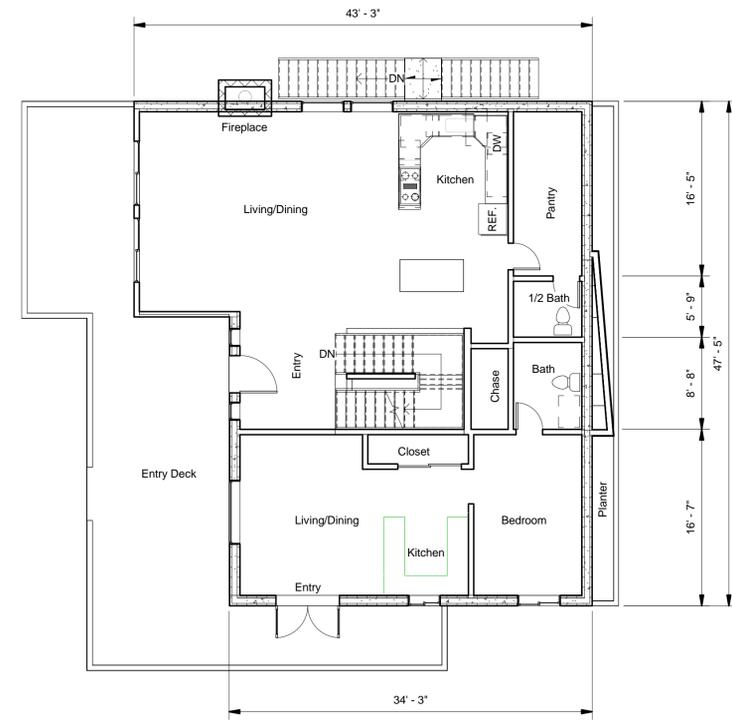
Residence
 Site Plan

Date: Sept 2016
 Scale: 1:10
 Drawn: be & jo
 Job No.: 530

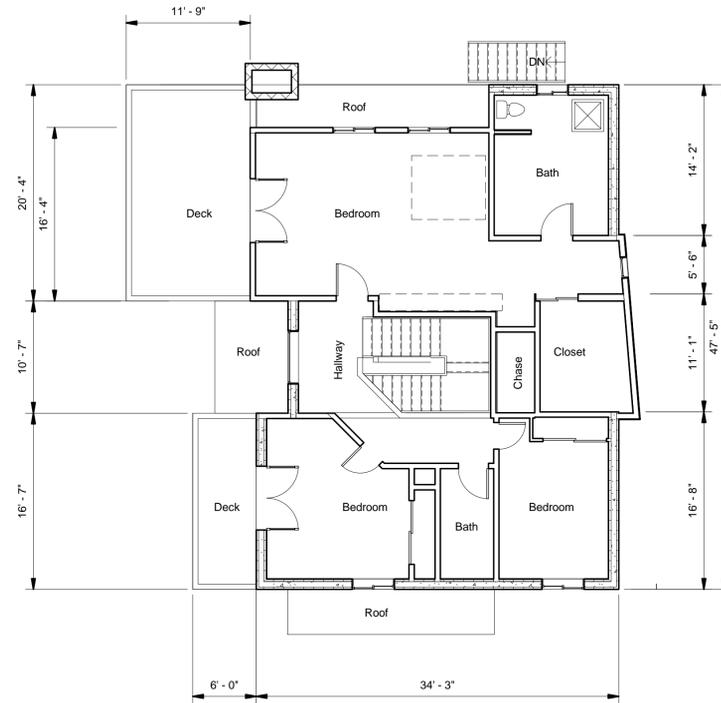
Sheet
 C-1 of 3



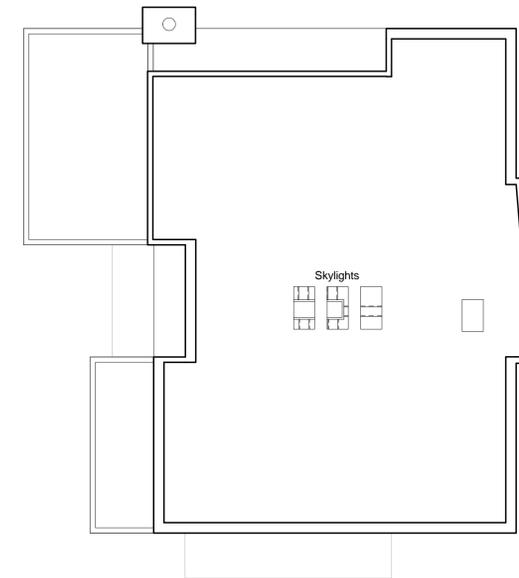
1 Basement/Garage Plan
A-1 1/8" = 1'-0"



2 Level 2
A-1 1/8" = 1'-0"



3 Level 3
A-1 1/8" = 1'-0"



4 Roof
A-1 1/8" = 1'-0"

PROJECT INFORMATION AND FEATURES

- Single family residence for us that includes an attached secondary housing unit (granny unit) for our mother.
- The development application does not include any request for a variance or deviation from the City's development requirements. It is recognized the property is zoned for R2 density development. Sufficient land area is set aside in the front of the lot for future development. We will not be pursuing additional development during our lifetime.
- The residence is a two level structure with the garage and basement built below grade under the residence.
- Construction of the residence is primarily comprised of insulated concrete (ICF). ICF construction provides a higher level of insulation, longer service life, and structural strength.
- The multi-level design with the parking placed below grade increases the available open space.
- The residence is situated at the rear of the lot. Neighbors to the south of the residence will not have their views obstructed.
- The access driveway width is narrow so as to limit width of driveway at the street right-of-way, limiting visual impact and providing more frontage for off-site parking.
- A guest parking space is provided on-site.
- The commercial office building upslope and east of the residence drains their storm water onto our property. Drainage from the office building is directed onto the subject property and this drainage has from time to time been a problem for the neighbors to the south. This will be corrected with this development. The storm water draining from the office building property will be collected into a cistern/s, stored for future use on our property during the dry months.
- Roof drainage will be directed into a cistern, stored for future use during the dry months.
- The cistern/s will provide approximately 5,000 gallons of water storage.
- The front yard is terraced to slow runoff, and provide shallow recharge of stormwater.
- The flat roof facilitates the installation of solar collection elements. The roof will include a short parapet to hide collectors from public view.
- Provision is being made to provide for solar powered electric power.
- Landscaping is comprised primarily of California native species.

BUILDING CODE DEFINITION OF BASEMENT (CBC 2016 §202)

BASEMENT. A story that is not a story above grade plane (see "Story above grade plane"). This definition of "Basement" does not apply to the provisions of Section 1612 for flood loads.

STORY ABOVE GRADE PLANE. Any story having its finished floor surface entirely above grade plane, or in which the finished surface of the floor next above is:

- More than 6 feet (1829 mm) above grade plane; or
- More than 12 feet (3658 mm) above the finished round level at any point.

AREAS:

Basement Level

Garage	646 sf
Garage, granny	324
Basement	559
Basement (1/2 bath)	52
Base entry/stairs	219
Total: U	1160

Level 2:

Living/Kitchen	758 sf
Pantry	122
Entry	107
Baths (Main)	45
(Granny)	64

Granny:

Living	375
Bed	188
Decks	786 sf
Total:	1510 sf

Level 3:

Bed	230
	160
Baths	380
Decks	120
Total:	890 sf

Total living area:

Main:	1922 sf
Granny:	563 sf

No.	Revision/Description	Date

Shoreline Engineering, Inc.
Structural/Civil
505 Harbor Street, Morro Bay, Ca 93442
v: 805-772-6466
f: 805-772-6467
be@shoreline-engineering.net



530 Morro Avenue
Morro Bay, CA

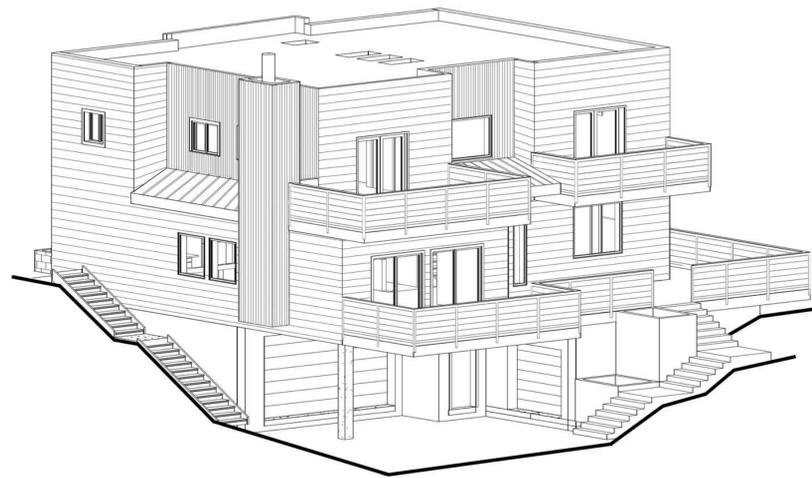
Floor Plans

Job # 530
Date April 2016
Drawn by: Author
Checked by: Checker
Scale 1/8" = 1'-0"



4 North
A-4 1/8" = 1'-0"

3 East
A-4 1/8" = 1'-0"



5 Overview
A-4



2 South
A-4 1/8" = 1'-0"



1 West - View from Morro Avenue
A-4 1/8" = 1'-0"

No.	Revision/Description	Date

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505 Harbor Street, Morro Bay, Ca 93442
v: 805-772-6466
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530 Morro Avenue
Morro Bay, CA

Elevations

Job # 530
Date April 2016
Drawn by: be & jo
Checked by: -
Scale 1/8" = 1'-0"

EXHIBIT B

Color Board



350 Morro Avenue

RECEIVED

SEP 07 2017

City of Morro Bay
Community Development Dept.

EXHIBIT B



530 Morro Avenue

EXHIBIT B



530 Morro Avenue

EXHIBIT B



530 Morro Avenue

EXHIBIT B



530 Morro Avenue

EXHIBIT B



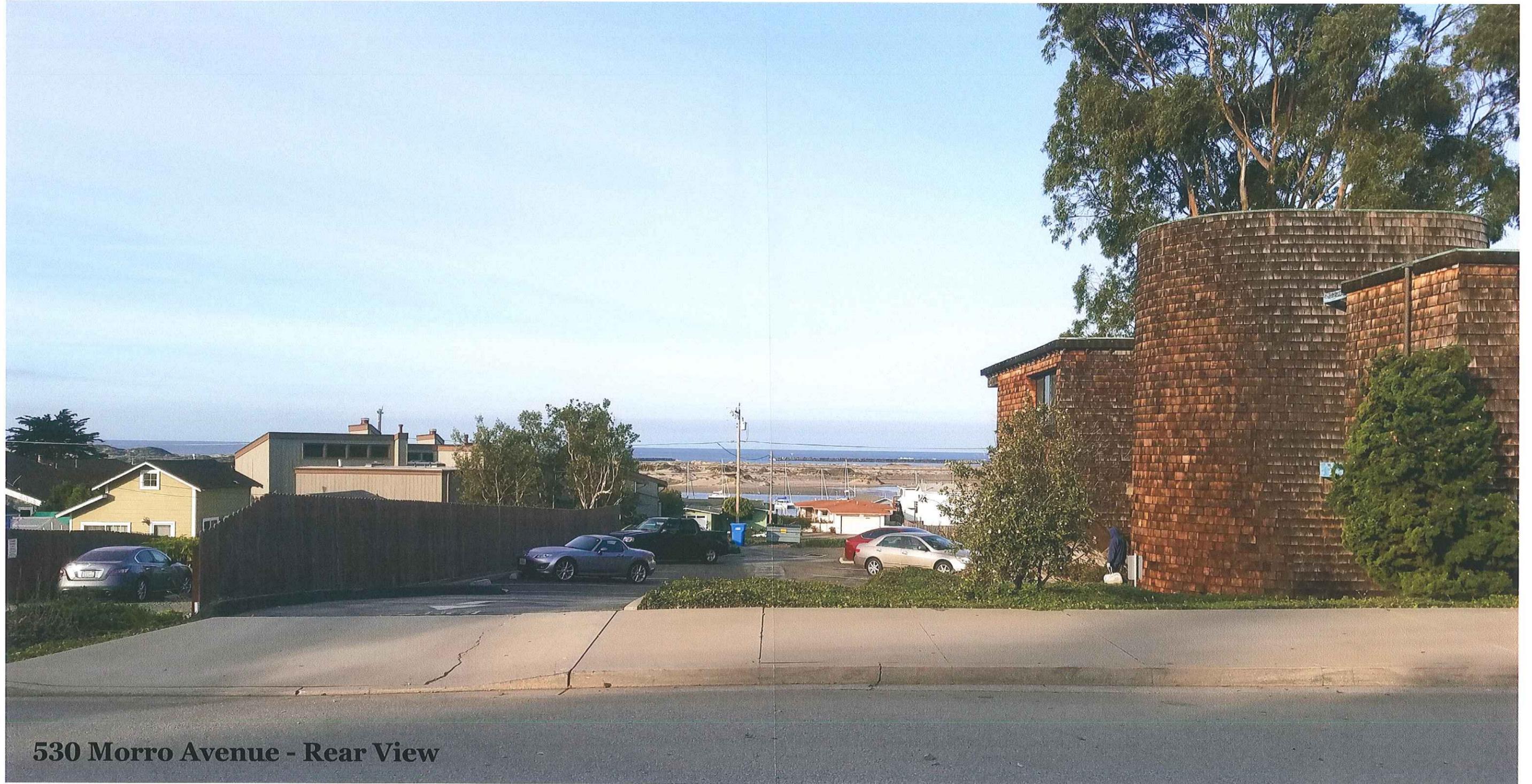
530 Morro Avenue - Rear View

EXHIBIT B



530 Morro Avenue - Rear View

EXHIBIT B



530 Morro Avenue - Rear View



7 September 2017

Joan Gargiulo
Associate Planner
City of Morro Bay
Community Development Department

RE: Conditional Use Permit #UPO-282, Coastal Development Permit #CPO-323
2nd Re-Submittal with Planning Commission Comments Addressed

Re-submittal materials are attached.

- Development plans (seven sets of 3 sheets)
- Photo-simulated renderings (seven sets of 9 sheets).

pdf files of the submittal materials have been transmitted via email.

We have reviewed the "minutes" of the 7 March Planning Commission hearing. Notes taken from watching/listening to the hearing are attached. The plans, as submitted, are ready for presentation to the Planning Commission for approval. A list of features that distinguish the project are also attached, and have been included as well on the face of the plans.

If you have any questions or comments, contact the undersigned directly. We would appreciate the opportunity to review any issues regarding the project prior to issuance of the Planning Commission staff report.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "BE" with a long horizontal stroke extending to the right.

Bruce Elster, PE
Morro Seaview LLC
1176 Las Tunas
Morro Bay, CA 93442
v: 772-6466
e: be@shoreline-engineering.net

Attach: Notes from Planning Commission hearing
Project Information and Features

Copy: Chris Parker, Architect

March 7, 2017 - Planning Commission Comments for 530 Morro Avenue

Commissioner Sadowski:

- At beginning stated too boxy and he wasn't a fan of the roofline
- Once he was informed the flat roof was designed to house as much solar as possible and there would also be rainwater collection of approximately 5,000 gallons, he was in favor of the design.

Commissioner Lucas:

- A lot of wonderful things happening with this project, so he wouldn't want to prevent the project with a condition, but suggests some additional articulation on the East Facade.
- Felt the items with small windows were isolated to the East Side of the building, making for small openings on that facade
- Suggests sliding the South Section to the west 1' to 2' to create a vertical shadow line to break up the flatness
- He likes the material pallet, but felt they were applied as decoration. He suggested making the materials start and stop at defined transitions
- Liked the placement on the site to allow for future site development.
- Really like the use of water storage and solar
- Felt the double cornice was a bit heavy and not necessary with the materials proposed.

Commissioner Ingraffia:

- Felt the project had a heavy massing and was not broken up enough. Neighboring structures are large, but he felt they had more relief with their massing.
- Concerned with the three-story nature of structure that would be visible from the driveway.
- The easterly facade was flat, with a lack of landscaping to break it up.
- Felt the project was just one large box to maximize the interior space.
- Would like to see a 3D rendering looking directly up the driveway to see the 3-story appearance

Commissioner Luhr:

- Appreciates the pallet of materials and the placement of the project on the lot to allow for possible future site development.
- He was fine with the project because of it setting in town....amongst a more dense neighborhood.

Chairman Tefft:

- The house is large but set among other large buildings, so he is fine with the scale of the building
- More thought could be placed on the Eastern Elevation
- Felt window placement on the East Facade could use improvement.

PROJECT INFORMATION AND FEATURES

1. Single family residence for us that includes an attached secondary housing unit (granny unit) for our mother.
2. The development application does not include any request for a variance or deviation from the City's development requirements.
3. It is recognized the property is zoned for R2 density development. Sufficient land area is set aside in the front of the lot for future development. We will not be pursuing additional development during our lifetime.
4. The residence is a two level structure with the garage and basement built below grade under the residence.
5. Construction of the residence is primarily comprised of insulated concrete (ICF). ICF construction provides a higher level of insulation, longer service life, and structural strength.
6. The multi-level design with the parking placed below grade increases the available open space.
7. The residence is situated at the rear of the lot. Neighbors to the south of the residence will not have their views obstructed.
8. The access driveway width is narrow so as to limit width of driveway at the street right-of-way, limiting visual impact and providing more frontage for off-site parking.
9. A guest parking space is provided on-site.
10. The commercial office building upslope and east of the residence drains their storm water onto our property. Drainage from the office building is directed onto the subject property and this drainage has from time to time been a problem for the neighbors to the south. This will be corrected with this development. The storm water draining from the office building property will be collected into a cistern/s, stored for future use on our property during the dry months.
11. Roof drainage will be directed into a cistern, stored for future use during the dry months.
12. The cistern/s will provide approximately 5,000 gallons of water storage.
13. The front yard is terraced to slow runoff, and provide shallow recharge of stormwater.
14. The flat roof facilitates the installation of solar collection elements. The roof will include a short parapet to hide collectors from public view.
15. Provision is being made to provide for solar powered electric power.
16. Landscaping is comprised primarily of California native species.



AGENDA NO: B-3

MEETING DATE: March 7, 2017

Staff Report

TO: Planning Commissioners **DATE:** March 7, 2017

FROM: Joan Gargiulo, Assistant Planner

SUBJECT: Coastal Development Permit (#CP0-323) and Conditional Use Permit (#UP0-467) Request for Coastal Development and Conditional Use Permit approval for the construction of a single-family residence with secondary dwelling unit located within the R-2/PD/S.4 Zoning District and outside of the Coastal Commission Appeal Jurisdiction.

RECOMMENDATION:

CONDITIONALLY APPROVE THE PROJECT by approving Planning Commission Resolution 08-17 which includes the Findings and Conditions of Approval for the project depicted on site development plans dated stamp received January 17, 2017.

APPLICANT:

Bruce Elster, Morro Seaview, LLC

ARCHITECT: Chris Parker

LEGAL DESCRIPTION/APN:

066-134-016

PROJECT DESCRIPTION:

The Applicant is requesting Coastal Development and Conditional Use Permit approval for the construction of a new 2,444 sq. ft. single-family residence with a 548 sq. ft. secondary dwelling unit, 888 sq. ft. of garage space, a 787 sq. ft. basement and half bath, and 1,206 sq. ft. of decking located within the R-2/PD/S.4 Zoning District and outside of the Coastal Commission Appeal Jurisdiction. The project proposal requires



Prepared By: JG _____

Department Review: _____

Planning Commission Staff Report
 CP0-323/UP0-467: 530 Morro Avenue
 March 7, 2017

Planning Commission review due to its location within the Planned Development Overlay Zone.

PROJECT SETTING:

The project is located in the Bayfront Neighborhood, designated as Planning Area No. 6 in the Local Coastal Plan, within the R-2/PD/S.4 Zoning District. The parcel at 530 Morro Avenue lies to the East of the Embarcadero, to the west of Main Street, to the south of Driftwood Street, and to the north of Olive Street. The 8,740 sq. ft. rectangular shaped lot slopes up to the east. Development in the surrounding area includes one and two-story residential and commercial development in a variety of architectural styles.

Adjacent Zoning/Land Use			
North:	R-2/PD/S.4 Vacant lot	South:	R-2/PD/S.4 Multifamily Residential
East:	R-4/S.4 Office parking	West:	R-2/PD/S.4 Residential

Site Characteristics	
Site Area	8,740 square feet
Existing Use	Vacant Lot
Terrain	Undeveloped and sloping down to the west
Vegetation/Wildlife	Low grasses and iceplant
Archaeological Resources	N/A
Access	Morro Avenue

General Plan, Zoning Ordinance, & Local Coastal Plan Designations	
General Plan/Coastal Plan Land Use Designation	Low-Medium Density Residential
Base Zone District	R-2
Zoning Overlay District	PD Planned Development
Special Treatment Area	S.4
Combining District	n/a
Specific Plan Area	n/a
Coastal Zone	Located outside the Coastal Commission Appeal Jurisdiction
Density	Minimum lot area per unit: 2,900 SF (2 units maximum)

Planning Commission Staff Report
 CP0-323/UP0-467: 530 Morro Avenue
 March 7, 2017



Zoning Ordinance Standards		
	Standards	Proposed
Front Setback	20 feet	58'6"
Side-Yard Setback	5 feet	5'1"
Rear Setback	5 feet	13'5"
Height	25 Feet	24'1"
Lot Coverage	Max. 50%	29%
Parking	2 Car Garage +1	3 Garage Parking Spaces
Landscaping	Plan Required	Submitted with Plan Set

PROJECT ANALYSIS:

Special Design Criteria Overlay

The project is located within an S.4 Special Design Criteria Overlay Zone which requires, as appropriate, review of architectural, landscaping, lighting, signing, and viewshed plans

in order to maintain and enhance the character and visual quality of these areas (Section 17.40.050.)

