



# 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, July 16, 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 Ingraffia  
Commissioner Susan Stewart

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

## PUBLIC COMMENT PERIOD

Members of the audience wishing to address the Commission on 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

### 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 May 7, 2019.  
**Staff Recommendation:** Approve minutes as submitted.

**A-3** Approval of minutes from the Planning Commission meeting of May 21, 2019.  
**Staff Recommendation:** Approve minutes as submitted.

## B. PUBLIC HEARINGS

**B-1 Case No.:** CDP 19-008  
**Site Location:** 3200 Beachcomber Drive, Morro Bay, CA  
**Proposal:** An application was filed on March 29, 2019 for approval of a bank stabilization project along the westerly bank of an unnamed drainage ditch. The property is located in the R-1/S.2A zoning district. The site is within the appeals jurisdiction of the California Coastal Commission.  
**CEQA Determination:** Categorically Exempt, Section 15304.  
**Staff Recommendation:** Conditionally Approve  
**Staff Contact:** Nancy Hubbard, Contract Planner, (805) 772-6211

**B-2 Case No.:** MIN19-06 (Text Amendment)  
**Site Location:** Cloisters Subdivision Tract 1996; Mixed Use Area G-2  
**Applicant/Project Sponsor:** City of Morro Bay  
**Request:** The City of Morro Bay is proposing a Local Coastal Program amendment modifying the Coastal Land Use Plan (LUP) to provide for the following change:

- Modify the language in Chapter II. LAND USE PLAN MAP AND GENERAL LAND USE POLICIES; D. SPECIFIC LAND USE POLICIES; 1.b. Coastal Resource Residential to clarify that the Density Credit derived from the overall land area designated as Coastal Resource (Limited Density) Residential on the Land Use Plan Map allows up to 125 residential dwelling units.

**CEQA Determination:** The proposed changes are exempt from environmental review pursuant to Section 15061(b)(3)  
**Staff Recommendation:** Recommend adoption of Resolution No. 15-19, recommending approval of the Local Coastal Program Amendment to the City Council  
**Staff Contact:** Nancy Hubbard, Contract Planner, (805) 772-6211

**B-3 Case No.:** #MIN19-009  
**Site Location:** 27.6-acre portion of a 396.3-acre parcel (APN 073-101-017), located north of the South Bay Boulevard/State Route 1 interchange in unincorporated San Luis Obispo County  
**Applicant/Project Sponsor:** City of Morro Bay  
**Request:** The City of Morro Bay is proposing to prezone the 27.6-acre portion of parcel APN 073-101-017 as a Public Facility zone district in anticipation of a new Water Reclamation Facility to be built at this location. The current zoning in the County is Agriculture. Prezoning is required to process an application for annexation of the site with the San Luis Obispo Local Agency Formation Commission (LAFCO). Once annexed, the Planning Commission will initiate proceedings for permanent zoning within 90 days after the effective date of annexation, unless action has been taken to establish permanent zoning simultaneously with annexation.  
**CEQA Determination:** The impacts of the new Water Reclamation Facility, which will be facilitated by the proposed Public Facility zoning, were considered in a Final EIR for that project, certified in June 2018. No additional CEQA review is required for the prezoning action.  
**Staff Recommendation:** Recommend approval, and forward this recommendation to the City Council for approval of the prezoning of the site.  
**Staff Contact:** Scot Graham, Community Development Director (805) 772-6291

C. NEW BUSINESS

D. UNFINISHED BUSINESS

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 August 6, 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 July 16, 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	Auerbach	3200 Beachcomber	3/29/19	CDP19-008	Regular CDP for drainage ditch bank stabilization project	Application deemed incomplete, comments sent to applicant on 4/25/19. Resubmittal received June 3, 2019, under review. Deemed complete, scheduled for Planning Commission Hearing on July 16, 2019				nh
2	City of Morro Bay	LCP Text Amendment	6/4/19	MIN19-006	Clarification of density transfer allowed from CRR zoned land within the Cloisters Subdivision.	Public noticed on June 19, 2019. Scheduled for Planning Commission recommendation to City Council on July 16, 2019. City Council hearing tentatively August 13, 2019.				nh
3	Sayers	994 Balboa	5/28/2019	CDP19-017	Demolition, additions, and construction of an ADU to an existing SFR	Incomplete letter sent 6/10/19. Resubmittal 6/25/19. Deemed complete, noticing began 7/3/19.				wu
<b>30 -Day Review, Incomplete or Additional Submittal Review Projects:</b>										
4	Morro Bay Recovery	2460 Main Street	5/28/19	MUP19-04	<b>Change in use from hotel/motel to recovery center</b>	Submittal is under review. Deemed incomplete 6-25-19.		PN-Disapproved 6/21/2019		nh
5	Coghlan	3009 Beachcomber	6/4/19	CDP19-018	<b>Interior repairs and upgrades, enclose breezeway and small addition to entryway, bathroom, add solar panels to roof</b>	Under Review. Deemed incomplete 6-25-19.		PN-Conditionally Approved 6/19/2019		nh
6	Moss Lane Ventures, LLC	839 Morro Bay Blvd	5/6/19	CUP19-04/CDP 19-013	<b>Demo existing carwash, construct new 600 sf single sided drive up coffee shop.</b>	Application received 5-6-19 and is under review. Submittal deemed incomplete, letter sent 5-30-19. Resubmitted 6-13-19. Deemed incomplete 6-27-19		PN-Conditionally Approved 5/16/2019		nh
7	Paige	2780 Greenwood	5/21/19	CDP19-015	<b>Expansion of existing ADU, 208 sf addition</b>	Submittal is under review. Incomplete letter sent 6-6-19, waiting for resubmittal. Resubmitted 6-24-19, under review.				nh
8	Ranat	2598 Main	2/19/19	VAR 19-001	<b>Variance request to allow approval of an as-built bathroom partially within the site yard setback.</b>	Submittal is under review. Deemed incomplete 2/4/19. Applicant considering alternative to resolve issues. Resubmittal received April 25, 2019 and is under review. Additional information was requested, waiting for response. Planning deemed incomplete 5-30-19, waiting for resubmittal..		PN-Conditionally Approved 5/16/2019		nh
10	Ryan	1170 Marengo	2/26/2019 (LLA) and 5/13/19 (LTM)	LLA19-001/ LTM19-01	<b>Lot line adjustment to reconfigure 3 5000 sf residential lots into 2 larger residential lots.</b>	Submittal is under review. Project deemed incomplete 3-21-19. Requires resubmittal. April 18 project deemed incomplete. Resubmittal requires an application for a Lot Merger to be process together with the LLA. Lot Merger application received May 13, 2019 - both to be processed together. Resubmitted 6-7-19, under review. Final maps and certificates submitted for City Engineer review and approval 7-2-19.				nh

