



# 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, February 19, 2019  
Veteran's Memorial Building – 6:00 P.M.  
209 Surf Street, Morro Bay, CA**

Vice-Chairperson Michael Lucas  
Commissioner Jesse Barron

Chairperson Gerald Luhr

Commissioner Joseph Ingrassia  
Commissioner Susan Stewart

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

ELECTION OF CHAIR AND VICE CHAIR

## PUBLIC COMMENT PERIOD

Members of the audience wishing to address the Commission on City business matters not on the agenda may do so at this time. For those desiring to speak on items on the agenda, but unable to stay for the item, may also address the Commission at this time.

Public comment is an opportunity for members of the public to provide input to the governing body. To increase the effectiveness of the Public Comment Period, the Commission respectfully requests the following guidelines and expectations be followed:

- When recognized by the Chair, please come forward to the podium to speak. Though not required, it is helpful if you state your name, city of residence and whether you represent a business or group. Unless otherwise established by the Chair, comments are to be limited to three minutes.
- All remarks should be addressed to Commission, as a whole, and not to any individual member thereof.
- The Commission respectfully requests that you refrain from making slanderous, profane or personal remarks against any 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 Planning Commission to carry out its meeting will not be permitted and offenders will be requested to leave the meeting.
- Your participation in Planning Commission meetings is welcome and your courtesy will be appreciated.
- The Commission in turn agrees to abide by its best practices of civility and civil discourse according to Resolution No. 07-19.

## PRESENTATIONS

Informational presentations are made to the Commission by individuals, groups or organizations, which are of a civic nature and relate to public planning issues that warrant a longer time than Public Comment will provide. Based on the presentation received, any Planning Commissioner may declare the matter as a future agenda item in accordance with the General Rules and Procedures. Presentations should normally be limited to 15-20 minutes.

### A. CONSENT CALENDAR

- A-1** Current and Advanced Planning Processing List  
**Staff Recommendation:** Receive and file.
- A-2** Approval of minutes from the Planning Commission meeting of December 18, 2018.  
**Staff Recommendation:** Approve minutes as submitted.

### B. PUBLIC HEARINGS

- B-1** **Case No.:** Amendment (MAJ 19-001) to CUP 08-94  
**Site Location:** 787 Main Street, Morro Bay, CA  
**Proposal:** Amendment to Conditional Use Permit 08-94 to allow reduction in previously required 16 off-street parking spaces to require only 12 off-street parking spaces. The reduction is being requested based on the current parking requirements using the square footage of the current customer serving area. Thirteen spaces, including one accessible space are required, however, the applicant is requesting approval of a parking exception to reduce the calculated number (13) to 12 spaces which would allow parking, trash facilities and required vehicular circulation to fit within this parcel.  
**CEQA Determination:** Categorically Exempt, Section 15301, Class 1.  
**Staff Recommendation:** Conditionally Approve  
**Staff Contact:** Nancy Hubbard, Contract Planner, (805) 772-6211
- B-2** **Case No.** CUP18-05, CDP18-005, and PKG18-04  
**Site Location:** 435 Napa Avenue, Morro Bay, CA  
**Proposal:** Conditional Use Permit, Coastal Development Permit and Parking Exception approval request for construction of a 460 sf accessory dwelling unit and a 740 sf addition to an existing non-conforming 1,318 sf single-family home. The property is zoned for duplex residential (R-2) and located outside the Coastal Commission appeal jurisdiction.  
**CEQA Determination:** Categorically Exempt, Section 15301, Class 1 and Section 15303, Class 3  
**Staff Recommendation:** Conditionally Approve  
**Staff Contact:** Willow Urquidi, Assistant Planner, (805) 772-6270

### C. NEW BUSINESS

- C-1** Discussion and Appointment of one Planning Commissioner as Representative to the Water Reclamation Facility Advisory Committee (WRFAC).

### D. UNFINISHED BUSINESS - NONE

### E. PLANNING COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS

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 March 5, 2019 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 805-772-6264 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.morrobayca.gov/planningcommission](http://www.morrobayca.gov/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.morrobayca.gov/notifyme](http://www.morrobayca.gov/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 within 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.

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.



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 February 19, 2019

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
<b>Hearing or Action Ready Projects:</b>										
1	Matson Bay	787 Main Street	2/5/19	MAJ19-001	<b>Amendment to CUP 08-94 to request updated parking requirement and reduction of two parking spaces.</b>	Submittal received and review is complete. Agendized for PC on February 19, 2019				nh
2	Fletcher	435 Napa	8/22/18	CUP 18-05 and CDP 18-005	<b>Conditional Use and Coastal Development Permit for a 740 sq.ft. addition to nonconforming sfr and new 460 sq. ft. attached accessory dwelling unit</b>	Under initial review. Correction letter sent 9/27. Parking exception application received 10/22. Agendized for 2/19/19 PC mtg.				wu
3	Grassy Bar Oyster Co.	1215 Embarcadero, Suite B	1/22/19	MUP19-01	<b>Change of Use proposed to Oyster depuration, processing, packaging, wholesale and retail sales.</b>	Under review. Project noticed for admin approval on 2/5/19.				cj
<b>30 -Day Review, Incomplete or Additional Submittal Review Projects:</b>										
4	Patel	2790 Indigo	1/31/19	CDP19-004 and CUP19-01	<b>CDP / CUP for new 2,424 SFR, 420 sf garage</b>	Under review.				wu
5	Wilson	1141 Main Street	1/31/19	CUP19-02	<b>Proposed Change in use; partial commercial retail &amp; partial apartment</b>	Under review.				nh
6	Brebes	493 Oahu	1/16/19	CDP19-002	<b>Admin. CDP for conversion of existing interior space to create a 561sf accessory dwelling unit.</b>	Incomplete letter sent 2/1/19.				wu
7	Thayer	464 Bernardo	12/20/18	CDP18-018	<b>Admin Coastal Development Permit for SFR &amp; ADU</b>	Under review				wu
8	Verma	316 Main St	12/19/18	CDP 18-017	<b>New construction of 724sf ADU on 3rd floor, with reasonable accomodation for elevator reducing parking garage to single car.</b>	Application deemed incomplete, comments sent to application on 1/22/19. Resubmittal received Jan 25, 2019, under review.				nh
9	U.S. Coast Guard	1279 Embarcadero	12/17/18	CUP18-10	<b>Conditional Use Permit for 800sf addition to existing US Coast Guard Station</b>	Incomplete letter sent 1/17/19.				cj
10	Smith	2481 Nutmeg	12/17/18	CDP18-016	<b>Admin Coastal Development Permit for construction of 634sf Accessory Development Unit by converting existitng unconditioned crawlspace under SFR.</b>	Incomplete letter sent 1/16. Resubmittal 1/25 under review.				wu

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11	Najarian	1339 Berwick	11/30/18	CDP 18-014	<b>Admin CDP for new construction of SFR and ADU with attached garage</b>	Application deemed incomplete, comments sent to applicant on 12/27/18.				nh
12	Smith	441 La Jolla	11/6/18	CDP 18-013	<b>Admin CDP for remodel of existing studio into an ADU</b>	Application deemed incomplete, comments sent to applicant on 11/29/18. Resubmittal received 1/7/19, and is under review. Application deemed incomplete, may be withdrawn by applicant.				nh
13	Stavros	461 Fairview	9/14/18	CDP 18-009	<b>Admin CDP for demo of existing non-conforming SFR (955SFR and 297sf garage) and construct new 2203sf 2-story residence with new 432 sf garage</b>	Incomplete Letter Sent 10/10. Project resubmitted 10/26. Discussion with agent about project design 11/9. All required application submittal documents received 1/3 and project is under review. Action taken 1/31. Project appealed 2/8. PC hearing to follow.				wu
14	Hobab	982 Carmel	9/19/18	CDP 18-010/MUP 18-04/PKG 18-03	<b>Coastal Development, Minor Use, and Parking Exception for the construction of an Accessory Dwelling Unit</b>	Incomplete letter sent 10/17. Resubmittal rcv'd 11/27. Application deemed incomplete 12-21-18.				nh
15	Kenney	1130 Scott	9/7/18	CUP 18-06 and CDP 18-008 and PKG 18-01	<b>Conditional Use and Coastal Development permits for 1416 sf commercial garage/shop with 2200 sf caretaker's unit. Parking exception for increased driveway width for small lots</b>	Incomplete letter sent 10/23. Resubmittal received 1/23/19, under review.				nh
16	Ranat	2598 Main	9/7/18	MUP 18-02	<b>Minor use permit for commercial use in the MCR</b>	Under Review. Spoke to agent, Cathy Novak 9/11 about the insufficient submittal missing majority of submittal docs. Correction Letter sent 10/9. Resubmittal on 12/3/18, deemed incomplete. Resubmittal received 1/2/19, waiting for owner's consent of revised plans. Plans received 1/18/19, and are under review. Application deemed incomplete, comments provided 2/1/19				nh
17	Najarian	479 Nevis	8/31/18	CDP 18-007	<b>New 1,686 sq. ft. SFR</b>	Under review. Correction Letter sent 10/1. Resubmittal Received 10/31. Correction Letter sent 11/27. Resubmittal 12/3. Action taken 2/4.				wu
18	Henry	411 Trinidad	7/5/18	CP0-584	<b>CDP for construction of a new single-family residence on a vacant lot</b>	Under Initial Review. Correction letter sent 7/16/18.		PN- conditionally Approved 7/19/2018		nh
19	Fields	731 Butte	6/14/18	CP0-582/UP0-534	<b>CDP and CUP for Multi-Family residences. A 1,500 sq. ft. manufactured residence, a 448 sq. ft. studio unit above a 441 sq. ft. garage with an attached 220 sq. ft. carport</b>	Under Initial Review. Correction letter sent 7/11/18. Resubmitted 10/22/18. Correction Letter sent 11/14				nh

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20	Held	205-215 Harbor St	5/4/18	CP0-578/ UP0-527	<b>Coastal Development Permit &amp; Conditional Use Permit for New construction of new 30 unit hotel, Merge existing 6 lots</b>	Under initial review. Incomplete letter sent 6/4/18. Resubmittal received 7/3/18. Additional comments sent to Applicant's Agent 8/3/18, and 8/22/18. Proposals received for environmental review. Reimbursement agreement sent to applicant for environmental review on 10/15/18. Awaiting resubmittal.		PN- Conditionally Approved 7/17/2018		cj
21	Carter	2035 Bayview	4/10/18	CP0-574	<b>Administrative CDP for Demo reconstruct. New 1,931 sq. ft. SFR with an attached 460 sq. ft. garage</b>	Under Initial Review. Correction letter sent 5/1. Resubmittal rcv'd 11/8. Discussion with Agent who hasn't decided how to move forward as of 12/10. Discussion with agent again on 1/3. Waiting for resubmittal. Resubmittal received 2/11. Under review.				wu
22	Wood	361 Main	4/6/18	AD0-134 / UP0-526	<b>Conditional Use Permit and Parking Exception for Addition to existing residence; 2nd floor addition 386 sq. ft.; 2nd floor deck 329 sq. ft. with variance AD0-134</b>	Under Initial Review. Correction letter sent 5/1. Applicant notified 1-4-19 that Project requires a CUP and CDP, needs new application, fees and resubmittal for processing. Waiting for resubmittal.				nh
23	T-Mobile	1478 Quintana	2/26/18	A00-056	<b>Modification to UP0-052/CP0-073 for upgrade to existing wireless site</b>	Under initial review. Correction Letter sent 3/30. Unauthorized work completed by owner. Spoke with the agent 11/5 about process moving forward. Spoke with agent again 2/7.		JW approved		wu
24	Matson Bay	787 Main Street & 280 Morro Bay Blvd	1/17/18	S00-130	<b>Lot Line Adjustment</b>	Under initial review. Deemed incomplete, letter sent to applicant 2/16/18. Project Deemed complete. Applicant to comply with conditions prior to recording final documents. Applicant withdrew their application 9-11-18. Applicant will process LLA as originally intended, will address conditions in final submittal. Resubmittal on 11/6/18 - third parcel, additional LLA added to scope. Deemed incomplete on 11/13/18. Applicant to provide additional information - on hold pending new submittal.		PN- Final Map on 10/9/2018 City Council Agenda-		nh
25	Matson Bay	271 Pacific	1/17/18	S00-131	<b>Cert of Compliance</b>	Under initial review. Approved, recording documents in process. Waiting for signed documents from applicant				nh
26	Matson Bay	767 Main Street	1/17/18	S00-132	<b>Cert of Compliance</b>	Under initial review. Approved, recording documents in process. Waiting for signed documents from applicant				nh
27	Johnson	128 Rennell	1/10/18	CP0-561	<b>Coastal Development Permit for Demo/reconstruct 1,362 sq. ft. SFR with 496 sq. ft. garage, and 240 sq. ft. covered front porch</b>	Incomplete letter mailed 2-9-18. Resubmittal received on June 19, 2018. Project resubmitted July 5, 2018, deemed incomplete on July 16, 2018. Resubmitted August 27, 2018. Incomplete letter provided 9-25-18. Resubmittal received 12-4-18 and is under review. Deemed incomplete on 12/18/18. Resubmittal received 1/3/19, under review. Deemed incomplete. Resubmittal received 1-22-19 and is under review. Deemed complete, currently being noticed for Admin Approval.		PN - Conditionally Approved 8/3/2018		nh
28	Morgan	101 Fig St.	4/12/17	UP0-476	<b>Conceptual Review of New SFR with accessory unit. Existing historical structure on lower level.</b>	PC Conceptual Review 5/16/17. Applicant evaluating whether to pursue project. Project Inactive as of 10/2018		PN-Conditionally approved 5/11/17		nh

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29	Gambriel	405 Atascadero Rd.	5/13/15	CP0-475 / UP0-417	<b>New construction of 10,000sf commercial retail on vacant lot</b>	WM. Under review. Will need Arch and Traffic reports. Resubmittal received 8/11/15. Incomplete letter sent 9/4/15. Resubmitted 2/13/18. Under Review. Incomplete letter sent 3/13/18. Resubmittal received 3/26/18. Under Review. RFP for environmental consultant concluded. Consultant selected, preparing contract documentation. Consultant engaged and has begun work on initial study. Draft MND in staff review. Applicant reviewing site work changes to minimize site disturbance.		PN-Conditionally Approved 2/28/2018		nh
<b>Planning Commission Continued projects:</b>										
30	State Parks - Mike Walgren	11 State Park Road	8/20/18	CDP 18-004, CUP18-04	<b>Coastal Development Permit &amp; Conditional Use Permit to install modular building for office space, parking and landscape improvements at Morro Bay State Park</b>	Submitted on 8-20-18. Deemed incomplete 9.10.18. Applicant to resubmit plans. Plans resubmitted with additional information on 10-26-18. Project deemed complete. Scheduled for PC on December 18, 2018. Continued to date uncertain by PC on 12/18/18. Applicant to provide additional information.		PN- Approved 9/4/2018		nh
31	City of Morro Bay	End of Nutmeg	1/18/12	UP0-344	<b>Environmental documents for Nutmeg Tanks.</b> Permit number for tracking purposes only County issuing permit. Demo existing and replace with two larger reservoirs. City handling environmental review	KW--Environmental contracted out to SWCA estimated to be complete on 4/27/2012. SWCA submitted draft I.S. to City on May 1, 2012. MR-Reviewed MND and met with SWCA to make corrections. In contact with County Environmental Division for their review. MND received by SWCA on 10/7/12. MND out for public notice and 30 day review as of 11/19/12. 30 day review ends on 12/25/12. No comments received. Scheduled for 1/16/13 Planning Commission meeting and then to be referred back to SLO County. Planning Commission continued this item to address concerns regarding traffic generated from the removal of soil. In applicant's court, they are addressing issues brought up by neighbors during initial P.C. meeting. Project has been redesigned and will be going forward with concrete tanks. Modifications to the MND are in process. Neighborhood meeting conducted with Engineering on 9/27/2013. Revising project description and MND.	No review performed.	BCR- 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		cj
<b>Projects Appealed or Forwarded to City Council:</b>										

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32	City of Morro Bay	Citywide	6/19/13	A00-015	<b>Sign Ordinance Update.</b> Text Amendment Modifying Section 17.68 "Signs"	Text Amendment Modifying Section 17.68 "Signs". Planning Commission reviewed 5/17/2010. Item heard at 5/24/11 City Council Meeting. Interim Urgency Ordinance approved to allow projecting signs. PC reviewed 2/7/2011. Workshops scheduled 9/29/11 & 10/6/11 .City Council 12/13/11. Continued to 1/10/12 CC meeting. PC reviewed 5/2/2012. Update due to City Council in June 2013. Draft Sign Ordinance reviewed by PC on 6/19/13 & 7/3/13. PC has reviewed Downtown, Embarcadero, and Quintana Districts as well as the Tourist-Oriented Directional Sign Plan. 8/21/13 Final Draft of Sign Ordinance approved at 9/4/13 PC meeting with recommendation to forward to City Council. Council directed staff to do further research with local businesses. Business workshops held fall/winter 13/14. Result of sign workshops discussed at 11-3-15 PC mtg. Revised Public Draft of Sign Ordinance posted to City website on July 6, 2017	No review performed.	N/R		sg
<b>Environmental Review</b>										
33	City of Morro Bay	N/A		UP0-423	<b>MND for Chorro Creek Stream Gauges</b>	Applicant requesting meeting for week of 9/9/13. SWCA performing the environmental review. Received completed MND from Water Systems Consulting (WSC) on 4/1/15. Routed to State Clearinghouse for required 30 day review period. Tentative hearing 8/4/15. No recent activity.	No review performed.	MND complete. Cut permit checks to RWQCB and CDFW on 2/27/15		cj
<b>Final Map Under Review Projects - No pending applications currently.</b>										
<b>Projects requiring coordination with another jurisdiction:</b>										
34	City of Morro Bay	Outfall			<b>Original jurisdiction CDP for the outfall and for the associated wells</b>	Coastal staff is working with staff. Coastal letter received 4/29/2013. Discussed project with Coastal staff in meeting 11-18-14.	No review performed.	City provided response to CCC on 7/12/13. Per Qtrly Conference Call CCC will take 30days to respond		
35	City of Morro Bay Desal Plant	170 Atascadero			<b>Project requires a Coastal Development Permit for upgrades at the Plant. Final action taken Sent to CCC but pursuant to their request the City has rescinded the action.</b>	Waiting for outcome from the CDP application for the outfall. Discussed project with Coastal staff in meeting 11-18-14.	No review performed.	BCR- Phase 1 Maint and Repair project is underway. Desal plant start-up scheduled for 10/15/13. Phase 1 complete and finalized. Phase 2 on hold as of 7/22/14.		
<b>Projects going forward to Coastal Commission for review (Pending LCP Amendments) / or State Department of Housing:</b>										