Architectural Design

The project proposal includes a flat roof, similar to other homes in the neighborhood and colors and materials that blend with existing development. Specifically, the Applicant is proposing a fairly modern design with corrugated sheet metal and horizontal rosewood hardy-board siding (Exhibit C.)

Neighborhood Compatibility

The General Plan discusses protection of neighborhood character as an issue in the Visual Resource and Scenic Highway Element, noting that, “(1) New residences and new residential additions are often out of scale and character with other residences in the vicinity. (2) The current allowable height and bulk for residential development is not appropriate for some portions of the community.” (p.IV-12)

General Plan Land Use Element policy LU-15 states, “The present human scale and leisurely, low intensity appearance of Morro Bay should be maintained through careful regulation of building height, location and mass.”

The proposed building meets the height and setback requirements for projects in the R-2 zone. Setting the building back from Morro Street by more than 50 feet helps to reduce the visual impact on the streetscape, although this benefit may be offset by the series of 3-foot retaining walls proposed in the setback area. With an overall square footage of 4,667, the proposed structure is larger than most single-family residential projects. However, there are other large scale, flat-roofed structures in the immediate vicinity and nearby neighborhoods.

Secondary Unit

The project includes a 548 square-foot secondary on the main level floor plan. The secondary unit conforms to provisions of Section 17.48.320 of the Zoning Ordinance, including size, architectural compatibility with the primary unit, and site development standards. One additional parking space is required and provided in the garage.

Landscaping

The project proposal contains a landscaping plan that includes drought tolerant plantings, fruit trees, cobble stones, and a drip irrigation system (Exhibit B.) A street tree is also required. Site grading and a series of retaining walls in yard area along Morro Street will raise the finish grade along this frontage.

Permit Requirements

Title 17 of the Morro Bay Municipal Code (MBMC) establishes land use and zoning permit requirements. The project at 530 Morro Avenue proposes construction of a new single-family dwelling on a vacant lot in the R-2 Residential Zoning District with a Planned Development (PD) overlay. This project requires Planning Commission approval of both a coastal development permit and a conditional use permit. Development within the Planned Development overlay zone requires a conditional use permit (MBMC Section 17.40.030). This overlay is applied to parcels, which because of location, size, or public ownership warrant more detailed review.

Conditional Use Permit

The Zoning Ordinance, subsection 17.40.030, requires approval of a conditional use permit for any development located within the Planned Development (PD) Overlay Zone. Approval of a Conditional Use Permit within the PD Overlay zone requires the following findings to be made:

1. The new development is found to be consistent with the applicable policies of the Morro Bay General Plan and the Local Coastal Plan.

The proposed development is consistent with all provisions of the Morro Bay Municipal Code.

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 the construction of a single-family residence with associated secondary dwelling unit which is an allowed use in the R-2 zone. The surrounding neighborhood is developed with one and two-story residential and commercial development.

PUBLIC NOTICE:

Notice of this item was published in the San Luis Obispo Tribune newspaper on February 25, 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.

Planning Commission Staff Report
CP0-323/UP0-467: 530 Morro Avenue
March 7, 2017

ENVIRONMENTAL DETERMINATION:

Environmental review was performed for this project and staff determined it meets the requirements for a Categorical Exemption under CEQA Guidelines Section 15303 Class 3. The exemption applies to the construction of a single-family residence in a residential zone.

Additionally, none of the Categorical Exemption exceptions, noted under Section 15300.2, apply to the project.

CONCLUSION:

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

RECOMMENDATION:

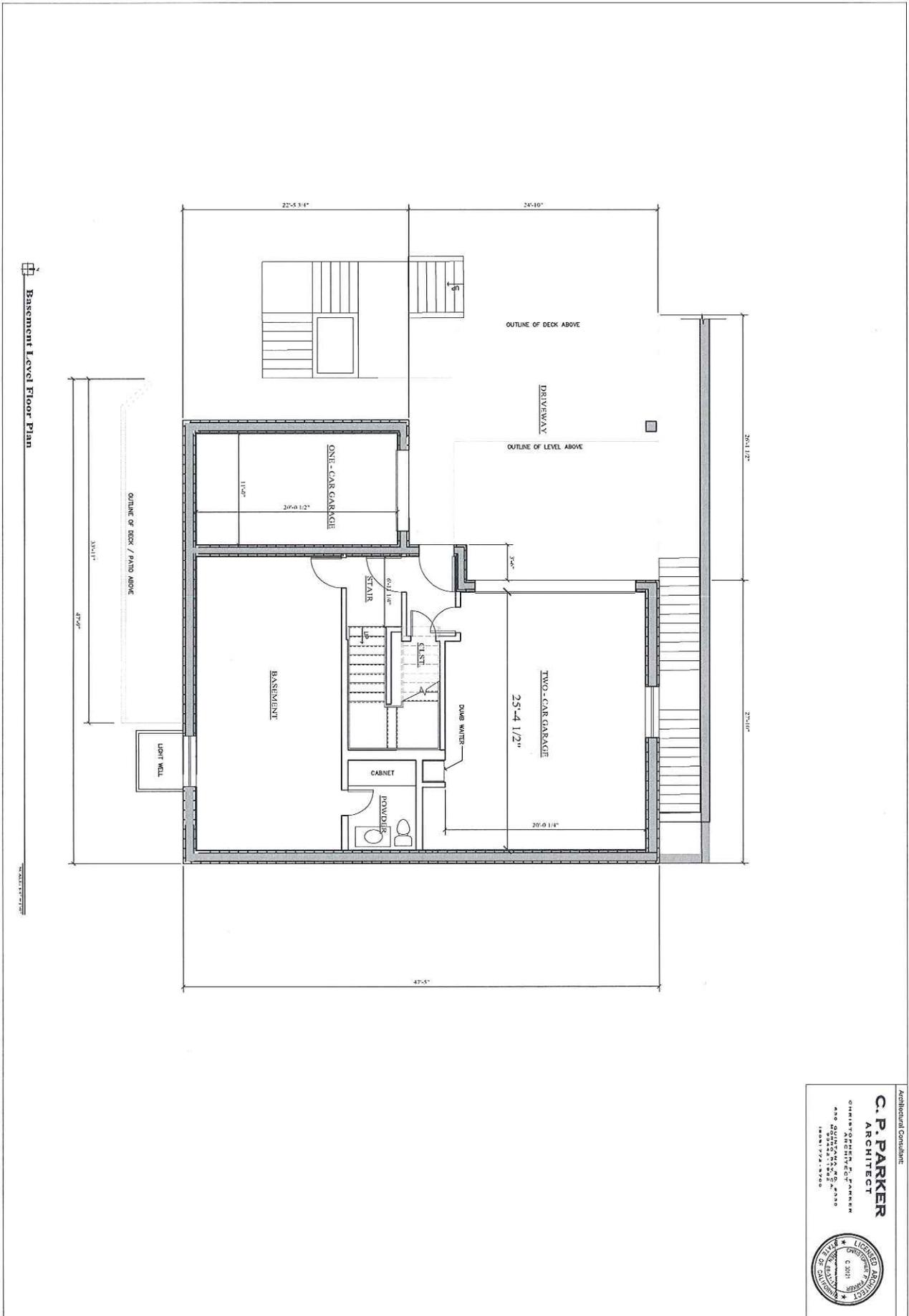
Staff recommends the Planning Commission approve the requested Coastal Development Permit (CP0-323) and Conditional Use Permit (UP0-282) for the proposed project at 530 Morro Avenue, as shown on plans date stamped received January 17, 2017 by adopting Planning Commission **Resolution 08-17** which includes the Findings and Conditions of Approval for the project.

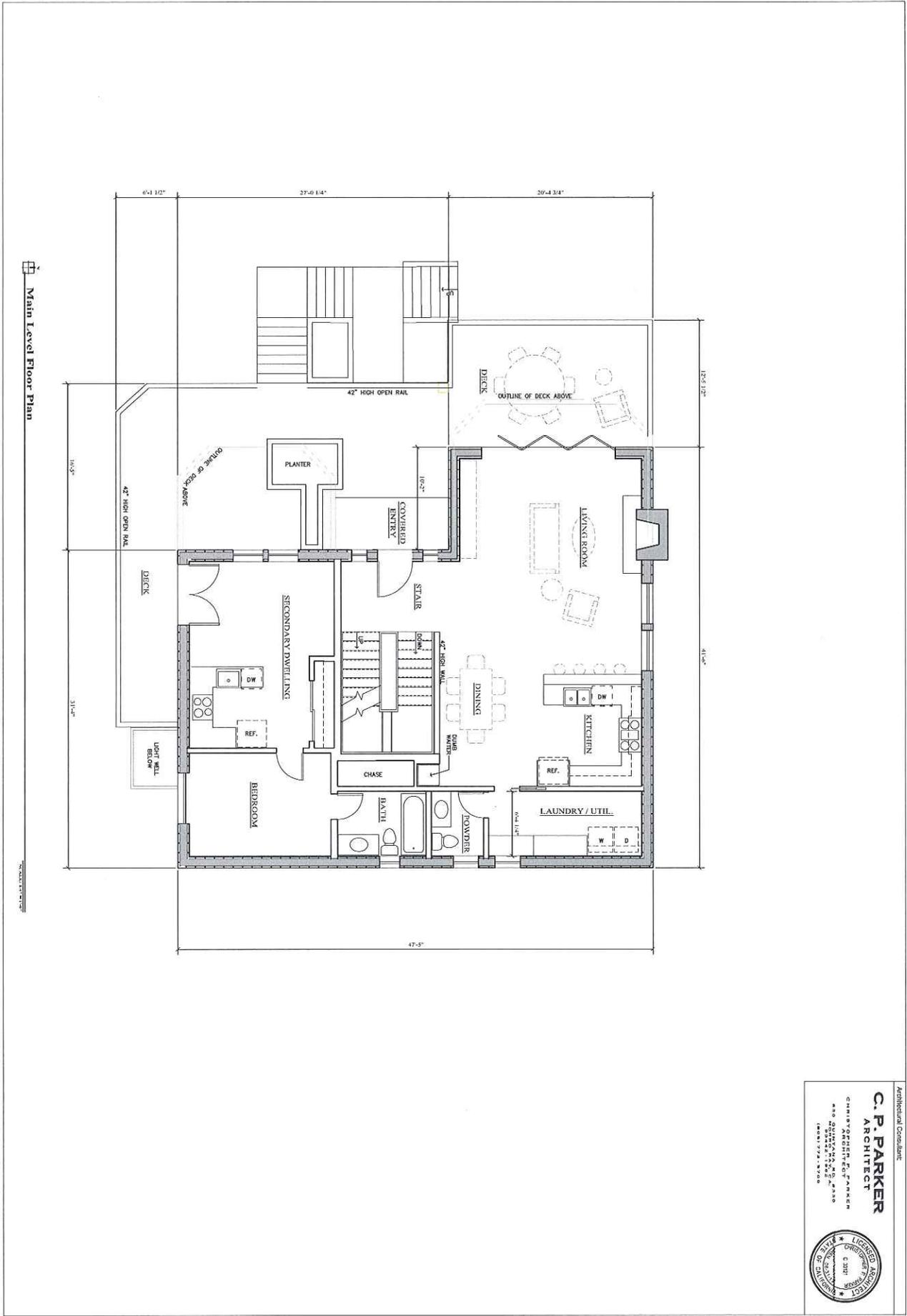
EXHIBITS:

Exhibit A – Planning Commission Resolution 08-17

Exhibit B – Graphics/Plan Reductions

Exhibit C – Photosimulations





Main Level Floor Plan

Architectural Consultant
C. P. PARKER
 ARCHITECT
 CHRISTOPHER P. PARKER
 ARCHITECT
 400 MONTECITO BLVD., SUITE 200
 MORRO BAY, CA 93942
 (805) 774-3908

<p>Residence Main Level Floor Plan</p>	<p>530 Morro Avenue Morro Bay, CA</p>	<p>Shoreline Engineering, Inc. Structural & Civil Engineering</p> <p>595 Elmore Street Morro Bay, CA 93942 Phone: 805-772-4466 Fax: 805-772-4467 Email: info@shoreline-engineering.net</p>	<p>Revisions</p> <table border="1"> <tr> <th>Rev.</th> <th>Date</th> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	Rev.	Date						
Rev.	Date										



Upper Level Floor Plan

Architectural Consultant
C. P. PARKER
 ARCHITECT
 CHRISTOPHER P. PARKER
 AND ASSOCIATES, INC.
 4800 DOWNEY BLVD., SUITE 200
 DOWNEY, CA 90241-1724
 (562) 772-1724

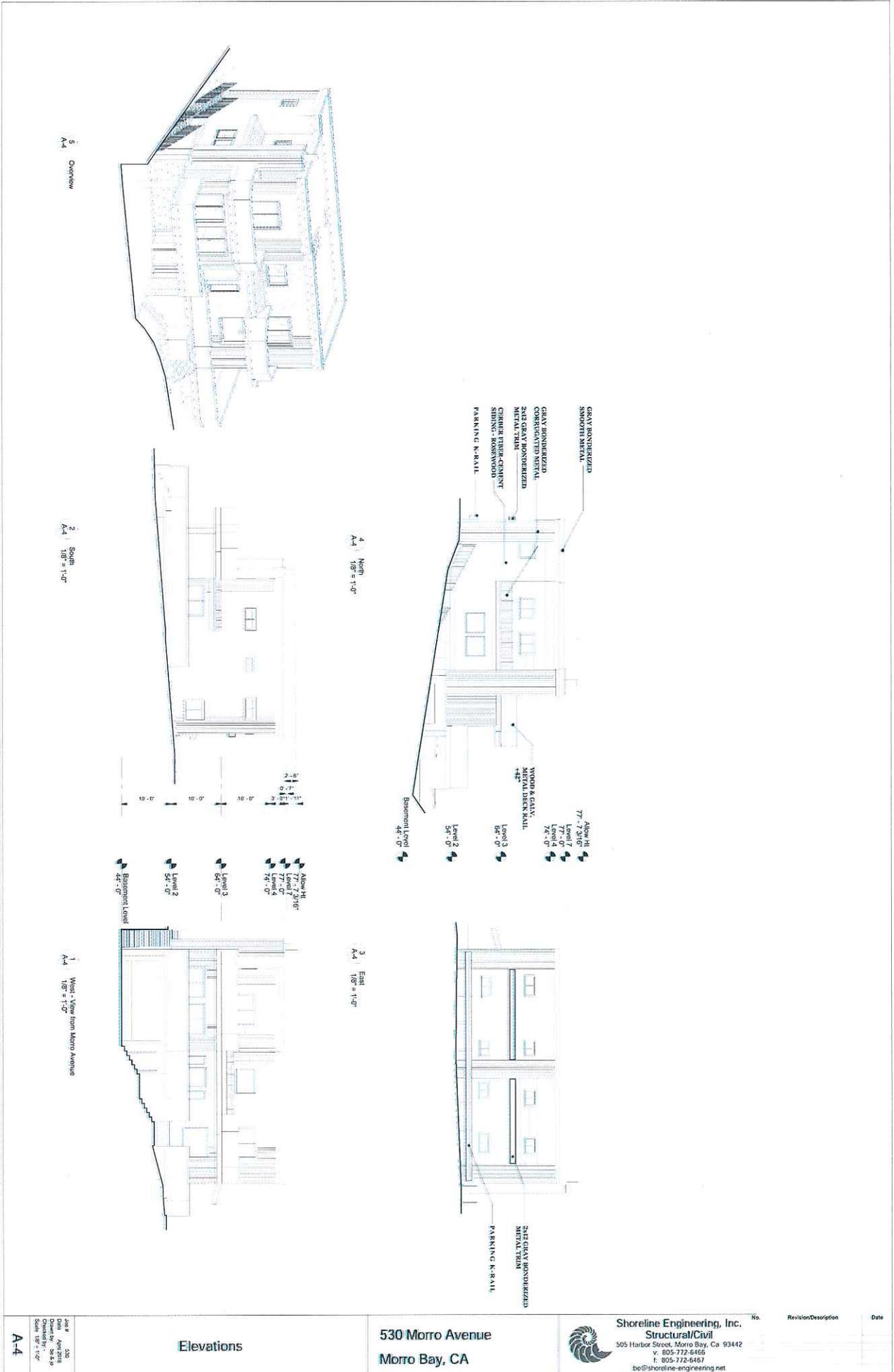
Date: 02/27/2015
 Scale: AS SHOWN
 Drawn: CPP
 Job No.: 501

Residence
 Upper Level Floor Plan

530 Morro Avenue
 Morro Bay, CA

Shoreline Engineering, Inc.
 Structural & Civil Engineering
 505 Morro Street
 Morro Bay, CA 93442
 Phone: 805-772-6686
 Fax: 805-772-6687
 Email: info@shoreline-engineering.net

Revisions	Date



Job # 230
 Date 04/2016
 Drawn by [Name]
 Checked by [Name]
 Scale 1/8" = 1'-0"

A-4

Elevations

530 Morro Avenue
 Morro Bay, CA

Shoreline Engineering, Inc.
 Structural/Civil
 505 Harbor Street, Morro Bay, Ca 93442
 v. 805-772-6466
 f. 805-772-6467
 be@shoreline-engineering.net

No.	Revision/Description	Date

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ACTION MINUTES – MORRO BAY PLANNING COMMISSION
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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.: UP0-468

Site Location: 340 Jamaica, Morro Bay, CA: Auto Body Builders

Project Description: *Continued from the 2/21/2017 PC meeting.* Conditional Use Permit approval for the continued operation of an existing auto-body repair and paint shop located within the R-1/S.1 residential zoning district since 1981. The project site is located outside of the Coastal Commission Appeal Jurisdiction.

CEQA Determination: Categorically exempt Section 15301, Class 1

Staff Recommendation: Conditionally Approve

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

<https://youtu.be/2j1qG8bCQN8?t=6m19s>

Gargiulo presented the staff report.

The Commissioners presented their questions to staff.

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS –
Commissioner Sadowski spoke to some concerned neighbors in the neighborhood.

Chairperson Tefft opened the Public Comment period.

<https://youtu.be/2j1qG8bCQN8?t=23m29s>

Jason Pall, applicant, stated he is a small business owner who cares about the neighborhood. Pall was aware of the complaints when he purchased the shop and is currently doing remediation. Pall stated he did research with the City before purchasing the business and the former owner thought all the paperwork was current. Pall stated he takes the compliance very serious.

Diane Playan, Realtor and lives directly next door to the body shop. Playan stated no one has ever spoke to her regarding issues with the body shop. Her window faces the area where the shop is and has no issues with any smells or noise. Playan read a listing from a real estate broker stating the business presently had a variance to operate as an auto body repair shop since 1974. The listing also stated per the City of Morro Bay, the new owner could continue to operate as a body shop only or build two residential single family homes. Playan doesn't understand why the new owner is having these problems when the City made the error. Playan is hoping the Commission would let the new owner continue to do business there.

Linda Richardson, lives next door to Playan, stated she has never heard of any complaints about the business from anyone, especially the neighbors. Richardson

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noted she's lived at her resident for five years, and for the first year thought the business was a gym. Richardson stated she has not had any issues with smells or noise.

William Koski, 311 Sicily Street, stated he has used the body shop and appreciates in located in Morro Bay because it's convenient to where he could drop off his vehicle and walk home. Koski has never seen an issue with parking and his experiences have all been positive.

Paul Cueni, Morro Bay resident, stated he collects old cars and stated the body shop was convenient for him because he doesn't like driving to San Luis Obispo. Cueni would rather keep doing business in Morro Bay.

Bob Tapia, former owner of body shop, explained how he made it his responsibility to take care of the City's vehicles free of charge along with also taking care of the elderly in Morro Bay. Tapia noted the City inspector would come to the shop periodically to inspect for fumes, but couldn't detect anything. Tapia stated he had many offers for the business when it came to retiring, but picked Jason, because he knew Jason would take care of the business the same way he did.

Jenny Villanueva, Tapia's daughter, spoke of how she and her other siblings had worked at the body shop along with multiple employees. Villanueva explained the work load at the shop has not changed since the new ownership. The permit issue shouldn't be a factor to penalize Pall because the City also didn't know the permit had lapsed.

Rick Young, Morro Bay resident, stated he had taken a class at Cuesta College on auto painting. Young thinks the business should stay opened because they are complying.

Rick Cobbs, Morro Bay resident and retired law enforcement officer, Cobbs commented there are no business which support the car enthusiast. Cobbs spoke of Pall's characteristics and how he is a big part of the community. Cobb noted it would be a great loss if the business would close.

Jerry Lang, Morro Bay resident, stated he is a long-time customer and noted how affordable it was to get work done at the shop. Lang noted the convenience of the shop but his main concern was for the employees who work for Pall. Lang doesn't want them to lose their jobs and hopes the Commission would take this into consideration regarding the permit.

Evans Cowen, complainant, spoke of pollutants/ smells coming from the business and noted the amount that has increased since 2001. Cowen would like the Commission to provide an Environmental Impact Report (EIR).

Paul Cueni, stated the shop has been around many years, and over the years the EPA has changed the paint to low odor, low environmental impact Volatile Organic Compound (VOC).

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Barbara Brebes, Morro Bay resident, read a statement from Corky Miles. Miles mentioned the great characteristics of Pall and how helpful and knowledgeable he was when he needed help with his damage vehicle. Miles commented the noise level at the shop was normal happened during business hours. Brebes asked the Commission to approve the permit for Pall.

Roy Cinawalt, owner of the 2-story apartment building next door, acknowledged Bob Tapia and Jason Pall as great people and commented they run a great business. But questioned why the business was in the location. He doesn't feel it's a great fit to the neighborhood. Cinawalt is also concerned about the fumes and stated the business brings down the property value in the neighborhood.