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11	Eisemann	535 Atascadero Road	3/7/19	PAR19-01	<b>Final Parcel map</b>	Submittal is under review. Planning disapproved 3/14/19. Resubmittal disapproved on May 14, 2019. Resubmittal received , review comments provided 6-5-19				nh
12	Cleary	1282 and 1290 Embarcadero Road	5/23/19	CDP19-016	<b>Admin CDP for removal of major vegetation.</b>	Submittal is under review. Correction letter sent 6/10. Awaiting resubmittal.				
13	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
2	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. Additional review and correspondence with owners on March 7, 2019. Waiting for resubmittal		PN- conditionally Approved 7/19/2018		nh
3	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
17	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. Resubmittal received 5-10-19 - comments returned 5-28-19		PN- Conditionally Approved 7/17/2018		cj
18	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. Project resubmitted 4-29-19, under review. Deemed incomplete May 23, 2019. Waiting for resubmittal		PN- Conditionally Approved 5/7/2019		nh
19	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. Resubmittal 2/26. Correction letter sent 3/13. Awaiting resubmittal.		JW approved		wu
20	Zion	175 Hatteras	6/13/19	CDP19-019	Remodel existing residence, along with an addition to update family residence.	Submittal under review				wu
21	Applegate	1050 Las Tunas	6/13/19	CDP19-020	Constructing 500 sf detached garage on lot with non-conforming SFR	Submittal under review				wu
22	Castro	1105 Las Tunas	6/14/19	CDP19-021	New 474 sf ADU above existing attached garage, 150 storage room on ground level adjacent to garage	Submittal under review				wu
23	Owen	545 Fresno	6/25/19	CDP19-023	Demo/reconstruct	Submittal under review				wu

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24	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
<b>Projects Appealed to Planning Commission or PC Continued projects:</b>										
25	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. Disapproval letter sent 2/25/19. Resubmittal March 12, 2019. Deemed complete 3/28/19, however applicant is redesigning and will resubmit revised plans. April 16, 2019 applicant informally submitted a revised design, comment letter returned on April 25, 2019. Applicant decided to move forward with original design with 2 levels of residential over commercial. Scheduled for Planning Commission on June 4, 2019. PC continued item to date uncertain to allow applicant to redesign and resubmit. Resubmitted June 20, 2019, under review.				nh
26	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
27	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		nh cj
<b>Projects Appealed or Forwarded to City Council:</b>										

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
28	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>										
29	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. Environmental review in progress.				cj
30	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>										
31	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		

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32	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>										
33	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 2019. Public draft of combined General Plan/ LCP released May 2018 for review. Working with Coastal staff on CCC input.				
34	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.			
<b>Projects Continued Indefinitely, No Response to Date on Incomplete Letter or inactive:</b>										

wm

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35	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		jg
<b>Grants</b>										
36	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
37	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 administraiton. Final 2016 funding recommendations reviewed by Council on 3-8-16. 2016 Subrecipient Agreement executed and Council approved 2018-2020 Cooperation Agreement with County on 6-13-17.	No review performed.	N/R		cj
38	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. Resubmitted March 6, 2019, under review. Planning disapproved submittal 3/19/19. Planning approved on 5/23/10. Requires minor mod to planning approval for design change at garage level.	Bldg - Disapproved on 5/25/19	PN-Disapproved 5/16/2019		nh
2	Kudla	399 Beach	9/13/18	B18-0021	Commercial tenant improvement to Hungry Fisherman. Remodel, correct plumbing in bathroom and kitchen		Ready to issue			
3	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. Requested permit extension.	Ready to issue	PN - Approved 6/21/2018	Emailed comments on 10-20-17.	cj
4	Thayer	458 Bernardo Ave	4/17/19	B19-0070	Demo 1072 sf SFR and 460 sf garage and construct new single story SFR & detached garage - 1295 sf living, 462 sf garage, and 280 sf covered porch. Also 214 sf detached ADU (See B19-0071 for ADU permit).	Approved by planning 4/18/19.	Bldg - Plancheck			wu
5	Thayer	458-A Bernardo Ave	4/17/19	B19-0071	New detached 214 sf ADU at rear of property.	Approved by planning 4/18/19.	Bldg - Disapproved 6/19/19			wu
6	Zive	1309 Berwick Dr.	7/3/19	B19-0139	New SFR, 2871 sf living, 628 sf attached garage, & 189 sf deck		Bldg - Plancheck			sg