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36	City of Morro Bay	Citywide			<b>Plan Morro Bay: General Plan / Local Coastal Program / Zoning Code Update project</b>	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 <a href="http://www.morrobayca.gov/planmb">www.morrobayca.gov/planmb</a> . Project to be complete with documents ready for adoption and certification by end of 2018. Public draft of combined General Plan/ LCP released May 2018 for review.				
37	City of Morro Bay	Citywide	10/16/13	A00-013. A00-029: Ordinance 601	<b>Zoning Text Amendment - Second Unit</b>	Secondary Unit Ordinance Amendment. Ordinance 576 passed by City Council in 2012. 6-11-13 City Council direction to staff to bring back to Planning Commission for review of ordinance. At 10-16-13 PC meeting, Commission recommended changes to maximum unit size and tandem parking design where units over 900 sf and/or tandem parking design of second unit triggers a CUP process. Council accepted PC recommendation at 2-11-14 meeting and directed staff to bring back revised ordinance for a first reading and introduction. Item continued to 4/22/14 Council meeting to allow time for Coastal staff comment regarding proposed changes. Council approved Into and First Reading on 4/22/14. Final Adoption of Ord. 585 at 5/13/14 Council meeting. Ordinance to be sent as an LCP Amendment for certification by Coastal Commission. <b>New language for PC and Council review. Second reading going to council on April 12, 2016. PC reviewed change 5-3-16. CC second First Reading 6-28-16.. Application submitted to Coastal Commission August 2016. Coastal objected to ban on use as vacation rentals. New State legislation will force additional changes.</b>	No review performed.			wm
<b>Projects Continued Indefinitely, No Response to Date on Incomplete Letter or inactive:</b>										
38	Verizon / Knight	184 Main new location, Corner of Main and Cabrillo	11/19/14	UP0-394 and CP0-512	<b>Coastal Development Permit and Conditional Use Permit for installation of new Wireless Facility/Verizon antennas on existing pole.</b>	Under Review. JG. Incomplete. Waiting on response from Tricia Knight. Wants to keep project open and figure out the parking situation or move location. 1/26. JG. Applicant looking to move location to pole across the street. resubmittal rcv'd 5/26. Deemed Complete, waiting for Applicant to confirm PC meeting date. PC hearing held on 9/6/16 and continued for further review to 11-1-16 PC hearing. Continuance requested. Continued to a date uncertain		PN- Conditionally approved 6/14/16		ig
<b>Grants</b>										
39	California Coastal Commission, California Ocean Protection Council	City-wide	4/6/16		<b>\$400,000 Grant for LCP update to address sea-level rise and climate change impacts. Round 3 Grant award of \$200,000 for Lateral Access Plan, and ESHA delineation.</b>	Grant agreements for both the grants are in place and grant administration has been turned over to Michael Baker International, per terms of the GP/LCP update contract. Received signed grant agreement for \$200,000 LCP Planning grant by CCC for Round 3 awards 2-27-17.	No review performed.	N/A		sg

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40	City of Morro Bay	City-wide				<b>Community Development Block Grant/HOME Program - Urban County Consortium</b>	Staff has ongoing responsibilities for contract management in coordination with County staff administration. Final 2016 funding recommendations reviewed by Council on 3-8-16. 2016 Subrecipient Agreement executed and Council approved 2018-2020 Cooperation Agreement with County on 6-13-17.	No review performed.	N/R		cj
41	City of Morro Bay	City-wide				<b>Climate Action Plan - Implementation</b>	Staff has ongoing responsibilities for implementation of Climate Action Plan as adopted by City Council January 2014. Staff coordinating activities with other Cities and County of SLO via APCD.				cj
<b>Projects in Building Plan Check:</b>											
1	AJ Wright and Phil Davis	2996	Alder	9/28/18	B18-0033	New 3 story 3-unit apartment building, 2 story housing over ground level garage	Submitted 9-28-18. Not approved, comments sent on 10-11-18.	Disapproved on 10/30/18			nh
2	Guesno	220	Atascadero Rd.	11/26/18	B18-0085	Commercial Alteration- parking lot reconfig, kitchen remodel, install non bearing walls, add 2 restrms.	Submitted 11-26-18. Planning disapproved submittal 12/14/18.	BLDG - Disapproved 12/27/18			nh
3	Kudla	399	Beach	9/13/18	B18-0021	Commercial tenant improvement to Hungry Fisherman. Remodel, correct plumbing in bathroom and kitchen		Disapproved by co on 11/19/18. Resubmittal 1-9-19.			
4	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.	Approved 8-9-18. cj.	1 year extension Exp. 9/20/19	PN - Approved 6/21/2018	Emailed comments on 10-20-17.	
5	Moore	2990	Elm	2/6/19	B19-0020	Install 8 grip tite Push Piers to stabilize foundation		BLDG- Approved by co on 2/11-2019	1/5/00		
6	Borchard	508	Blanca	9/5/18	B18-0015	New Single Family Residence-1800sq. Ft living, 453 sf garage + 364 decking	Approved by planning 10-4-18	Disapproved on 10/04/18.			nh
7	Tilley	370	Fairview Ave.	8/3/18	B32119	Addition to Existing Residence; 720 sq. ft.	Dissapproved 8/17/18. sg. Resubmittal 12/4. Disapproved 1/24. wu	Disapproved by co on 12/7/18. (see memo). Mf	PN-Disapproved 9/4/2018		
8	Funk	672	Fresno	10/15/18	B18-0049	Add 665 sf to an existing front deck.	Disapproved on 11/27/18. WU	Disapproved on 11/27/18 by co.			
9	Mathias	2515 & 2525	Greenwood	2/16/18	B-31888	New SFR with ADU- 1384 sq. ft. living, 405 sq. ft. garage, 126 sf porch	Conditionally approved 2/27/18. Need COA attached to plan set	BLDG -Approved by co 1-2-19. mf	PN- Disapproved per memo dated 3/5/18		jj
10	Barbis	165	Hatteras	1/24/19	B19-0011	Add 236 sq. ft.to SFR, Convert family room to master bed & bath, add diningroom.		BLDG - Disapproved by co on 2/4/19.			
11	Scott	2940	Hemlock	8/28/18	B18-0006	New Single Family Residence-1626sq. Ft living, 462 sf garage +500 decking	Disapproved 9/18/18. Resubmittal received 12/21/18. Under review.	Approved by co 1-7-19.			wu

#	Applicant/ Property Owner	Project Address		Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
12	Scott	2940-A	Hemlock	8/29/18	B18-0008	235 sq. ft attached ADU		Approved by co 10/9/2018			
13	Gelman	2784	Indigo Circle	5/15/18	B - 32002	New SFR 2110 sq. ft., 663 sq. ft. garage, 275 sq. ft. patio	Approved 6/6/18	BLDG - conditional Approval by hb on 10-30-18 (see memo)			ig
14	Gelman	2784	Indigo Circle	5/21/18	B -32010	design and install overhead fire sprinklers		Fire-Conditional Approval by mv on 6-4-18. mf			
15	Smothers	570	Kings	2/5/19	B19-0019	Demo 988sfSFR, build 1000sf SFR					
16	Smothers	570-a	Kings Ave.	2/7/19	B19-0021	Add attached 430sq. Ft ADU					
17	Linker	594 D	Kings	7/3/18	B-32081	New SFR 3000 Sq. Ft. home and 1000 Sq. Ft. garage.	Disapproved 8-2-18. Resubmitted 9-27-18. Disapproved 10-11-18. Resubmitted 11-19-18, Planning disapproved 12-10-18. Resubmittal received 1-3-19, however, project requires an amendment to the original CUP/CDP - not yet submitted. Building plans resubmitted 1/3/19. Requires a minor amendment to the CUP/CDP prior to final approval of building plans. Amendment has not been submitted.	BLDG - Final Corrections Approved by co on 1-10-19.	PN-Disapproved 8/2/2018		nh
18	Hilton -Limited Partnership	430-A	LA Jolla	1/24/19	B19-0013	Enclose interior stairs to create ADU. Add closet on upper level, new french doors, new exterior door and new kitchen on lower level.		BLDG- Disapproved by co on 1/30/19.			
19	Rogers	1127-A	Las Tunas	1/9/19	B19-0002	Demo garage and replace w/473 sq. ft ADU		BLDG- Disapproved by co on 1/31/2019			
20	Vogal	948	Marina	9/5/18	B18-0014	Addition / construct new 400sf gargage demo & replaced existing driveway.	Correction letter sent 10/15.	Disapproved on 10-4-18.			ig
21	Henderson	958	Marina	10/18/17	B-31732	Replace interior finish, repair & reinforce existing structure & replace electrical mechan.& plumbing systems on 2ndary unit	Under review Disapproved by rr on 11-1-17. Project requires planning entitlements.	BLDG - Conditional approval by hb on 8-14-18. see rdlines.	Approved by jb on 10-23-17.		
22	Sonic	1840	Main	10/17/17	B-31730	Sonic Drive-in Restaurant, 1395 sf building, 1020 sf covered patio, 2646 sf covered parking	Corrections sent 12-8-17. Resubmitted 3-2-18. Application incomplete and corrections sent 4-5-18. Resubmittal received and unaddressed corrections sent back 7-19-18. Project required to underground utilities. Utility plan and coordination with public utilities in process. cj.	BLDG - Disapproved by California Code Check (contract building inspection services (see memo) on 7-23-18. PB	Disapproved by jb on 11-21-17.	1-2-18 - Emailed BLDG (code ck) comments to architect. PB	

#	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
23	Kaishar	2460	Main	8/2/18	B32117	Comm. Alteration Remove Wall and expand lobby.		BLDG - Disapproved by co on 12-17-18. mf			
24	French	2460	Nutmeg	11/16/18	B18-0079	Addendum to B18-036 - New fireplace location	Planning approval on 1/25/19	BLDG - Approved 11/19/18			nh
25	Mills	2481 and 2481-A	Nutmeg	12/19/18	B18-0104	Construct 634 sf ADU	Disapproved 1/3/2019. In planning review.	BLDG - Disapproved 1/2/19			
26	Jerkovich	2584	Nutmeg	9/19/18	B-32147	Retaining Wall - 25' long, staggard heights on slopes.		BLDG - Conditional Approval by hb on 9-20-18 (see memo).mf			
27	Luhr	2620	Nutmeg	1/22/19	B19-0006	3912 Sq. Ft. SFR, 547 SF garage, 110 sq. ft. deck		BLDG-Disapproved by co 2/13/2019			
28	Luhr	2620-A	Nutmeg	1/22/19	B19-0007	521 sq. ft ADU					
29	Lewis	290	Piney Ln.	9/26/18	B32-151	Addendum - Adding stucco finish in lieu of ledgestone		BLDG- Addendum Ready for pick-up 10-1-18.			
30	Erlendson	299-A	Sienna St.	1/22/19	B19-0005	Convert Garage to 435 sq. Ft. ADU		BLDG- Disapprove by co 2/1/2019.			
31	Colmer	561	Quinn	11/16/18	B18-0078	New SFR / new 2 story SFR, 1923 sf living 432sf garage.		BLDG- Disapproved 12/27/18 Resubmittal 1-17-19.			
32	Stollmeyer	300 & 300-A	Tahiti	10/31/18	B18-0063	Demo and Reconstruction- 1279 Sq. Ft. SFR, 546 garage, 227 sf deck	Approved 1/7/19 nh	BLDG - Approved 1-7-19.			nh
33	Stollmeyer	310 & 310-A	Tahiti	10/31/18	B18-0064	New SFR / 146sf SFR with 636sf attached garage.	Approved 1/7/19 nh	BLDG - Approved 1-7-19.			nh
34	Stollmeyer	300-A	Tahiti	11/5/18	B18-0066	New ADU- 634 sq. ft. attached ADU	Approved 1/7/19 nh	BLDG - Approved 1-7-19.			
35	Stollmeyer	310-A	Tahiti	11/5/18	B18-0067	New ADU - 648 sq. ft. attached ADU	Approved 1/7/19 nh	BLDG-Approved 1-7-19			
36	Frye	3400-A	Toro Lane	12/20/18	B18-0108	New ADU600 sq. ft. attached		BLDG- Disapproved by co 1/14/19.			
37	Frye	3400	Toro Lane	12/20/18	B -18-0106	New SFR with attached ADU - 491 sq. ft garage	Need WELO submittal	BLDG - Disapproved 1-14-19.			nh
38	Reeves	1169	West	1/6/19	B19-0004	In ground shortcrete Swimming Pool + Spa		BLDG-Disapproved by co 2/4/19			
39	Foster	1169	West	7/3/18	B32080	New SFR -	Disapproved 12/14/18 nh. Resubmitted 1-18-19, under review.	BLDG- Approved by co on 1-24-2019			nh

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
<b>Planning Projects &amp; Permits with Final Action:</b>										
1	Patel	233 Atascadero	6/13/18	CP0-581/UP0-533	<b>CDP and CUP for New 83 room hotel on vacant 2 acre lot</b>	Under Initial Review. Incomplete letter sent 7/13/18. Resubmitted 9/11/18. Comment letter sent 10/19/18. Environmental review required. Cj. Met with Applicant's Agents 11-8-18 to review flood plain and height requirements. Project currently overheight and does not meet parking requirements. Story poles erected on 1/3/19 and scheduled for Conceptual Review by PC to evaluate height, parking, and findings of significant public benefit as allowed under the Planned Development (PD) overlay zone. PC comments provided to Applicant after 1-15-19 meeting. Applicant considering project revisions.				cj
2	Leage	918 Mesa St	12/4/18	CUP18-09 & CDP 18-015	<b>Coastal Development Permit &amp; Conditional Use Permit approval frequest for a 139sf addition to detached garage, convert detached garage into new 537sf Accessory Dwelling unit.</b>	Project reviewed and noticed for PC hearing on 1/15/2019. Project approved by PC on 1/15/19.				wu

AGENDA ITEM:     A-2    

DATE:     FEBRUARY 19, 2019    

ACTION:     DRAFT    

ACTION MINUTES – MORRO BAY PLANNING COMMISSION  
REGULAR MEETING – DECEMBER 18, 2018  
VETERANS MEMORIAL BUILDING – 6:00 PM

PRESENT:	Gerald Luhr Michael Lucas Richard Sadowski Jesse Barron Joe Ingraffia	Chairperson Vice-Chairperson Commissioner Commissioner Commissioner
STAFF:	Scot Graham Cindy Jacinth Nancy Hubbard	Community Development Director Senior Planner Contract Planner

ESTABLISH QUORUM AND CALL TO ORDER  
MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE  
PLANNING COMMISSIONER ANNOUNCEMENTS  
<https://youtu.be/OFE-nQfojCM?t=1m54s>

Commissioner Sadowski played a short video from the Conference of Parties which was held in Poland. The speech was regarding climate change.

PUBLIC COMMENT PERIOD  
<https://youtu.be/OFE-nQfojCM?t=6m6s>

Mandy Davis, Morro Bay, commented on the video and spoke in support of protecting Environmentally Sensitive Habitat Areas (ESHA).

Bill Martony, Morro Bay, also spoke about the ESHA areas and the zoning for the Chevron properties.

Marla Jo Sadowski, Morro Bay, spoke in support of warming rooms. Chairperson Luhr stated he will open Public Comment again after the presentation.

Chairperson Luhr closed the Public Comment.  
<https://youtu.be/OFE-nQfojCM?t=13m30s>

Graham responded to the Public Comment questions regarding the ESHA maps.

PRESENTATIONS  
<https://youtu.be/OFE-nQfojCM?t=14m45s>

Becky Jorgeson presented her report regarding mobile warming rooms and affordable housing.

Chairperson Luhr opened the Public Comment period.  
<https://youtu.be/OFE-nQfojCM?t=26m48s>

Mickey Sheehan, Veteran, spoke about being homeless and spoke in support of affordable housing.

Ed, Shoreline Calvary Leadership, spoke about the homeless situation in the area and how he was working on behalf of homeless people.

Commissioner Sadowski stated in our society we should start thinking about taking care of the homeless situation.

Martony spoke about changing the zoning to accommodate tiny homes in a designated area.

Davis spoke in support of building tiny home communities off the grid to keep costs down.

Cynthia Hawley commented on the young lady in the video earlier tonight and stated the Commission should think about changing some of the zones to incorporate tiny home communities.

Jorgeson wanted to state her organization is not asking for county, state, or federal funds. The organization is asking for corporations, foundations, public and private donors for the tiny villages.

Chairperson Luhr closed the Public Comment period.

<https://youtu.be/OFE-nQfojCM?t=42m29s>

A. CONSENT CALENDAR

<https://youtu.be/OFE-nQfojCM?t=44m50s>

**A-1** Current and Advanced Planning Processing List

**Staff Recommendation:** Receive and file.

**MOTION:** Commission Barron moved to accept the Consent Calendar.

Commissioner Sadowski seconded, and the motion passed (5-0).

B. PUBLIC HEARINGS

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

**B-1** **Case No.:** CUP 18-04 and CDP 18-004

**Site Location:** 11 State Park Road, Morro Bay, CA

**Proposal:** Conditional Use Permit and Coastal Development Permit for the installation of a new 1,200 sq. ft. modular office building with accessible parking area and standard parking in the existing park administration area located at 11 State Park Road in the OA2/PD zoning district, which is partially within the Coastal Commission Appeal Jurisdiction.

**CEQA Determination:** Categorically Exempt, Section 15303,15304 and 15311

**Staff Recommendation:** Conditionally Approve

**Staff Contact:** Nancy Hubbard, Contract Planner, (805) 772-6211

<https://youtu.be/OFE-nQfojCM?t=45m26s>

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS –  
NONE

Hubbard presented the staff report.

The Commissioners presented their questions to staff.

Chairperson Luhr opened the Public Comment period.

<https://youtu.be/OFE-nQfojCM?t=52m33s>

The Commissioners presented their questions to the applicant and staff.

Mike Walgren, Applicant, answered questions.

Chairperson Luhr closed the Public Comment period.

<https://youtu.be/OFE-nQfojCM?t=1h12m9s>

Comments from the Commissioners.

**MOTION:** Vice-Chairperson Lucas moved to continue to a date uncertain to address questions raised by the Commission. Commissioner Sadowski seconded, and the motion passed (4-1) with Commissioner Barron voting no.