Young, wanted to make a comment regarding the new paints. Young stated, one of the things he learned in his paint class, was all modern paints are water borne. Since its water borne, it means water is evaporated from the paint.

Villanueva, also wanted to note that not only did her father have the business, they lived across the street for 24 years. Villanueva appreciates the concerns regarding children being around the fumes. Villanueva stated her father wouldn't have raised his family across the street if it was a concern.

Jarrold Scott, Co-owner of Three Stacks and a Rock Brewing, stated his business is located 20-30 yards from applicant's business. Scott stated he hasn't smelled anything or heard any noise to which he and his business partner thought the building was being used as a tax write off. Scott didn't see much business going on and doesn't know what the complaint is about.

Brain Chaves, 331 Jamaica Street (across from shop), stated he spends a lot of time in the front yard of his home and doesn't hear any noise coming from the shop. Chaves noted he is very pleased with the new owner because he believes he cares about the neighborhood and has been very courteous about the noise. Chaves stated he has never experienced any fumes and asked the Commission to extend the coastal use permit (CUP).

Drew Cederes, Morro Bay resident, confirmed today's auto paints are water based paints. Cederes stated Pall is more than willing to do whatever it takes to make his business compatible. Cederes noted the convenience of having the shop in Morro Bay and hopes the Commission gives Pall the permit.

Darryl Dobson, 333 Island Street, stated he and his family are the most impacted by this situation. Dobson commented he supports small businesses in the community but this business is in the wrong location. Dobson stated Code Enforcement Officer David Crockett has been to his home along with Brian Aunger from Air Pollution Control District (APCD). Dobson stated he needs to keep his windows and doors closed, and his daughter will not bring his grandchildren to his home on the weekdays.

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Rylie Pall, daughter of the applicant, stated she has grown up around cars all her life and doesn't have anything wrong with her.

Pall wanted to clarify Dobson's statement of Brian Auger coming out. Pall noted Auger is the head of APCD who oversees the paint booths at his shop. Pall stated Gargiulo has spoken o Auger, and was told the shop has been operating within specifications and are under threshold.

George Wright, Morro Bay resident, stated he is a customer of the applicant, and says he smells more of the diesel gas and cars driving on Hwy 1, than the paint from the shop.

Scott Mace, Morro Bay resident, pointed out the location of the business and the apartment building which overshadow it. Mace also noted the busy freeway nearby. Mace commented, if there are going to be complaints, the complaints should be about the freeway. Mace stated he's worked on the building for Pall and noted Pall has kept up with updating the building. Mace commented Pall has been meeting all the requirements and doesn't understand what the problem is.

Playan, also wanted to provide information regarding property value in the area. Playan stated the house directly across the house behind the body shop sold for \$500k a couple of years ago. It recently sold for \$620k and stated there's nothing wrong with the property values in the neighborhood. Playan noted people who purchased their homes knew the body shop was in the neighborhood.

Daniel Knight, representative for Darryl Dobson's house, asked why would the applicant want to invest in the business if the City's zoning and ordinances are pushing to make this a residential area. Knight feels the zoning ordinance should be held and not make an exception just because the business has been there for a long time. Knight asked the Commission not to approve the permit.

Chaves, stated he purchased his home a year and a half ago and commented he probably couldn't afford the house if the shop hadn't been there. Chaves noted it was wrong for people to ask a business to leave to bring their property value up, he didn't think there was any justice in that.

Chairperson Tefft closed the Public Comment period.

<https://youtu.be/2j1qG8bCQN8?t=1h34m28s>

The Commissioners presented their questions to the applicant.

MOTION: Commissioner Ingraffia motioned to approve conditional use permit UP0-468 with the added conditions. Vice-Chairperson Luhr seconded and the motion passed (5-0).

<https://youtu.be/2j1qG8bCQN8?t=2h28m1s>

Conditions added by the Planning Commission on March 7, 2017

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1. *All exterior lighting shall be shielded and directed downward to ensure that light fixtures will not direct glare into the street or into the adjacent residential uses as per Section 17.52.080 of the Morro Bay Municipal Code.*
2. *The Applicant shall investigate the feasibility of raising the exhaust stack to mitigate any potential nuisance odor and present findings to the Director for approval prior to Building permit issuance.*
3. *The Applicant shall insulate the compressor, including but not limited to the use of isolation pads, to mitigate any potential nuisance noise impacts to adjacent properties. Insulation details shall be provided to the Planning Division for review and approval prior to Building Permit issuance.*
4. *The Applicant shall install charcoal carbon filters to mitigate any potential nuisance odor impacts to adjacent properties. Filter specifications shall be provided to the Planning Division prior to Building Permit issuance.*
5. *The parking and or storage of customer vehicles is prohibited in the Public Right-Of-Way. Transient parking is permissible.*
6. *Approval of the use contemplated herein shall be limited to maintaining business hours only from 7:30 a.m. to 6:00 p.m. Monday through Friday.*

MOTION: Chairperson Tefft motioned to approve Planning Commission request for City Council to reduce the coastal use permit application fee to reflect the application fee from 1986. Vice-Chairperson Luhr seconded and the motion passed (5-0).

<https://youtu.be/2j1qG8bCQN8?t=2h28m47s>

B-2 Case No.: CP0-513 and UP0-452

Site Location: 1128 and 1138 Market Avenue, Morro Bay, CA

Proposal: Request for a Coastal Development Permit and Conditional Use Permit to construct two new two-story houses with attached garages on the easterly side of Market Avenue within the Beach Street Specific Plan area. The houses are each approximately 1,800 square feet in size. The property is zoned Duplex Residential with a Planned Development and Specific Plan overlay (R-2/PD/SP) This project is located outside of the Coastal Commission appeal jurisdiction.

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

Staff Recommendation: Conditionally Approve

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

<https://youtu.be/2j1qG8bCQN8?t=2h30m46s>

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS –
NONE

McIlvaine presented the staff report.

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Chairperson Tefft opened the Public Comment period.

<https://youtu.be/2j1qG8bCQN8?t=2h41m30s>

Kathleen Streeter, applicant, stated her intention for the property is to be a rental, not a vacation rental.

Chairperson Tefft closed the Public Comment period.

<https://youtu.be/2j1qG8bCQN8?t=2h42m38s>

Chairperson Tefft opened the Public Comment period.

<https://youtu.be/2j1qG8bCQN8?t=3h16m20s>

Streeter explained there were trees that line the area by the mobile home park, which help to soften the hardscape of the long driveway.

Chairperson Tefft closed the Public Comment period.

<https://youtu.be/2j1qG8bCQN8?t=3h17m13s>

MOTION: Commissioner Ingraffia motioned to move to approve conditional use permit CP0-513, PC Resolution 5-17. Commissioner Lucas seconded and the motion passed (5-0).

B-3 Case No.: UP0-282 and CP0-323

Site Location: 530 Morro Avenue, Morro Bay, CA

Project Description: Request for Coastal Development and Conditional Use Permit approval for the construction of a new 2,444 sq. ft. single-family residence with a 548 sq. ft. secondary dwelling unit, 888 sq. ft. of garage space, 787 sq. ft. of storage, and 1,206 sq. ft. of decking located within the R-2/PD/S.4 zoning District and outside of the Coastal Commission Appeal Jurisdiction.

CEQA Determination: Categorically exempt Section 15303, Class 3

Staff Recommendation: Conditionally Approve

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

<https://youtu.be/2j1qG8bCQN8?t=3h20m57s>

Gargiulo presented the staff report.

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS –

Commissioner Sadowski received an email from a concerned resident regarding the project.

Chairperson Tefft opened the Public Comment period.

<https://youtu.be/2j1qG8bCQN8?t=3h31m5s>

Melinda Elster, applicant, stated they relocated the home to the rear of the property for future development of a single-family resident in front.

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Chairperson Tefft closed the Public Comment period.

<https://youtu.be/2j1qG8bCQN8?t=3h32m57s>

Discussion between Planning Commissioners.

Chairperson Tefft opened the Public Comment period.

<https://youtu.be/2j1qG8bCQN8?t=3h45m19s>

Bruce Elster, applicant, answered the Commissioners questions regarding the basement in the house.

Chairperson Tefft closed the Public Comment period.

<https://youtu.be/2j1qG8bCQN8?t=3h50m16s>

MOTION: Commissioner Sadowski moved to continue the project on 530 Morro Avenue in adherence to the suggestions for architectural design review and resubmittal presented by the Planning Commission, to a date uncertain. Commissioner Ingraffia seconded and the motion passed (5-0).

C. NEW BUSINESS - NONE

D. UNFINISHED BUSINESS – NONE

E. PLANNING COMMISSIONER COMMENTS

<https://youtu.be/2j1qG8bCQN8?t=4h7m43s>

Commissioner Lucas spoke about the older trees which were lost in the recent storms. He suggested to staff a type of urban reforestation policy where larger trees could be planted instead of the smaller types.

Vice-Chairperson Luhr agreed with Commissioner Lucas and stated there has been a deforestation in Morro Bay over the last 30-40 years. Luhr noted in the 1950's they were giving out Monterey pines.

Chairperson Tefft commented it's not just the number of trees which were lost, but the types of trees. Tefft noted if we're to maintain the character of the urban forest, we need to find places for substantial specimens.

Commissioner Sadowski commented on the WRFCAC Citizens Advisory Committee and how everyone on the committee are volunteers. Sadowski went on to state the City Council hired a lobbyist for the Water Reclamation Facility (WRF). Sadowski feels if there's going to be an advisory committee those types of things should be brought up to the Advisory Committee before it goes to City Council. Sadowski also commented on the climate change, sea level rise and greenhouse gas issues. He noted how our consultants are not up to speed on the new law Assembly Bill 32 – California Global Warming Solutions Act (AB

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32). Sadowski is concerned on the direction of where the WRF is going. Sadowski will follow up with staff on a report regarding the meeting he attended.

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENTS – NONE

G. ADJOURNMENT

The meeting adjourned at 10:16 p.m. to the regular Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on March 21, 2017, at 6:00 p.m.

Robert Tefft, Chairperson

ATTEST:

Scot Graham, Secretary



AGENDA NO: D-1

MEETING DATE: October 17, 2017

Staff Report

TO: Planning Commission

DATE: October 11, 2017

**FROM: Scot Graham, Community Development Director
Ryan Russell, Planning Intern**

SUBJECT: Public Draft Sign Ordinance

RECOMMENDATION:

Review the staff report and Draft Sign Ordinance and Provide Input

SUMMARY:

The Draft Sign Ordinance is the result of an on-going effort since 2010 to update the City of Morro Bay's Sign Ordinance. The current draft includes input from multiple Planning Commission and City Council meetings from 2010 to 2013, multiple public workshops and online outreach, and City Attorney review.

The resulting public draft is now presented to the Planning Commission for review and discussion.

BACKGROUND:

2010-2013

City Council initially directed staff to work on amending text for MBMC Section 17.68 "Signs." It was placed as a high priority for the Planning Division's work program in December, 2010. Public testimony at various Planning Commission and City Council meetings raised many issues with the Sign Ordinance. Staff was directed to hold public workshops to determine solutions to these issues. Three were held between February and October 2011, as well as an online outreach survey. The input received from the workshops indicated a lack of confidence in the current ordinance and a desire for sign districts with unique sign provisions. This required a complete reorganization of the Sign Ordinance.

Planning Commission meetings throughout 2012 focused on the development of the new draft Sign Ordinance. Erik Berg-Johansen, the Planning Intern at the time, completed extensive

Prepared By: RR

Department Review: _____

research, community outreach, and interviews in preparing the Draft. After extensive discussion and revisions, the Draft was forwarded to City Council on October 22, 2013. During the October 22, 2013 meeting, Council directed staff to hold further public meetings focused on individual sign districts, which were held in November that year.

2016-Present

The Draft Sign Ordinance update was placed on hold due to City staff turnover. Ryan Russell, the new Planning Intern, began organizing and updating the Draft in July, 2016. A new Supreme Court ruling required revisions to much of the current Draft and several consultations with the City Attorney to bring the ordinance into compliance. Due to the long break in action on the document and the required updates resulting from the Supreme Court decision, Staff scheduled two community sign forums in August of 2017 to discuss the Draft and receive input from residents and local businesses.

DISCUSSION:

Reed v. Town of Gilbert Supreme Court Ruling

In 2015 the Supreme Court reaffirmed wide-ranging prohibition of content based speech restriction in the Reed v. Town of Gilbert decision. The decision largely removes the ability of a municipality to impose content-based regulations on signage. Under this ruling, cities can no longer regulate sign content unless there is compelling government interest in the regulations under the First Amendment. Therefore, different sign types cannot be defined by content if there is to be different regulations. The Draft Sign Ordinance was updated to conform to this ruling with the help of the City Attorney. Much of the changes to the 2013 draft came from bringing it into compliance with the ruling. Attachment B details Sign Ordinance changes between the current adopted code, the 2013 draft and the current draft.

Public Comments and 2017 Community Forum Input and Recommendations

The Draft Sign Ordinance was posted on the City website under Hot Topics for public review and comment. Two community forums, one for Downtown and Embarcadero Districts and one for Quintana and North Main Districts, were also held in August 2017. Businesses owners provided input on issues the proposed Sign Ordinances poses how they advertise business. The comments received and staff response are detailed in the table below.

Community Comments	Current Regulations	Staff Action
Some signs are required by a government or regulator body. These should not be counted towards allowable signage. Example: car wash height limits.	Educational signs are exempt under the Draft Ordinance. These signs would be classified as educational signs.	No changes necessary
Time limits for signs should not apply to hotels. Customers that get in to town late or people searching for a place to stay after dark need hotel signs on.	All illuminated signs shall be turned off by 10pm or at the time the business closes, whichever is later.	Exclude lodging establishments from timed lighting regulations.
Downtown Morro Bay is completely dark and desolate at night. Extending or not regulating timed limits on signs would make Morro Bay more desirable to visitors and help advertise businesses for people to visit the following day.	Time limits for businesses is 10pm or when the business is closed, whichever is later.	Keep the regulations the same. Lighting was not brought up as an issue during the General Plan update process and downtown should be lit by street lights and other accessory lights, not commercial signage if lighting is a problem.
Many business owners expressed that internally lit signs should not be prohibited. They help clearly advertise and get attention that other lighting types do not. Other illumination types are much more expensive.	Internally lit signs are prohibited in the Embarcadero and Downtown Districts.	Allow internally lit signs in all districts. See examples of internally and externally lit signs.
Hotels need marquee signs for special events or guest communication.	Not an allowed sign in the Lodging district.	Allow marquee signs in the Lodging District.
Marquee sign size regulations are too small for hotel purposes.	Currently marquee signs are not allowing in Lodging districts so there are no size restrictions.	Allow marquee signs in Lodging Districts with a minimum size of 10 square feet and no maximum size restriction.
Hotel establishments need neon signs for vacancy signs. The restriction of changeable copy signs should also be removed so 'no vacancy' neon signs can be turned on and off.	Neon signs are allowed in lodging districts and turning the sign lighting on and off would not make it be considered a changeable copy sign.	No changes necessary

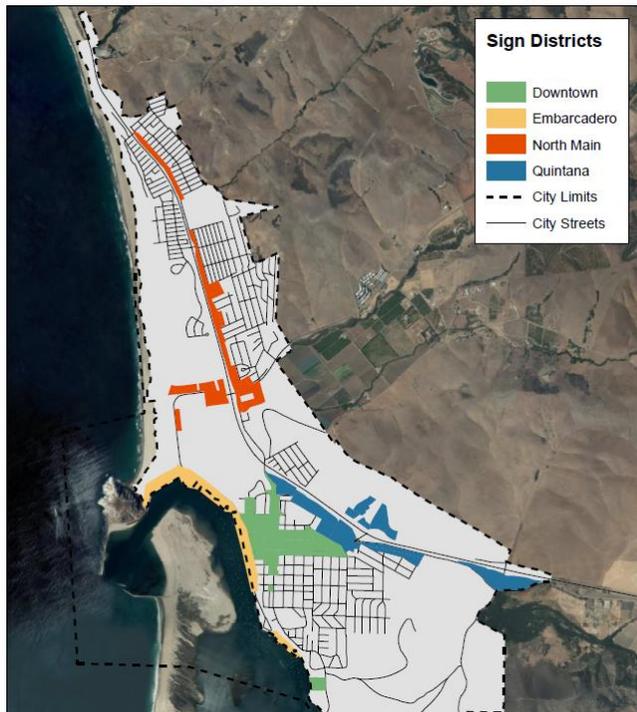
Proposed Regulations

Staff is aware that much time has passed since the last discussion of the Draft Sign Ordinance. A review and description of some of the more pertinent regulations is provided below. Some of these regulations are the same as the 2013 draft and some have changed due to content based issues, further public input, and discussions with the Chamber of Commerce and other City staff. This is not an exhaustive list of proposed regulations. A thorough read of the attached Draft Ordinance is recommended.

Sign Districts & Standards

There are City-wide sign standards for sign types based on best management practices and preserving Morro Bay's aesthetics. A major change to the current adopted Sign Ordinance is the proposal of Sign Districts. Different areas in Morro Bay have different sign needs; some areas are pedestrian oriented and some are automobile oriented. The four main districts are noted below:

- Embarcadero
- Downtown
- Quintana
- North Main



Each district has design standards and allowed sign types and sizes in order to maintain the district aesthetics.

Sign Bonuses

The draft proposes sign bonuses in each district to increase the total allowed sign square footage. In order to receive a bonus a certain sign type and features are required. This provision’s goal is to incentivize high-quality signage in the City.

Sign bonus examples are provided in the table below.

Sign Type	Feature Required to Qualify for Bonus	Increase (“Bonus”) in Total Allowable Sign Area
Monument	Bldg. set back >30’ from public ROW	PLUS (+) 20 sq. ft.
Architectural		
Wall	Individual Lettering	PLUS (+) 10 sq. ft.
Window	Individual Lettering	PLUS (+) 5 sq. ft.

Master Sign Program

There are many buildings in the City that have multiple commercial tenants. The current adopted Sign Ordinance allows tenants to implement their own signs and types individually. This has led to many buildings in the City having disorganized and cluttered signage. The Draft Ordinance proposes that any site with three or more non-residential occupants shall submit a Master Sign Program to the Community Development Department for review and approval. The goal is to ensure signs are uncluttered and equally distributed through all tenants, and to make it simple to determine signage for new tenants that move into buildings. See example below of where a Master Sign Program would be required.



There are also many multi-tenant buildings in town which have tenants located in the rear of the building, away from the public right-of-way. This has led to illegal signs being placed along sidewalks or other areas of the building to advertise the businesses in the rear. Additional signage is allocated to buildings that submit a Master Sign Program. Depending on the type of building and use, an additional sign will be allowed on street frontages subject to the associated sign and type restrictions. This provision is to allow for tenants located off the right-of-way to advertise their business in a more organized manner.

Monuments signs are an example of the types of extra signage allowed with a master sign program. See example below:



Nonconforming Signs

The proposed draft includes separate provisions for legal signs, nonconforming signs, unpermitted signs, and illegal signs. Each type of nonconforming sign has abatement time limits and, when warranted, violation provisions. To combat the nonconforming sign issue throughout the City, the Draft Sign Ordinance proposes the review of sign compliance with the issuance or renewal of business licenses to bring unpermitted or illegal signs into compliance. This regulation is listed in the “Sign Permits” 17.68.170 B section of the proposed ordinance.

CONCLUSION:

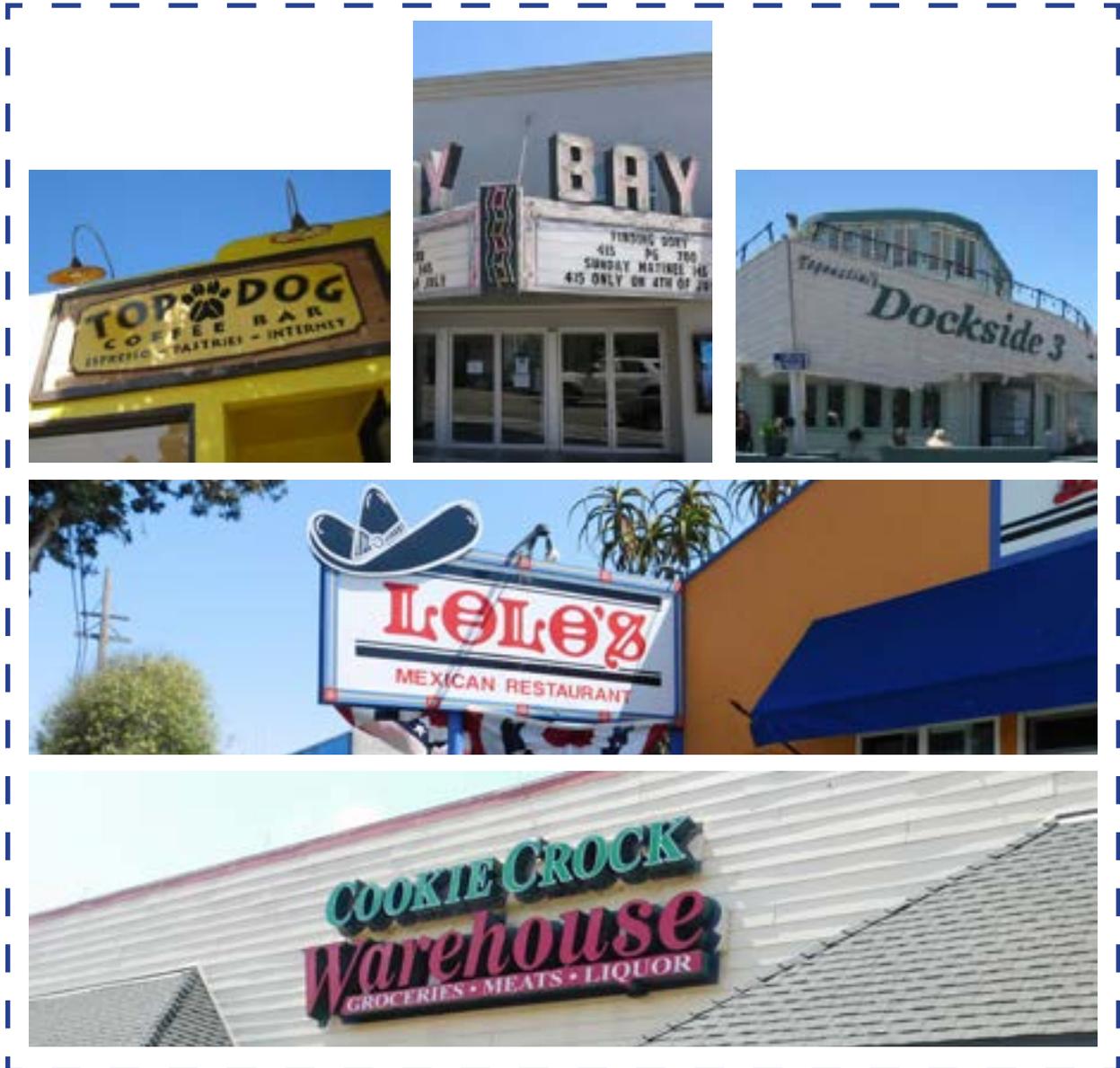
The Draft Sign Ordinance has been through many years of research, outreach, and Planning Commission and City Council meetings. The attached Draft incorporates the knowledge and information gained through these years. Staff recommends the Commissioners review the entirety of the proposed ordinance and provide direction to staff.