#	Applicant/ Property Owner	Project Address		Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
7	Hobab	982-A	Carmel St.	3/22/19	B19-0049	409 sf attached ADU and 137 sf addition at rear of existing SFR. 112 sf second story deck at front of SFR, and new front door at entry.	Submittal received, under review.	Bldg - Disapproved 4/17/19			nh
8	Reisner	1300	Clarabelle	6/10/19	B19-0122	New SFR	Conditionally approved 7/1/19	Bldg - Disapproved 7/1/19			wu
9	Lew	660	Elena	5/6/19	B19-0085	Demo existing non-conditioned laundry area and reconstruct as conditioned habitable area adding an additional 62 sf. Also, remodeling interior, and adding 54 sf to second level increasing existing	Disapproved 5/23/19. Resubmittal 6/27/19. Disapproved 7/9/19.	Bldg - Approved 7/3/19	PN- Disapproved 5/28/2019		wu
10	Redican	725	Embarcadero	11/29/18	B18-0086	Remodel existing two story commercial building, creating a 10 room hotel on upper floor with lobby on lower floor (adding 837 sf). Also repair/extension of the existing Harborwalk	Corrections sent 1-3-19. Resubmittal under review. Corrections sent 5-28-19. cj. Approved.	Ready to issue	PN- Approved 5/23/2019		cj
11	Branch	885	Embarcadero	3/12/19	B19-0043	Addendum #1 to B18-0043 - Minor framing alterations (interior), confirm slopes per ADA requirements, and install siding at west elevation (previously stone).	Ping approved 3-19-19 - cj.	Bldg - Disapproved 4/16/19			cj
12	Tilley	370	Fairview Ave	6/26/19	B19-0135	Floor framing change to 16" o.c., one header added lower level, front door, change to french doors.	Planning approved 6/27/19	Bldg - Approved 7/2/19			wu
13	Krull	2575	Greenwood	4/25/19	B19-0076	Remove existing non-conforming 261 sf shed, convert existing attached two-car garage into an accessory dwelling unit (ADU).	Planning approved 5/2/19.	Bldg - Disapproved 6/24/19	PN-Disapproved 5/16/2019		wu
14	Hoefner	125	Hatteras	4/11/19	B19-0065	SF Addition - 316 sf addition to existing SFR, 194 sf addition to existing attached garage, reduce size of entry porch to 22 sf (from 91 sf). Replace deck boards with composite decking on existing rear deck.	Planning approved 6/11/19	Ready to issue	PN- Approved 6/25/2019		nh
15	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	Ready to issue - pending upcoming sale of property			
16	Bariel	491	Jamaica	5/6/19	B19-0088	Reconstruct New two story SFR 1601 sf living, 447 sf attached garage, 216 sf 2nd story front deck	Approved 5/16/19	Bldg - Disapproved 5/23/19			wu
17	Linker	594	Kings Ave.	4/16/19	B19-0068	New two story SFR - 2996 sf living, 491 sf attached garage, 304 sf deck at front and 85 sf deck at rear.	Planning approved	Bldg - Ready to issue			nh
18	Hilton -Limited Partnership	430-A	LaJolla	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.	Planning approval 2/4/19.	BLDG- Disapproved by co on 1/30/19.			wu
19	Richardson	441	LaJolla	3/8/19	B19-0040	Kitchen, bathroom and laundry room remodel in existing dwelling.	Submittal under review. Approved 3/19/19	Bldg - Disapproved 3/15/19			nh
20	Vogal	948	Marina	9/5/18	B18-0014	Addition / construct new 400sf gargage demo & replaced existing driveway.	Correction letter sent 10/15. Resubmittal 5/20/19 under review.	Bldg - Approved 6/13/19			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
21	Borello	100	Main St.	6/19/19	B19-0128	SFR addition & remodel, remove single car garage & 363 sf of residence, new 2 car garage w/SFR above. Interior remodel.	Disapproved 7/1/19.	Bldg - Plancheck			wu
22	Ellis	120	Main St.	5/14/19	B19-0097	SF Addition - add 126 sf master bath to the existing master bedroom, add 178 sf of new living room space, add 456 sf of covered patio space to the front and rear of SFR.	Disapproved 6/7/19. Awaiting resubmittal.	Bldg - Disapproved 5/24/19			wu
23	Verma	316-A	Main St.	3/22/19	B19-0051	Construct 724 sf ADU (attached addition) creating new upper level above existing SFR. Add 121 sf bathroom on main level and install elevator in existing garage.	Conditionally approved 4/23/19.	Bldg - Approved 6/19/19	PN-Disapproved 6/20/2019		nh
24	Peter	890	Main St.	2/13/19	B19-0026	ADA and parking lot improvements. ADA stall to be relocated closer to street and make van accessible.	Approved on 3/1/19 - sg	Bldg - Approved 2/27/19 Fire - Approved 2/26/19	Disapproved on 3/14/19		
25	Dillon	1387	Main St.	4/25/19	B19-0079	Interior repairs to the Seabird room, in the Pacific Wildlife Care Clinic Building. Remove & replace plywood subfloor, spray foam insulation under floor, waterproof coating over new floors, replace floor drains, electrical, replace radiant wall heaters.		Bldg - Approved 6/7/19	PN- Approved 5/24/2019		sg
26	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. Requested permit extension. Awaiting resubmittal.	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	cj
27	Ryan	1170	Marengo Dr	5/14/19	B19-0096	Deck Demolition Approx. 275 sq ft	Planning approved 5/17/19	Bldg - Approved 5/20/19			nh
28	Leage	918-A	Mesa St	6/14/19	B19-0124	Convert existing 398 sf non-conforming garage to ADU & add 139 sf addition increasing ADU size to 537 sf	Submittal under review.	Bldg - Disapproved 7/1/19			wu
29	Fletcher	435	Napa Ave	6/27/19	B19-0137	Accessibilty remodel, 740 sq ft addition to existing residence; addition of 460 sq ft	Submittal under review.	Bldg - Plancheck			wu
30	Jerkovich	2584	Nutmeg	4/25/19	B19-0077	Installation of stairs and concrete planters at front of lot. (Partially in ROW, will require an encroachment permit).	Disapproved 5/9/19. Resubmittal 6/7/19 under review.	Bldg - Approved 7/2/19	PN- Disapproved 6/14/2019		wu
31	Erb	2630	Nutmeg	2/14/19	B19-0029	Demo 195 sf third story deck at front of home and rebuild with 80 sf extension to allow for deck beam and column support. Remove 152 sf deck on south side of home, misc. construction to repair water damage.	Dissapproved 3/6/19. Disapproved 4/9.	Bldg - Approved 3/27/19			wu
32	Freisen	196	Panay St.	3/15/19	B19-0045	Additional 1000 sf to SFR	Disapproved 4/3/19. Awaiting resubmittal.	Bldg - Disapproved 4/10/19			wu
33	Alpine Colony Enterprises, Inc	490 & 470	Quintana Rd.	6/24/19	B19-0129	T.I. - Demo existing 10,419 sf interior space (formerly Cooke Crock) to create 2 new units (490 & 470 Quintana Rd)	Conditionally approved 7/2/19	Bldg - Plancheck			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
34	ABS-CA-O, LLC	730	Quintana Rd.	10/22/18	B18-0055	Remove & replace parking lot light poles and light fixtures on existing concrete bases. This permit includes 6 parcels in the Cypress Plaza, (600-780 Quintana Rd).		Ready to issue			
35	Erlendson	299-A	Sienna St.	1/22/19	B19-0005	Convert Garage to 435 sq. Ft. ADU	Planning approval 2/4/19	Ready to issue	PN-Approved 5/1/2019		nh
36	Stanton	351	Trinidad	3/26/19	B19-0054	Repairs to existing 200 sf rooftop deck. Replace all dry-rot structural members, install new waterproof membrane,, new copper drip edge flashing, replace plaster, replace guardrail if needed.	Disapproved 4/11/19. Awaiting resubmittal.	Bldg - Approved 3/27/19			wu
<b>Planning Projects &amp; Permits with Final Action:</b>											
1	Wilson	1141 Main Street		1/31/19	CUP19-02	<b>Proposed Change in use; partial commercial retail &amp; partial apartment</b>	Deemed incomplete 3/1/19. Project requires CUP and CDP with Parking Exception, need resubmittal for additional planning permits. Resubmitted March 28, 2019, under review. Project deemed complete 4-16-19 and is scheduled for Planning Commission June 18, 2019 . Approved and permit issued 6/18/19.				nh
2	Garcia	532 Kings Ave		2/22/19	CDP19-005	<b>New SFR, 2474 sf of living space, 528 sf garage and 190 sf decking with shared driveway</b>	Submittal is under review. Planning deemed incomplete 3/15/19. Resubmittal received on May 15, 2019 and was deemed complete on May 23, 2019. Preparing for Administrative notification and decision. Public notice June 6				nh
3	Naran	2172 Main St		4/23/19	MUP19-03	<b>Request for approval for short term rental for residential apartment in MCR/R-4 zone</b>	Submittal is under review. On May 17, 2019 applicant modified application to include only 2172 Main, removed request for 2176 Main. Application is under review. Public noticing June 10 - 20, 2019. Permit issued 6/21/19.				nh
4	Reisner	1300 Clarabelle		4/22/19	CDP19-011	<b>Admin CDP for new construction of SFR attached garage</b>	Incomplete letter sent 4/26/19. Resubmittal 5/20/19 under review. Deemed complete. Noticing began 6/14, action will occur on or after 6/17.				wu