**B-2 Case No.:** A00-058/UP0-260 (Concept/Precise)

**Site Location:** 571 Embarcadero, Morro Bay, CA

**Proposal:** Conditional Use Permit Amendment for 571 Embarcadero Rd to allow for the conversion of 839sf of existing second floor office space to two vacation rental units. Also proposed improvements to coastal public access including a Harborwalk extension of 26sf of bayside lateral access and remove and replace the existing gangway along with a master sign program allowing 76.9sf where 67.5sf is allowed. The project is located in the WF/PD/S4 zoning district and is within the Coastal Commission Original Jurisdiction.

**CEQA Determination:** Categorically Exempt, Section 15301 and 15303

**Staff Recommendation:** Forward favorable recommendation to City Council for approval.

**Staff Contact:** Cindy Jacinth, Senior Planner, (805) 772-6577

<https://youtu.be/OFE-nQfojCM?t=1h22m16s>

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS –  
NONE

Jacinth presented the staff report.

The Commissioners presented their questions to staff.

Chairperson Luhr opened the Public Comment period.

<https://youtu.be/OFE-nQfojCM?t=1h48m57s>

Cathy Novak, representative for applicant, presented her report for 571 Embarcadero.

Martony, Morro Bay, spoke in support of keeping the characteristics of the building and not change the facade.

The Commission presented their questions to Novak.

Chairperson Luhr closed the Public Comment period.

<https://youtu.be/OFE-nQfojCM?t=2h6m19s>

Comments and discussion from the Commissioners.

Commissioners discussed conditions to add to the project, including:

- Remove the trash area
- Add signage for the public restroom
- Tone down the white of the directory sign/different lighting
- Clarification of access

**MOTION:** Commissioner Ingraffia moved to approve Conditional Use Permit A00-058/UP0-260, PC Resolution 39-18, with the amendments as discussed. Commissioner Barron seconded, and the motion passed (5-0). Motion is for forwarding a favorable recommendation to City Council for approval.

**B-3 Case No.:** *Plan Morro Bay: General Plan/Local Coastal Program Update (continued from the 12/4/2018 Planning Commission meeting)*

**Site Location:** Citywide

**Applicant/Project Sponsor** City of Morro Bay

**Proposed Project:** General Plan/ Local Coastal Program Update known as “Plan Morro Bay” public draft was released for public review in May 2018 and has been reviewed by the General Plan Advisory Committee (GPAC). Plan Morro Bay is an integrated General Plan and Local Coastal Program Land Use Plan which is proposed to update the City’s existing separate General Plan adopted in 1988 and Local Coastal Program certified by the Coastal Commission in 1984. The Planning Commission previously reviewed portions of the Draft Plan at its 8/7/2018, 8/23/2018, 9/4/2018, and 12/4/2018 meetings.

**CEQA Determination:** Environmental Impact Report

**Staff Recommendation:** Review and provide comments and recommendations on public draft of Plan Morro Bay

**Staff Contact:** Scot Graham, Community Development Director (805) 772-6291

<https://youtu.be/OFE-nQfojCM?t=2h27m17s>

Chairperson Luhr opened the Public Comment period.

<https://youtu.be/OFE-nQfojCM?t=2h28m>

Martony spoke in favor of keeping the Pacific Coast trail as is. Martony offered an alternate route.

Chairperson Luhr closed the Public Comment period.

<https://youtu.be/OFE-nQfojCM?t=2h31m37s>

The Commissioners presented their questions to staff.

The Commissioners and staff reviewed the draft Plan Morro Bay General Plan/LCP.

C. NEW BUSINESS - NONE

D. UNFINISHED BUSINESS - NONE

E. PLANNING COMMISSIONER COMMENT

<https://youtu.be/OFE-nQfojCM?t=4h10m39s>

Commissioner Sadowski stated he would like to have a discussion regarding air quality or ocean acidification. Sadowski stated he would like to invite someone from the Air Quality Board to have a discussion and answer questions.

Commissioner Barron announced there were open positions for different advisory boards in the City of Morro Bay and encouraged the public to get involved. Barron noted the applications were due on January 10, 2019.

Commissioner Ingraffia stated he was impressed with the information given regarding affordable housing. Ingraffia suggested having someone come out to speak about it and find out what other communities are doing.

Graham commented on the steps the City has taken regarding affordable housing.

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENT

<https://youtu.be/OFE-nQfojCM?t=4h22m29s>

Graham reminded the Commissioner the next Planning Commission meeting on January 1<sup>st</sup> is canceled due to the holiday. The next Planning Commission meeting will reconvene on January 15<sup>th</sup>.

G. ADJOURNMENT

The meeting adjourned at 10:24 p.m. to the next special scheduled Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on January 15, 2019 at 6:00 p.m.

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Gerald Luhr, Chairperson

ATTEST:

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Scot Graham, Secretary



AGENDA NO: B-1  
MEETING DATE: February 19, 2019

## Staff Report

**TO:** Planning Commissioners  
**DATE:** February 10, 2019

**FROM:** Nancy Hubbard, Contract Planner

**SUBJECT:** Application for an amendment to the CUP 08-94 to allow a reduction in required parking on an 10,167-sf parcel located at 787 Main Street. The project application consists of an Amendment (MAJ 19-001) to the 1994 Conditional Use Permit (CUP 08-94) to update the parking requirements based on current conditions and to request a reduction of total on-site parking. The project is not in the Coastal Commission Appeals Jurisdiction.

**RECOMMENDATION:**

*CONDITIONALLY APPROVE THE PROJECT* by adopting Planning Commission Resolution 02-19 which includes findings for a reduction in the parking required for the current uses on the site to 12 total spaces, including one HC space and access isle through Amendment (MAJ 19-001) of CUP 08-94 with findings and conditions of approval for the project.

**APPLICANT:** Julie Dickinson, Maston Bay Properties  
**AGENT:** Cathy Novak  
**ADDRESS/APN:** 787 Main Street 066-114-004

**SUBJECT:** Request for a reduction in the 16 off-street parking spaces required in CUP 08-94 to a total of 12 on-site parking spaces, including an HC space and access isle. The reduction is being requested based on the updated parking requirements considering the actual current customer serving area within the Pizza Port restaurant. Fourteen spaces, including one accessible space are required under the current zoning code, however, the applicant is requesting approval of a parking variance (Exception) to reduce that to 12 spaces which would allow parking, trash facilities and required vehicular circulation to fit within this parcel. The request is made through an Amendment (MAJ 19-001) to the CUP 08-94.

**LEGAL DESCRIPTION:** Lot 1, Block 29, Town of El Morro

**ZONING:** C-1/S.4 (Central Business District with Special Design Criteria Overlay Zone). This site is not within the Coastal Appeals Jurisdiction.

**GENERAL PLAN/COASTAL LAND USE PLAN:** Planning Area 7, Commercial District

**SITE HISTORY:** This parcel includes a small barber shop and the Pizza Port Restaurant located on the corner of Main Street and Morro Bay Blvd. In 1994, the Pizza Port submitted an application to expand customer service area to include a new outdoor deck area. The application was processed as a Conditional Use Permit (CUP 08-94). Prior to the addition of the patio, the restaurant and barber shop were required to have 14 on-site parking spaces (1983 approval). The application for CUP 08-94 was for a new outdoor dining deck of 390 sf. The project was approved with a parking condition providing the applicant with an option to (1) either provide 2 additional parking spaces for the new deck area or (2) request an Administrative Variance (Parking Exception) to eliminate the need for the additional parking spaces for the deck. The condition providing these two options to resolve the parking requirement was based on the staff observation (as stated in the July 5, 1994 staff report) that the existing parking lot was “rarely full or even 50% full and the plentiful surrounding on-street parking more than made up for the parking needs of the area businesses”. The staff report states that staff would support a reduction in parking pursuant to a variance request. However, instead of requesting the reduction in parking through a variance request, the applicant provided the two spaces on the adjacent lot (Lot 2), also owned by the same owner as the Pizza Port parcel, to meet this requirement.



**PROJECT DESCRIPTION (2019):**

The applicant/owner is in the process of selling the adjacent parcel (Lot 2) and as such, would like to ensure that each parcel can meet their parking, trash, etc. requirements within their property lines. Over the years, including in 1994 when the 2 additional parking spaces were required for the patio dining area, parking and trash facilities were located on the adjacent parcel (Lot 2). The

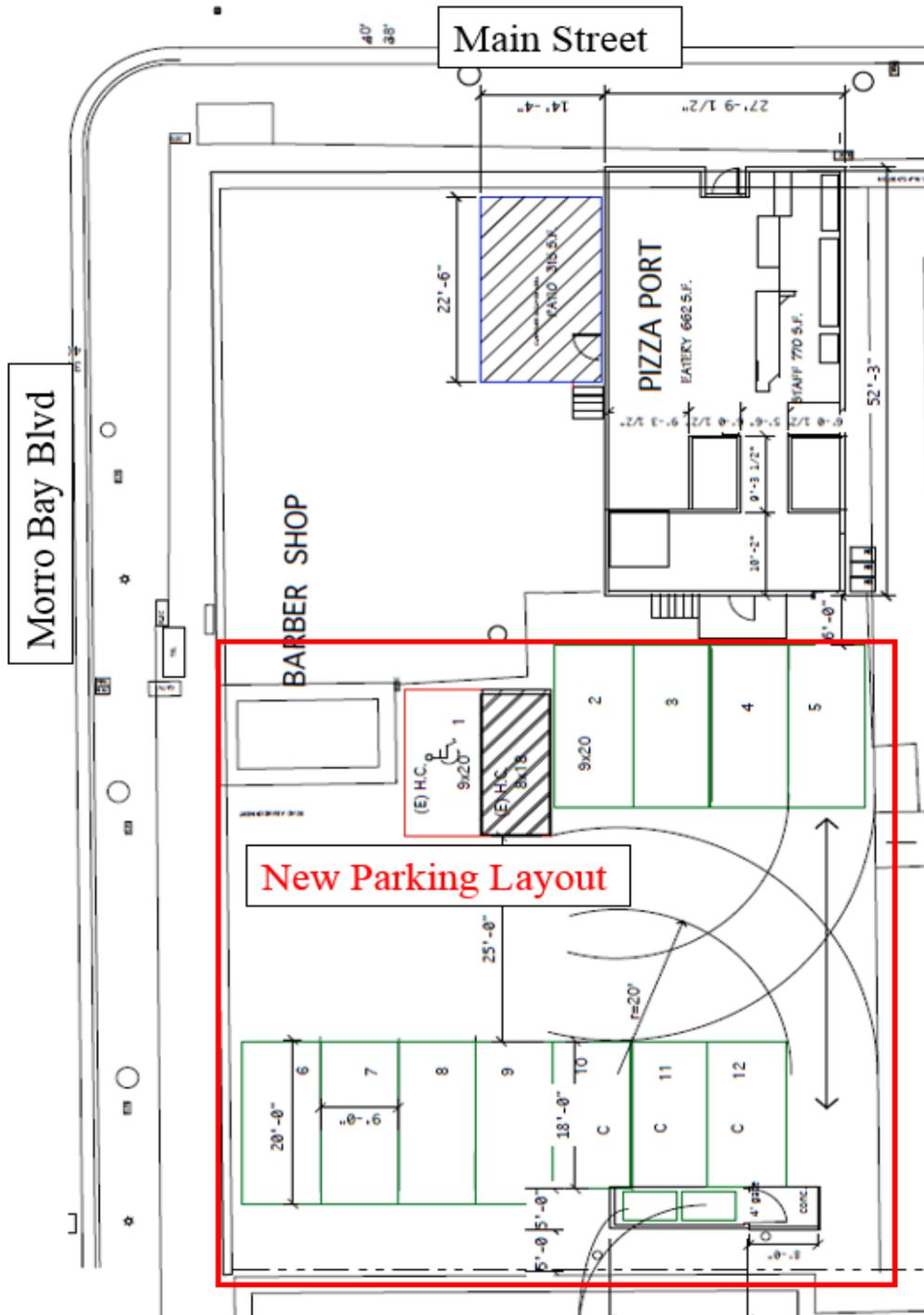
applicant/owner is also processing a lot line adjustment between Lot 1 and Lot 2 to adjust for the Pizza Port building that has a property line going through the building. Finalizing the Lot Line Adjustment for Lot 1 and Lot 2 requires that (1) the associated required parking and accessory facilities (i.e. trash) for each site are located within the property lines, or (2) an easement or related document is recorded to memorialize the parking and/or facilities that exist on a neighboring parcel. The owner prefers not to create easements that will restrict future use of the adjacent parcels.

Accomplishing this goal involves a redesign of the parking for the Pizza Port/Barber shop businesses, as shown below.

Existing parking/trash layout:



New Parking Layout – all parking and trash facilities contained on Lot 1



The 1994 approval required 16 spaces, including a HC space, but without an access isle. When the access isle was created, a standard parking space was lost, resulting in a total of 15 spaces. In the current site reconfiguration, meeting all the current zoning code requirements, the site can accommodate a total of 12 spaces, including a HC space and access isle.

The applicant did a current measurement of the customer serving areas in the Pizza Port Restaurant, including the patio area and determined that the parking, under the current parking requirements for the Pizza Port and barber shop would be a total of 14 spaces, instead of the 16 required under the 1994 parking calculation. Below is a table that shows the parking calculations done in the same manner for 1994 and 2019. At the time the access isle was added to the parking layout, it continued to be considered as compliant with the 1994 parking requirement, although the total parking provided was reduced to 15 spaces.

<b>1994 Parking Required</b>		
Pizza Port Restaurant - Indoor	718 1 per 60 sf	12
Pizza Port Restaurant - Patio	390 1 per 120 sf	3
Barber Shop	1 per 200 sf	1
<b>Total Requirement</b>		<b>16</b>
Less space later used as access isle for HC parking space		<u>-1</u>
<b>Total Spaces provided</b>		<b><u>15</u></b>
<i>Note: The calculation for the patio should have excluded 125 sf as the outdoor area allowed with no parking required</i>		

<b>2019 Parking Required</b>		
Pizza Port Restaurant - Indoor	662 1 per 60 sf	11
Pizza Port Restaurant - Patio	315 1 per 120 sf	2
Barber Shop	1 per 200 sf	1
<b>Total Requirement</b>		<b>14</b>
Less space used as access isle for HC parking space		<u>-1</u>
<b>Total Spaces required</b>		<b><u>13</u></b>
<i>Note: Current customer service areas calculated, 125 sf outdoor dining has been excluded</i>		

**OPTIONS TO BE IN COMPLIANCE WITH PARKING:**

The owner's options are to (1) request a Parking Exception consistent with section 17.44.050 of the Morro Bay Municipal Code to allow 12 off-street parking spaces (a reduction in 2 spaces, as was one of the options in 1994) or (2) pay parking in-lieu

fees for the parking not provided. Staff has informally viewed the parking lot on several occasions during the lunch hour and the parking lot has never been more than 50% full in its current configuration. In support of the parking exception, it is worth noting that under the draft Zoning Code, restaurants are not required to provide parking for the first 350 square feet of outdoor dining space. The issue that arises here is that we would potentially be requiring the payment of parking in lieu fees (\$15,000 per space), while we are at the same time proposing a change to the outdoor dining parking requirements that would make the restaurant parking situation compliant.

The new parking design will include a relocated trash/recycle facility, that will include a new screening fence and will not interfere with the provided customer parking.

**PUBLIC HEARING NOTICE:**

Notice of a public hearing on this item was published in the San Luis Obispo Tribune newspaper on February 8, 2019, and all property owners and occupants of record within 500 feet of the project site were notified of the scheduled public hearing and invited to voice any concerns on this application. The project site was also posted with one public notice sign.

**RECOMMENDATION:**

Staff recommends the Planning Commission conditionally approve the project by adopting Planning Commission Resolution 02-19 which includes findings for a reduction in the parking required for the current uses on the site to 12 total spaces, including one HC space and access isle through Amendment (MAJ 19-001) of CUP 08-94 with findings and conditions of approval for the project.

**ATTACHMENTS:**

Exhibit A – Resolution 02-19 – Findings, Conditions of Approval  
Exhibit B – Parking Design Plans  
Exhibit C – 1994 Staff report for CUP 08-94

**Planning Commissioner packets include:**

11X17 sized plans.

RESOLUTION NO. PC 02-19

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION  
TO APPROVE THE AMENDMENT REQUEST (MAJ 19-001) TO PLANNING  
COMMISSION RESOLUTION 08-94, PLANNING CONDITION #3. a SPECIFYING THE  
REQUIRED ON-SITE PARKING FOR THE COMMERCIAL USES AT 787  
MAIN STREET.

**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 February 19, 2019, for consideration of this Amendment to the Conditional Use Permit (Resolution 08-94) (MAJ19-001) reduce the off-street parking required at 787 Main Street; 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) Findings

1. Pursuant to the California Environmental Quality Act, the project is categorically exempt under Section 15301, Class 1, for minor alterations of an existing facility involving no expansion of use. None of the exceptions found in CEQA Section 15300.2 apply to this project.

Conditional Use Permit Amendment Findings

1. On July 5, 1994, the Planning Commission approved CUP 08-94 with conditions of approval to the addition of patio dining to be added to the existing restaurant use located at 787 Main Street; and
2. Planning Commission approval included a condition in Resolution 08-94 that required an additional 2 parking spaces be provided for the addition of the patio dining, or the applicant could apply for an Administrative Variance to waive the requirement for 2 additional spaces (Planning Condition #3. a); and
3. The Applicant added the required 2 parking spaces on an adjacent parcel to meet the requirement instead of requesting the Administrative Variance; and

4. The Applicant would now like to reconfigure the parking to keep it all on one parcel and is requesting that Planning Commission consider the original offer to allow a variance for 2 parking spaces and allow a total of 12 parking spaces to meet the requirements for the current restaurant/barbershop uses on the site and has applied for an amendment of the above condition specifying the total required on-site parking; and
5. The applicant has determined that the existing parking lot provided is rarely used by more than 4-6 cars at any one time.
6. Pursuant to Section 17.44.010, off street parking is required to minimize street congestion and traffic hazards and provide safe and convenient access to land uses.
7. Section 17.44.020 6. b states that upon submission of satisfactory evidence that the use requiring the off-street parking has been altered to no longer require such off-site parking, the Planning Commission can approve a change in the parking requirement (paraphrased)

Parking Exception Findings Section 17.44.050 A. Parking Exceptions may be granted by the Planning Commission or Director upon the following findings:

- a. The exception will not constitute a grant of special privilege inconsistent with the parking limitations on other properties in the vicinity and the reduced parking will be adequate to accommodate all parking needs by the use. *The parking lot has been observed to rarely be even 50% full.*
- b. The exception will not adversely affect health, safety or general welfare of persons working or residing in the vicinity and no traffic safety problems will result from the proposed modification of parking standards. *The parking lot is not currently being used to its full capacity and historically has not caused traffic safety problems.*
- c. The exception is reasonably necessary for the applicant's full enjoyment of uses like those on the adjoining real property. *There is very limited area to place the parking and trash facilities and the property cannot accommodate more parking than the 12 spaces proposed. This proposed change in parking/trash design will allow full use of the subject property and adjacent properties.*

**Section 2. Action.** The Planning Commission does hereby approve the Amendment Request MAJ 19-001 to reduce the off-street parking for the existing business uses at 787 Main Street.