ATTACHMENTS:

- Attachment A: 2017 Draft Sign Ordinance
- Attachment B: Table of Proposed Changes
- Attachment C: Sign Illumination Type Examples

City of Morro Bay

Sign Ordinance



Chapter 17.68 Sign Regulations

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17.68.010 Purpose

The purpose of this Chapter is to regulate signs so that they express and enhance the character and environment of the City of Morro Bay and its community. These regulations recognize the importance of business activity to the economic vitality of the City. Specifically, these regulations are intended to:

1. Encourage communications which aid in the identification of businesses and activities.
2. Preserve and enhance the aesthetic character of the City.
3. Restrict signs that, individually or cumulatively, create a confusing environment that impedes the public's ability to receive information.
4. Prohibit signs which endanger public safety by distracting motorists, cyclists, or pedestrians, thereby increasing the probability of accidents.
5. Provide clear and distinct regulations for different districts and lodging establishments.

Morro Bay's General Plan states, "The commercial areas of Morro Bay are composed of a wide variety of commercial uses as well as motels and some residential uses. These areas include the Downtown, the Embarcadero, Quintana Road, and North Main Street. Each has its own special character and function." This Chapter provides different sign regulations for each individual district as defined by the General Plan, as well as a custom set of regulations for lodging establishments. It must be noted that sign districts as defined by this Chapter are different than the zone districts as defined by Morro Bay's Municipal Code.

This Chapter is also consistent with the City's Local Coastal Land Use Plan. Chapter XIII of the City's Coastal Land Use Plan includes the following provisions under Policy 12.05:

1. Require monument and surface mounted signs and discourage roof mounted and pole signs;
2. Require that view protection and the nighttime characteristics of the sign be mandatory considerations of any sign installation;
3. Prohibit billboards;
4. Reduce allowable height and size where they interfere with views to and along State Highway One;
5. Develop and adopt sign criteria for signs appropriate for Morro Bay's commercial districts.

Further, this Chapter is intended to further the goals of the California Coastal Act, as set forth in Section 30001.5 of the Public Resources Code, to:

1. Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.
2. Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.
3. Maximize public access to and along the coast and maximize public recreational

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opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners.

4. Assure priority for coastal-dependent and coastal-related development over other development on the coast.
5. Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

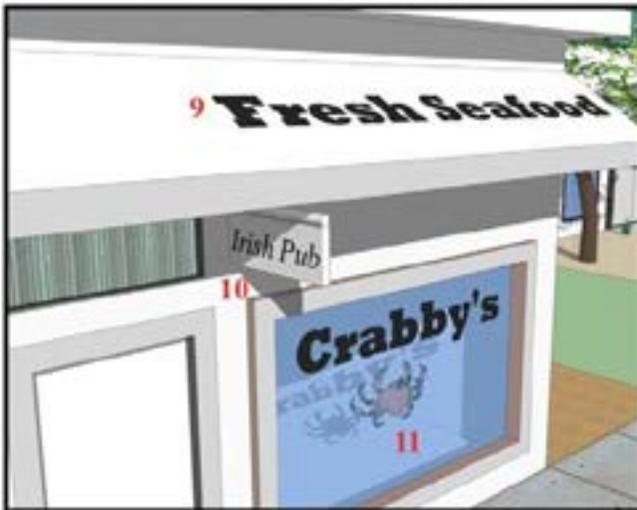
D R A F T

17.68.020 Sign Classifications and Calculations

- A. **Sign Classifications.** For purposes of this Chapter, signs are classified based on their location: On-Premise or Off-Premise
1. **On-Premise Sign.** A Sign that directs attention to a business, commodity, industry, or other commercial activity sold, offered, or conducted on the premises upon which such sign is located. For the purpose of this chapter, all signs on private property that display noncommercial messages or designs are considered on-premise signs.
 2. **Off-Premise Sign.** A sign that directs attention to a business, commodity, industry, or other commercial activity sold, offered, or conducted elsewhere than on the premises upon which such sign is located. For the purpose of this chapter, temporary signs are not considered off-premise signs.
- B. **Sign Types.** For purposes of this Chapter, signs are categorized into the following types based upon their design, construction, materials, and the manner in which they are mounted:
1. **Permanent Free-Standing Signs**
 - a. **Architectural sign.** A freestanding sign mounted on two or more poles or other supporting structures.
 - b. **Monument sign.** A sign, usually rather low in height, erected on the ground or on a solid base designed as a free-standing architectural unit not attached to a building.
 - c. **Pole sign.** A sign supported by a single pole.
 2. **Permanent Building-Mounted Signs**
 - a. **Awning (canopy) sign.** A sign painted on or attached to an awning, canopy, arcade, umbrella or similar feature.
 - b. **Entrance sign.** A secondary and size-limited wall sign (see below) mounted directly above a public entrance to a business or other use.
 - c. **Exterior display case.** An openable weather-proof compartment with a transparent front panel. Exterior display cases are typically wall mounted or recessed into the wall of a structure, but could be designed to be free-standing. Typical uses for such cases include the display of restaurant menus or featured merchandise for sale.
 - d. **Marquee sign.** A sign which projects from a building and forms a canopy over the building entrance and/or a portion of the adjacent sidewalk. Marquee signs are traditionally associated with theaters and typically feature changeable copy or graphics which inform the public of the movie or other entertainment currently available at the venue. Marquee signs often also feature a decorative vertical element that may extend above the cornice line of the building. Marquee signs represent one of the more common instances in which filament lamp lighting is employed.
 - e. **Projecting sign (pub sign, flange sign).** A sign which is oriented perpendicular to the primary or secondary facade of an adjacent building and hangs from the canopy or cover over a walkway or driveway or which is mounted on and projects from the building wall.

- f. **Roof sign.** A sign erected upon, over or above the roof or false (mansard) roof of a building or structure, or any sign affixed to the wall of a building so that it projects above the eave line of a roof.
 - g. **Suspended (hanging) sign.** A sign which is oriented parallel to the primary or secondary facade of an adjacent building and hangs from the canopy or cover over a walkway, driveway or entrance, but which is not mounted on the building wall.
 - h. **Theater display case (theater case).** An openable, wall-mounted, weather-proof compartment with a transparent front panel. Theater display cases are, by definition, larger exterior display cases and are typically used to display posters that advertise upcoming movies or entertainment events. The use of theater display cases, however, is not so restricted by this definition.
 - i. **Wall sign.** Any sign which is attached to, erected against or painted upon the wall or mansard of a building or structure, the face of which is in a single plane which is either vertical or parallel to the plane of the wall or mansard. A wall-mounted blackboard or whiteboard is considered a wall sign and is counted toward total allowable sign area.
 - j. **Window sign.** Any sign placed inside or upon a window facing the outside or affixed to a window in such manner as to be visible from the exterior.
3. **Other Permanent Signs**
- a. **Equipment sign.** A sign incorporated into displays, machinery, or equipment by a manufacturer, distributor, or vendor, such as signs customarily fixed to automated teller machines (ATMs), vending machines, gasoline pumps, menu boards, and umbrellas.
 - b. **Residential Subdivision.** A sign, typically a monument or wall type, which identifies the name of a subdivision.
4. **Temporary and Portable Signs**
- a. **Sidewalk sign.** A sign not permanently attached to the ground, a building, or other permanent supporting structure. A-frame signs represent one common example of a sidewalk sign. Where permitted, sidewalk signs are subject to special regulations and permits. A freestanding blackboard or whiteboard is considered a sidewalk sign and is regulated as such. A sidewalk-type sign placed on a pier or dock is referred to as a dock sign.
 - b. **Temporary Sign** – A temporary sign is defined as any sign which:
 - i. is constructed of paper, cardboard, flexible plastic, or other non-durable material, or
 - ii. is mounted to a surface or object by means of tape, tacks, push pins, elastic cords, or other easily-removable means or is supported by leaning against a wall or other object or is anchored to the ground by means of wires or other easily-removable means or merely rests on the ground or other surface.
 - c. **Construction Sign** – A sign displayed by a contractor, subcontractor, or architect on a project site whenever a building permit has been issued for construction, alteration, or repair of a structure and when work is in progress on site pursuant to such permit.

Figure 17.1: Types of General Business Signs



- 1 Roof Sign
- 2 Wall Sign
- 3 Monument Sign (externally illum.)
- 4 Pole Sign
- 5 Sidewalk Sign
- 6 Directory Sign
- 7 Suspended (Hanging) Sign
- 8 Wall Sign (Channel Letters)
- 9 Awning Sign
- 10 Projecting (Pub) Sign
- 11 Window Sign

- C. **Exempt Signs** – The types of signs listed below are not required to obtain a sign permit, but the owner or acting agent of the property shall give notice, in writing, to the Community Development Department no fewer than 30 days prior to the placement of such sign. An Exempt Sign is fully subject to the standards established by sections 17.68.040 and 17.68.120 through 17.68.140. All Exempt Signs, except Temporary Signs, are not regulated by district and are exempt from the provisions in sections 17.68.050 through 17.68.110. Temporary Signs, however, are regulated by the district provisions (17.68.050 through 17.68.110).
1. **Legal Notice.** An official notice issued by a court, public body or office and posted in the performance of a public duty or a notice posted by a utility or other quasi-public agent in the performance of a public duty.
 2. **Government Sign.** A sign erected by the City of Morro Bay or other government body.
 3. **Historical marker.** A sign, monument, or marker erected by or with the permission of a governmental body or agency for the purpose of informing the public of the history of a building, site, or other feature.
 4. **Educational Sign.** A sign erected by or with the permission of a governmental body or agency for the purpose of public education or information.
 5. **Government-Required Sign.** A sign which is required by law or by the conditions of a government issued permit, including, but not limited to a Conditional Use Permit or Coastal Development Permit, or by the terms of any lease or land use agreement to which a governmental agency is a party, and which is installed in accordance with the specifications of the controlling law, permit, lease, or land use agreement. The maximum sign allowance will not be affected by signage required.
- D. **Legacy Signs** – The City recognizes that some existing signs may not be fully compliant with Sections 17.68.040 through 17.68.110, but which, by virtue of their long-standing history and iconic design, contribute significantly and positively to the character of the community. Such signs, therefore, may be designated as Legacy Signs by resolution of the City Council.
- A request that Council consideration be given to the designation of any specific sign as a Legacy Sign may be initiated by the owner of the sign, the owner of the property on which the sign is located, the Morro Bay Planning Commission, or by any member of the City Council.
- A designated Legacy Sign shall be exempt from the requirements of Sections 17.68.040 through Section 17.68.110. Such Legacy Signs, however, are fully subject to the standards established by Section 17.68.120 through 17.68.140. Additionally, a sign permit is required for a Legacy Sign.
- E. **Sign Illumination Types** – The Sign Illumination Type is determined by the type of lighting that is employed to increase the sign's visibility. If a particular sign utilizes more than one form of illumination, the regulations of this Chapter which relate to each of the sign illumination types shall apply.
1. **Non-Illuminated.** A sign that incorporates no external or internal light source.
 2. **Externally Illuminated.** A sign that is illuminated by reflected light from an external light source placed or mounted near the sign. In this type of illumination, the light source

itself is shielded and is not visible to the viewer.

3. **Internally Illuminated.** A sign that is illuminated by light that radiates from an internal light source and passes through a translucent or transparent sign material. This Sign Illumination Type includes individual channel letters with internal light sources.
 4. **Back Lit.** A sign that consists of individual opaque letters and/or logos which are mounted in such manner that they are offset from a solid wall or other object and are illuminated only by the backwash of light upon the solid wall. The actual sources of light for a back lit sign are generally not directly visible.
 5. **Filament Lamp.** A sign that incorporates incandescent light bulbs which are visible to the viewer as a design element. In modern times, LED, compact fluorescent, or other bulbs designed to emulate the appearance of an incandescent bulb might be substituted.
 6. **Neon.** A sign that incorporates neon tubes which are visible to the viewer. (Note that an externally illuminated, internally illuminated, or back-lit sign which utilizes a neon tube as a light source would not be considered a “neon sign”, as the tubes would not be visible to the viewer.)
 7. **LED.** A sign that incorporates light emitting diodes which are visible to the viewer. (Note that an externally illuminated, internally illuminated, or back-lit sign which utilizes LEDs as a light source would not be considered an “LED sign”, as the LEDs would not be visible to the viewer.)
- F. **Displays Not Considered Signs** – The following types of displays are not considered to be signs and are not subject to the provisions of this Chapter.
1. **Murals and Other Art.** Artwork painted on, affixed to, or erected near buildings shall not be considered a sign unless such artwork includes logos, text, or graphics that advertise, represent, depict, or promote services, products, or activities offered by a commercial enterprise, as determined by the Community Development Director. In the event that a relatively small area of commercial advertising exists on a display that is predominately artistic in nature, the Community Development Director may elect to consider only the area actually covered by the advertising as a sign, counting against total allowable sign area.
 2. **Festive Decorations.** Displays and decorations erected in conjunction with a holiday, festival, or other celebratory event shall not be considered as signs unless:
 - a. Such displays or decorations include logos, text, or graphics that advertise a business, service, product or other commercial enterprise, as determined by the Community Development Director, or
 - b. Such displays or decorations are constructed earlier than six weeks before the date of the event being observed, or
 - c. Such displays or decorations are permitted to remain in place for longer than two weeks after the date of the event being observed.

Figure 17.2: Sign Illumination Types

Externally-Illuminated



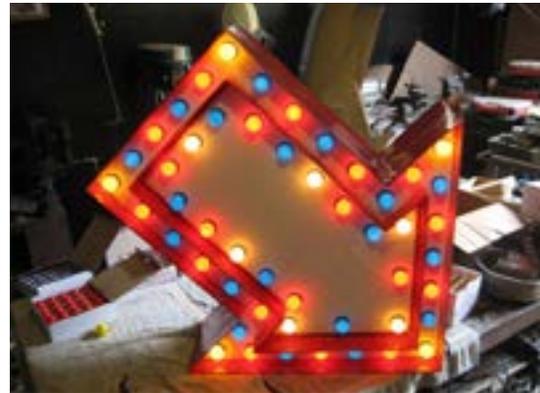
Back Lit



Internally-Illuminated



Filament Lamp



Internally-Illuminated



Neon



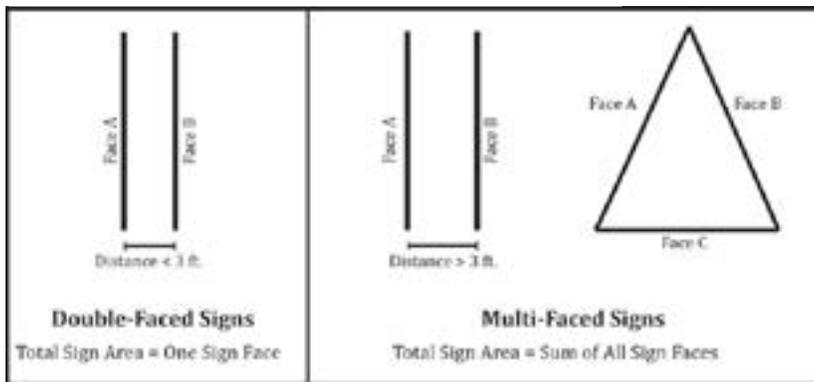
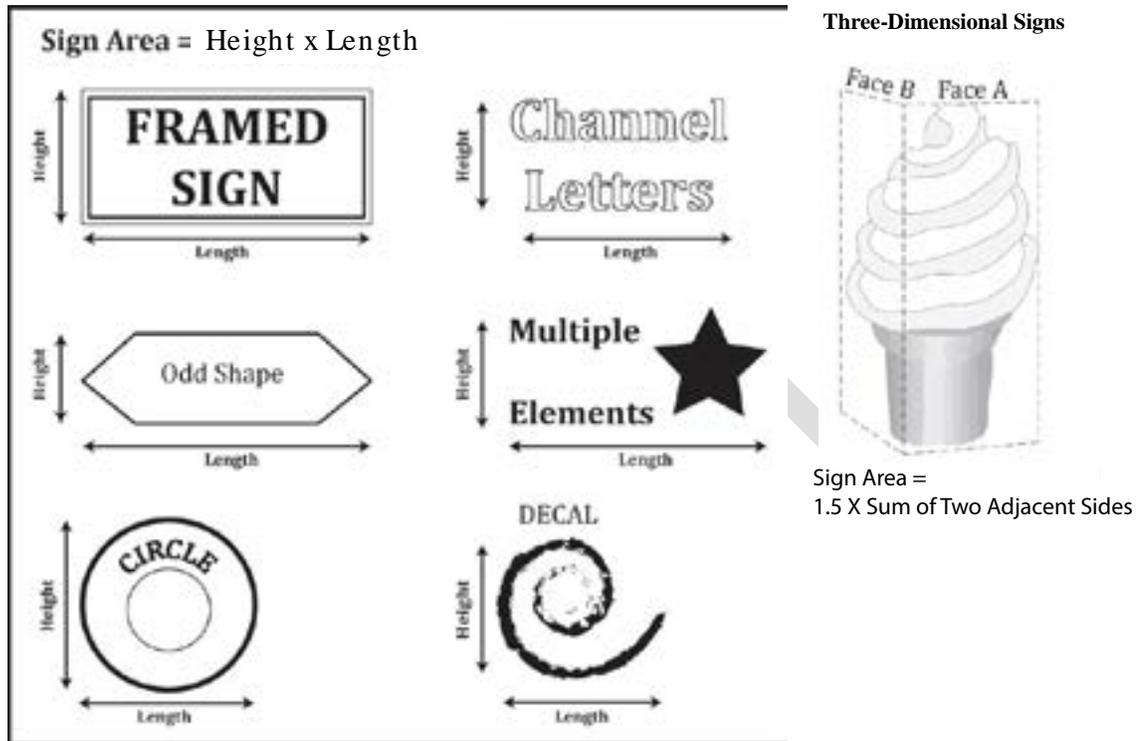
LED



17.68.030 Computation of Sign Area

- A. **Single-faced Signs.** A sign is considered to be single-faced if it lies within a single plane and is viewable from only one side of the plane. The area of a single-faced sign shall be defined as the area (length x height) of a quadrangle (square or rectangle) that encloses the extreme limits of all sign elements including decorative frames or borders, written copy, logos, symbols, illustrations, and color, but excluding mounting brackets and supporting posts or poles.
- B. **Double-faced Signs.** A double-faced sign consists of two faces that are, at no point, three feet or farther apart and that are either parallel (back-to-back), or meet at an interior angle of 45 degrees or less, or if extended would meet at an angle of 45 degrees or less. The area of such a sign shall be counted as the area of a quadrangle that encloses the extreme limits of all sign elements of one of the sign faces. Where the faces are not equal in size, the larger sign face shall be used as the basis for calculating sign area.
- C. **Multi-faced Signs.** A multi-faced sign is composed of three or more planar sign faces, or of two sign faces which are, at any point, a distance greater than three feet apart or which meet (or would meet if extended) at interior angle greater than 45 degrees. The area of a multi-faced sign shall be calculated as the sum of the area of quadrangles that encloses the extreme limits of all sign elements of each one of the sign faces.
- D. **Three-dimensional Signs.** Three dimensional signs consist of, incorporate, or have attached to them, one or more three-dimensional objects (i.e., balls, cubes, clusters of objects, sculpture, or statue-like trademarks). The area of such signs shall be defined as 1.5 times the surface area of two adjacent vertical walls of an imaginary box that encloses the extreme limits of all sign elements including, but not limited to, sign structures or borders, written copy, logos, symbols, illustrations, and color, but excluding mounting brackets and supporting posts or poles.
- E. **Special Considerations for Ground-Mounted Signs.** In the case of architectural or pole-mounted signs, the entire sign structure, with the exception of supporting posts or poles shall be considered a sign face, and the sign area will be calculated as shown in the “framed sign” example in Figure 17.3. For monument signs, however, only that portion of the structure that is actually utilized for the display of written copy, logos, symbols, illustrations, or other information will be considered in computation of sign area.