ACTION MINUTES – MORRO BAY PLANNING COMMISSION  
REGULAR MEETING – MAY 7, 2019  
VETERANS MEMORIAL BUILDING – 6:00 PM

PRESENT:	Gerald Luhr Michael Lucas Jesse Barron Joe Ingraffia Susan Stewart	Chairperson Vice-Chairperson Commissioner Commissioner Commissioner
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STAFF:	Scot Graham Willow Urquidi Nancy Hubbard	Community Development Director Assistant Planner Contract Planner
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ESTABLISH QUORUM AND CALL TO ORDER  
MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE  
PLANNING COMMISSIONER ANNOUNCEMENTS

<https://youtu.be/IBvpuepSzkq?t=1m27s>

Vice-Chairperson Lucas thanked those who helped get the Farmer's Market back and those who were responsible for the kite festival.

Commissioner Barron notified everyone there will be a WRFCAC Advisory Committee meeting on Thursday, May 9<sup>th</sup>, 5 p.m. at the Morro Bay Community Center.

PUBLIC COMMENT PERIOD

<https://youtu.be/IBvpuepSzkq?t=2m6s>

Betty Winholtz, MB, spoke about the responsibilities of the Planning Commission and how the applicant violated the directions the Planning Commission gave to them.

Chairperson Luhr closed the Public Comment period.

<https://youtu.be/IBvpuepSzkq?t=5m16s>

PRESENTATIONS - NONE

- A. CONSENT CALENDAR  
<https://youtu.be/IBvpuepSzkq?t=5m20s>

Chairperson Luhr opened the Public Comment period.

<https://youtu.be/IBvpuepSzkq?t=6m5s>

Jeff Heller spoke as a citizen of Morro Bay. Heller brought up Consent Item A-2, regarding the importance of the new water reclamation project.

Discussion between Commissioners and staff.

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

- A-2** Approval of minutes from the Planning Commission and Water Reclamation Facility Citizen and Advisory Committee (WRFCAC) meeting of July 3, 2018.  
**Staff Recommendation:** Approve minutes as submitted.

- A-3** Approval of minutes from the Planning Commission meeting of April 2, 2019.  
**Staff Recommendation:** Approve minutes as submitted.

Chairperson Luhr closed the Public Comment period.  
<https://youtu.be/IBvpuepSzkq?t=8m24s>

Discussion between the Commissioners and staff.

**MOTION:** Commissioner Ingraffia moved to accept the Consent Calendar. Vice Chairperson Lucas seconded, and the motion passes 5-0.  
<https://youtu.be/IBvpuepSzkq?t=11m25s>

**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.:** MIN19-001 (Minor Modification to CUP440 and CDP500)

**Site Location:** 3300 Panorama Drive, Morro Bay, CA

**Proposal:** Appeal of the Minor Modification Permit (MIN19-001) of the existing planning permits Conditional Use Permit UPO-440 and Coastal Development Permit CPO 500 to remove 3 small sheds and 3 fire hydrants that were not originally in the primary scope of work. One shed, and one fire hydrant are located within the ESH. The MIN19-001 Permit conditions of approval included all the conditions and mitigation measured applicable to the original permit work. The MIN19-001 permit work was completed prior to issuance of the Minor Modification Permit and prior to issuance of a building permit on or about February 26, 2019. The project site is in a (R-1) zone with a Planned Development (PD) Overlay. The site contains areas of environmentally sensitive habitat and is partially located in the Coastal Commission appeals jurisdiction.

**CEQA Determination:** This project is subject to the adopted Mitigated Negative Declaration of Environmental Impact (MND) dated February 2018. The MIN19 001 permit included conditions of approval based on recommendations provided by Pax Environmental specifically for this additional scope of work.

**Staff Recommendation:** Uphold Administrative approval of MIN19-001 and deny the appeal

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

<https://youtu.be/IBvpuepSzkq?t=11m44s>

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/IBvpuepSzkq?t=34m59s>

Kristen Headland, Morro Bay, stated her issues with the illegal removal of the shed and fire hydrants. Headland showed videos and pictures of the tank demolition.

Carole Truesdale, Morro Bay, spoke about the asbestos issues for the tank demolition. Truesdale listed the departments she notified with her concerns.

Cynthia Hawley, spoke for Dan Sedley, Morro Bay. Hawley commented about the issues regarding the asbestos from the buildings and the uncontrolled dust while the demolition was taking place. Hawley also noted the public was misinformed.

Oliver Ries, Bedford Demolition, stated his company did the demolition for the tanks, pumps, pumphouse and water pumps. Ries stated the fire hydrants were removed because they were part of the water system. Ries noted he advised the owner to hire a licensed contractor to remove the buildings.

Michael Tiffany, Certified Industrial Hygienist (monitoring), stated he looked at the tanks but was not involved in the demolition of the sheds. Tiffany noted he stopped monitoring in December.

Richard Sadowski, Morro Bay, asked the Commissioners to support the appeal. Sadowski stated there should have been an Environmental Impact Report (EIR) for this project.

Jeff Heller, Morro Bay, stated he was speaking as a citizen. Heller stated he had an ex parte communication with the Community Development Director and the Planner in charge of this project. Heller spoke about the violations on the project and the mismanagement by the Community Development Department. Heller stated he supports all three appeals.

The Commissioners presented their questions to the applicant.

Chairperson Luhr closed the Public Comment period.  
<https://youtu.be/IBvpuepSzkq?t=1h36m23s>

Comments and discussion between the Commissioners and staff.

Chairperson Luhr opened the Public Comment period.  
<https://youtu.be/IBvpuepSzkq?t=2h8m25s>

Tiffany explained why the hazardous building wouldn't fall under a statute within the city's standard.