## **STANDARD CONDITIONS**

1. This permit is granted for the land described in the staff report dated February 10, 2019, for the project at 787 Main Street depicted on plans dated January 9, 2019 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 is commenced not later than two (2) years after the effective date of this Resolution and is diligently pursued, thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Any extension may be granted by the City's Community Development Director (the "Director"), upon finding the project complies with all applicable provisions of the Morro Bay Municipal Code (the "MBMC"), General Plan and certified Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.
3. Changes: Minor changes to the project description and/or conditions of approval shall be subject to review and approval by the Community Development Director. Any changes to this approved permit determined, by the Director, not to be minor shall require the filing of an application for a permit amendment subject to Planning Commission review.
4. Compliance with the Law: (a) All requirements of any law, ordinance or regulation of the State of California, the City, and any other governmental entity shall be complied with in the exercise of this approval, (b) This project shall meet all applicable requirements under the MBMC and shall be consistent with all programs and policies contained in the LCP and General Plan for the City.
5. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicant's failure to comply with conditions of approval. Applicant understands and acknowledges the City is under no obligation to defend any legal actions challenging the City's actions with respect to the project. This condition and agreement shall be binding on all successors and assigns.
6. Compliance with Conditions: The applicant's establishment of the use or development of the subject property constitutes acknowledgement and acceptance of all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building inspection

clearance. Deviation from this requirement shall be permitted only by written consent of the Director or as authorized by the Planning Commission. Failure to comply with any of these conditions shall render this entitlement, at the discretion of the Director, null and void.

7. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the MBMC and shall be consistent with all programs and policies contained in the LCP and General Plan of the City.

## **PLANNING CONDITIONS**

1. Archaeology: In the event of the unforeseen encounter of subsurface materials suspected to be of an archaeological or paleontological nature, all grading or excavation shall immediately cease in the immediate area, and the find should be left untouched until a qualified professional archaeologist or paleontologist, whichever is appropriate, is contacted and called in to evaluate and make recommendations as to disposition, mitigation and/or salvage. The developer shall be liable for costs associated with the professional investigation.
2. Construction Hours: Pursuant to MBMC subsection 9.28.030.I, Construction or Repairing of Buildings, the erection (including excavating), demolition, alteration or repair of any building or general land grading and contour activity using equipment in such a manner as to be plainly audible at a distance of fifty feet from the building other than between the hours of seven a.m. and seven p.m. on weekdays and eight a.m. and seven p.m. on weekends except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Community Development Department, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for a period of three days or less while the emergency continues.
3. Dust Control: That prior to issuance of a grading permit, a method of control to prevent dust and wind blow earth problems shall be submitted for review and approval by the Building Official.
4. Conditions of Approval: Prior to the issuance of a Building Permit, the final Conditions of Approval shall be attached to the set of approved plans. The sheet containing Conditions of Approval shall be the same size as other plan sheets and shall be the last sheet in the set of Building Plans.
5. Termination of the Parking Reduction Variance (Exception): This Permit allows a total of 12 parking spaces, including an accessible space and access isle and a trash/recycling facility that does not interfere with a parking space. This reduction in parking is allowed for the current commercial use of the property does not extend to future uses, all of which must comply with the parking requirements of the zoning code in effect at the time of occupancy.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 19th day of February 2019 on the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

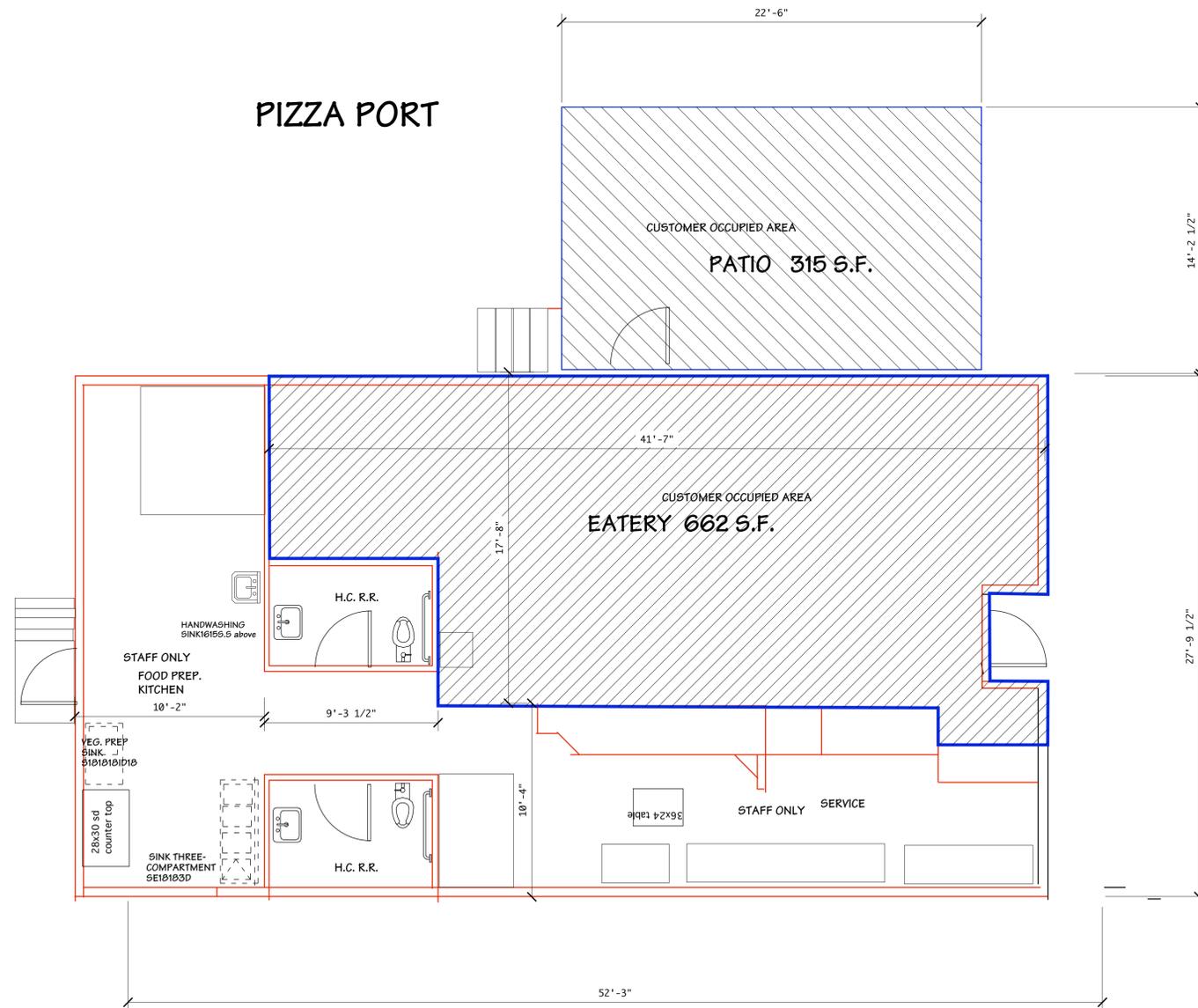
\_\_\_\_\_  
Chairperson Gerald Luhr

ATTEST

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

The foregoing resolution was passed and adopted this 19th day of February 2019.





# FLOOR PLAN

SCALE 1/4"=1'-0"



The plan, specifications, notes and instructions of work prepared by the architect are to be read in conjunction with the contract documents and any amendments thereto. The architect is not responsible for the accuracy of any information not contained in the contract documents and any amendments thereto. The architect is not responsible for the accuracy of any information not contained in the contract documents and any amendments thereto.

**LAND/SEA INTERFACE**  
 GENE DOUGHTY-ARCHITECT 1-805-772-8436  
 C 18794

**PARKING LAYOUT FOR MASTON BAY PROPERTIES**  
 787 MAIN ST, MORRO BAY

**FLOOR PLAN**

1-5-19  
 12-28-18  
 1-9-19  
 11-6-18  
 2-2-19  
 2-4-19

SHEET  
**A-3**  
 OF 3 SHEET

C AGENDA NO. X-B  
DATE 7/5/94 ACTION Approved  
5-0

PLANNING COMMISSION  
STAFF REPORT

MEETING DATE: July 5, 1994

PROJECT SUMMARY

FILE NO.: CUP 08-94

APPLICANT/AGENT: Michael Perry, 787 Main St., Morro Bay CA 93442

APPROVAL(S) REQUESTED/PROJECT DESCRIPTION: Request for a Conditional Use Permit to allow expansion of a existing pizza parlor. The applicant proposes a 390 square foot deck for a permanent outdoor dining area.

PROJECT LOCATION: 787 Main Street

STAFF RECOMMENDATION: Conditional approval

ENVIRONMENTAL DETERMINATION: Categorical Exemption, Class 1(e)

GENERAL PLAN AND ZONING: General Plan: Commercial District  
Zoning: C-1 (S.4)

SITE CHARACTERISTICS:

Area: 17,424 sq. ft.  
Existing Use: Pizza parlor, barber shop, parking lot, single family residence  
Terrain and Vegetation: Gently sloping westward; grass

AREA CHARACTERISTICS:

Adjacent Zoning:  
North: C-1 (S.4) South: C-1/R-4 (S.4)  
East: C-1 (S.4) West: C-1 (S.4)

Surrounding Land Use:  
North: Commercial South: Single family residence  
East: Commercial West: Commercial

ORDINANCE REQUIREMENTS:

Section 17.44.020 - Parking  
Section 17.48.290 - Landscaping

# EXHIBIT C

Case No. CUP 08-94  
7/5/94

## I. PROJECT EVALUATION

### A. PROJECT REVIEW

#### 1. Project Description

The applicant is proposing to construct a 390 square foot deck addition to the north side of the existing Pizza Port restaurant, for use as outdoor seating area. The restaurant is constructed over an existing property line, combining two 66' x 132' lots for a total site area of 17,424 square feet. Shared use of the site consists of a single family residence, the pizza parlor, a small barber shop and a 14 space parking lot at the rear of the site accessed from Morro Bay Blvd.

#### 2. Land Use Issues

The existing pizza parlor use and proposed outdoor seating area is consistent with the policies of the City's General Plan and Local Coastal Plan. The site is large enough to accommodate the proposed outdoor seating area. With the addition of required landscaping, the deck addition will enhance the currently vacant corner of the property at Morro Bay Blvd. and Main Street. Staff is recommending shrubs along the base of the deck structure to enhance the visual quality of the project. Encouraging use of outdoor spaces within the commercial district is of benefit to the surrounding commercial uses in that it adds vitality to the area. Visible active uses within a downtown area helps to stimulate use of adjacent properties and counteracts the perception of dead spaces between businesses.

#### 3. Ordinance Compliance

a. **PARKING:** The existing restaurant and barber shop uses require 14 parking spaces. The proposed addition requires 2 additional spaces. The applicant's site plan shows 16 existing improved spaces. Staff's on-site inspection revealed that only 14 improved spaces exist, with one or two spaces located behind the pizza parlor being used for outdoor storage. Staff has visited the site several times to review the project and has observed that the parking lot is rarely full or even half full. Because the property is a corner lot, with at least 50% of the site undeveloped or underdeveloped, the on-street parking surrounding the site more than makes up for any lack of improved off-street spaces. Staff would support the granting of an Administrative Variance to waive the additional two spaces required. Recommended conditions of approval require that either an Administrative Variance be obtained, or that two paved spaces be added to the existing parking lot.

b. **LANDSCAPING:** Section 17.48.290 requires landscaping for commercial projects. The existing landscaping is minimal at this time and not well maintained. The applicant attempted to landscape the corner of the site with a lawn and some perimeter flowers. Lawns are water intensive to maintain and because there is no irrigation system,

# EXHIBIT C

Case No. CUP 08-94

7/5/94

most of what was planted is now dead or dying. Staff recommends that a landscape strip be planted around the new deck on the north and east side. Drought tolerant, flowering shrubs that can achieve a 3-5 foot height at maturity should be selected.

#### 4. Water Equivalencies

The applicant completed an on-site retrofit of the existing pizza parlor on April 27, 1994. The existing building area is 1479 square feet and has a credit of 5.94 WEU's (4.017 WEU's/1000 sf). At 2.06 WEU's/1000 sf required for restaurant uses the existing need is 3.05 WEU's. The outdoor seating requirement is calculated at one-half of the indoor requirement for an additional need of 0.40WEU's (390 sf x 2.06WEU's/1000 sf x 0.5). The total WEU's needed will be 3.45 with the new deck addition. The remaining credit for future use on the site will be 2.49 WEU's (existing 5.94 WEU credit - 3.45 WEU's needed). The WEU equivalencies are summarized as follows:

Existing WEUs Required		3.05
Additional WEUs Required		<u>0.40</u>
TOTAL WEUS REQUIRED	=	3.45

Existing Credit (with retrofit)		<u>-5.94</u>
TOTAL WEU CREDIT REMAINING	=	-2.49

#### B. RECOMMENDATION AND FINDINGS

Based on the attached Findings, Conditions of Approval, and Site Plans, staff recommends approval of this application.

#### C. ATTACHMENTS:

1. Findings
2. Conditions of Approval
3. Exhibits
  - a. Vicinity map
  - b. Site Plan
  - c. Elevation

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# EXHIBIT C

Case No. CUP 08-94  
7/5/94

FINDINGS  
CASE NO. CUP 08-94  
787 Main Street  
Deck for Outdoor Seating

1. The project will not be detrimental to the health, safety, comfort and general welfare of the persons residing or working in the neighborhood;
2. The project will not be injurious or detrimental to property and improvements in the neighborhood;
3. The project will not be injurious or detrimental to the general welfare of the City; and
4. The project is in conformance with the General Plan and the certified Local Coastal Program Land Use Plan (LCP) and Zoning Ordinance.

# EXHIBIT C

CONDITIONS OF APPROVAL  
Case No. CUP 08-94  
787 Main Street  
Deck for Outdoor Seating

A. STANDARD CONDITIONS

1. Permit: This permit is granted for the land described in the application and any attachments thereto, and as shown on Exhibit(s), and on file with the Community Development Department. The locations of all buildings and other features shall be located and designed substantially as shown on the aforementioned exhibit(s), unless otherwise specified herein.
2. Inaugurate Within One Year: Unless the construction or operation of the structure, facility, or use is commenced not later than one (1) year after the effective date of this approval 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, an extension for not more than one (1) additional year may be granted by the Community Development Director, upon finding that the project complies with all applicable provisions of the Morro Bay Municipal Code in effect at the time of the extension request.
3. Changes: Any minor change may be approved by the Community Development Director. Any substantial change will require the filing of an application for an amendment to be considered by the Planning Commission.
4. Compliance with Law: All requirements of any law, ordinance or regulation of the State of California, City of Morro Bay, and any other governmental entity shall be complied with in the exercise of this approval.
5. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicants failure to comply with conditions of approval. This condition and agreement shall be binding on all successors and assigns.
6. Compliance with Conditions: Compliance with and execution of all conditions listed hereon shall be necessary, unless otherwise specified, prior to obtaining final building inspection clearance. Deviation from this requirement shall

# EXHIBIT C

Conditions of Approval  
Case No. CUP 08-94

be permitted only by written consent of the Community Development Director and/or as authorized by the Planning Commission. Failure to comply with these conditions shall render this entitlement null and void. Continuation of the use without a valid entitlement will constitute a violation of the Morro Bay Municipal Code and is a misdemeanor.

7. Acceptance of Conditions: Prior to obtaining a building permit and within thirty (30) days hereof, the applicant shall file with the Director of Planning and Community Development written acceptance of the conditions stated herein.

## B. BUILDING & SITE CONDITIONS

1. Building Permit: Prior to issuance of a building permit for the deck addition, the applicant shall submit plans for review and approval by the Chief Building Official showing compliance with Uniform Building Code standards, including State Building Code Title 24 (ramps).
2. Colors and Materials: Prior to issuance of a zone clearance, the Director of Community Development shall ensure compliance of all exterior colors and materials with approved elevations (wood decking with lattice screening of supports).
3. Parking: To meet the parking requirement for the additional seating area, prior to issuance of a building permit for the deck the applicant shall accomplish one of the following options:
  - a. Submit an application for and obtain approval of an Administrative Variance, or
  - b. Install two additional paved parking spaces within the on-site parking lot.
4. Screening of Trash and Storage: All trash and storage enclosures shall be functionally located aesthetic extensions of the main structure with a minimum wall height of five (5) feet. Reasonable effort shall be made to locate enclosures in a manner which will not interfere with the reasonable use of adjoining properties or endanger the health or safety of persons in the subject property. Storage currently existing within designated parking spaces shall be contained within an enclosed area.
5. Exterior Lighting: Exterior lighting systems shall be low level with a height of fixture not to exceed a maximum of 20 feet and shall achieve the following objectives; avoid interference with reasonable use of adjoining properties; minimize on-site and off-site glare; provide adequate on-

## EXHIBIT C

Conditions of Approval  
Case No. CUP 08-94

site lighting; limit electroliers' height to avoid excessive illumination; provide structures which are compatible with the total design of the proposed facility.

### 6. Water Equivalencies:

- a. Prior to issuance of a Building Permit, the Community Development Director shall verify that the necessary water equivalencies have been met for the size of the project and the nature of proposed occupancy.
- b. If a water equivalency has been allocated to the project by the City of Morro Bay, the applicant shall abide by MBMC Section 13.20 pertaining to Water Equivalencies. Following the issuance of a building permit and just prior to Final Occupancy, applicant shall submit a Title Report to the Building Official, for verification of ownership.

### C. LANDSCAPING CONDITIONS

1. Landscape and Irrigation Plan: Prior to the issuance of a Building Permit, a landscaping plan shall be submitted to be reviewed and approved by the Director showing a landscape strip along the north and east side of the new deck. The landscape plan shall include:
  - a. drought resistant, flowering plant species shall be used that will achieve a 3-5 foot height at maturity, such as cistus scanbergii (rock rose) or other similar species.
  - b. details of the number, size, location and type of species for all plant materials.
  - c. the proposed method and location of irrigation.
2. Timing of Landscaping: All required plantings shall be in place prior to final inspection.
3. Maintenance of Landscaping: All required plant materials shall be maintained in a clean and neat condition. All landscaping shall be cared for, maintained, watered, fertilized, fumigated, pruned and kept in a healthy growing condition. Where a required planting has not survived, it shall be promptly replaced with new plant materials having similar functional characteristics and a size either equivalent to or exceeding the original size.