Figure 17.3: Computation of Sign Area

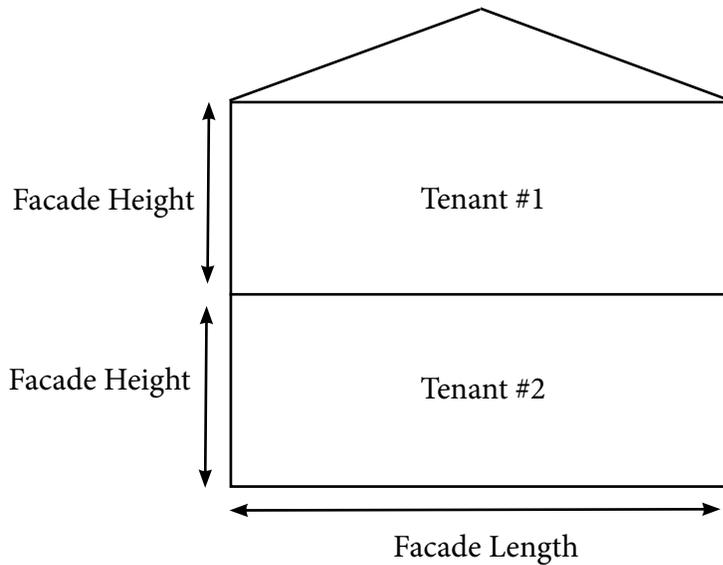
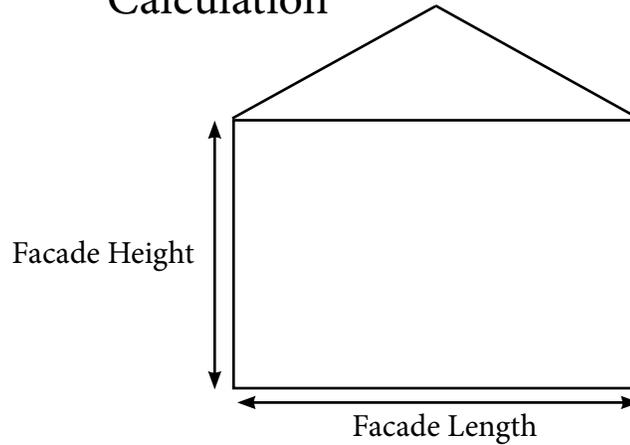


F. Computation of Facades

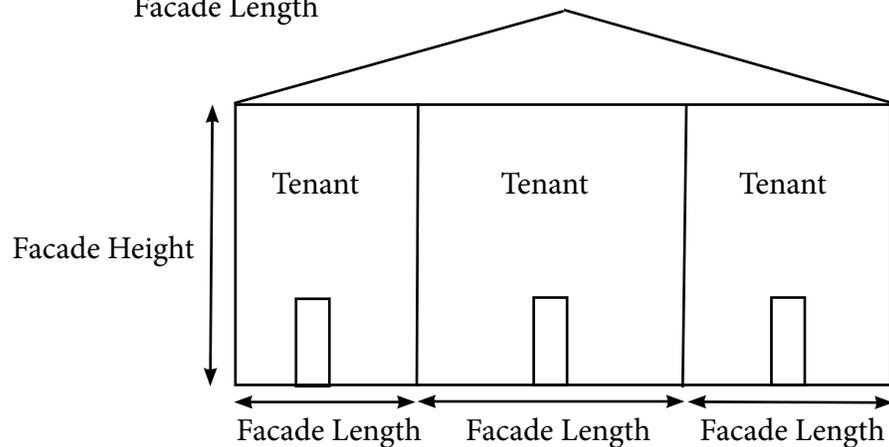
Figure 17.4: Facade Computations for Single- or Multi-Tenant Businesses

- Facade = Facade Length x Facade Height
- For the purposes of this Chapter, facade height shall not include the roof of a structure.
- For definitions of Facade length and Facade height, see Definitions section 17.68.210.

Single-Tenant Facade Calculation



Multi-Tenant Facade Calculation



17.68.040 Standards for All Districts and Zones

The principles and regulations of Section 17.68.120 through 17.68.140 apply to all signs, whether temporary or permanent, in any area within the City. Likewise the provisions listed in this section apply regardless of whether a sign is permitted or exempt. See other applicable sign standards by following these steps:

1. Review Table 1 of this Chapter to determine what additional provisions might apply to the type of sign that is planned
2. Refer to Figure 17.5 to determine the sign district in which the planned sign will be located.
3. Consult the Section and Table that applies to the anticipated sign district (Sections 17.68.050-17.68.110 and Table 2 through Table 8) to determine what district-specific regulations and design standards may apply.
 - For Lodging Establishments, regardless of sign district, see Section 17.68.090 and Table 6.
 - For properties in industrial zones, regardless of sign district, see Section 17.68.100 and Table 7.

A. Location of Signs

1. No sign may be placed on public property, unless by the City of Morro Bay or other authorized governmental agency.
2. No sign may be placed on private property without the expressed consent of the property owner or other agent legally empowered to provide such consent.
3. Off-premise signs, including but not limited to billboards, are prohibited citywide.
4. No commercial sign advertising, related to, or sponsored by a business or business activity may be placed in any zoning district in which such business or business activity is prohibited by applicable provisions of the Morro Bay Zoning Ordinance, unless the related business entity has been established as a legal non-conforming, conditional, or interim use.
5. No commercial sign advertising, promoting, or offering products, services, or accommodations for sale, rent, lease, barter, or exchange may be placed in any zoning district in which such sale, rent, lease, barter, or exchange is prohibited by applicable provisions of the Morro Bay Zoning Ordinance.
6. At sites, buildings, or groups of buildings which have more than one non-residential occupant, on-premise signs may be placed upon or attached to only that portion of the property, building, or group of buildings that is physically occupied by the occupant providing the goods or services advertised, unless a Master Sign Program has been approved for the premises.

B. Sign Standards

1. The sign standards listed in Table 1 are applicable citywide.
2. Unlike the citywide sign standards, allowable sign area and sign types are typically designated by District. See Figure 17.5 to determine what district your business is located in, then consult Sections 17.68.050 through 17.68.110 to determine allowable sign types and area.
3. For Lodging Establishments see section 17.68.090
4. For signs located in Industrial Zones see section 17.68.100.
5. For signs that are not located in any of the designated commercial districts, including those in residential areas, see Section 17.68.110 or consult with the Morro Bay Planning Department.

Table 1: Standards Applicable in All Districts

Key to Locations Allowed: E = Embarcadero District D = Downtown District Q = Quintana Road District M = North Main Street District L = Allowed for lodging establishments in all Districts I = Allowed within Industrial Zoning in all Districts			
Sign Type	Sign Permit Required	Locations Allowed	Standards
Architectural Sign	Yes	Q M L	<ul style="list-style-type: none"> a. Maximum height = 8 feet (from ground to top of sign) b. Shall be supported by two (2) or more posts or beams. c. Minimum Setbacks: One foot from setback line. d. Sign faces: Maximum of two sign faces permitted. e. If one architectural sign proposed, sign shall count towards allowable signage for the Primary Façade. If a second architectural sign is proposed, sign shall count towards nearest secondary façade. f. Landscaping. Signs shall be placed in a landscaped planter or berm. Additional landscaping of the site may be required to better integrate sign appearance with the site. g. Not permitted for individual businesses in shopping centers, retail clusters, or professional buildings.
Awning (Canopy) Sign	Yes	E D Q M L I	<ul style="list-style-type: none"> a. Maximum height = 25 feet above a sidewalk or public right-of-way. b. Sign copy and/or logos may not extend beyond the area of the awning or canopy. c. The roofs of canopies exceeding 25 square feet shall be drained to prevent dripping or flow onto public sidewalks or streets and shall be connected to an approved disposal source of adequate conductors.
Blackboard/ Whiteboard	Yes	E D Q M L	<ul style="list-style-type: none"> a. Maximum sign area = 6 square feet. b. Maximum height = 7 feet above adjacent sidewalk or walkway. c. Must be of a sign type allowed in the District in which it is located. d. Must be constructed of an exterior material resistant to warping and deterioration e. Must be enclosed by a frame of wood, metal, ceramic, or other durable material. .
Construction Sign	No	E D Q M L I	<ul style="list-style-type: none"> a. A maximum of 4 are allowed on construction sites. b. The aggregate construction sign area may not exceed 24 sq. ft. or for projects on sites larger than 3 acres, 32 sq. ft.
Equipment Sign	Yes	E D Q M L I	<ul style="list-style-type: none"> a. Must be located on the face of the equipment or machine. b. Maximum height = 7 ft. c. If the sign(s) can be viewed from the public right of way, then the sign(s) will count towards allowable sign area.
Exterior Display Case	Yes	E D Q M L	<ul style="list-style-type: none"> a. Maximum allowable sign area = 6 sq. ft. per sign b. Maximum height of top of case = 7 feet above sidewalk or public right-of-way. c. Minimum height of bottom of case = 3.5 feet above sidewalk or public right-of-way. d. Minimum separation from any doorway = 1 foot. e. Transparent area of face must be constructed of shatter-resistant glass or plastic.

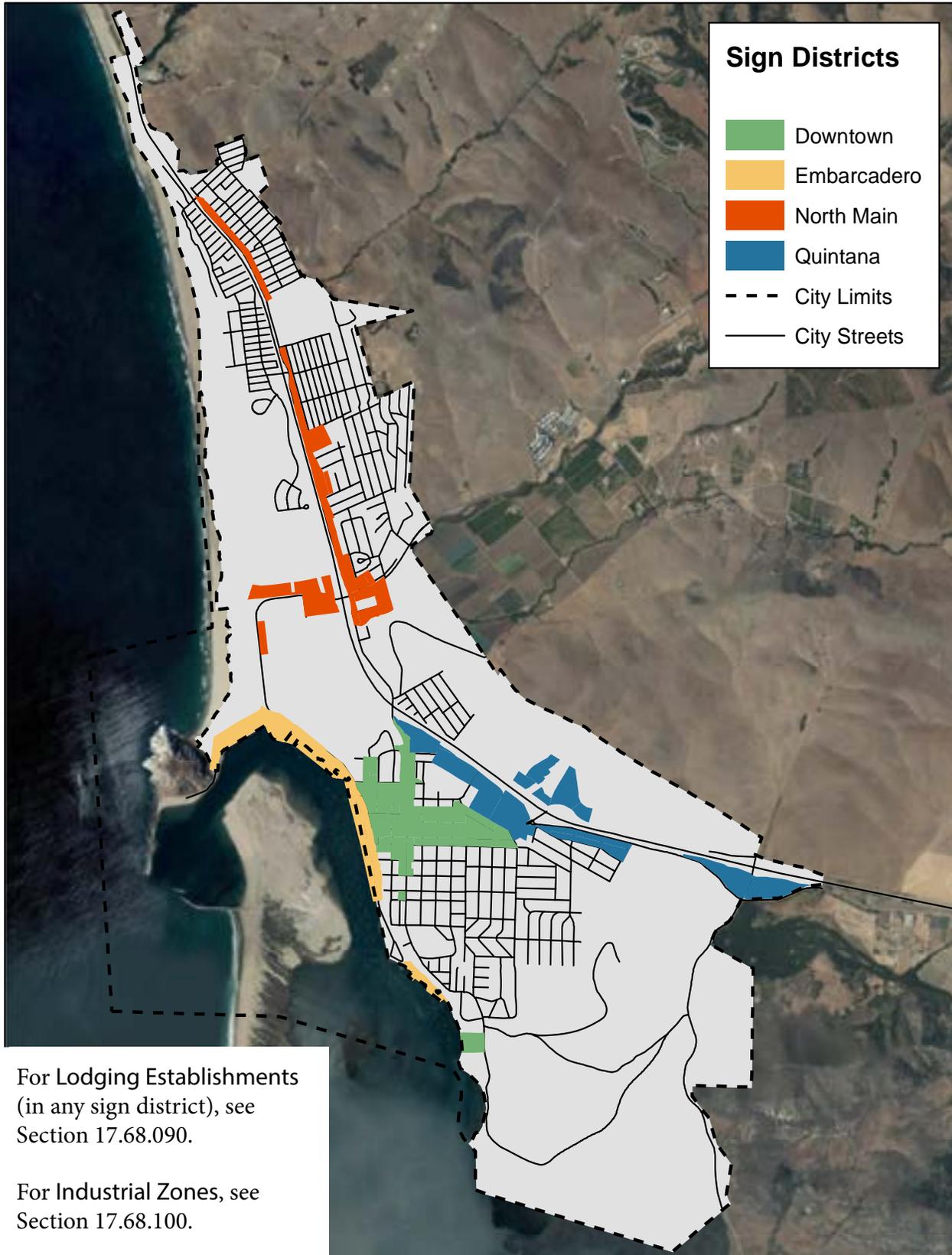
Table 1: Standards Applicable in All Districts (continued)

Sign Type	Sign Permit Required	Locations Allowed	Standards
Hanging Sign	Yes	E D Q M L I	<ul style="list-style-type: none"> a. Minimum height = 8 feet above a sidewalk or other public right-of-way. b. Maximum height = 20 ft. above a sidewalk or other public right-of-way, but not above an eave or roof. c. Maximum distance from building facade = 5 feet. d. May not be lit by internally illumination, neon, LED, or filament bulb.
Marquee Sign	Yes	D Q M L	<ul style="list-style-type: none"> a. Marquee signs may not project above the marquee face. b. Removable copy may be changed on the face of permitted sign without securing a sign permit. c. The roofs of marquees exceeding 25 square feet shall be drained to prevent dripping or flow onto public sidewalks or streets and shall be connected to an approved disposal source of adequate conductors.
Monument Sign	Yes	E D Q M L I	<ul style="list-style-type: none"> a. Maximum height = 8 feet. b. Minimum setback = One foot from any setback line. c. Sign faces: Maximum of two sign faces permitted. d. Number of signs: Maximum of two monument signs per business. e. If one monument sign proposed, sign shall count towards allowable signage for the Primary Façade. If a second monument sign is proposed, sign shall count towards nearest secondary façade. f. Landscaping. Signs shall be placed in a landscaped planter or berm. As a condition of any sign permit for a monument sign, additional landscaping of the site may be required to better integrate sign appearance with the site. g. Not permitted for individual businesses in shopping centers, retail clusters, or professional buildings.
Projecting (Pub) Sign	Yes	E D Q M L I	<ul style="list-style-type: none"> a. Minimum height = 8 feet above a sidewalk or other public right-of-way. b. Maximum height = 20 ft. above a sidewalk or other public right-of-way, but not above an eave or roof. c. May not be placed closer to the edge of the facade than one-half the required minimum separation. d. May not be lit by internally illumination, neon, LED, or filament bulb. e. One per 30 linear feet of frontage.
Residential Subdivision	Yes	--	<ul style="list-style-type: none"> a. One monument or wall type sign allowed on each major street frontage. b. Located within a landscaped area. c. Maximum size per sign = 20 sq. ft.
Roof Sign	Yes	E	<ul style="list-style-type: none"> a. Top of sign may not extend above maximum building height for the zone in which business is located. b. Minimum vertical separation between top of sign and top of mansard roof = 8 in. c. Not permitted for individual businesses in shopping centers, retail clusters, or professional buildings.

Table 1: Standards Applicable in All Districts (continued)

Sign Type	Sign Permit Required	Locations Allowed	Standards
Sidewalk Sign Dock Sign	Yes	D Q M I	<ul style="list-style-type: none"> a. Maximum height = 42 inches; maximum width = 24 inches. b. May not be placed in such manner as to narrow unobstructed sidewalk width to less than 8 feet. c. May not be placed in a location that impairs egress from vehicles or watercraft. d. May not be placed in such manner as to impair access to an adjacent business. e. May not be anchored or attached in any manner to any street, sidewalk, walkway, structure, fence, railing, or vegetation. f. May be displayed only during such times as the associated business is open for business. g. Subject to a special Sidewalk Sign Permit. Sidewalk signs proposed to be placed within the public right-of-way require a Sidewalk Sign Encroachment Permit in addition to a general Sidewalk Sign Permit.
	Yes	E	
Theatrical Display Case	Yes	D Q M	<ul style="list-style-type: none"> a. Permitted only for businesses that offer to the public motion pictures, live theatrical performances, concerts, or similar entertainment events. b. Theatrical display cases may only be installed when the primary signage is of the marquee type. c. Maximum height of top of case = 7 feet above sidewalk or public right-of-way. d. Minimum height of bottom of case = 1 foot above sidewalk or public right-of-way. e. Minimum separation from any doorway = 1 foot. f. Transparent area of face must be constructed of shatter-resistant glass or plastic
Temporary Sign	No	E D Q M L I	<ul style="list-style-type: none"> a. No individual temporary sign may be displayed for more than 30 days in any calendar year. b. When a temporary sign is displayed as a Window Sign, Wall Sign, or other sign type, the Temporary Sign may not exceed the maximum area per sign allowed for the sign type it represents. c. May not be illuminated. d. Signs advertising an event at a future time and date may be not be displayed after the date of the event.
Wall Sign	Yes	E D Q M L I	<ul style="list-style-type: none"> a. Maximum height = 20 ft. above a sidewalk or other public right-of-way, but not above an eave or roof. b. Maximum projection from surface of building = 12 in. c. Minimum horizontal and vertical separation between signs = 3 ft. d. Minimum vertical separation between sign and roof line = 1 ft. e. Minimum horizontal distance from corner of building = 3 ft. f. Minimum horizontal distance from window or door = 1 ft. (except for signs above building entrance)
Window Sign	Yes	E D Q M L I	See district standards.

Figure 17.5: Sign District Map



17.68.050 Embarcadero District

- A. **Characterization of the District.** The Embarcadero District is home to many of the tourist-serving businesses in Morro Bay. The Embarcadero District contains a dense collection of restaurants, hotels, bars, museums, gift shops, and recreation-based businesses.
- B. **Purpose.** The sign regulations for this district are intended to maintain the unique, beach town character of Morro Bay’s waterfront. The Embarcadero District is dominated by pedestrians; the code promotes small scale signs and projecting type signs that are oriented towards pedestrians and bicyclists. With the prohibition of sidewalk signs and pole signs, the code also aims to maximize access to and views of the bay from the street and walkways.
- C. **Design Standards for Signs in the Embarcadero District.** The following design guidelines are not intended to stifle innovative and creative signage in this district. To the contrary, they are intended to promote a thoughtful approach to the design and appearance of signs that will enhance the overall ambiance and distinctive architectural style of the Embarcadero. The sign design guidelines establish a broad framework within which creativity and individuality are welcome. Signs which appear “generic”, mass-produced, or excessively commercial are, in fact, strongly discouraged.

Signage in the Embarcadero District should respect and be consistent with the architectural design guidelines established by the Waterfront Master Plan. Relevant provisions of this document include:

“...design quality of character should reflect the historical and cultural identity of the Embarcadero -- one of a working fishing community with a variety of character and building types typical of pedestrian communities that have evolved over time.”

“Whether it is a sign or a multi-building project, its different elements should be integrated into a comprehensive design with the various elements compatible with each other. Elements should be in balance and in proportion to one another and their environment.”

“A unified treatment of the commercial signs is important to maintain the integrity of the Embarcadero area character. ‘Unified treatment’ does not necessarily mean that all signs must have the same style of lettering. Rather, it is more important that the lettering have similar stylistic traits and the signs are placed in a manner that complements the architectural style of the buildings which they designate.”

In order to conform to the concepts articulated by the Waterfront Master Plan, signs in this district shall conform to the following guidelines:

1. Utilize natural or “industrial” materials that are typically associated with the commercial fishing industry. Such materials might include, among others, wood, stone, art glass, ceramics, concrete, canvas, raw steel, brass, and copper. The use of rigid or flexible plastics, fiberglass, or enameled light gauge sheet metal is not permitted.

2. Be consistent with the architectural style and color of the building with which they are associated and with other signs related to the site. All of the signs associated with a particular lease site or structure must share a common, identifiable font and design theme and a common color palette that is compatible with and complementary to the building to which they relate.
3. Utilize muted colors and weathered or distressed finishes consistent with an appearance that has “evolved over time”. Excessively bright, fluorescent, or primary colors are not acceptable.
4. Be placed in locations which are logical and compatible with the style and symmetry of the facade on which they are located.
5. Be designed and sited to minimize interference with public views to and along the bay from any lateral or vertical accessway or required view corridor.
6. Not be so large or numerous as to obscure or detract from the architecture of the building with which they are associated (See Table 2).
7. Be non-illuminated or illuminated only externally. Signs that are internally illuminated, filament lamp signs, or neon signs are not permitted in the Embarcadero District. See Table 2 regarding limited acceptability of neon or LED illumination.

Signs indicating or directing the public to lateral or vertical coastal access should conform to any applicable standards or design guidelines established by the California Coastal Commission.

The following table (Table 2) identifies all allowable sign types and specifications for businesses located in the Embarcadero District. If a sign type does not appear in Table 2-E, it is prohibited in this district.

D. Additional Applicable Regulations.

1. See Section 17.68.040, Table 1 for additional regulations that apply citywide to each sign type.
2. See Section 17.68.120 for performance standards that apply to all signs citywide.
3. If property has three or more tenants, see also Sections 17.68.150.
4. If illumination or lighting of any kind is proposed on or around signs, see Sections 17.68.020.E and 17.68.120.E.
5. If a business is near the edge of a district, please consult with Planning Staff to confirm appropriate district designation.