Hawley explained how the Commission could make the appeal easier and noted they want to rescind the permit.

Truesdale explained to the Commissioners they were also asking for an EIR.

Chairperson Luhr closed the Public Comment period.  
<https://youtu.be/IBvpuepSzkq?t=2h22m56s>

Discussion between the Commissioners and staff.

**MOTION:** Commissioner Barron moved to uphold the appeal of minor modification MIN19-001, a minor modification to CUP440 and CDP500, and require the applicant to reapply for the demolition of the pump house buildings as

a separate permit. With the guidance to staff, it would come back as a major modification for review by the Commission. Commissioner Stewart seconded.

The Commissioners discussed the motion.

Commissioner Barron requested a formal explanation to be given by the owner and contractor to the Commission at the time of the major modification.

The motion passed 5-0.

**B-2 Case No.:** CDP19-004/CUP19-01

**Site Location:** 2790 Indigo Circle, Morro Bay, CA

**Proposal:** Coastal Development Permit and Conditional Use Permit approval request for construction of a 2,424 sf home with a 420 sf attached garage on a vacant lot in the Cloisters neighborhood. The property is zoned CRR/GC/PD (Coastal Resource Residential/Golf Course/Planned Development) and is located in the Coastal Commission Appeals Jurisdiction.

**CEQA Determination:** Categorically Exempt, Section 15303, Class 3a

**Staff Recommendation:** Conditionally Approve

**Staff Contact:** Willow Urquidi, Assistant Planner, (805) 772-6270

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS –  
NONE

Urquidi presented the staff report.

Chairperson Luhr opened the Public Comment period.

<https://youtu.be/IBvpuepSzkq?t=3h2m42s>

Will Roth, architect, thanked staff for the report and stated he had nothing more to add to the staff report.

Chairperson Luhr closed the Public Comment period.

<https://youtu.be/IBvpuepSzkq?t=3h4m30s>

**MOTION:** Commissioner Stewart moved to approve CDP19-004/CUP19-01, for a coastal development permit at 2790 Indigo Circle and adopt Resolution 09-19, Exhibit A. Vice-Chair Lucas seconded, and the motion passed 5-0.

C. NEW BUSINESS - NONE

D. UNFINISHED BUSINESS - NONE

E. PLANNING COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS

<https://youtu.be/IBvpuepSzkq?t=3h7m4s>

Vice-Chairperson Lucas commented on how frustrating it was to hear about the small amount the applicant was fined.

Commissioner Barron notified the Commission there will be a WRFCAC meeting on Thursday, May 9<sup>th</sup>. Barron asked if the Commission would like to present any questions to the board.

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENT

Graham notified the Commissioners to notify him with any future vacation schedules.

G. ADJOURNMENT

The meeting adjourned at 9:17 p.m. to the next special scheduled Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on May 21, 2019 at 6:00 p.m.

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Gerald Luhr, Chairperson

ATTEST:

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Scot Graham, Secretary



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

**A-3** Approval of minutes from the Planning Commission meeting of April 16, 2019.  
**Staff Recommendation:** Approve minutes as submitted.

**MOTION:** Commissioner Barron moved to approve A-1 and A-3 on the Consent Calendar. Commissioner Stewart seconded, and the motion passes 5-0.

**A-2** Approval of Resolution 08-19 reflecting Planning Commissions May 7, 2019 decision to uphold an appeal of MIN19-001 for the project at 3300 Panorama  
**Staff Recommendation:** Approve Resolution 08-19  
<https://youtu.be/sNj1M8Q1VPw?t=11m51s>

Chairperson Luhr opened the Public Comment.  
<https://youtu.be/sNj1M8Q1VPw?t=11m59s>

Cynthia Hawley, Morro Bay, stated there were serious flaws with the Resolution and it contains false information. Hawley recommends staff to re-write what was in the motion.

Truesdale stated the resolution needs to reflect the actual words of the motion and wants to make sure this does not happen again in any current or future applications or applicants wanting a permit.

Chairperson Luhr closed the Public Comment.  
<https://youtu.be/sNj1M8Q1VPw?t=17m9s>

The Commissioners presented their questions to staff.

**MOTION:** Commissioner Barron moved to approve PC Resolution 08-19, reflecting Planning Commission decision to uphold an appeal of MIN19-001 for the project at 3300 Panorama. Commissioner Ingraffia seconded.

The Commissioners discuss the motion.

Commissioner Barron amended the motion to add “including removal of asbestos materials”. Commissioner Ingraffia 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.:** CUP19-03, CDP 19-006  
**Site Location:** 495 Atascadero Road, Morro Bay, CA  
**Proposal:** Request for Coastal Development Permit and Conditional Use Permit for after-the-fact approval for a 2-story maintenance building that was constructed under the State of California Department of Housing and Community Development building permit authority in 2014. The project

required City of Morro Bay approval of a Conditional Use Permit and Coastal Development Permit prior to building permit issuance. The building is a 24 ft. by 33 ft. pre-engineered metal building with a height of approximately 22.5 feet located along the easterly property line. The property is in the C-1/C-2/SP zoning district and is not within the appeals jurisdiction of the California Coastal Commission.

**CEQA Determination:** Categorically Exempt, Section 15303, Class 3e.

**Staff Recommendation:** Conditionally approve.

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

<https://youtu.be/sNj1M8Q1VPw?t=42m26s>

#### 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/sNj1M8Q1VPw?t=1h8m20s>

Ruben Morales, RPM Consulting, stated he helped the applicant acquire the permits for the building. Morales also noted he formerly worked for the State of California Housing and Community Development (HCD) for 35 years. Morales stated he followed the requirements requested from the applicant and noted he was told he didn't need anything from the City.

The Commissioners presented their questions to the applicant.

Chairperson Luhr closed the Public Comment period.

<https://youtu.be/sNj1M8Q1VPw?t=1h25m3s>

Discussion and comments from the Commissioners and staff.

**MOTION:** Commissioner Stewart moved to approve PC Resolution 10-19 approving Conditional Use Permit CUP19-03 and Coastal Development Permit CDP19-006 approving the maintenance building at 495 Atascadero Road with the exclusion of Public Works conditions number two (2) and number three (3). Vice-chairperson Lucas seconded, and motion passes 4-1 with Commissioner Barron voting no.

<https://youtu.be/sNj1M8Q1VPw?t=1h38m47s>

#### **B-2 Case No.:** SEP19-001

**Site Location:** 962 Piney Way, Morro Bay, CA

**Proposal:** Sign Exception Permit approval request to allow two freestanding monument signs where one monument sign is the maximum per MBMC section 17.68.110. The proposed signs are for St. Timothy's Church at 962 Piney Way, which sits on a 100,218 sq. ft. lot that has two different street frontages, with one monument sign proposed at each entrance. The property is zoned R-2 (Duplex Residential) and is located outside the Coastal Commission Appeals Jurisdiction.