# EXHIBIT C

Conditions of Approval  
Case No. CUP 08-94

## D. PUBLIC WORKS CONDITIONS

1. Curb, Gutter & Sidewalks: If required by MBMC Section 14.44, the applicant shall construct curb, gutter and sidewalk, for the entire street frontage abutting the project site, OR shall make repairs and modifications thereto, as required by Municipal Code and directed by the City Engineer. All improvements shall be constructed to City standards and at the applicant's cost.

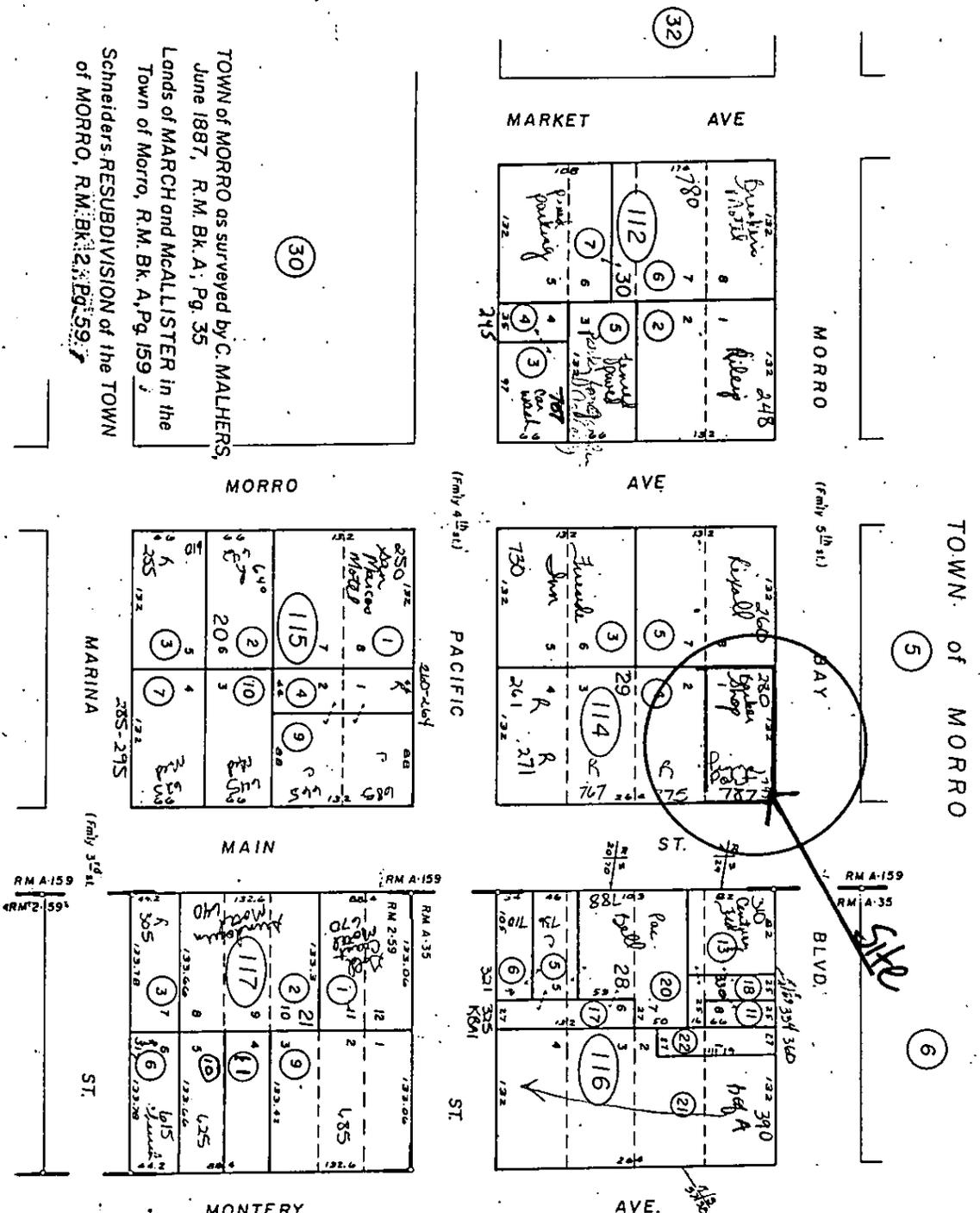
## E. FIRE DEPARTMENT

1. Fire Suppression: All provisions for fire suppression shall be in accordance with the Uniform Fire Code of the City of Morro Bay.

# EXHIBIT C

REV 7-15-77  
2-21-90

TOWN OF MORRO as surveyed by C. MALHERS,  
June 1887, R.M. BK. A, Pg. 35  
Lands of MARCH and McALLISTER in the  
Town of Morro, R.M. BK. A, Pg. 159,  
Schneiders RESUBDIVISION of the TOWN  
of MORRO, R.M. BK. 2, Pg. 59.



CASE NO. CUP 0894  
EXHIBIT 2

350 M.A. 6-6-61

66-111

CITY OF MORRO BAY  
Assessor's Map, BK. 66  
County of San Luis Obispo, CA

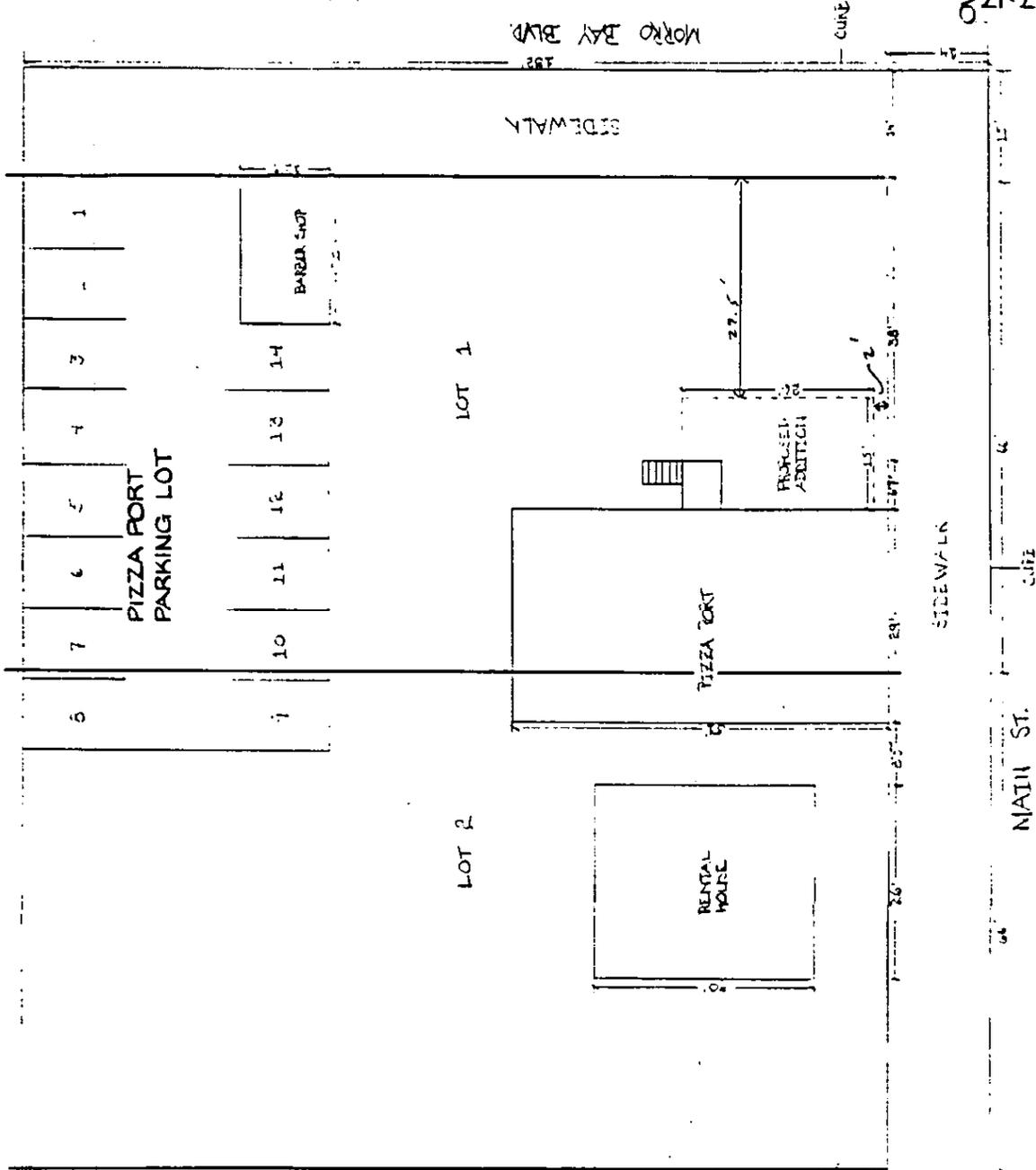
# EXHIBIT C

PIZZA PORT TOTAL SEATING CAPACITY: 614  
 TOTAL OF 100 SEATING SEATING

OWNER (REST.):  
 MIKE PERRY  
 787 MAIN ST.  
 MORRO BAY  
 805/772-9540

SITE PLAN

DATE	APPROVED BY	APPROVED BY
LOTS 1 & 2	ILUCKY EN	TRUST - LYME
A.P.N.	06-114-04	1/4



**RECEIVED**  
 APR 13 1994  
 COMMUNITY DEVELOPMENT  
 DEPARTMENT

CASE NO. CUP 0894

EXHIBIT b

EXHIBIT C

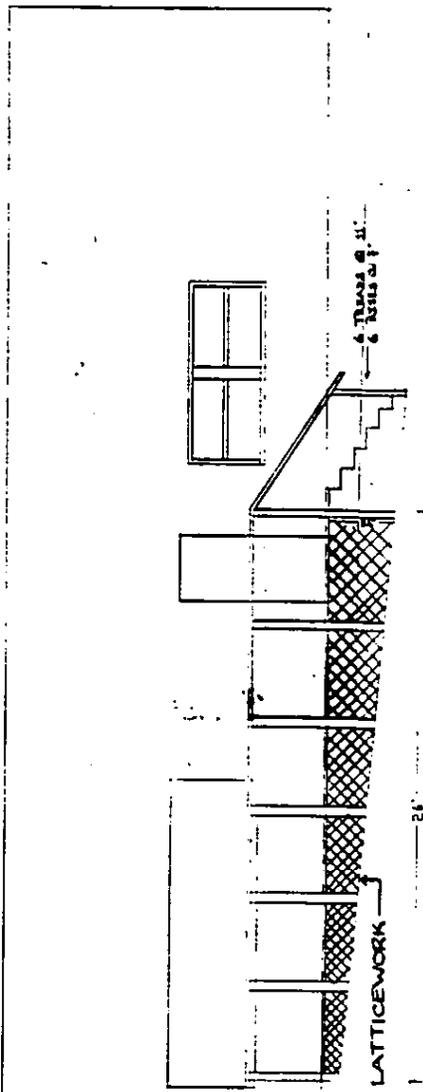
CASE NO. CUP 08-94

EXHIBIT C

OWNER (REST.):  
MIKE PERRY  
787 MAIN ST.  
MORRO BAY  
8051772-9540

DECK PLAN

DATE	APPROVED BY	SCALE
LOTS 1 & 2, BLOCK 29, TR. CMB		
A.P.N. 06-114-04		
3/4"		



LATTICEWORK

NORTH ELEVATION 3/4" = 1'

WOOD DECKING



DECK PLAN 3/4" = 1'

APR 13 1994

COMMUNITY DEVELOPMENT DEPARTMENT



AGENDA NO: B-2

MEETING DATE: February 19, 2019

## Staff Report

**TO:** Planning Commissioners      **DATE:** February 11, 2019

**FROM:** Willow Urquidi, Assistant Planner

**SUBJECT:** 435 Napa; Coastal Development Permit (CDP18-005), Conditional Use Permit (CUP18-05), and Parking Exception (PKG18-04) Request for Coastal Development Permit, Conditional Use Permit, and Parking Exception approval request for construction of a 460sf accessory dwelling unit and a 740sf addition to an existing non-conforming 1,318 sf single-family home. The property is zoned for duplex residential (R-2) and located outside the Coastal Commission appeal jurisdiction.

### **RECOMMENDATION:**

*CONDITIONALLY APPROVE THE PROJECT* by approving Planning Commission **Resolution 03-19** (Exhibit A) which includes the Findings and Conditions of Approval for the project depicted on site development plans dated February 1, 2018 and redlined by the agent on February 7, 2019.

### **APPLICANT:**

Elizabeth and Richard Fletcher

### **AGENT:**

Greg A. Barker

### **ADDRESS/APN:**

435 Napa Avenue; 066-182-014

### **PROJECT DESCRIPTION:**

The Applicant is requesting approval to add 460 sq. ft. of habitable area to the primary residence and construct an attached 740 sq. ft. accessory dwelling unit on a parcel with an existing 1,318 sq. ft. non-conforming single-family residence with a slightly substandard interior garage width.



**PROJECT SETTING:**

The project is located within the Central Morro Bay Neighborhood, designated as Planning Area 7 in the Local Coastal Plan, it lies within the R-2 Duplex Residential Zoning District and outside of the Coastal Commission Appeal Jurisdiction. This 6,336 sq. ft. lot is located to the north of Olive Street, south of South Street, east of Monterey Avenue, and to the west of Shasta Avenue. The project cannot be seen from scenic Highway 1.



<b>Adjacent Zoning/Land Use</b>			
<b>North:</b>	R-2 Duplex Residential	<b>South:</b>	R-2 Duplex Residential
<b>East:</b>	R-2 Duplex Residential	<b>West:</b>	R-2 Duplex Residential

<b>Site Characteristics</b>	
<b>Site Area</b>	6,336 square feet
<b>Existing Use</b>	Duplex Residential
<b>Terrain</b>	Gently Sloped
<b>Vegetation/Wildlife</b>	Ornamental Landscaping
<b>Archaeological Resources</b>	N/A
<b>Access</b>	Napa Avenue

General Plan, Zoning Ordinance, & Local Coastal Plan Designations	
General Plan/Coastal Plan Land Use Designation	Duplex Residential
Base Zone District	R-2
Zoning Overlay District	n/a
Special Treatment Area	n/a
Combining District	n/a
Specific Plan Area	n/a
Coastal Zone	Located outside of the Coastal Commission Appeal Jurisdiction

Zoning Ordinance Standards		
	Standards	Proposed
Front Setback	20 feet	<b>19' 6 3/4" (existing)</b>
Side-Yard Setback	4'8"	North = 4' 9 1/2" (existing) <b>South = 4' 7 7/8" (existing)</b>
Rear Setback	10 feet	11' 8 3/4"
Height	25 feet	18.61"
Lot Coverage	Max. 50%	42.3%
Parking	2 Car Garage	<b>19' 4" x 25' 6" Garage (existing)</b>

**PROJECT DISCUSSION:**

County Assessor records indicate the existing single-family residence was constructed in 1957 with no changes to the structure since. The Applicant proposes to add 740 sq. ft. of habitable area and construct an attached 460 sq. ft. accessory dwelling unit to the 1,318 sq. ft. single-family residence with a nonconforming front yard setback, side-yard setback, and nonconforming parking situation.

**Setbacks**

The proposed 760 sq. ft. addition and 460 sq. ft. accessory dwelling unit will be located at the rear, northwest corner of the parcel. The attached addition will consist of two stories, the top level being the addition connected to the primary

structure and the lower level becoming the accessory dwelling unit. The total addition will be located a little over 11' from the rear property line and roughly 4' 9" from the northern side property line. On the easterly side-yard, the existing single-family residence is 4' 7 7/8" feet from the side-yard property line where 4' 8" is required. In the front yard, the existing residence sits 19' 6 3/4" from the property line where 20' is the minimum requirement. Though the front yard setback and southern side-yard setbacks are existing nonconforming with regards to the requirements for projects located within the R-1 zoning district as set forth in Section 17.24.050 of the Morro Bay Municipal Code (MBMC), no new construction is proposed in these required setback areas.

## **Parking**

Because of the changes to California State Law as it relates to Accessory Dwelling Units, a parking space is no longer required for accessory dwelling units that are located within 1/2 mile of a transit stop. The proposed project is located .2 miles from the nearest transit stop to the west.

The existing residence does not conform to the current parking requirement of two 10' by 20' covered and enclosed parking spaces for single-family dwellings (MBMC 17.44.020 C.1.c.). The parking exception is to allow the parking requirement to be met with the existing conditions of the existing 19' 4" by 25' 6" garage. The Applicant is not proposing any construction or changes to the existing garage or driveway.

1. The exception will not constitute a grant of special privilege inconsistent with the driveway or parking limitations upon other properties in the vicinity and the reduced parking or alternative to the parking design standards of this chapter will be adequate to accommodate on site all parking needs to be generated by the use.

*Single-family residences are required to provide two covered and enclosed parking spaces. The 19'4" garage allows for two cars to effectively park inside.*

2. The exception will not adversely affect the health, safety, or general welfare of person working or residing in the vicinity and that no traffic safety problems will result from the proposed modification of parking standards.

*The exception will not result in traffic safety problems at this location because there is adequate space to accommodate two parked cars entirely within the garage.*

3. The exception is reasonably necessary for the Applicant's full enjoyment of uses similar to those upon the adjoining real property.

*The Applicant's parking proposal is reasonable given similar parking arrangements in the project vicinity and given configuration of the existing buildings on site.*

### **Residential Design Guidelines**

1. Relationship to Homes in Immediate Neighborhood

*The visual elements and overall design of the home will remain the same.*

2. Scale and Mass

*The proposed additions to the home are in the back 50% of the lot, and the second story is minimally visible from the street elevation.*

3. Surface Articulation

*The front façade of the building is to remain the same from the street elevation.*

4. Building Orientation

*The front entryway is visible from the street and no changes are proposed.*

5. Garage and Driveway Design

*No changes to the garage, driveway, or front façade are proposed.*

6. Building Materials

*The accessory dwelling unit and primary residence addition are consistent with the colors and building materials of the existing single-family home.*

7. Architectural Elements

*The doors, windows, and other architectural features will be consistent with the design of the existing single-family home.*

### **Permit Requirements**

Title 17 of the MBMC establishes land use and zoning permit requirements. The project at 435 Napa proposes construction of an accessory dwelling unit and an addition in excess of 25% of the floor area of the existing structure. This project requires Planning Commission approval of a coastal development permit (MBMC Section 17.58.020) and a conditional use permit (MBMC Section 17.56.160).