Figure 17.6: Examples of Signs in the Embarcadero District that Embody the Design Guidelines of the Waterfront Master Plan



Table 2: Allowable Sign Types and Sign Areas, Embarcadero District

Sign Type	Total No. of Signs Allowed ¹	Allowable Area Per Sign		Total Sign Area Allowed
		Minimum	Maximum	
Awning	1 per frontage	–	–	Primary facades may contain maximum permanent signage equal to 15% of facade area or 120 sq. ft., whichever is less. Secondary facades may contain maximum permanent signage equal to 5% of facade area or 60 sq. ft., whichever is less. Extra allowable sign area granted for secondary facades cannot be implemented on the primary facade, and vice versa.
Roof	1 per frontage	24 sq. ft.	–	
Wall	1 per frontage	6 sq. ft.	–	
Hanging	1 per frontage	4 sq. ft.	8 sq. ft.	
Window	1 per window	10% of window area	20% of window area	
Exterior Display Case	1 per business	–	6 sq. ft.	
Monument	1 per street frontage	6 sq. ft.	24 sq. ft.	
Projecting (Pub)	1 per 30 linear feet of frontage	4 sq. ft.	8 sq. ft.	
Dock	1 per business	–	16 sq. ft.	
Blackboard	1 per business	2 sq. ft.	6 sq. ft.	
Temporary	2 per business	–	6 sq. ft.	12 sq. ft.
Bonuses				
Sign Type		Increase (“Bonus”) in Total Allowable Sign Area		
Projecting (Pub)		PLUS (+) 8 sq. ft.		
Wall		PLUS (+) 4 sq. ft.		
Window		PLUS (+) 3 sq. ft.		
Prohibited Lighting Types				
Filament Lamp Sign, Neon Sign, LED Sign ²				
¹ All signs must be displayed on the frontage for which they are allowed and cannot be moved to another frontage. Minimum of 30 ‘ of spacing required between projecting signs. ² Except that Window Signs no larger than 5 sq. ft. in area may use neon or LED illumination, provided that all lighting elements are illuminated continuously and do not flash, blink, or create an illusion of motion.				

17.68.060 Downtown District

- A. **Characterization of the District.** The Downtown District houses a combination of resident-serving and tourist-serving businesses. While there are many restaurants, gift shops and galleries, the district also contains banks, shopping markets, offices, and service-based businesses such as automobile repair shops. The downtown is accessed by pedestrians, cyclists, and persons traveling by automobile. Vehicular traffic, however, tends to be low-speed and traffic lanes are relatively close to store fronts, so that large signs or those mounted high above ground level have limited utility.
- B. **Purpose.** The sign regulations for this district are intended to preserve the small-town character that residents, tourists, and business owners enjoy. The code is designed to eliminate excessive signage while promoting pedestrian-oriented signs.
- C. **Design Standards for Signs in the Downtown District.** Unlike the Embarcadero, the Downtown District has not, up to this time, been covered by any adopted document that defines the character of or sets out visual guidelines for the area. Signage in the downtown has, rather, been developed over the years in a spontaneous and organic manner. This evolutionary process has been driven forward by the energies and imaginations of individual business owners and has produced signage which is distinctive, individualized, and highly creative. Fanciful images and whimsy are often featured. In many instances, signs in the downtown are, in fact, true pieces of folk art. Signs which appear “generic,” mass-produced, or excessively commercial are strongly discouraged.

A few remaining historic signs in the downtown are blend seamlessly with new signage and add visual character to the streetscape.

In order to preserve the eclectic and interesting character of signage in the Downtown District, new signs shall conform to the following guidelines:

1. Utilize natural or “industrial” materials that are typically associated with the commercial fishing industry. Such materials might include, among others, wood, stone, art glass, ceramics, concrete, canvas, raw steel, brass, and copper. The use of rigid or flexible plastics, fiberglass, or enameled light gauge sheet metal is not permitted.
2. Be individualized and creative in appearance, incorporating images, fonts, and materials that are visually interesting and contribute positively to the eclectic character of the district.
3. Incorporation or display of logos of national or regional retail organizations shall match the pallet and style of the surrounding area.
4. Signs must be non-illuminated, externally illuminated, back-lit, or lighted by means of filament or neon lamps. Signs that are internally illuminated are not permitted in the Downtown District.
5. Mechanical Changeable Copy Signs of the marque type are allowed in the Downtown Sign District. Other Mechanical Changeable Copy Signs are prohibited.

The following table (Table 3) identifies all allowable sign types and specifications for businesses located in the Downtown District. If a sign type does not appear in Table 3, it is prohibited in this district.

D. Additional Applicable Regulations.

1. See Section 17.68.040, Table 1 for additional regulations that apply citywide to each sign type.
2. See Section 17.68.120 for performance standards that apply to all signs citywide.
3. If property has three or more tenants, see also Sections 17.68.150.
4. If illumination or lighting of any kind is proposed on or around signs, see Sections 17.68.020.E and 17.68.120.E.
5. If a business is near the edge of a district, please consult with Planning Staff to confirm appropriate district designation.

Figure 17.7: Creative Signage and Historic Accents in the Downtown District



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Table 3: Allowable Sign Types and Sign Areas, Downtown District

Sign Type	Total No. of Signs Allowed ¹	Allowable Area Per Sign		Total Sign Area Allowed
		Minimum	Maximum	
Awning	1 per frontage	–	–	Primary facades may contain maximum permanent signage equal to 15% of facade area or 150 sq. ft., whichever is less. Secondary facades may contain maximum permanent signage equal to 5% of facade area or 50 sq. ft., whichever is less. Extra allowable sign area granted for secondary facades cannot be implemented on the primary facade, and vice versa.
Marquee	1 per business	30 sq. ft.	–	
Wall	1 per frontage	6 sq. ft.	–	
Hanging	1 per frontage	4 sq. ft.	8 sq. ft.	
Window	1 per window	10% of window area	20% of window area	
Exterior Display Case	1 per business	–	6 sq. ft.	
Projecting (Pub)	1 per 30 linear feet of frontage	4 sq. ft.	16 sq. ft.	
Monument	1 per street frontage	6 sq. ft.	24 sq. ft.	
Sidewalk	1 per business	–	8 sq. ft.	
Blackboard	1 per business	3 sq. ft.	6 sq. ft.	
Theater Case	3 per business	–	15 sq.ft.	45 sq.ft.
Temporary	6 per business	–	6 sq. ft.	12 sq. ft.
Bonuses				
Sign Type	Feature Required to Qualify for Bonus	Increase (“Bonus”) in Total Allowable Sign Area		
Projecting (Pub)	None	PLUS (+) 8 sq. ft.		
Wall	Individual Lettering	PLUS (+) 10 sq. ft.		
Window	Individual Lettering	PLUS (+) 5 sq. ft.		
Prohibited Lighting Types: None				
¹ All signs must be displayed on the frontage for which they are allowed and cannot be moved to another frontage. Minimum of 30 ‘ of spacing required between projecting signs.				

17.68.070 Quintana Road District

- A. **Characterization of the District.** The Quintana Road District contains many of the City's larger commercial buildings, shopping malls, and gas stations. Due to the presence of large parking lots and a lack of proximity to residential neighborhoods or visitor-serving accommodations, businesses in this district are most often accessed by persons traveling in automobiles. Local topography, however, severely limits the visibility of the Quintana district and any associated signage from State Highway 1. The relatively high posted speed limit (65 mph) and limited egress opportunities from Highway 1 also suggest that motorists traveling on this route are not a likely target audience for signs erected in the Quintana district.

The Quintana Road District comprises a mix of local businesses, regional chain stores, and national retail chains and gasoline outlets. Many of the customers for these establishments are locals who have a particular destination in mind. Existing signage is largely utilitarian and recognizable brand names and logos are not uncommon.

The primary vehicular access to this district is provided by Quintana Road. Due to topography and the existing pattern of development, however, many businesses in this district are not actually visible from this thoroughfare. This presents a special challenge with regard to signage.

- B. **Purpose.** The sign regulations for this zone focus on allowing large-scale commercial and industrial businesses adequate signs that are proportionate to the associated structures and on promoting motorist and cyclist safety by requiring that signs are clear and legible from the road.
- C. **Design Standards for Signs in the Quintana District.** Signage in the Quintana Road District tends to be more informational than promotional. It more often serves to provide potential customers with the location of a business they are seeking, rather than entice them to visit a previously unknown site. Readability to drivers and occupants of vehicles traveling at approximately 25 to 35 mph is of primary importance.

To these ends signs in the Quintana Sign District shall conform to the following guidelines:

1. Signs for businesses that front directly on Quintana Road should, when feasible, be mounted perpendicular to the direction of travel at that point.
2. Signs should exhibit high contrast between background and lettering.
3. Lettering should be a minimum of six inches in height and should utilize a mix of upper- and lower-case characters.
4. Use of simple typeface is preferred over heavily flourished or ornamented fonts.
5. For businesses that are affiliated with national companies or chains, the inclusion of readily recognizable trademarks or logos may be useful to improve readability.
6. At multi-business sites, a Master Sign Program is required and can allow additional freestanding signs near Quintana Road, serving to direct motorists to the correct entrance driveway. See 17.68.150.

7. Sign heights should be low enough to allow motorists to read the message as they approach the entrances to businesses. Ground-mounted signs should be of the monument or architectural type, and pole signs are not permitted. Surface-mounted signs of the wall or projecting type are recommended over roof or window signs.
8. Mechanical Changeable Copy Signs are allowed in the Quintana Road Sign District.

The following chart (Table 4) identifies all allowable sign types and specifications for businesses located in the Quintana District. If a sign type does not appear in Table 4, it is prohibited in this district.

D. Additional Applicable Regulations.

1. See Section 17.68.040, Table 1 for additional regulations that apply citywide to each sign type.
2. See Section 17.68.120 for performance standards that apply to all signs citywide.
3. If property has three or more tenants, see also Sections 17.68.150.
4. If illumination or lighting of any kind is proposed on or around signs, see Sections 17.68.020.E and 17.68.120.E.
5. If a business is near the edge of a district, please consult with Planning Staff to confirm appropriate district designation.

Figure 17.8: Existing Signage in the Quintana Road District



Table 4: Allowable Sign Types and Sign Areas, Quintana District

Sign Type	Total No. of Signs Allowed ¹	Allowable Area Per Sign		Total Sign Area Allowed
		Minimum	Maximum	
Awning	1 per frontage	–	–	Primary facades may contain maximum permanent signage equal to 20% of facade area or 200 sq. ft., whichever is less. Secondary facades may contain maximum permanent signage equal to 10% of facade area or 100 sq. ft., whichever is less. Extra allowable sign area granted for secondary facades cannot be implemented on the primary facade, and vice versa.
Marquee	1 per frontage	20 sq. ft.	–	
Wall	1 per frontage	6 sq. ft.	–	
Hanging	1 per frontage	4 sq. ft.	24 sq. ft.	
Window	1 per window	20% of window area	30% of window area	
Exterior Display Case	1 per business	–	6 sq. ft.	
Projecting (Pub)	1 per 30' of frontage	4 sq. ft.	16 sq. ft.	
Monument	1 per street frontage (choose one type)	6 sq. ft.	30 sq. ft.	
Architectural		8 sq. ft.	25 sq. ft.	
Sidewalk	1 per business	–	8 sq. ft.	
Blackboard	1 per business	2 sq. ft.	6 sq. ft.	
Theater Case	3 per business	–	15 sq.ft.	45 sq.ft.
Temporary	6 per business	–	12 sq. ft.	18 sq. ft.
Bonuses				
Sign Type	Feature Required to Qualify for Bonus	Increase ("Bonus") in Total Allowable Sign Area		
Monument	Bldg. set back >30' from public ROW	PLUS (+) 20 sq. ft.		
Architectural				
Wall	Individual Lettering	PLUS (+) 10 sq. ft.		
Window	Individual Lettering	PLUS (+) 5 sq. ft.		
Prohibited Lighting Types: None				
¹ All signs must be displayed on the frontage for which they are allowed and cannot be moved to another frontage. Minimum of 30' of spacing required between projecting signs.				

17.68.080 North Main District

- A. **Characterization of the District.** The North Main District is a highly heterogeneous area that includes residential, light industrial, neighborhood commercial, and visitor-serving commercial land uses. From the geographic configuration of land uses established by City planning documents, it appears that the historical intent for this area was that it would serve the needs of motorists traveling on State Highway 1. Over the years, however, Highway 1 has been widened to four lanes, the speed limit on this route has been increased to 55-65 mph, and opportunities for egress have been greatly restricted. Consequently, the potential customer base for businesses in the North Main Street District has shifted from itinerant travelers to local residents.

The intersection of North Main Street and Highway 41 represents, to a degree, an exception to this general rule. This intersection is controlled by a four-way stop sign, so that travelers arriving westbound on Highway 41 are required to slow significantly and could represent an additional “target audience” for signage in the immediate vicinity of this intersection. The Highway 41/North Main Street intersection presents several challenges with respect to signage:

- Intensifying commercial development at this site presents a risk that signage will become less effective due to a large number of individual signs that are presented against a relatively cluttered background.
- Some businesses to the south of Highway 41 are relatively distant from the roadway and are substantially lower than traffic, factors which tend to impair their visibility.
- The proximity of this intersection to Morro Bay High School results in the intermittent presence of large number of pedestrian and bicycling students.
- Traffic leaving the intersection on Highway 41 eastbound often accelerates quickly to speeds that are greater than seen in other parts of the North Main District.
- Anticipated improvements to the intersection may displace some existing signs and must be taken into account when planning the locations for new signage.

The North Main District contains a mixture of neighborhood commercial (e.g., grocery stores, hardware store), visitor-serving uses (e.g., motels, hotels), and businesses that are of interest to both tourists and locals (restaurants, antique shops). Although the majority of businesses are independent enterprises, some of the more recently-established ones are affiliated with national chains and may benefit from signage that includes readily recognized logos.

- B. **Purpose.** The regulations for this district should promote signs that are legible and appealing to pedestrians, bicyclists, and motorists traveling along North Main Street and on State Highway 41. Regulations are also intended to minimize any negative aesthetic impacts of signs erected on North Main Street with regard to motorists traveling on Highway 1.
- C. **Design Standards for Signs in the North Main Street District.** Signage in the North Morro Bay District should be targeted toward motorists traveling at relatively low speed (30-40 mph)

along North Main Street and at somewhat higher speeds (40-50 mph) on Highway 41.

As both the Quintana Road and North Main Districts require signage that is effective and readable to persons traveling in motor vehicles, the design guidelines for these two districts are similar. Signs in the North Main District shall conform to the following guidelines:

1. Signs for businesses that front directly on North Main Street or on Highway 41 should, when feasible, be mounted perpendicular to the direction of travel at that point.
2. Signs should exhibit high contrast between background and lettering.
3. Lettering should be a minimum of six inches in height along North Main Street and a minimum of eight inches in height along Highway 41, and should utilize a mix of upper- and lower-case characters.
4. The use of simple typeface is preferred over heavily flourished or ornamented fonts.
5. For businesses, especially visitor-serving businesses, that are affiliated with national companies or chains, the inclusion of readily recognizable trademarks or logos is encouraged.
6. At multi-business sites, a Master Sign Program is required and can allow additional freestanding signs on North Main Street or on Highway 41. See 17.68.150.
7. Sign heights should be low enough to allow a motorist to read the message without diverting his/her gaze upward from nearby traffic and pedestrians. Ground-mounted signs should be of the monument or architectural type, and pole signs are not permitted.
8. The location of new signs should be planned so as to avoid the area that would be required for construction of a traffic circle at the Highway 41/North Main Street intersection.
9. Mechanical Changeable Copy Signs are allowed in the North Main Sign District.
10. Signage that would draw motorist's attention and concentration away from the road is highly undesirable.

The following chart (Table 5) identifies all allowable sign types and specifications for businesses located in the North Main Street District. If a sign type does not appear in Table 5, it is prohibited in this district.

D. Additional Applicable Regulations.

1. See Section 17.68.040, Table 1 for additional regulations that apply citywide to each sign type.
2. See Section 17.68.120 for performance standards that apply to all signs citywide.
3. If property has three or more tenants, see also Sections 17.68.150.
4. If illumination or lighting of any kind is proposed on or around signs, see Sections 17.68.020.E and 17.68.120.E.
5. If a business is near the edge of a district, please consult with Planning Staff to confirm appropriate district designation.

Figure 17.9: Existing Signage in the North Main Street District

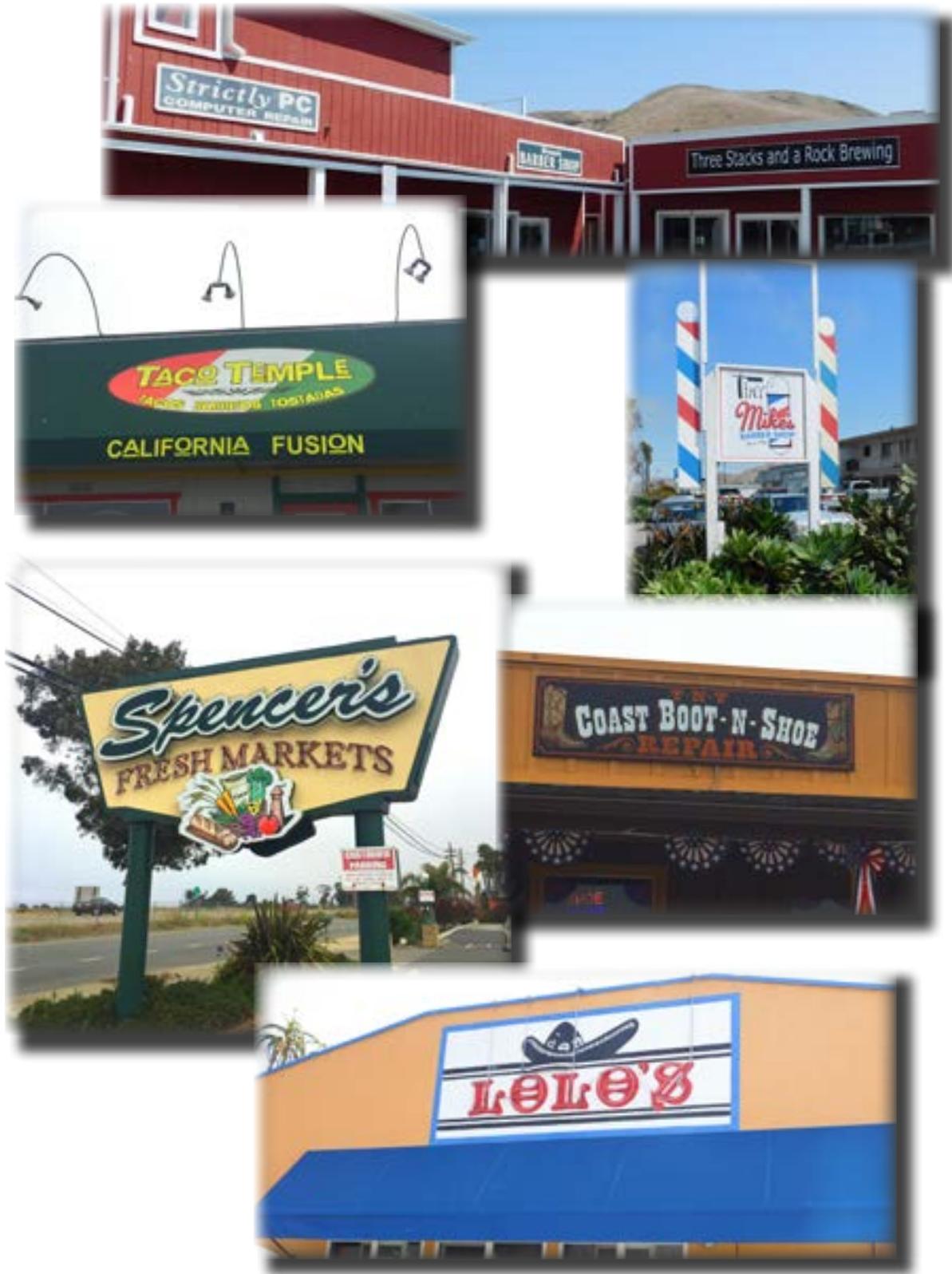


Table 5: Allowable Sign Types and Sign Areas, North Main District

Sign Type	Total No. of Signs Allowed ¹	Allowable Area Per Sign		Total Sign Area Allowed
		Minimum	Maximum	
Awning	1 per frontage	–	–	Primary facades may contain maximum permanent signage equal to 20% of facade area or 200 sq. ft., whichever is less. Secondary facades may contain maximum permanent signage equal to 5% of facade area or 80 sq. ft., whichever is less. Extra allowable sign area granted for secondary facades cannot be implemented on the primary facade, and vice versa.
Marquee	1 per frontage	20 sq. ft.	–	
Wall (Surface)	1 per frontage	6 sq. ft.	–	
Hanging	1 per frontage	4 sq. ft.	24 sq. ft.	
Window	1 per window	20% of window area	30% of window area	
Exterior Display Case	1 per business	–	6 sq. ft.	
Projecting (Pub)	1 per frontage	4 sq. ft.	16 sq. ft.	
Monument	1 per driveway entrance (choose one type)	6 sq. ft.	30 sq. ft.	
Architectural		8 sq. ft.	40 sq. ft.	
Sidewalk	1 per business	–	8 sq. ft.	
Blackboard	1 per business	2 sq. ft.	6 sq. ft.	
Theater Case	3 per business	–	15 sq. ft.	45 sq. ft.
Temporary	2 per business	–	12 sq. ft.	12 sq. ft.
Bonuses				
Sign Type	Feature Required to Qualify for Bonus	Increase (“Bonus”) in Total Allowable Sign Area		
Architectural	Bldg. set back >30’ from public ROW	PLUS (+) 20 sq. ft.		
Monument				
Wall	Individual Lettering	PLUS (+) 20 sq. ft.		
Window	Individual Lettering	PLUS (+) 10 sq. ft.		
Prohibited Lighting Types: None				

17.68.090 Lodging Establishments

- A. Purpose. The following regulations apply to lodging establishments in ALL districts. Lodging establishments in the City are located in both residential and commercial zones, and have unique requirements that do not coincide with the signage needs of other types of businesses. The regulations in this section are intended to promote signs that attract potential customers and that are also appealing to both residents and tourists.
- B. Design Standards for Signs Associated with Lodging Establishments. Signs associated with lodging establishments should be consistent with the design standards for the business district in which the establishment is located.
- C. Additional Applicable Regulations.
 - 1. See Section 17.68.040, Table 1 for additional regulations that apply citywide to each sign type.
 - 2. See Section 17.68.120 for performance standards that apply to all signs citywide.
 - 3. If property has three or more tenants, see also Sections 17.68.150.
 - 4. If illumination or lighting of any kind is proposed on or around signs, see Sections 17.68.020.E and 17.68.120.E.
 - 5. If a business is near the edge of a district, please consult with Planning Staff to confirm appropriate district designation.