**CEQA Determination:** Categorically Exempt, Section 15311, Class 11(a).

**Staff Recommendation:** Conditionally approve.

**Staff Contact:** Willow Urquidi, Assistant Planner, (805) 772-6270

<https://youtu.be/sNj1M8Q1VPw?t=1h40m9s>

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS –  
NONE

Urquidi presented the staff report.

Chairperson Luhr opened the Public Comment period.

<https://youtu.be/sNj1M8Q1VPw?t=1h46m22s>

Curtis Bradley, Troop 214 Morro Bay/Los Osos stated he was here on behalf of St. Timothy's Roman Catholic Church. Bradley presented his report for the sign exemption permit.

Reverend Edward Holterhoff thanked the Commission and spoke about the benefits of having the new sign on Piney Way. Holterhoff also asked if the Commission if they could help reduce the cost of the permit.

Chairperson Luhr closed the Public Comment period.

<https://youtu.be/sNj1M8Q1VPw?t=1h54m57s>

The Commissioners presented their questions to the applicant and staff.

**MOTION:** Commissioner Barron moved to grant the sign exception permit SEP19-001, the sign exemption permit approval request to allow two freestanding monument signs where one monument sign is the maximum. Barron recommends forwarding a favorable recommendation for granting a fee waiver to the City Council and adopt PC Resolution 11-19. Vice Chairperson Lucas seconded, and the motion passes 5-0.

<https://youtu.be/sNj1M8Q1VPw?t=2h2m52s>

C. NEW BUSINESS

<https://youtu.be/sNj1M8Q1VPw?t=2h4m43s>

Chairperson Luhr asked staff if there was a way they could adopt an ordinance to fine people who build without a permit. Luhr wanted to know if there could be a discussion on a later date.

D. UNFINISHED BUSINESS - NONE

E. PLANNING COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS

Commissioner Barron would like to agendize a discussion on Title 24.

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENT - NONE

G. ADJOURNMENT

The meeting adjourned at 8:12 p.m. to the next special scheduled Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on June 4, 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: July 16, 2019

## Staff Report

**TO:** Planning Commissioners

**DATE:** July 5, 2019

**FROM:** Nancy Hubbard, Contract Planner

**SUBJECT:** Coastal Development (CDP19-008) to construct a bank stabilization facility on a R-1/S2.A zoned parcel with an existing single-family home. This project is located inside the Coastal Commission appeals jurisdiction.

**RECOMMENDATION:**

*CONDITIONALLY APPROVE THE PROJECT* by adopting Planning Commission Resolution 17-19 which includes the Findings and Conditions of Approval for the project depicted on the site development plans date stamped March 29, 2019.



**APPLICANT/AGENT:**

Wally Auerbach, Owner  
Daniel Sotelo, Designer

**LEGAL DESCRIPTION/APN:**

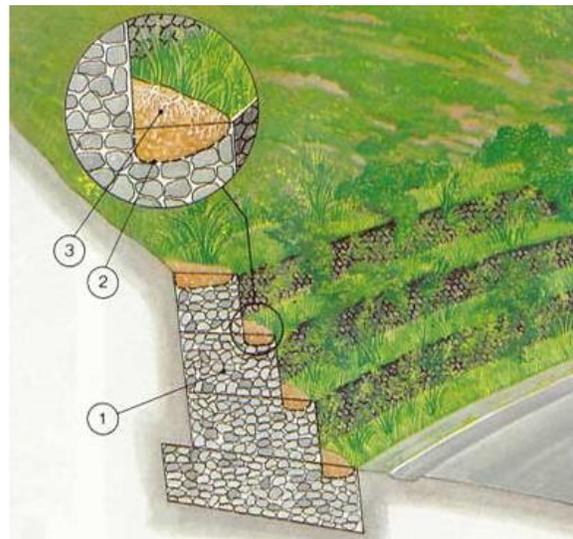
065-111-029

**PROJECT DESCRIPTION:**

The project proposes construction of a gabion basket system proposed to stabilize the bank of an unnamed drainage ditch adjacent to the existing single-family home.

**PROJECT SETTING:**

The project is in north Morro Bay in the Beach Tract neighborhood. The proposed construction is on a vacant easterly-sloping triangular-shaped lot surrounded by mixed non-native woodland habitat adjacent to a drainage ditch that runs from the southeast to the northwestern corner of the property. A combination of native and non-native vegetation, with intermittent non-native trees are in the upper canopy along the edge of the drainage ditch. A drainage easement runs along the east and north sides of the property.



- 1: Gabions
- 2: Geomesh
- 3: Enriched soil

The subject property is located on Beachcomber Drive between Orcas Street and Mindoro Way. West of the property is Beachcomber Drive with and RV camping site and beach parking beyond.

**Zoning Ordinance Compliance**

<b><u>Adjacent Zoning/Land Use</u></b>			
North:	R-1/S.2A Single-Family Residential	South	R-1/S.2A Single-Family Residential
East:	R-1/S.2A Single-Family Residential	West:	CVS/PD/S-4 (currently in use for an RV camping and parking lot)

<b><u>Site Characteristics</u></b>	
Overall Site Area	8500 Square Feet
Existing Use	Single Family Residential
Terrain	Moderately Sloping
Vegetation	Developed site and landscaping, native plants in drainage ditch
Access	Mindoro Way

<b>General Plan, Zoning Ordinance &amp; Local Coastal Plan Designations</b>	
General Plan/Coastal Plan Land Use Designation	Moderate Density Residential
Base Zone District	Single-Family Residential (R-1)
Zoning Overlay District	n/a
Special Treatment Area	S.2A Overlay Zone
Coastal Zone	Located in the Coastal Commission Appeals Jurisdiction
Bluff Property	n/a

**Site Zoning.** The project is in a Single Family Residential (R-1) zone. It is also subject to the provisions of a special treatment overlay zones: the S.2A overlay. Special treatment overlay zones require additional review and analysis for new development in unique areas of the city.