## **Coastal Development and Conditional Use Permit**

The Zoning Ordinance, subsection 17.58.020G requires approval of a coastal development permit for the construction of an accessory dwelling unit and subsection 17.56.160B requires approval of a conditional use permit for any addition in excess of 25% of the existing floor area of a nonconforming structure. The project proposes to construct a 460 square-foot attached accessory dwelling unit and to add 740 square-feet of habitable floor area to the existing single-story primary residence. As noted above, the existing residence is nonconforming with regards to the front and southern side yard setbacks and the parking situation. The proposed addition, however, is compliant with all pertinent development standards. Permit approval requires the following findings to be made:

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

*The proposed addition and accessory dwelling unit are consistent with Zoning Ordinance requirements as detailed above.*

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

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

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

*The project proposes an addition of habitable square footage to an existing single-family residence and construction of an accessory dwelling unit associated with that dwelling, which are allowed in the R-2 Residential Zoning District.*

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

*Major reconstruction would be necessary to meet the required setbacks and remedy the current parking situation.*

### **PUBLIC NOTICE:**

Notice of this item was posted at the site and published in the San Luis Obispo Tribune newspaper on February 8th, 2019, and all property owners and occupants

of record within 500 feet of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application.

**ENVIRONMENTAL DETERMINATION:**

Environmental review was performed for this project and staff determined it meets the requirements for a Categorical Exemption under CEQA Guidelines Section 15301 Class 1 and Section 15303 Class 3. The first exemption applies to additions to existing structures, and the second exemption applies to the construction of an accessory dwelling unit 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 (CDP18-005) and Conditional Use Permit (CUP18-05) for the proposed project at 435 Napa Avenue, as shown on plans dated February 1st, 2019 by adopting Planning Commission **Resolution 03-19** which includes the Findings and Conditions of Approval for the project.

**EXHIBITS:**

Exhibit A – Planning Commission Resolution 03-19

Exhibit B – Plan Reductions

Exhibit C – Photo-simulation

RESOLUTION NO. PC 03-19

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION  
APPROVING COASTAL DEVELOPMENT PERMIT CDP18-005, CONDITIONAL  
USE PERMIT CUP18-05, AND PARKING EXCEPTION PKG18-04 ALLOWING  
CONSTRUCTION OF AN ATTACHED ACCESSORY DWELLING UNIT AND  
ADDITION TO A NON-CONFORMING SINGLE-FAMILY RESIDENCE  
AT 435 NAPA 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 February 19, 2019, for the purpose of considering Coastal Development Permit CDP18-005, Conditional Use Permit CUP18-05, and Parking Exception PKG18-04 for construction of a 460 sq. ft. accessory dwelling unit and a 740 sq. ft. addition to an existing non-conforming 1,318 sf single-family home at 435 Napa Avenue; and

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

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

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

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

California Environmental Quality Act (CEQA) Finding

1. Pursuant to the California Environmental Quality Act, the project is categorically exempt under Section 15301, Class 1 for additions to existing structures and Section 15303(a), Class 3 for the construction of a second dwelling unit in a residential zone. Additionally, none of the Categorical Exemption exceptions, noted under section 15300.2, apply to the project.

Conditional Use Permit and Coastal Development Permit Findings

1. The project is consistent with the General Plan and Local Coastal Plan which establish five residential land use categories to provide for a wide range of densities and to ensure that residential land is developed to a density suitable to its location and physical characteristics.

2. The proposed additions and accessory dwelling unit are in conformance with all applicable provisions of the Morro Bay City Zoning Ordinance (the "Zoning Ordinance"), including building height, setbacks, and lot coverage.
3. The project meets applicable Title 14 (Building and Construction Code) requirements for a conforming use since the applicant is required to submit a complete building permit application and obtain the required building permit prior to construction.
4. The project is suitable for conforming uses and will not impair the character of the zone in which it exists because it proposes an accessory dwelling unit, which is an allowed use in the R-2 zone.
5. It is not feasible to make the structure conforming without major reconstruction/demolition to meet the required setbacks or widen the garage.

### **Parking Exception Findings**

1. The exception will not constitute a grant of special privilege inconsistent with the driveway or parking limitations upon other properties in the vicinity and the reduced parking or alternative to the parking design standards of this chapter will be adequate to accommodate on site all parking needs to be generated by the use.
2. The exception will not adversely affect the health, safety, or general welfare of person working or residing in the vicinity and that no traffic safety problems will result from the proposed modification of parking standards.
3. The exception is reasonably necessary for the Applicant's full enjoyment of uses similar to those upon the adjoining real property.

**Section 2. Action.** The Planning Commission does hereby approve Coastal Development Permit CDP18-005, Conditional Use Permit CUP18-05, and Parking Exception PKG18-04 for the property located at 435 Napa Avenue subject to the following conditions:

### **STANDARD CONDITIONS**

1. This permit is granted for the land described in the staff report dated February 11, 2019, for the project at 435 Napa Avenue depicted on plans dated February 1, 2019 and redlined February 7, 2019 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 is commenced not later than two (2) years after the effective date of this Resolution and is

diligently pursued, thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Any extension may be granted by the City's Community Development Director (the "Director"), upon finding the project complies with all applicable provisions of the Morro Bay Municipal Code (the "MBMC"), General Plan and certified Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.

3. Changes: Minor changes to the project description and/or conditions of approval shall be subject to review and approval by the Community Development Director. Any changes to this approved permit determined, by the Director, not to be minor shall require the filing of an application for a permit amendment subject to Planning Commission review.
4. Compliance with the Law: (a) All requirements of any law, ordinance or regulation of the State of California, the City, and any other governmental entity shall be complied with in the exercise of this approval, (b) This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan for the City.
5. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicant's failure to comply with conditions of approval. Applicant understands and acknowledges the City is under no obligation to defend any legal actions challenging the City's actions with respect to the project. This condition and agreement shall be binding on all successors and assigns.
6. Compliance with Conditions: The applicant's establishment of the use or development of the subject property constitutes acknowledgement and acceptance of all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Director or as authorized by the Planning Commission. Failure to comply with any of these conditions shall render this entitlement, at the discretion of the Director, null and void.
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 three days or less while the emergency continues and which permit may be renewed for a period of three days or less while the emergency continues.
3. Dust Control: That prior to issuance of a grading permit, a method of control to prevent dust and wind blow earth problems shall be submitted for review and approval by the Building Official.
4. Conditions of Approval: Prior to the issuance of a Building Permit, the final Conditions of Approval shall be attached to the set of approved plans. The sheet containing Conditions of Approval shall be the same size as other plan sheets and shall be the last sheet in the set of Building Plans.
5. Color and Materials: The exterior building treatment of the addition shall be consistent with the existing structure in terms of colors, materials, and architectural style.
6. Boundaries and Setbacks: The property owner is responsible for verification of lot boundaries. At the time of foundation inspection, the property owner shall verify lot boundaries and building setbacks to the satisfaction of the City Planning Director and City Building Official.

## **BUILDING CONDITIONS**

### **A. PRIOR TO ISSUANCE OF A BUILDING PERMIT:**

#### **BUILDING DIVISION:**

1. Building permit plans shall be submitted by a California licensed architect or engineer when required by the Business & Professions Code, except when otherwise approved by the Chief Building Official.
2. The owner shall designate on the building permit application a registered design professional who shall act as the Registered Design Professional in Responsible Charge. The Registered Design Professional in Responsible Charge shall be responsible for reviewing and coordinating submittal documents prepared by others including phased and staggered submittal items, for compatibility with design of the building.
3. The owner shall comply with the City's Structural Observation Program. The owner shall employ the engineer or architect responsible for the structural design, or another engineer or architect designated by the engineer of record or architect responsible for the structural design, to perform structural observation as defined in Section 220. Observed deficiencies shall be reported in writing to the owner's representative, special inspector, contractor and the building official. The structural observer shall submit to the building official a written statement that the site visits have been made and identify any reported deficiencies that, to the best of the structural observer's knowledge, have not been resolved.
4. The owner shall comply with the City's Special Inspection Program. Special inspections will be required by Section 1704 of the California Building Code. All Special Inspectors shall first be approved by the Building Official to work in the jurisdiction. All field reports shall be provided to the City Building Inspector when requested at specified increments in order for the construction to proceed. All final reports from Special Inspectors shall be provided to the Building Official when they are complete and prior to final inspection.
5. Mitigation measures for natural occurring asbestos require approval from San Luis Obispo County Air Pollution Control District.
6. A soils investigation performed by a qualified professional shall be required for this project. All cut and fill slopes shall be provided with subsurface drainage as necessary for stability; details shall be provided. Alternatively, submit a completed City of Morro Bay soils report waiver request.
7. **BUILDING PERMIT APPLICATION.** To apply for building permits, submit three (3) sets of construction plans to the Building Division.
8. The Title sheet of the plans shall include:
  - a. Street address, lot, block, track and Assessor Parcel Number.
  - b. Description of use.

- c. Type of construction.
- d. Maximum Height of the building allowed and proposed.
- e. Floor area of the building(s).
- f. Vicinity map.
- g. Minimum building set back per zoning designation or conditional use approval.

All construction will conform to the 2016 California Building Code (CBC), 2016 California Residential Code (CRC), 2016 California Fire Code (IFC), 2016 California Mechanical Code (CMC), 2016 California Plumbing Code (CPC), 2016 California Electrical Code (CEC), 2016 California Energy Code, 2016 California Green Code (CGBC), and Accessibility Standards where applicable and all City codes as they apply to this project.

(Code adoption dates are subject to change. The code adoption year is established by application date of plans submitted to the Building Division for plan review.)

**B. CONDITIONS TO BE MET DURING CONSTRUCTION:**

**BUILDING DIVISION:**

1. **SITE MAINTENANCE.** During construction, the site shall be maintained so as to not infringe on neighboring property, such as debris and dust.
2. **ARCHAEOLOGICAL MATERIALS.** In the event unforeseen archaeological resources are unearthed during any construction activities, all grading and or excavation shall cease in the immediate area and the find left untouched. The Building Official shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, Native American, or paleontologist, whichever is appropriate. The qualified professional shall evaluate the find and make reservations related to the preservation or disposition of artifacts in accordance with applicable laws and ordinances. If discovered archaeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the Building Official shall notify to county coroner. If human remains are found to be of ancient age and of archaeological and spiritual significance, the Building Official shall notify the Native American Heritage Commission. The developer shall be liable for costs associated with the professional investigation.

3. A licensed surveyor or engineer shall verify pad elevations, setbacks, prior to foundation inspection, and/or building height prior to framing inspection when determined necessary by the Planning Division.

**C. CONDITIONS TO BE MET PRIOR TO FINAL INSPECTION AND ISSUANCE OF CERTIFICATE OF OCCUPANCY:**

**BUILDING DIVISION:**

1. Prior to building division final approval all required inspections from the other various divisions must have been completed and verified by a city inspector. All required final inspection approvals must be obtained from the various departments and documented on the permit card.
2. Title 24 form(s) 2F-6R (Certificate of installation) for building, mechanical, electrical and plumbing systems.

**FIRE CONDITIONS**

1. Fire Safety during Construction and Demolition shall be in accordance with 2016 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.
2. Automatic fire sprinklers. An automatic fire sprinkler system, in accordance with NFPA 13-D, California Fire Code (Section 903) and Morro Bay Municipal Code (Section 14.08.090). Applicant shall submit sprinkler plans to Morro Bay Community Development Department for review.
3. 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 listed as complying with UL 2034 and be installed and maintained in accordance with NFPA 720 and the manufacturer's instructions. (CRC R315.2)
4. Address identification. All new and existing single family residence and ADU's shall have their own approved address numbers or building numbers placed in a position to be plainly legible from the street or road

fronting the property (CFC 505). Provide approved address numbers 4 inches high with ½ inch stroke in contrasting numbers.

## **PUBLIC WORKS CONDITIONS**

1. **Stormwater Management:** The City has adopted Low Impact Development (LID) and Post Construction requirements to protect water quality and control runoff flow from new and redevelopment projects. The requirements can be found in the Stormwater management guidance manual on the City's website [www.morro-bay.ca.us/EZmanual](http://www.morro-bay.ca.us/EZmanual) Projects with more than 2,500sf of new or redeveloped impervious area are subject to these requirements. All proposed projects must complete the "SFR Performance Requirement Determination Form" to prove compliance. (See attached form).
2. **Frontage Improvements:** Per MBMC 14.44.030, frontage improvements are required whenever the value of the proposed on-site improvements is greater than fifty percent of the value of the existing structure as determined by the City Engineer.
3. **Sewer Lateral:** Indicate and label new or existing sewer lateral and connection. If an existing lateral is used, perform a video inspection of the lateral and submit to Public Works via flash drive or DVD, prior to building permit plan approval. Lateral shall be repaired as necessary and all repairs shall be noted on approved set of plans.
4. **Sewer Backwater Valve:** Indicate and label sewer backwater valve on plan. 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).
5. **Erosion and Sediment Control Plan:** For small projects less than one acre and less than 15% slope, provide a standard erosion and sediment control plan. Show on plans the 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.
6. **Water Meter:** Indicate and label new or existing water meter on plans.
7. **Grading and Drainage:** Indicate on plans the existing and updated contours, drainage patterns, spot elevations, finish floor elevation and all existing and proposed drainage pipes and structures.

8. Utilities: Show all existing and proposed locations of the sewer lateral, water service, and water and sewer mains on the building plans. Include sizes where appropriate. Note the location of all overhead utilities and construction underground service entrances per the CBC.
9. Encroachment Permits: A standard encroachment permit shall be required for the proposed driveway; the driveway shall comply with B-9 (Driveway Ramps: Size & Location). A sewer encroachment permit shall be required for any repairs or installation of a sewer lateral within the City right-of-way or within a utility easement. If a construction dumpster is used, the dumpster location shall be on private property, unless allowed by an encroachment permit within the City right-of-way.

Add the following Notes to the Plans:

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

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 19th day of February 2019 on the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

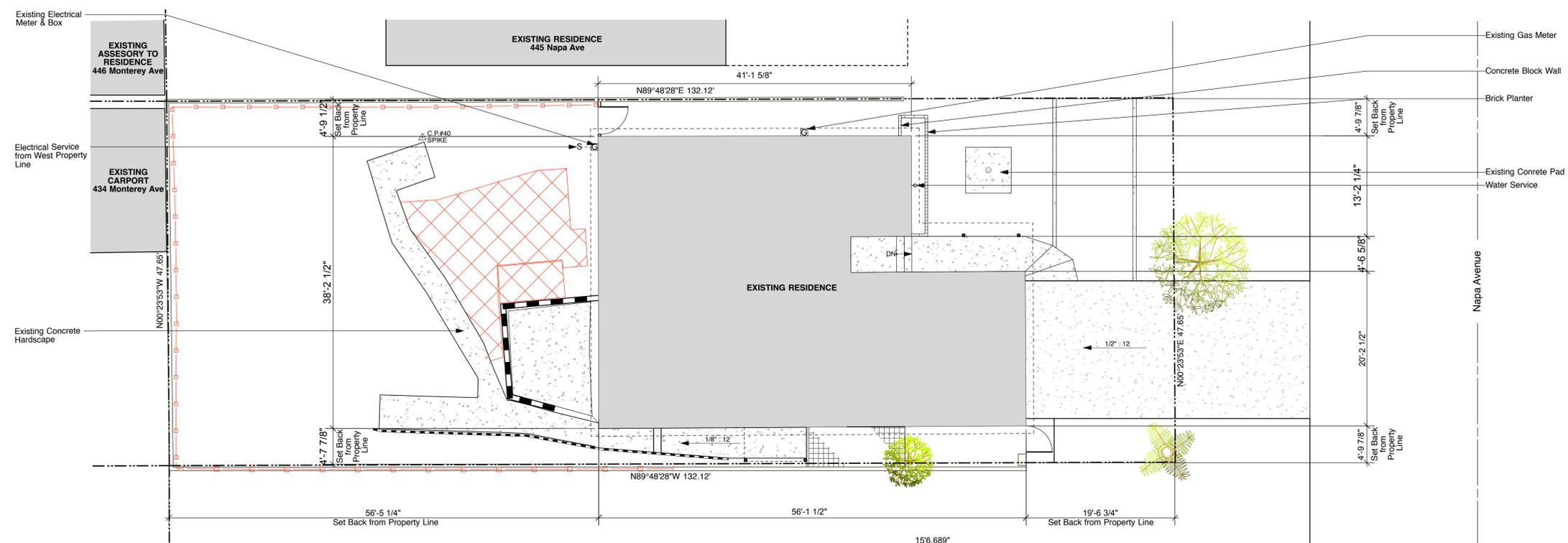
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Chairperson Gerald Luhr

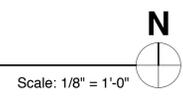


# Exhibit B

Note	Legend	Sheet Index																										
1. All dimensions are approximately matched based on the surveyer's measurements. 2. (E) = Existing.	<table border="0"> <tr> <td></td> <td>Existing Retaining Wall</td> </tr> <tr> <td></td> <td>Property Line</td> </tr> <tr> <td></td> <td>Fence</td> </tr> <tr> <td></td> <td>Hardscape Blocks</td> </tr> <tr> <td></td> <td>Concrete</td> </tr> </table>		Existing Retaining Wall		Property Line		Fence		Hardscape Blocks		Concrete	<table border="0"> <tr> <td>A-1</td> <td>Sheet Index Project Data Vicinity Map Existing Site Plan</td> </tr> <tr> <td>A-2</td> <td>Project Site Plan</td> </tr> <tr> <td>A-3</td> <td>Existing Floor Plan</td> </tr> <tr> <td>A-4</td> <td>Project Floor Plans</td> </tr> <tr> <td>A-5</td> <td>Elevations</td> </tr> <tr> <td>A-6</td> <td>Window &amp; Door Schedules</td> </tr> <tr> <td>1 of 1</td> <td>Survey</td> </tr> <tr> <td>L-1</td> <td>Landscape Plan</td> </tr> </table>	A-1	Sheet Index Project Data Vicinity Map Existing Site Plan	A-2	Project Site Plan	A-3	Existing Floor Plan	A-4	Project Floor Plans	A-5	Elevations	A-6	Window & Door Schedules	1 of 1	Survey	L-1	Landscape Plan
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A-5	Elevations																											
A-6	Window & Door Schedules																											
1 of 1	Survey																											
L-1	Landscape Plan																											