Table 6: Allowable Sign Types and Sign Areas, Lodging Establishments

Sign Type	Total No. of Signs Allowed ¹	Allowable Area Per Sign		Total Sign Area Allowed
		Minimum	Maximum	
Awning (Canopy)	1 per facade	-	-	Primary facades may contain maximum permanent signage equal to 15% of facade area or 200 sq. ft., whichever is less. Secondary facades may contain maximum permanent signage equal to 5% of facade area or 90 sq. ft., whichever is less. Extra allowable sign area granted for secondary facades cannot be implemented on the primary facade, and vice versa.
Marquee	1 per business	10 sq. ft.	-	
Wall (Surface)	1 per facade	6 sq. ft.	-	
Architectural	1 per driveway entrance (choose one type)	8 sq. ft.	25 sq. ft.	
Monument		8 sq. ft.	30 sq. ft.	
Projecting (Pub)	1 per frontage	4 sq. ft.	16 sq. ft.	
Window	1 per window	20% of window area	30 % of window area	
Temporary	2 per business	-	6 sq. ft.	12 sq. ft.
Bonuses				
Sign Type	Feature Required to Qualify for Bonus	Increase ("Bonus") in Total Allowable Sign Area		
Wall (Surface)	Individual Lettering	PLUS (+) 4 sq. ft.		
Prohibited Lighting Types: None²				
¹ All signs must be displayed on the frontage for which they are allowed and cannot be moved to another frontage. Minimum of 30' of spacing required between projecting signs. ² Signs that are within or adjacent to residential zones shall not be illuminated after 10 PM regardless if business is open or closed.				

17.68.100 Industrial Zones

- A. Purpose. The following regulations apply to businesses located in industrial zones in ALL districts. Industrial businesses have unique requirements that do not coincide with the signage needs of other types of businesses.
- B. Design Standards for Signs in Industrial Zones. Signs associated with businesses in industrial zones should be consistent with the design standards for the business district in which the industrial zone is located.
- C. Additional Applicable Regulations.
 - 1. See Section 17.68.040, Table 1 for additional regulations that apply citywide to each sign type.
 - 2. See Section 17.68.120 for performance standards that apply to all signs citywide.
 - 3. If property has three or more tenants, see also Sections 17.68.150.
 - 4. If illumination or lighting of any kind is proposed on or around signs, see Sections 17.68.020.E and 17.68.120.E.
 - 5. If a business is near the edge of a district, please consult with Planning Staff to confirm appropriate district designation.

Table 7: Allowable Sign Types and Sign Areas, Industrial Zones

Sign Type	Total No. of Signs Allowed ¹	Allowable Area Per Sign		Total Sign Area Allowed
		Minimum	Maximum	
Awning	1 per frontage	-	-	Primary facades may contain maximum permanent signage equal to 15% of facade area or 200 sq. ft., whichever is less. Secondary facades may contain maximum permanent signage equal to 5% of facade area or 180 sq. ft., whichever
Wall (Surface)	1 per frontage	6 sq. ft.	-	
Temporary	4 per business	-	12 sq. ft.	24 sq. ft.
Window	1 per window	20% of window area	30 % of window area	-
Bonuses				
Sign Type	Feature Required to Qualify for Bonus	Increase ("Bonus") in Total Allowable Sign Area		
Wall	Individual Lettering	PLUS (+) 24 sq. ft.		
Prohibited Lighting Types: None ²				
<p>¹ All signs must be displayed on the frontage for which they are allowed and cannot be moved to another frontage. Minimum of 30' of spacing required between projecting signs.</p> <p>² Signs that are within or adjacent to residential zones shall not be illuminated after 10 PM regardless if business is open or closed.</p>				

17.68.110 Signs Outside of Designated Business Districts

- A. Lodging Establishments (regardless of Sign District). See Section 16.78.090.
- B. Light Industrial (M-1) District. See Section 16.78.100.
- C. Other Commercial Zones. Consult with the Community Development Director to determine which District Standards are most appropriate to the nature of the site.
 - 1. Includes the following zoning categories:
 - a. Agricultural (AG)
 - b. Central Business (C-1)
 - c. General Commercial (C-2)
 - d. Mixed Commercial/Residential (MCR)
 - e. Visitor-Serving Commercial (C-VS)
 - f. General Office (GO)
 - g. Coastal Dependent Industrial (M-2)
 - h. Waterfront (WF)
 - i. Commercial/Recreational Fishing (CF)
 - j. Harbor and Navigable Ways (H)
 - k. Mariculture and Marine Research (MMR)
 - l. Golf Course (GC)
- D. Residential Zones. See Table 8 below.
 - 1. Includes the following districts:
 - a. Suburban Residential (R-A)
 - b. Single-Family Residential (R-1)
 - c. Duplex Residential (R-2)
 - d. Multiple-Family Residential (R-3)
 - e. Multi-Family-Hotel-Professional (R-4)
 - f. Coastal Resource Residential (CRR)
 - g. Open Area (OA)
 - h. School (SCH)

D. Additional Applicable Regulations.

1. See Section 17.68.040, Table 1 for additional regulations that apply citywide to each sign type.
2. See Section 17.68.120 for performance standards that apply to all signs citywide.
3. If property has three or more tenants, see also Sections 17.68.150.
4. If illumination or lighting of any kind is proposed on or around signs, see Sections 17.68.020.E and 17.68.120.E.
5. If a business is near the edge of a district, please consult Planning Staff to confirm appropriate district designation.

Table 8: Sign Standards for Residential Districts

Sign Category	Allowable	Sign Permit Required	Standards/Limitations
Permanent	Yes	Yes	<ul style="list-style-type: none"> a. Sign type limited to monument, hanging, or wall b. Maximum sign area = 20 sq. ft. per tenant space c. Residential Subdivision Sign refer to standards in Table 1. c. Maximum height = 8 ft. d. May not be illuminated. e. May not be placed within 15 feet of any public street, bike path, or sidewalk.
Temporary	Yes	No	<ul style="list-style-type: none"> a. No individual temporary sign may be displayed for more than 30 days in any calendar year. b. No business may display temporary signs for >30 consecutive days or >60 days in any calendar year c. Maximum sign area = 6 sq. ft. per sign d. Maximum number of signs which may be displayed simultaneously = 2 e. May not be placed within 15 feet of any public street, bike path, or sidewalk. f. Signs advertising a specific event and not indicating a future time and date of occurrence (e.g., “Open House”, “Garage Sale”, “Farmers’ Market”) may be displayed only during the event.

17.68.120 Performance Standards for Signs

- A. **Public Nuisance Prohibited.** Regardless of whether or not a permit is required, no sign may be constructed or placed in such manner as to create a public hazard or nuisance.
- B. **Code Compliance.** Permanent signs and supporting structures thereof shall be installed in accordance with the Building Code.
- C. **Emissions and Noise.** No sign may emit visible smoke, vapor, bubbles, confetti, particles, or detectable odor, or be made with mechanical equipment that creates noise.
- D. **Illumination.** Signs with any type of illumination are subject to all of the following standards:
 - 1. All lighting is subject to necessary electrical permits.
 - 2. All newly fabricated illuminated signs shall incorporate light-emitting diodes (LEDs) or an equally energy efficient light source.
 - 3. Illuminated signs that are larger than 10 square feet in area shall not be switched ON during daylight hours. All newly fabricated signs larger than 10 square feet in area shall incorporate an automatic, light-activated on/off switch.
 - 4. All illuminated signs shall be turned off by 10 PM or at the time the business closes, whichever is later. Excluding lodging establishments, except when adjacent or within residential districts.
 - 5. External lighting shall be properly shielded to prevent glare upon an adjacent public right-of-way or adjacent property.
 - 6. Illumination shall be constant in intensity and color and shall not consist of flashing, animated or changing lights as to not be distracting to pedestrians, motorists, or neighboring property.
 - 7. No sign shall emit or reflect light exceeding ten foot-candle power at ten feet from the face of the sign.
- E. **Animation or Movement.** No sign may incorporate, in any manner, any moving part or parts or any flashing, moving, rotating, pulsating or intermittent lighting, with the exception of approved time and temperature displays and barber poles.
- F. **Attention-Getting Devices.** No sign or any other advertising display may incorporate flags, banners, or streamers constructed of cloth, canvas, light fabric, paper, cardboard, wallboard or other light materials which are suspended, mounted, or attached in a manner which allows movements of the sign by atmospheric conditions; nor may any sign incorporate searchlights, string lights, rope lights, festoon lights, flashing lights, balloons, bubbles, fans, or similar devices for attracting attention. This definition, however, shall exclude fabric signs which are securely and permanently attached to a rigid framework (e.g. awning signs as defined in this Chapter) or building in a manner which inhibits movement, and fabric projecting signs which

are securely and permanently anchored on at least two opposite sides.

G. Changeable Copy Signs.

1. Electronic changeable copy signs – No sign shall be designed so that characters, letters, or illustrations can be changed or rearranged electronically without altering the face or surface of the sign.
2. Mechanical changeable copy signs – Signs that are designed so that characters, letters, or illustrations can be changed or rearranged mechanically shall not be allowed unless specified in the Sign District Design Guidelines.

For the purpose of this ordinance, blackboards and whiteboards are not considered changeable copy signs.

H. Electronic Images. No sign may display still or moving images which have been electronically recorded or stored or which have been received from an off-site source or service.

I. Inflatable Sign Elements. No sign shall incorporate any element or elements that are made of flexible material designed to be filled with gas or air.

J. Tire Stacks. No sign shall be placed on, attached to, or supported by stacked tires.

K. Vehicle Display. No sign shall be mounted, placed or displayed on a vehicle, trailer, or boat, with the exception of:

1. Signs advertising such vehicle, trailer, or boat for sale in locations where sale of vehicles is permitted.

¹ California Vehicle Code, Section 21100 (excerpted).

Local authorities may adopt rules and regulations by ordinance or resolution regarding all of the following matters:

- (p) (1) Regulating advertising signs on motor vehicles parked or left standing upon a public street. The ordinance or resolution may establish a minimum distance that the advertising sign shall be moved after a specified time period.
- (2) Paragraph (1) does not apply to any of the following:
 - (A) Advertising signs that are permanently affixed to the body of, an integral part of, or a fixture of a motor vehicle for permanent decoration, identification, or display and that do not extend beyond the overall length, width, or height of the vehicle.
 - (B) If the license plate frame is installed in compliance with Section 5201, paper advertisements issued by a dealer contained within that license plate frame or any advertisements on that license plate frame.
- (3) As used in paragraph (2), “permanently affixed” means any of the following:
 - (A) Painted directly on the body of a motor vehicle.
 - (B) Applied as a decal on the body of a motor vehicle.
 - (C) Placed in a location on the body of a motor vehicle that was specifically designed by a vehicle manufacturer as defined in Section 672 and licensed pursuant to Section 11701, in compliance with both state and federal law or guidelines, for the express purpose of containing an advertising sign.

2. Those signs and displays described in Section 21100(p)(2) of the California Vehicle Code¹.
- L. **Obscenities.** No sign shall include matter that is offensive or disgusting by accepted standards of morality and decency.
 - N. **Egress.** No sign may obstruct any fire escape, required exit, window or door opening intended as a means of egress.
 - O. **Ventilation.** No sign may interfere with any opening required for ventilation.
 - P. **Persons or Animals.** No human or animal shall be used as advertising such that the advertising is intended to, or does in fact, attract the attention of passing motorists to a business or service; and where such advertisement constitutes an off-premise sign.
 - Q. **Traffic Hazard.** No sign may be located in such a manner as to constitute a traffic hazard or obstruct the view of any authorized traffic sign or signal device, nor may any sign be constructed in a manner that can be confused with any authorized traffic sign, signal, or device.
 - R. **Interference with Pedestrians.** No sign shall be placed or constructed on a sidewalk, dock, pier, boardwalk, or designated coastal accessway if such sign, in any way, impedes the right-of-way for pedestrians or with egress of occupants from legally parked vehicles or vessels.
 - S. **Interference with Harbor-Related Activity.** No sign shall be placed or constructed on a sidewalk, dock, pier, boardwalk, or designated coastal accessway if such sign, in any way, impedes the free movement, loading, or unloading of watercraft or interferes with commercial harbor-related industry. A dock sign may only be placed on docks or gangways owned, leased, rented, or otherwise legally controlled by the sign's owner.
 - T. **Obstruction of Protected View Corridors.** Within the area of the City encompassed by the Waterfront Master Plan, no sign or other display greater than 30 inches in height shall be placed or constructed in any view corridor established by a Coastal Development Permit. An exception to this provision may be made by the Community Development Director for signs required to ensure public safety or signs indicating coastal access if the Director determines that a height greater than 30 inches is necessary to accomplish the sign's intended purpose.
 - U. **Interference with Utilities.** No sign may be placed or constructed that fails to maintain clearance from or interferes with electrical conductors, communications equipment or lines, surface and underground facilities and conduits for water, sewage, gas, electricity and

communications equipment or lines. Signs shall not be placed in public utility easements unless express written permission from the affected public utility is obtained.

- V. **Materials.** No permanent sign may be constructed of insubstantial materials that will be subject to rapid deterioration, as determined by the Community Development Director. This provision, however, shall not apply to temporary signs or to signs mounted on the interior surface of a window.

- W. **Orientation.** With the exception of projecting (pub) signs, no sign may be placed or constructed which is so oriented as to be viewed primarily across an adjacent private property line. All signs must be visible directly from a public right-of-way, other public open space or from a parking lot, walkway, or courtyard on the same site as the sign, without view lines extending over private property different from that on which the sign is located.

17.68.130 Maintenance, Abandonment, and Removal of Signs, Substitution of Message

A. Maintenance

1. All signs, together with all supporting structures, shall be maintained as follows:
 - a. Signs shall be kept free of rust, dirt, and free of chipped, cracked or peeling paint.
 - b. All hanging, dangling, torn or frayed parts of signs shall be promptly repaired and graffiti and unauthorized attachments shall be removed.
 - c. Burned-out illumination shall be replaced immediately.
 - d. Sign areas shall be kept free and clear of noxious substances, rubbish, and weeds.
2. If a sign is removed from its supporting structure for longer than 60 days, the supporting structure shall be removed.
3. Any sign deemed unsafe by a Building Official shall be removed or fixed within 3 days of written notice.
4. Every sign, including those signs for which no permit is required, together with all supports braces, guys and anchors shall be maintained in a safe, presentable and good structural condition at all times. The display surfaces of all signs shall be kept neatly painted, posted or otherwise maintained at all times. The owner of property on which the sign is located shall be responsible for the condition of the area in the vicinity of the sign, and shall be required to keep this area clear, sanitary and free from noxious or offensive substances, rubbish and flammable waste materials.
5. Any temporary sign which is no longer safe, presentable and structurally sound shall be immediately removed by the owner.

B. Abandonment. The following signs shall be presumed to be abandoned:

D R A F T

1. **Located on Property.** Any sign which is located on property that becomes vacant and is unoccupied for a period of 60 days or longer.
 2. **Unrelated to Property.** Any sign which describes, references, or pertains to an occupant or business other than the present occupant or business.
 3. **Time, Event or Purpose Sign.** Any sign which pertains to a time, event or purpose which no longer exists.
- C. **Removal.** Abandoned signs are deemed a public nuisance due to their misleading and distracting nature and due to their contributing to visual blight, and are deemed detrimental to surrounding areas and the community generally. An abandoned sign is prohibited and shall be removed by the property owner.
- D. **Substitution of Sign Message.** The owner of a legal, permitted sign may substitute a non-commercial message for a commercial message.

17.68.140 Nonconforming, Unpermitted, and Illegal Signs

- A. **Legal Nonconforming Signs.** Signs existing prior to January 1, 2017, that do not comply with the provisions of this Chapter but that were legally erected pursuant to applicable state and city ordinances in effect at the time of construction and after issuance of any permit required at the time of their construction shall be regarded as nonconforming signs, and shall be subject to the following:
1. **Limited Expansion.** Changes may be made to the sign face, copy, graphic design or color of a nonconforming sign provided that such changes can be made without removal of the sign. A nonconforming sign, however, may not be expanded, extended, reconstructed, or altered in location or orientation so as to enable it to be read or viewed from a different direction than its original position.
 2. **Abatement of Legal, Nonconforming Signs.** A nonconforming sign shall be removed or otherwise made to conform to the provisions of this Chapter under the following circumstances:
 - a.) **Deterioration** – When a nonconforming sign becomes deteriorated or dilapidated to the extent of over 50% of the physical value it would have if it had been maintained in good repair, it must be removed within 60 days after receiving notice from the Community Development Department. If an ill-maintained sign cannot be adequately valued and assessed, the Community Development Director may require that such sign be removed or repaired.
 - b.) **Site Reconstruction or Repair** – Whenever the physical structures on a commercial property are replaced or renovated, all nonconforming signs at the site shall be removed or made to conform to the provision of this Chapter. This requirement, however, may be waived by the Community Development Director if the property

owner provides credible documentation that the cost of abating nonconforming signage would exceed ten percent of the cost of the proposed reconstruction or repairs.

- c.) **Tidelands Lease Agreements** – Whenever the City of Morro Bay enters into a Tidelands lease agreement with any individual or business entity, whether as a new agreement or a lease renewal, a requirement that all nonconforming signs at the site be removed or made to conform to the provision of this Chapter shall be incorporated into such lease agreement.

- 3. **Other Requirements.** Nonconforming signs are also subject to the provisions of Chapter 17.56: Nonconforming Uses and Structures.

B. Unpermitted Signs. Any sign that was placed, erected or constructed or which is maintained without the owner having obtained such sign permit as may have been required at the time of its placement, erection, or construction, but which is otherwise in conformance with all of the applicable provisions and standards of this Chapter shall be termed an unpermitted sign.

- 1. An unpermitted sign may become legalized if the owner submits a sign permit application on his/her own initiative or within ten days of receiving notice from the City. Such application, if received by the Planning Department within six months after the date of adoption of this ordinance, must be accompanied by payment of the fee established by the City for the processing of a sign permit application. If such application is received at a time greater than six months after the adoption of this ordinance, it must be accompanied by a fee equal to double the fee established for the processing of a timely sign permit application. If a sign permit is approved the sign shall be deemed to be legal and may remain in its current state.
- 2. Failure to either remove an unpermitted sign or to submit a sign permit application within five days after receiving notice from the City shall be considered a violation of this Ordinance and subject to provisions in the MBMC, specifically regulations in Public Nuisances Chapter 8.14 and Title 1.

C. Illegal Signs. Any sign which was placed, erected or constructed or which is maintained without the owner having obtained such sign permit or sidewalk sign permit as may have been required at the time of its placement, erection, or construction, and which is in violation of any applicable provision of Sections 17.68.040 through 17.68.130, or any other Chapter of this Title, or of any other Federal, State, or local law is an illegal sign. Additionally, any sign which would otherwise be an exempt sign, but which was placed or erected without the 30-day notice required by Section 17.68.020.B., shall be considered an illegal sign. The Community Development Director shall order that such sign be brought into compliance with the provisions of the chapter, or be abated as a public nuisance under Public Nuisances chapter of the MBMC (8.14).

- 1. If the illegal sign is not a primary business sign (see definition in Section 17.68.190), any work required to be done shall be completed or the sign shall be removed within ten days

of the date of such order, unless otherwise specified in writing.

2. If the illegal sign is a primary business sign which was erected or placed prior to the date of enactment of this ordinance, the maximum allowable time for completion of any work required shall be specified by the Community Development Department, as follows:

Cost of Repair or Replacement	Allowable Time
Less than \$500	90 days
\$500 to \$999	6 months
\$1000 to \$2499	1 year
\$2500 or more	2 years

Specification of a maximum allowable completion time greater than 90 days shall be contingent on the applicant providing a credible estimate of the cost of repair or replacement to the Planning Department within 30 days of illegal sign notification.

3. If the illegal sign is a primary business sign which was erected or placed after the date of enactment of this ordinance, any work required to bring the sign into compliance with the provisions of this Chapter or the sign shall be removed within ten days of the date of such order, unless otherwise specified in writing.
4. Failure to remove an illegal sign within the time limits specified above shall be considered a violation of this Ordinance (see Section 17.68.180.)

17.68.150 Signage at Multi-Business Sites: Master Sign Program

A. Additional Sign Provisions for Signs at Multiple-Business Sites

1. Shopping Center

- a. A shopping center is defined as an establishment consisting of three or more businesses that:
 - i. Are located in buildings on a single parcel, either detached or attached,
 - ii. Are designed to be accessible to persons traveling by automobile and provide all required parking spaces on site, and
 - iii. Exhibit a unified or common architecture.
- b. In addition to the signage allowable to individual businesses within a shopping center by Sections 17.68.050 through 17.68.100, the shopping center as an entity shall be allowed:
 - i. One additional sign on each major street frontage or pedestrian entrance, subject to the following conditions:
 - a.) Signs allowable under this provision shall be of the architectural or monument type.
 - b.) Minimum sign height shall be 6 feet and maximum height shall be 8 feet.