**PROJECT ANALYSIS:**

**Recent changes to the Drainage Ditch Bank**

In 2015, the neighboring property at 110 Orcas was approved allowing construction of a new home, and a retaining wall on the north wall of the drainage ditch on the other side of the shared property line (through the drainage easement area) with the subject property. The retaining wall and related new home are in the final stages of completion. The proposed project will

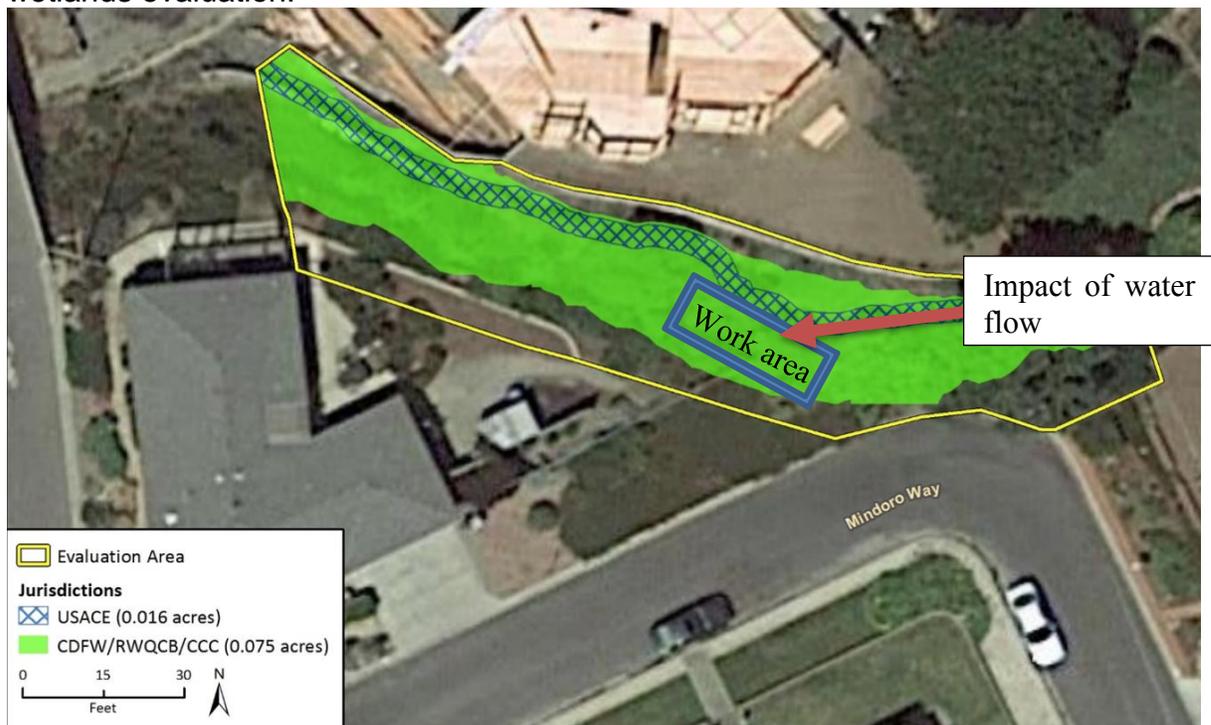


use a gabion basket system to support and prevent further erosion to the property at 3200 Beachcomber from the impact of the storm water when making a change in direction from due west to northwest that occurs at the south edge of the subject property. According to the property owner, the drainage ditch has been eroding the southwest corner of the subject property for the past 25 years, resulting in a vertical bank on the southwest corner and slow movement of vegetation, trees and fencing in the affected areas. The project is conditioned to require an engineering report that confirms that the proposed stabilization project does not have any detrimental effects

on the function of the drainage ditch.

### Biological Resources Analysis & Wetlands Delineation – LCP Consistency

The City's Local Coastal Plan (LCP), Policy 11.05 requires initial environment assessment for areas of the City where sensitive habitats are suspected to exist but are not presently mapped or identified in the City's Land Use Plan. Pursuant to this requirement, a Biological Resources Constraints Analysis and Wetlands Evaluation was prepared by Rincon Consultants in December 2013 for the adjacent property (new construction of a home with a block retaining wall along the unnamed drainage ditch). This Rincon report was updated specifically for this proposed bank stabilization project in May 2019. The analysis included a field survey, literature review and a wetlands evaluation.



The original Rincon Consultants Report created in 2013, and subsequent email correspondence concluded that the drainage basin does not meet the criteria of a wetlands, estuary, open coastal waters, stream/riparian habitat, and does not include any rare or unusual native plant communities. It also does not meet the definition of stream habitat, nor is it a blue line creek on the USGS map. The conclusion is that the drainage basin is not considered ESHA, environmentally sensitive habitat and therefore not subject to buffer setback requirements.

The updated report states that the drainage likely falls under the jurisdiction of USACE, RWQCB and CDFW due to the presence of Ordinary High-Water Mark (OHWM) indicators. The drainage ditch bed and bank have been disturbed and show evidence of past human alteration (likely referring to the permitted project on the north/east edge of the bank). No riparian and/or hydrophytic vegetation were

documented within this portion of the drainage ditch. However, final jurisdictional determinations of the boundaries of the water, wetlands (if any), and riparian habitats (if any) are made by each of the above agencies typically at the time the authorizations to impact such features are requested. The Rincon Updated Report Conclusions and Recommendations have been included as conditions of approval.

**ENVIRONMENTAL DETERMINATION:**

Environmental review was performed for this project and staff determined it meets the requirements for a Categorical Exemption under CEQA Guidelines Section 15304. That exemption applies for a minor alteration to the condition of land, water and/or vegetation without removal of healthy, mature, scenic trees other than for forestry or agricultural purposes. The work will be performed under the requirements of the Rincon Consultants Biological Resources Constraints Analysis and Wetlands Evaluations update letter dated May 30, 2019.

**PUBLIC NOTICE:**

Notice of a public hearing on this item was published in the San Luis Obispo Tribune newspaper on July 5, 2019, and all property owners of record and occupants within 500 feet of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application.

**CONCLUSION:**

The project, as proposed, is consistent with all required development standards of the Zoning Ordinance and all applicable provisions of the General Plan and Local Coastal Plan with incorporation of the recommended conditions of approval. Staff recommends that the Planning Commission conditionally approve the requested Coastal Development Permit (CDP19-008) for the bank stabilization project at 3200 Beachcomber as shown on the project plans date stamped March 29, 2019 by adopting Planning Commission Resolution 17-19.

**EXHIBITS:**

- Exhibit A – Planning Commission Resolution 17-19
- Exhibit B – Plan Reductions date stamped March 29, 2019
- Exhibit C – Rincon Consultants updated report dated May 30, 2019

RESOLUTION NO. PC 17-19

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION  
APPROVING COASTAL DEVELOPMENT PERMIT (CP019-008)  
FOR A BANK STABILIZATION PROJECT  
ALONG AN UNNAMED DRAINAGE DITCH  
AT 3200 BEACHCOMBERS  
WITHIN THE COASTAL COMMISSION APPEAL JURISDICTION

**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 July 16, 2019, for the purpose of considering Coastal Development Permit CP019-008 for a drainage ditch bank stabilization project for an existing residential property located at 3200 Beachcomber Drive, within the Coastal Commission appeal jurisdiction; 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 15304, for a minor alteration to the condition of land, water and/or vegetation without removal of healthy, mature, scenic trees other than for forestry or agricultural purposes. Additionally, none of the Categorical Exemption Exceptions, noted under Section 15300.2, apply to the project.