**EXISTING SITE PLAN**



Project Data	
Project Address:	435 Napa Avenue Morro Bay, CA
Existing Use:	Residence
Proposed Use:	Residence
APN:	066-182-014
Legal Description:	The land referred to herein below is situated in the City of Morro Bay, County of San Luis Obispo, State of California and is described as follows:  Lots 16 in Block C of Cerrito addition, in the Town of Morro, in the City of Morro Bay, County of San Luis Obispo, State of California, according to map filed for record March 14, 1868 in Book A, Page 34 of Maps in the Office of the County Recorder of said county.
Project Description:	Addition to and remodel of residence with the addition of a secondary unit.
Applicant (Property Owner):	Richard and Elizabeth Fletcher
Applicant Address:	12357 Creekside Drive, Unit 79 San Diego, CA 92128-6633 (858) 254-3249
Day Phone:	
Zoning District:	R-2
Occupancy Use Group:	R-3
Site Area:	6,336 square feet
Setbacks:	Existing    Proposed    Min. Req'd.
Front:	19'-6 3/4"    19'-6 3/4"    20'-0"
Side:	4'-9 7/8"    4'-9 5/8"    4'-9 3/16" (4.77')
Back:	56'-5 1/4"    11'-8 3/4"    5'-0"
Building Area:	
Existing Residence:	1,319 sq. ft.
Existing Garage:	533 sq. ft.
Additional Extended Residence (Main Floor):	740 sq. ft.
Additional Residence (SDU):	460 sq. ft.
Total:	3,051 sq. ft.
Master Bedroom Deck:	91 sq. ft.
Building Foot Print:	2,682 sq. ft.
Proposed Lot Coverage:	2,682 sq. ft. / 6,336 sq. ft. x 100% = 42.3%
Height Above Average Grade:	Existing    Proposed
High Natural Grade @ Building:	99.10'    99.10'
Low Natural Grade @ Building:	+ 94.40'    95.26'
Average Natural Grade:	96.75'
Allowable Maximum Height:	+ 25.00'    121.75'
Building Height (Above Ave. Natural Grade):	115.36'
Impermeable Surface Footprint:	Existing    Proposed
Roof Tops:	2,171 sq. ft.    2,950 sq. ft.
Driveway:	334 sq. ft.    N/A
Patio:	24 sq. ft.    24 sq. ft.
Landings and Walks:	446 sq. ft.    132 sq. ft.
Average Slope of Site:	
SE Corner Elevation:	101.71 ft.
NW Corner Elevation:	94.01 ft.
Difference:	7.70 ft.
Distance SE to NW Corners:	140.61 ft.
Average Slope:	7.70 ft. / 140.61 ft. = 0.0548 ~ 5.48%

**Greg Allen Barker, AIA**  
 120 Cerro Romauldo Avenue  
 San Luis Obispo, CA 93405  
 (805) 704-8613  
 Architect License C17215

**VICINITY MAP  
PROJECT DATA  
SITE PLAN**

**ADDITION & REMODEL**  
 435 Napa Avenue  
 MORRO BAY, CA 93442

### Vicinity Map

PAGE NO.

# A-1

OF 6

SHEET TITLE

VICINITY MAP  
PROJECT DATA  
SITE PLAN

SHEET NOTES

1. Topography and elevations shown in site survey sheet 1 of 1.
2. Soil excavated for foundations not used for backfill to be used as fill in back yard, with existing elevations at property lines maintained. No soil will be exported from the site.

DATE: JUL 27, 2018  
 DRAWN BY: GAB  
 REVISIONS:  Planning Comments Rev. 1/10/19  
 Planning Comments Rev. 1/31/19



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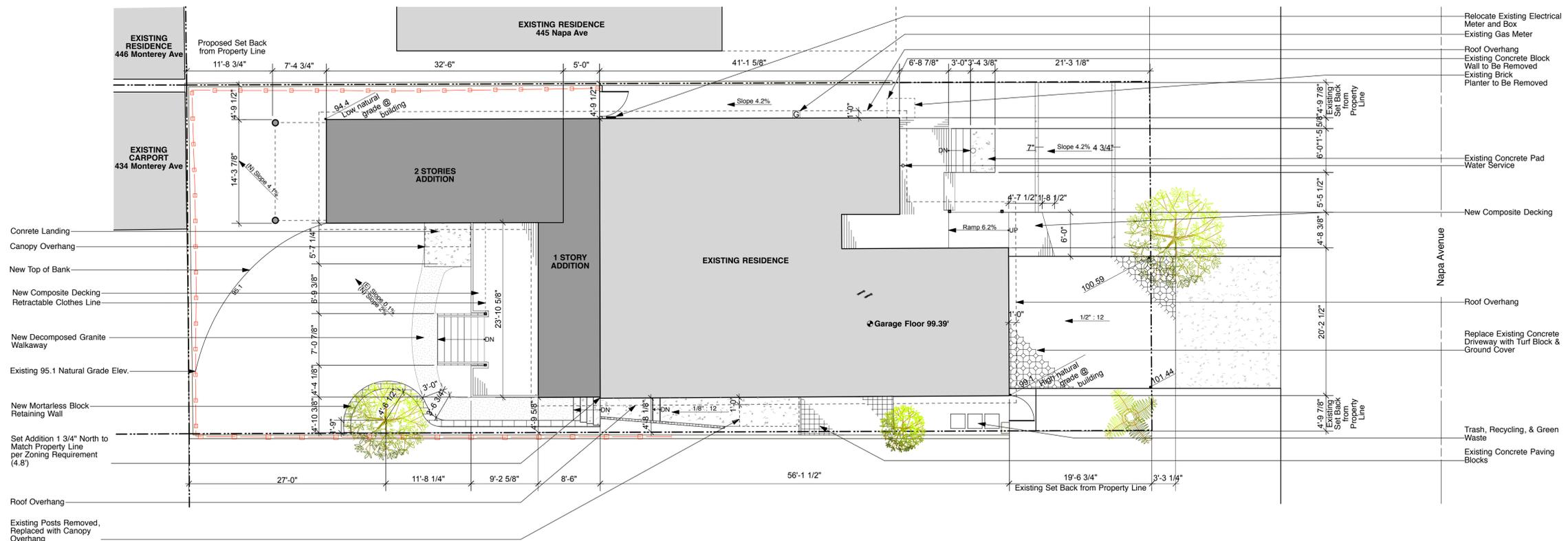
PROJECT SITE PLAN

**ADDITION & REMODEL**  
 435 Napa Avenue  
 MORRO BAY, CA 93442

PAGE NO.

**A-2**  
 OF 7

SHEET TITLE  
 Project Site Plan



PROJECT SITE PLAN



**Greg Allen Barker, AIA**  
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**EXISTING FLOOR PLAN**

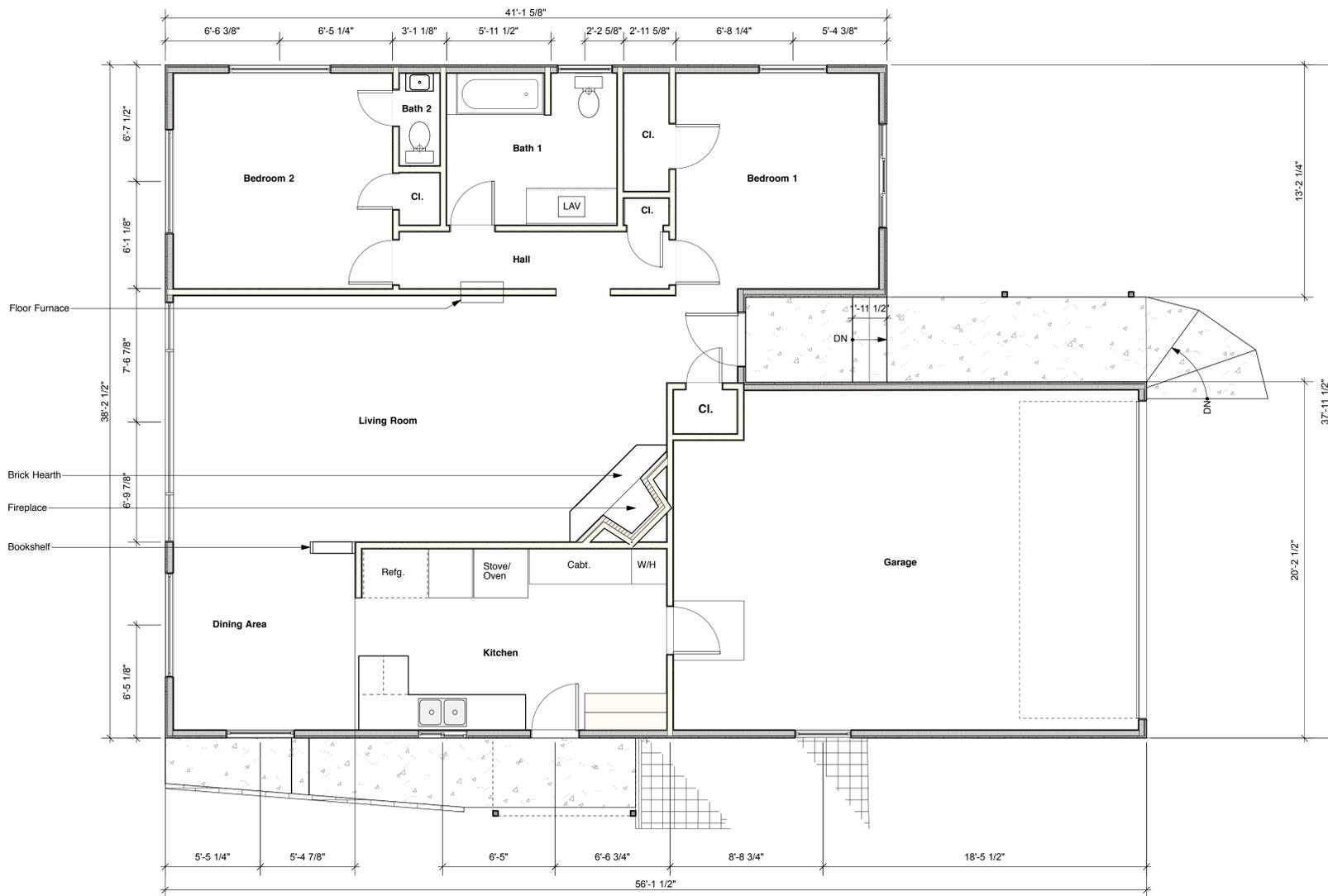
**ADDITION & REMODEL**  
 435 Napa Avenue  
 MORRO BAY, CA 93442

PAGE NO.

**A-3**  
 OF 6

SHEET TITLE

EXISTING FLOOR PLAN



**EXISTING FLOOR PLAN**

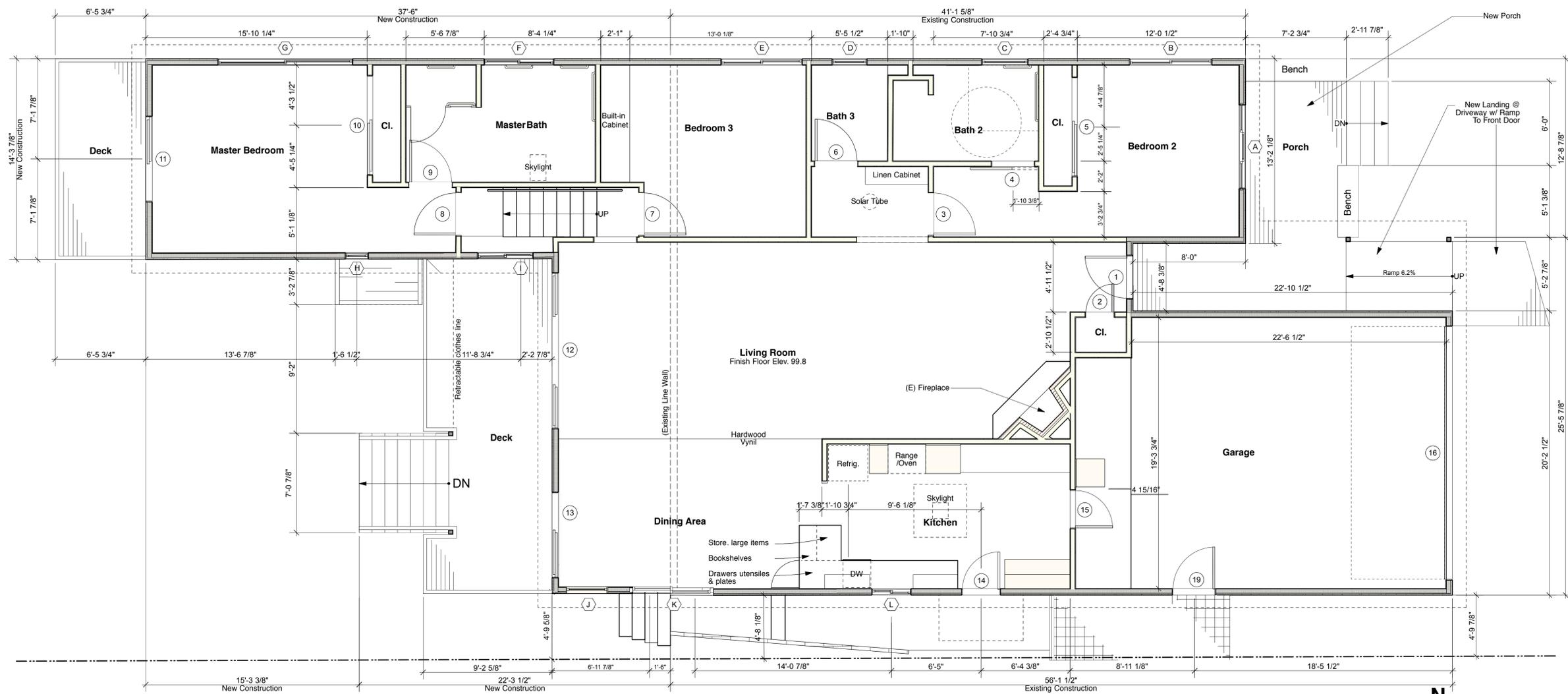
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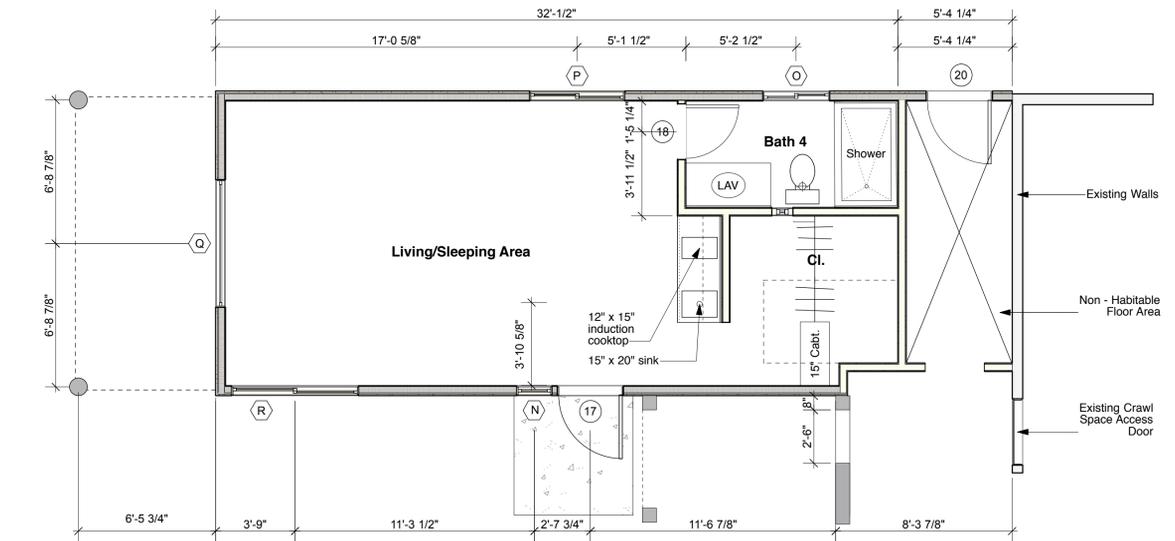
**PROJECT FLOOR PLANS**

**ADDITION & REMODEL**  
 435 Napa Avenue  
 MORRO BAY, CA 93442



**MAIN FLOOR PLAN**

Scale: 1/4" = 1' - 0"



**LOWER FLOOR PLAN (SECONDARY UNIT)**

Scale: 1/4" = 1' - 0"



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**ELEVATIONS**

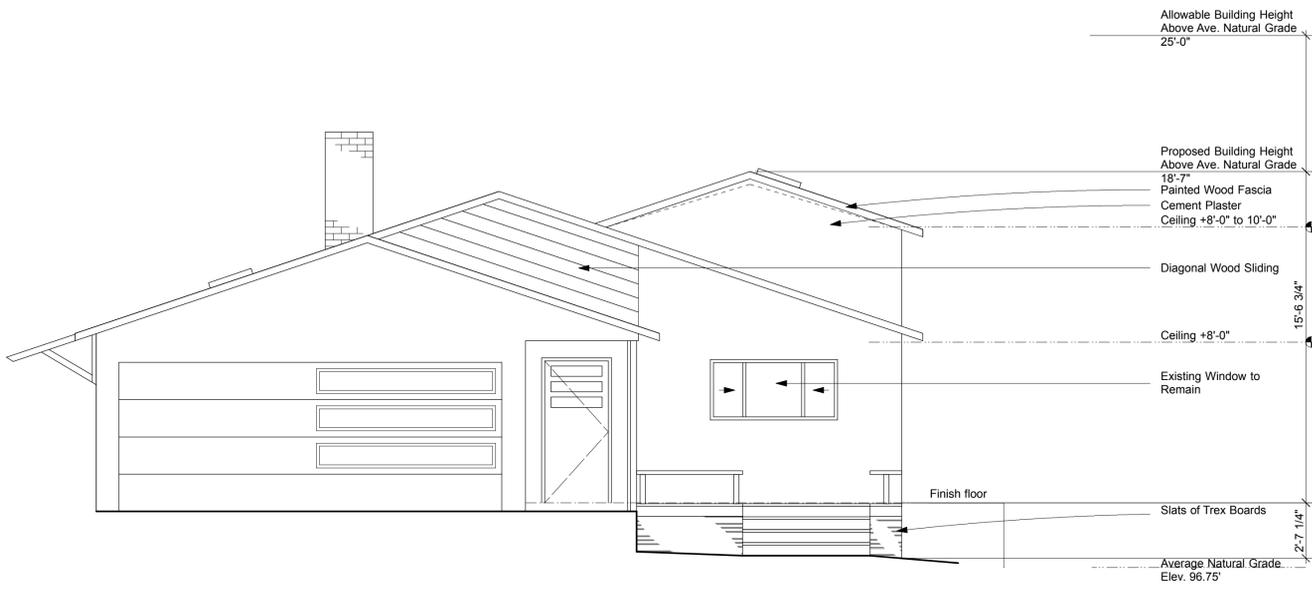
**ADDITION & REMODEL**  
 435 Napa Avenue  
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 OF 6