- c.) Maximum sign area shall be 80 square feet per sign and maximum total sign area shall be 160 square feet.
 - d.) The design of the signs shall be consistent with the architecture of the buildings comprising the shopping center.
 - c. Construction of any sign in accordance with this section shall require approval of a Master Sign Program, as described in Section 17.68.150.B.
 - d. No business located within a shopping center will be permitted an individual pole, architectural, or monument type sign.
- 2. Retail Cluster
 - a. A retail cluster is defined as an establishment consisting of three or more businesses that:
 - 1. Are located in buildings on a single parcel, either detached or attached,
 - ii. Are designed to be primarily accessible to persons parking in public facilities or on public streets and traveling on foot,
 - iii. Exhibit a unified or common architecture, and
 - iv. Include at least one business that offers merchandise for sale.
 - b. In addition to the signage allowable to individual businesses within a retail cluster by Sections 17.68.050 through 17.68.100, the retail cluster as an entity shall be allowed:
 - i. One additional sign, subject to the following conditions:
 - a.) The sign allowable under this provision shall be of the architectural or monument type.
 - b.) Minimum sign height shall be 4 feet and maximum height shall be 6 feet.
 - c.) Maximum sign area shall be 40 square feet.
 - d.) The design of the sign shall be consistent with the architecture of the buildings comprising the retail cluster.
 - c. Construction of any sign in accordance with this section shall require approval of a Master Sign Program, as described in Section 17.68.150. B.
 - d. No business located within a retail cluster will be permitted an individual pole, architectural, or monument type sign.
- 3. Professional building
 - a. A professional building is defined as an establishment consisting of three or more businesses that:
 - 1. Are located in buildings on a single parcel, either detached or attached,
 - ii. Are designed to be accessible both to persons parking in public facilities or on public streets and to those parking on site,
 - iii. Exhibit a unified or common architecture,
 - iv. Include at least one business that offers medical, dental, optometric, psychological or psychiatric, legal, financial, secretarial, engineering,

- technological, architectural, design or other similar services to the general public, and
- v. Offer only such retail sales as are clearly subsidiary to and supportive of the professional services available at the site (e.g., pharmacy, supplier of durable medical equipment).
 - b. In addition to the signage allowable to individual businesses within a professional building by Sections 17.68.050 through 17.68.100, the professional building as an entity shall be allowed:
 - i. One additional sign, subject to the following conditions:
 - a.) The sign allowable under this provision shall be of the architectural or monument type.
 - b.) Minimum sign height shall be 4 feet and maximum height shall be 6 feet.
 - c.) Maximum sign area shall be 40 square feet.
 - d.) The design of the sign shall be consistent with the architecture of the the professional building.
 - c. Construction of any sign in accordance with this section shall require approval of a Master Sign Program, as described in Section 17.68.150.B.
 - d. No business located within a professional building will be permitted an individual sign of the pole, architectural, or monument type.

B. Master Sign Program

1. Purpose. Master Sign Programs establish criteria for multi-tenant properties that ensure signage is uncluttered, consistent, and fairly distributed between tenants.
2. Approval Body. Master Sign Programs shall be an administrative level permit unless the proposed signage is greater than permitted, in which case the Planning Commission or, on appeal, the City Council will be the decision making authority.
3. Applicability.
 - a. Any site having 3 or more non-residential occupants shall submit a Master Sign Program (MSP) for review and approval.
 - b. Any site having three or fewer non-residential occupants may submit an MSP for review and approval.
 - c. Projects involving construction or renovation of more than 25,000 square feet of space in the commercial and mixed use zoning districts shall submit an MSP which must be approved prior to issuance of any occupancy permit.
 - d. Properties subject to a MSP that do not have one shall establish an MSP when a current tenant proposes the installation of a new sign.
 - e. All new signs shall conform to the approved Master Sign Program.

4. **Application Requirements.** Applications for approval of a master sign program shall be submitted to the Community Development Director and shall include the following:
 - a. **Site plan.** A plan, drawn to scale, delineating the site proposed to be included within the signing program and the location of all proposed signs.
 - b. **Drawings and Sketches.** Drawings, sketches, or photo-simulations depicting the exterior surface details of all buildings and ground locations on the site on which signs are proposed and indicating the location of each proposed sign. Illuminated sign locations and illumination methods shall also be specified.
 - c. **Photographs of all existing signage and the building faces or sites where signage is proposed.**
 - e. **Sign Standards.** A written program specifying sign standards, including color, size, construction details, placement, and necessity for City review for distribution to future tenants.
 - f. **Public Access Sign.** If a property includes a public access way, this access shall be indicated with a sign (minimum 3 square feet) on the primary building façade.
5. **Allowable Modifications.** A Master Sign Program may provide for additional signage, as detailed in Section 17.68.150.A. No deviations, however, may be granted to the provisions of Sections 17.68.040, 17.68.120, 17.68.130, 17.68.140 or 17.68.160 or Table 1 through Table 8 of this Chapter.
6. **Conditions of Approval.** The decision-making authority may attach any reasonable conditions necessary to carry out the intent of the Master Sign Program requirement, while still permitting each sign user opportunities for effective identification and communication.
7. **Administrative Approval of Signs Consistent with Master Sign Program.** Following approval of a Master Sign Program, the Community Development Director is authorized to issue building permits or other permits, as deemed necessary, to install signs that conform to an approved MSP. Minor modifications of individual sign area may be approved, provided the maximum allowed by an approved MSP and by Table 1 through Table 8 of this Chapter is not exceeded.

17.68.160 Minor Adjustments

- A. The director may grant, for new or existing signs, minor adjustments to sign colors, landscaping requirements, advertising copy or message or height, or authorize deviations from sign area not to exceed twenty percent. In granting adjustments, the director may apply reasonable conditions to ensure that provisions of this chapter are met.

17.68.170 Sign Permits

- A. **Authority.** No sign, other than an exempt sign, shall be erected or altered, without first obtaining a zoning clearance or sign permit from the Community Development Director. The Director may attach reasonable conditions on the approval of the sign permit to help ensure compliance with this Chapter. These conditions may require the removal, modification or relocation of existing signs where the proposed sign(s) would be located on sites where existing signs are nonconforming.
- B. **Requirement for Sign Permit.** No business license will be issued or renewed by the City of Morro Bay unless the applicant for such license:
1. Does not have a sign or is the holder of a valid sign permit issued by the City, and
 2. Submits credible documentation that the signage present at the business location is consistent with the issued sign permit. Such documentation may consist of a photographic record, a report of inspection by a City code enforcement officer, or such other method as may be deemed credible and acceptable by the Community Development Director.
- C. **Waiver of Requirement for Sign Permit.** The requirements of Section 17.68.160.B. may, however, be waived by the Community Development Director if the applicant for issuance or renewal of a City business license provides an affidavit indicating that:
1. There are no existing signs associated with the business, and
 2. No signs associated with the business will be erected or established during the time period for which the requested business license shall be in force.
- Prior to issuing such a waiver, the Community Development Director may, at his/her sole discretion, require the applicant to provide documentation that no signage is associated with the business under consideration. Such documentation may consist of a photographic record, a report of inspection by a City code enforcement officer, or such other method as may be deemed credible and acceptable by the Community Development Director.
- D. **Application Procedure.** Applications for a sign permit shall be made in writing upon forms furnished by the Community Development Director, accompanied by the required fee and plans drawn to scale and with all of the following information. The Community Development Director has no more than 30 calendar days to determine application completeness. Where the scale and scope of the sign proposal so warrants, the Director may waive some of the informational requirements listed below provided all information necessary for adequate review of the proposal is submitted.
1. The proposed design, dimensions, copy, color, lighting methods and location of the sign on the site, including the dimensions of the sign's supporting members, and details of all connections, guy lines, supports and footings, and materials to be used.
 2. The maximum and minimum height of the sign.

3. The location of off-street parking facilities, including entries and exits where directional signs are proposed.
4. The size and dimension of all signs existing on the site.
5. The location and horizontal frontage of any building(s) on the property, both existing and proposed.
6. Photographs of all existing signage and the building faces or sites where signage is proposed.
7. Any other information deemed necessary by the Community Development Director.

E. Required Findings. In approving a sign permit, the Director must find that:

1. Signs on all proposed buildings or new additions to existing buildings are designed as an integral part of the total building design.
2. The location of the proposed sign and the design of its visual elements (lettering, words, figures, colors, decorative motifs, spacing and proportions) are legible under normal viewing conditions that prevail where the sign is to be installed.
3. Review of signs at city entryways as defined in the Scenic Highway Element of the General Plan shall also be subject to the following provisions:
 - a. Sign area, height and location of signs shall be designed so as not to interfere with view corridors as defined and specified in the General Plan/Local Coastal Plan.
 - b. Freestanding signs shall not exceed eight feet in height except within 100 feet of Highway 1 or Highway 41. Where feasible, all freestanding signs within or along city entryways shall be placed within a landscaped planter.

117.68.180 Exceptions and Appeals

A. Exceptions. The Planning Commission or, on appeal, the City Council may grant exceptions to the design guidelines established by this Chapter.

1. Findings. No exceptions to the provisions of this Chapter shall be granted unless the following findings are made:
 - a. The exception(s) granted will not constitute a grant of special privilege inconsistent with limitations placed on signage of other properties in the vicinity, and
 - b. The exception(s) granted will not adversely affect the health safety or general welfare of persons working or residing in the vicinity and will not create a visual obstruction or distraction to motorists, cyclists, or pedestrians, and
 - c. The sign for which an exception or exceptions is requested will not adversely affect the attractiveness or ambiance of the area in which it is proposed, and
 - d. Either of the following:
 - i.) The exception(s) granted are necessary in order for the proposed sign to fulfill its

intended purpose, and such purpose cannot be accomplished by any alternative that is consistent with the requirements of this Chapter, or

- ii.) The proposed sign offers creative and aesthetic qualities which will enhance the area in which the sign is to be constructed and which cannot be accomplished within the applicable design guidelines.
2. **Conditions of Grant of Exception.** The Planning Commission may attach to any exemption granted, such conditions as may be deemed reasonable and necessary to carry out the purposes and intent of this Chapter
3. **Limitation on Exceptions.** No exceptions may be granted to the provisions of Sections 17.68.040, 17.68.110, 17.68.120 through 17.68.140, 17.68.150 B or Table 1 through Table 8 of this Chapter.

B. Appeals

1. **Persons who may appeal.** Except as provided for elsewhere in this Chapter, appeals to the Planning Commission or City Council may be filed by the applicant, by the owner of property, or by any other person aggrieved by a decision that is subject to appeal under the provisions of this Chapter.
2. **Final decision required.** Unless otherwise specified by Federal or State law, an appeal must be brought and a final decision rendered by the hearing body before the matter may be appealed to a court of law.
3. **Time limits.** Unless otherwise specified in State or Federal law, all appeals shall be filed within 10 days of the date of permit issuance.
4. **Proceedings stayed by appeal.** The timely filing of an appeal shall stay all proceedings in the matter appealed, including, but not limited to, the issuance of City building permits and business licenses.
5. **Appeals of director decisions.** A decision of the Community Development Director on any application may be appealed to the Planning Commission by filing a written appeal with the Planning Department within 10 days of such decision. The application shall identify the decision being appealed and shall clearly and concisely state the reasons for the appeal.
6. **Appeals of planning commission decisions.** Decisions of the Planning Commission may be appealed to the City Council by filing a written appeal with the City Clerk within 10 days of such decision. The appeal shall identify the decision being appealed and shall clearly and concisely state the reasons for the appeal.
7. **Transmission of record.** The Director, or in the case of appeals to the City Council, the City Clerk, shall schedule the appeal for consideration by the authorized appellate body within 45 days of the date the appeal was filed. The Community Development Director shall forward the administrative record, the appeal, and all other documents that

constitute the record to the appellate body. The Director also shall prepare a staff report that responds to the issues raised by the appeal and may include a recommendation for action.

8. **Appellate body action.** The appellate body shall review the administrative record, the appeal, and any written correspondence submitted after the appeal has been filed, and conduct a public hearing and decide on the action and may take one of the following actions:
 1. Remand the matter to a decision-making body; or
 2. Cure a deficiency in the record or the proceedings.
9. **Standards of review.** When reviewing any decision on appeal, the appellate body shall use the same standards for decision-making required for the original decision. The appellate body may adopt the same decision and findings as were originally approved.

17.68.190 Severability

If any section, definition, clause, phrase, word, or portion of this Chapter is held invalid, unconstitutional, or unenforceable by any court of related jurisdiction, such a ruling shall not affect, impair, or invalidate any other sections, definition, clause, phrase, word, or portion of this Chapter. In adopting this Chapter, the City Council affirmatively declares that it would have approved and adopted the Title even without any portion which may be held invalid or unenforceable.

17.68.200 Definitions

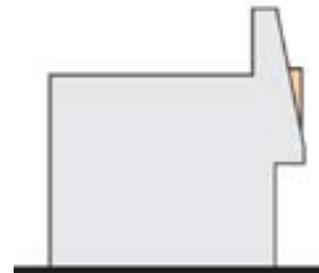
1. **Abandoned Sign.** A sign that no longer applies to a business space, building, or site, due to lack of a valid business license, change of business name, or for any other reason that renders the sign not applicable to the premises involved.
2. **Billboard (Outdoor-off-site freestanding sign).** A sign placed for the purpose of advertising products or services that are not produced, stored or sold on the property or any other subject no related to the property or use of the property, upon which the sign is located.
3. **Building Mounted Sign.** Any sign mounted or erected on or against any building or façade and includes all walls signs, awning and canopy signs and projecting signs.
4. **Business Sign.** Any interior or exterior sign which is intended to identify the name or portions of the business name and which is viewable from any exterior area open to the public.
5. **Changeable Copy Sign.** A sign designed so its characters, letters, or illustrations can be changed or rearranged mechanically or electronically without substantially altering the face or the surface of the sign.

6. **Commercial Sign.** Any display which provides information as to the name, location, or activities of any business entity or which provides information concerning goods, services, or accommodations available for sale, rent, lease, or barter, regardless of whether such sign includes additional non-business related information.
7. **Canopy Sign.** An ornamental roof-like structure upon which a sign may be attached or otherwise affixed which is usually located over gasoline pumps.
8. **Construction Sign.** A sign displayed by a contractor, subcontractor, or architect on a project site whenever a building permit has been issued for construction, alteration, or repair of a structure and when work is in progress on site pursuant to such permit.
9. **Building frontage.** The linear measurement in feet of the property line directly fronting on a public street, or other public right-of-way to which such sign is oriented, excluding California State Highway One.



10. **Height of a sign** means the greatest vertical distance measured from the ground level directly beneath the sign to the top of the sign or from the nearest property line fronting on a public street, whichever is lower.
11. **Human or Animal Advertisement.** Any person or animal who is located anywhere within the City, and whose intent is to advertise a business or service, by the way of their actions, including but not limited to, holding a temporary sign or wearing a costume.
12. **Illegal Sign.** An unpermitted sign that is found to be erected or maintained in violation of any provision of this Chapter, this Title, or any other Federal, State, or local law.
13. **Facade Length.** The length of the building face or tenant lease site (see page 7 of this Chapter for a graphical representation).
14. **Facade Height.** The height of the building face or tenant lease site (see page 7 of this Chapter for a graphical representation).
15. **Master Sign Plan.** A coordinated program of all signs, including exempt and temporary signs for a business, or businesses if applicable, located on a development site. The sign program shall include, but not be limited to, indications of the locations, dimensions, colors, letter styles and sign types of all signs to be installed on a site.
16. **Mansard.** A roof-like facade comparable to an exterior building wall.
17. **Non-Commercial Sign.** A sign which provides only information unrelated to any for-profit business entity or to goods, services, or accommodations available for sale, rent, lease, or barter.
18. **Nonconforming Sign.** Any previously approved and permitted sign that existed prior to a change in the municipal code that prohibits such sign. A nonconforming sign is different than an illegal sign (see definition above for “Illegal Sign”).

19. **Open House Sign.** An open house sign advertises that a house is open for view as part of the sale or exchange of the property.
20. **Primary Business Sign:** The largest sign on the primary facade of a business or lease site.
21. **Primary Facade.** The face of a building or tenant lease site that incorporates the main entrance to the business and that faces a primary street, as determined by the business owner.
22. **Professional Building.** An establishment consisting of three or more business which:
 - a. Are located in buildings on a single parcel, either detached or attached,
 - b. Exhibit a unified or common architecture, and
 - c. Includes only businesses whose primary activity is the provision of professional services, as opposed to the sale of merchandise.
23. **Real Estate Sign.** A sign identifying that a property is for sale, lease, exchange, or rent. The purpose of this sign is to help owners in the sale of their property by providing information on the location of the property to potential buyers without impairing the appearance of the community.
24. **Retail Cluster.** An establishment consisting of three or more business which:
 - a. Are located in buildings on a single parcel, either detached or attached,
 - b. Are designed to be primarily accessible to persons parking in public facilities or on public streets and traveling on foot,
 - c. Exhibit a unified or common architecture, and
 - d. Includes at least one business that offers merchandise for sale.
25. **Shopping Center.** An establishment consisting of three or more business which:
 - a. Are located in buildings on a single parcel, either detached or attached,
 - b. Are designed to be accessible to persons traveling by automobile and provide all required parking spaces on site, and
 - c. Exhibit a unified or common architecture.
26. **Secondary Facade.** The face of a building or tenant lease site that serves as a secondary entrance and/or advertising space to the primary façade, as determined by the business owner.
27. **Sign.** Any man-made or natural object, structure, vehicle, trailer, boat, or watercraft or part thereof, upon which is attached, painted or otherwise displayed any symbol, emblem, logo, trademark, model, banner, flag, pennant, insignia, decoration, device, representation which is intended to or does identify, attract attention to, advertise, or communicate information of any kind to the public.
28. **Sign Area.** The entire area of a sign calculated for maximum sign area purposes, pursuant to Chapter 17.68:
29. **Sign Face.** The surface or surfaces used for the display of a sign message as seen from any one direction.



Mansard Roof
(Side Elevation)

ATTACHMENT B

Draft Sign Ordinance Changes			
Regulation	Current Code	2013 Draft	Present Draft
Sign Districts	No Districts- regulate signs by zoning district	Four Districts: Embarcadero, Downtown, Quintana, North Main. Different regulations for lodging and industrial establishments.	Same four districts as 2013 draft, with added: Regulations for Residential Districts and design standards/ guidelines for the sign districts.
Sign Area Calculations	Based on the linear measurement of 'building frontage'- 1 sq. ft. signage for every linear ft. of building frontage	Based on the proportion of the building's façade (e.g. 15% of the façade).	Same as 2013 Draft
Sign Classifications	None	Classified based on commercial and noncommercial	Classified based on on-premise and off-premise due to content based court ruling
Prohibited Signs	List of sign types and elements of signs that are prohibited. Many of these regulate content.	Same as current code with some additions. Still contained content-based regulations.	Created performance standards section to provide standards for all signs to follow instead of prohibiting a list of sign types.
Sidewalk/A-Frame	Prohibited city wide	Prohibited in Embarcadero District and permitted in other districts with special permit.	Same as 2013 Draft
Master Sign Program	Not included	Required for properties with three or more non-residential occupants or for projects involving construction or renovation of 25,000 sq. ft. of space. Includes application requirements, allowable modifications, and conditions of approval.	Same as 2013
Additional provisions for Multi-business sites	Not included	Not included	Additional provisions for shopping centers, retail clusters, and professional buildings that allow additional signage that are monument/architecture type.

ATTACHMENT B

Regulation	Current Code	2013 Draft	Present Draft
Amortization	Schedule adopted in 1972 that required all non-conforming signs to be documented and addressed by March, 1973.	No amortization schedule. Non-conforming signs shall be removed when a new business opens, the type of business changes, or if they are not properly contained. Section 17.68.030.	Same as 2013 Draft, but now in section 17.68.140. Also includes an amortization schedule for illegal, nonconforming signs based on cost.
Exceptions	Exceptions granted if the planning commissions finds that the sign will not be contrary to the purposes of the chapter.	No exception permits. Only granted by the Planning Commission during review of a Master Sign Program or Variance.	Exceptions granted by the Planning Commission or, on appeal, by City Council if the exceptions will not grant special privilege or adversely affect health/safety/attractiveness of the area. Exceptions granted if it is necessary for the sign to fulfill purpose and/or the proposed sign will enhance the area.
Sign Bonuses	No bonuses	Bonuses granted for signs that have a high aesthetic quality (projecting signs, wall signs).	Same as 2013 Draft
Nonconforming Signs	17.68.140: Provisions for exiting nonconforming signs including time limits for abatement.	Separate provisions for legal nonconforming signs and illegal signs.	Separate provisions for legal nonconforming signs, unpermitted signs, and illegal signs.
Exempt Signs	15 different sign types were exempt from provisions.	Reduced to 5 different exempt signs: Legal Notice, Government Sign, Historical Marker, Educational Sign, Government-Required Sign.	Same as 2013 draft. The 2013 draft complied with the court ruling.
Illumination	No sign shall emit light exceeding a 10 foot candle-power at 10 feet from the sign face	Sign illumination standards consisting of 8 standards that regulate time signs are illuminated, light sources, glare prevention, etc.	Same standards as 2013, with added sign illumination types: Non-illuminated, Externally Illuminated, Internally Illuminated, Back Lit, Filament Lamp, Neon, and LED.

ATTACHMENT B

Regulation	Current Code	2013 Draft	Present Draft
Violations	Not included	Not included	Section on administrative fines and business license review for businesses with Unpermitted or illegal Signs
Graphics	No graphics	Graphics showing: Sign types, sign area and facade calculations, sign districts, definition illustrations	Same as 2013 with additional graphics showing: sign illumination types and example district-specific signs.
Formatting	Block paragraph	Block paragraph and user-friendly, tabular	Same as 2013 draft with more tabular formatting for general sign standards

Local examples of **externally lit** signs



Local examples of **internally lit** signs