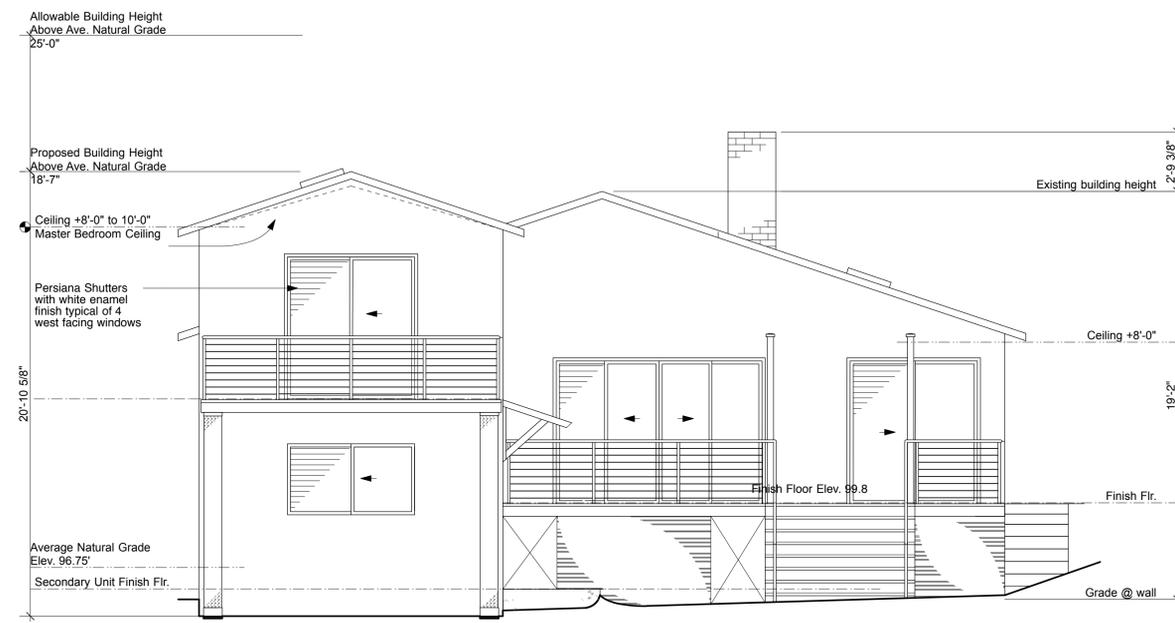
SHEET TITLE

ELEVATIONS



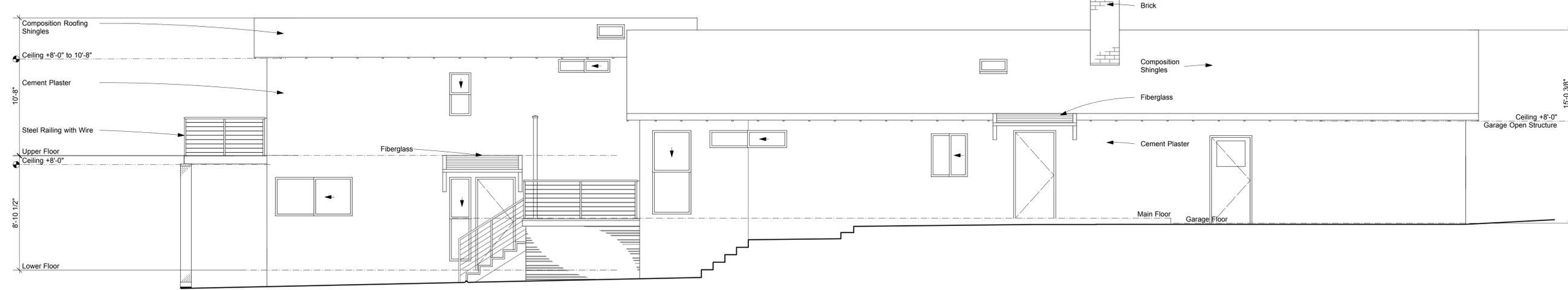
**EAST (STREET) ELEVATION**

Scale: 1/4" = 1' - 0" average grade & allowable natural grade



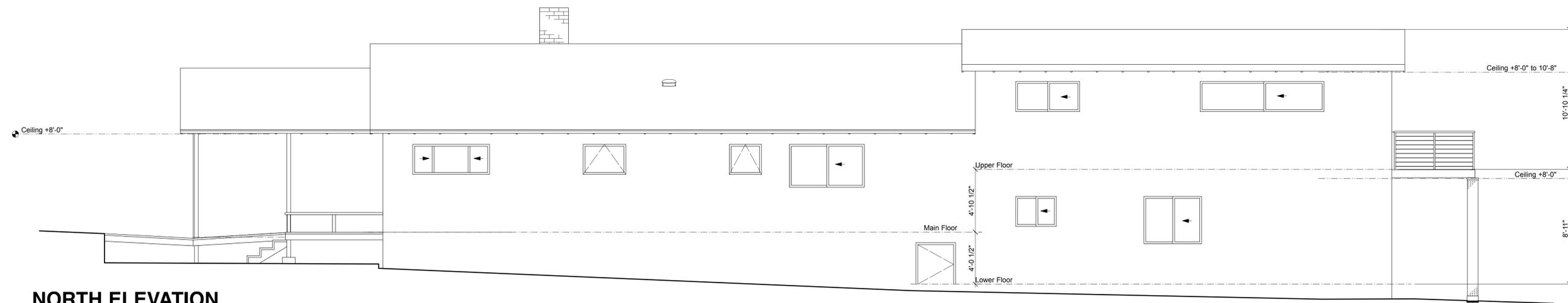
**WEST ELEVATION**

Scale: 1/4" = 1' - 0"



**SOUTH ELEVATION**

Scale: 1/4" = 1' - 0"



**NORTH ELEVATION**

Scale: 1/4" = 1' - 0"

Window Schedule											Door Schedule													
MK.	WIDTH	HEIGHT	TYPE	MATL.	DETAILS		GLAZ.	DETAILS			REMARKS	MK.	WIDTH	HEIGHT	DOOR				FRAME				HDW. GROUP	REMARKS
					JAMB	SILL		HEAD	JAMB	SILL					THICK	TYPE	MAT.	CORE	MAT.	HEAD	JAMB	SILL		
A	6'-0"	2'-10"	2	Metal	-	-	Exist.	-	-	-	NOTE 1	1	3'-0"	6'-8"	1 3/4"	A	Wood	HC	Wood	-	-	-	-	Replace Existing
B	6'-0"	2'-4"	2	Metal	-	-	Exist.	-	-	-	NOTE 1	2	2'-0"	6'-8"	1 3/8"	B	Wood	HC	Wood	-	-	-	-	Exist to Remain
C	3'-0"	2'-4"	3	Wd/Vinyl	-	-	Note 2	-	-	-	Replace Existing	3	3'-0"	6'-8"	1 3/8"	B	Wood	HC	Wood	-	-	-	-	
D	2'-6"	2'-4"	3	Wd/Vinyl	-	-	Note 2	-	-	-		4	3'-0"	6'-8"	1 3/8"	C	Wood	HC	Wood	-	-	-	-	
E	5'-10"	3'-4"	1	Wd/Vinyl	-	-	Note 2	-	-	-		5	Pr. 3'-6"	6'-8"	1 3/8"	D	Wood	HC	Metal	-	-	-	-	
F	5'-0"	2'-4"	1	Wd/Vinyl	-	-	Note 2	-	-	-		6	3'-0"	6'-8"	1 3/8"	B	Wood	HC	Wood	-	-	-	-	
G	9'-8"	2'-4"	1	Wd/Vinyl	-	-	Note 2	-	-	-		7	3'-0"	6'-8"	1 3/8"	B	Wood	HC	Wood	-	-	-	-	
H	1'-6"	3'-4"	5	Wd/Vinyl	-	-	Note 2	-	-	-		8	3'-0"	7'-0"	1 3/8"	B	Wood	HC	Wood	-	-	-	-	
I	4'-0"	1'-0"	1	Wd/Vinyl	-	-	Note 2	-	-	-		9	3'-0"	6'-8"	1 3/8"	B	Wood	HC	Wood	-	-	-	-	
J	3'-0"	6'-6"	5	Wd/Vinyl	-	-	Note 2	-	-	-		10	Pr. 3'-6"	6'-8"	1 3/8"	D	Wood	HC	Wood	-	-	-	-	
K	3'-0"	1'-4"	1	Wd/Vinyl	-	-	Note 2	-	-	-		11	6'-0"	6'-8"	1 3/8"	E	Vinyl/Wd	GL	Wood	-	-	-	-	
L	2'-10"	3'-4"	1	Wd/Vinyl	-	-	Note 2	-	-	-	Replace Existing	12	11'-0"	6'-8"	1 3/8"	F	Vinyl/Wd	GL	Wood	-	-	-	-	
M	-	-	-	-	-	-	-	-	-	-	Not used	13	6'-0"	6'-8"	1 3/8"	E	Vinyl/Wd	GL	Wood	-	-	-	-	
N	1'-6"	6'-6"	5	Wd/Vinyl	-	-	Note 2	-	-	-		14	3'-0"	6'-8"	1 3/8"	B	Wood	HC	Wood	-	-	-	-	Exist to Remain
O	3'-0"	2'-4"	1	Wd/Vinyl	-	-	Note 2	-	-	-		15	2'-8"	6'-8"	1 3/8"	B	Wood	HC	Wood	-	-	-	-	Exist to Remain
P	4'-9"	3'-8"	1	Wd/Vinyl	-	-	Note 2	-	-	-		16	18'-0"	7'-0"	1 3/8"	H	Metal	FOAM	N/A	-	-	-	-	Replace Existing
Q	6'-3"	3'-4"	1	Wd/Vinyl	-	-	Note 2	-	-	-		17	3'-0"	6'-8"	1 3/8"	B	Wood	HC	Wood	-	-	-	-	
R	6'-0"	3'-0"	1	Wd/Vinyl	-	-	Note 2	-	-	-		18	2'-6"	6'-8"	1 3/8"	B	Wood	HC	Wood	-	-	-	-	
												19	3'-0"	6'-8"	1 3/4"	G	Wood	SC	Wood	-	-	-	-	Replace Existing Window
												20	3'-0"	3'-2 1/2"	1 3/8"	B	Wood	SC	Wood	-	-	-	-	Access to mechanical space

DATE: AUG 21, 2018  
 DRAWN BY: GAB / MS  
 REVISIONS:  Planning Comments Rev. 01/10/19



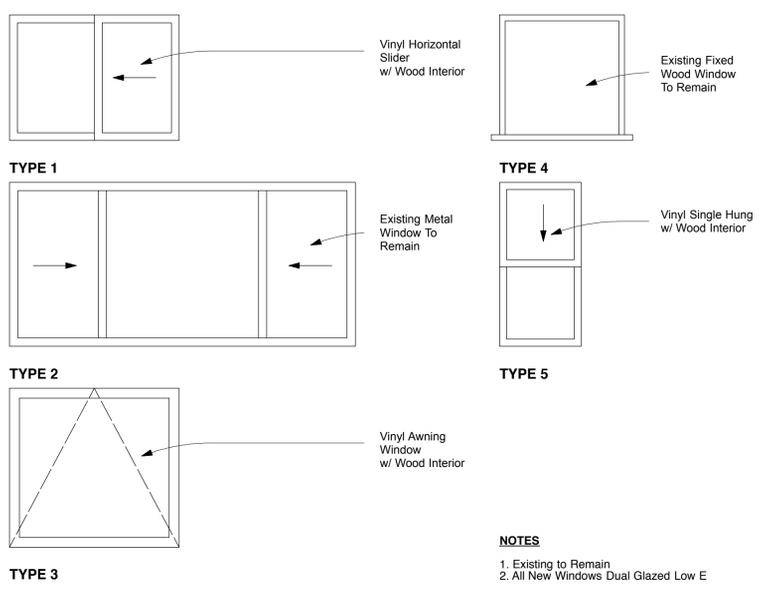
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 Architect License C17215

**WINDOW AND DOOR SCHEDULE**

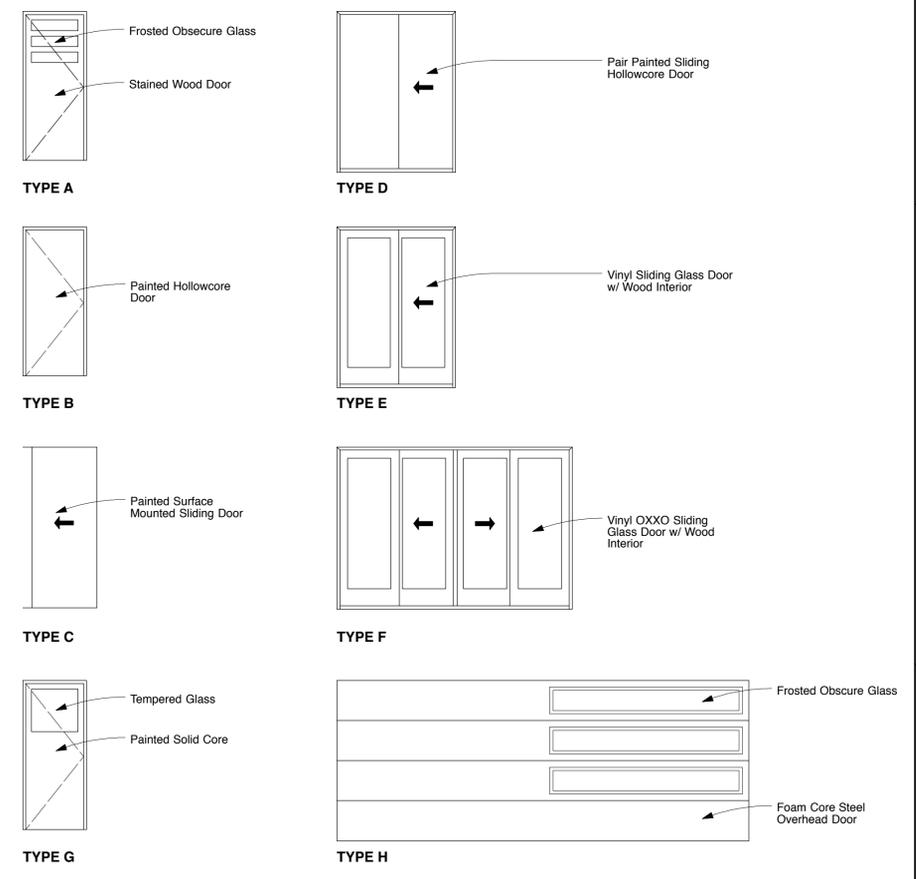
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**WINDOW AND DOOR SCHEDULE**

**WINDOW TYPES**



**DOOR TYPES**



**Legend**

-  Decomposed Granite
-  Pea Gravel Over Permeable Geotextile
-  Concrete

DATE: AUG 21, 2018

DRAWN BY: GAB / MS

REVISIONS:  Planning Comments Rev. 01/10/19



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**LANDSCAPE PLAN**

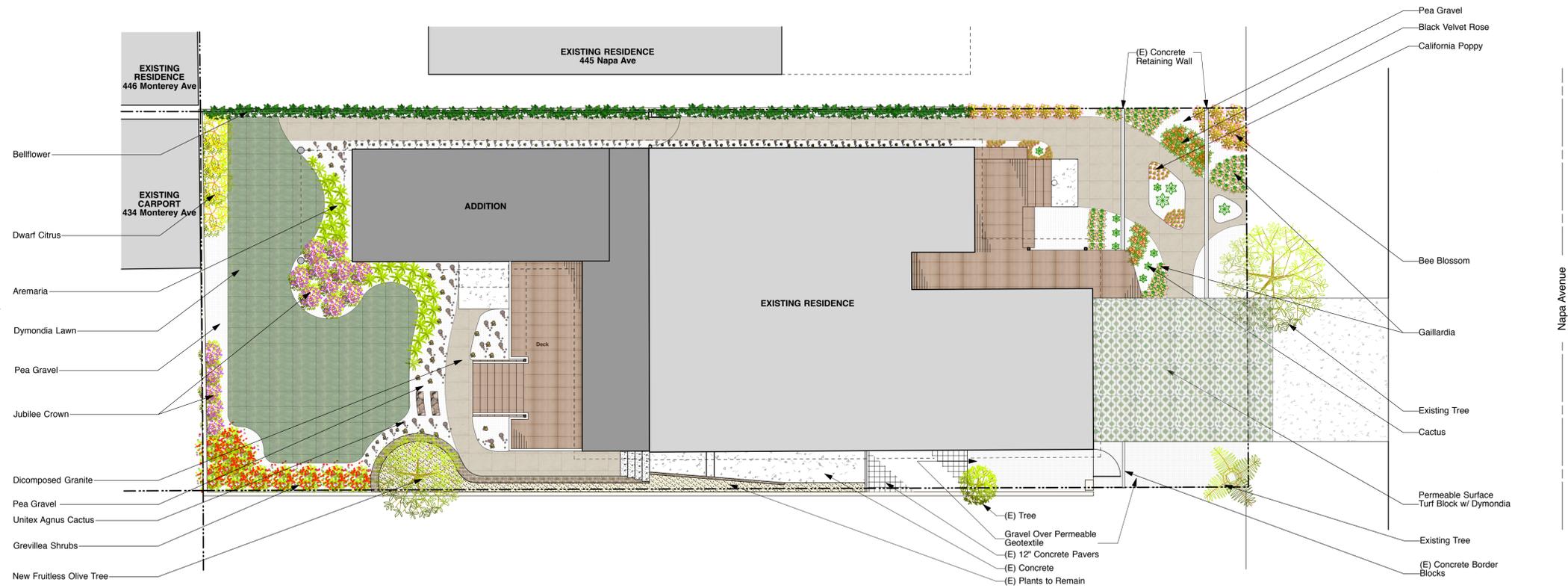
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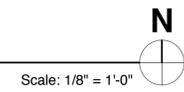
**1**  
OF 6

SHEET TITLE

LANDSCAPE PLAN



**LANDSCAPE PLAN**



# Exhibit C



Existing - View A



Proposed - View A

## **ADDITION & REMODEL**

Richard & Elizabeth Fletcher  
435 Napa Avenue  
San Luis Obispo, CA 93401  
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## **PHOTO SIMULATION VIEW 1**

## **Greg Allen Barker, AIA**

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Date:  
Aug 21, 2018

Sheet

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