Coastal Development Finding

1. The Planning Commission finds that the project is consistent with applicable provisions of the Local Coastal Program and Section 30253 Minimization of Adverse Impacts of the California Coastal Act in assuring stability and structural integrity in avoiding erosion in an unnamed drainage ditch.
2. The Planning Commission finds the project, as conditioned, is consistent with the previous improvements to insure stability and avoid erosion for the unnamed private drainage ditch.

**Section 2. Action.** The Planning Commission does hereby approve Coastal Development Permit CP019-008 for property located at 3200 Beachcomber Drive subject to the following conditions:

## **STANDARD CONDITIONS**

1. This permit is granted for the land described in the staff report dated July 5, 2019, for the project at 3200 Beachcomber Drive depicted on plans dated March 13, 2019, as part of Coastal Development Permit CP019-008, on file with the Community Development Department, as modified by these conditions of approval, and more specifically described as follows: Site development and all installed structures and improvements shall be located and designed substantially as shown on plans, unless otherwise specified herein.
2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this Resolution and is diligently pursued, thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Any extension may be granted by the City's Community Development Manager (the "Manager"), 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 Manager. Any changes to this approved permit determined, by the Manager, not to be minor shall require the filing of an application for a permit amendment subject to Planning Commission review.
4. Compliance with the Law: (a) All requirements of any law, ordinance or regulation of the State of California, the City, and any other governmental entity shall be complied with in the exercise of this approval, (b) This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan for the City.
5. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicants failure to comply with conditions of approval. Applicant understands and acknowledges the City is under no obligation to defend any legal actions challenging the City's actions with respect to the project. This condition and agreement shall be binding on all successors and assigns.
6. Compliance with Conditions: The applicant's establishment of the use or development of the subject property constitutes acknowledgement and acceptance of all Conditions of Approval. Compliance with and execution of all

conditions listed hereon shall be required prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Manager or as authorized by the Planning Commission. Failure to comply with any of these conditions shall render this entitlement, at the discretion of the Manager, null and void. Continuation of the use without a valid entitlement will constitute a violation of the MBMC and is a misdemeanor.

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

## **PLANNING CONDITIONS**

1. Archaeology: In the event of the unforeseen encounter of subsurface materials suspected to be of an archaeological or paleontological nature, all grading or excavation shall immediately cease in the immediate area, and the find should be left untouched until a qualified professional archaeologist or paleontologist, whichever is appropriate, is contacted and called in to evaluate and make recommendations as to disposition, mitigation and/or salvage. The developer shall be liable for costs associated with the professional investigation.
2. Construction Hours: Pursuant to MBMC subsection 9.28.030.I, Construction or Repairing of Buildings, the erection (including excavating), demolition, alteration or repair of any building or general land grading and contour activity using equipment in such a manner as to be plainly audible at a distance of fifty feet from the building other than between the hours of seven a.m. and seven p.m. on weekdays and eight a.m. and seven p.m. on weekends except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Community Development Department, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for a period of three days or less while the emergency continues.
3. Dust Control: That prior to issuance of a grading permit, a method of control to prevent dust and wind blow earth problems shall be submitted for review and approval by the Building Official.
4. Conditions of Approval on Building Plans: Prior to the issuance of a Building Permit, the final Conditions of Approval shall be attached to the set of approved plans. The sheet containing Conditions of Approval shall be the same size as other plan sheets and shall be the last sheet in the set of Building Plans.
5. Facility Design: Bank Stabilization shall be constructed as shown on plans approved by the Planning Commission and on the plans submitted for a Building Permit there shall be an analysis by a licensed civil engineer addressing any changes to the flow direction or rate of the storm water in the drainage ditch, any effects on the water flow location related to the existing drainage ditch easement and especially considering the impact of and to the retaining wall recently constructed on the north and east bank of the proposed project area. Such plans and engineering analysis shall be to the satisfaction of the Community Development Manager Manager.

6. Survey and Topographic Mapping: The property owner shall provide an updated site survey, including updated topographic notations for the area of the work. The survey shall be prepared by a currently licensed land surveyor shall verify lot boundaries and setbacks from the proposed stabilization facility to the satisfaction of the Community Development Manager.
7. Landscaping: Plans shall include a landscape restoration plan for any disturbed area. If any trees are being removed an arborist report is required to assess the condition of the tree (s) proposed for removal and to determine the species, quantity, size and placement mitigation for the tree removed.
8. If the work is taking place between February 1 and June 30, a nesting bird survey shall be conducted by a qualified biologist no more than two weeks prior to the onset of construction activities. If no active nests are found, no further action shall be required. If active bird nests are found, then an appropriately sized avoidance buffer shall be established, and construction work may be delayed or continue with the monitoring of a qualified biologist in consultation with the California Department of Fish and Wildlife (CDFW).
9. Applicant shall follow all Recommendations stated in the Conclusions and Recommendations section of the May 30, 2019 Rincon Updated Report and shall obtain all required regulatory permits from FEMA, US Army Corps of Engineers, Regional Water Quality Control Board, and California Department of Fish and Wildlife prior to any construction. The applicant shall provide letters from each agency stating their level of interest/requirements for this project to the City prior to the start of the work. See also Public Works Department Condition #1.

## **PUBLIC WORKS CONDITIONS**

1. Flood Zone Requirements: This proposed project is located within a Zone A Special Flood Hazard Area (SFHA). The City's Flood Damage Prevention Ordinance (MBMC Chapter 14.72) describes the requirements. Pertinent requirements include, but are **not** limited to:
  - a) A Flood Hazard Development Permit is required
  - b) Adverse Effects: The proposed development does not adversely affect the carrying capacity of the channel. For purposes of this title, "adversely affects" means that the cumulative effect of the proposed development when combined with all other existing and anticipated development will increase the water surface elevation of the base flood more than one foot at any point within the city of Morro Bay.
  - c) Notifications of Other Agencies: Alteration or relocation of a watercourse:
    - i. Notify adjacent communities and the California Department of Water Resources prior to alteration or relocation,

- ii. Submit evidence of such notification to the Federal Emergency Management Agency and the City.
  - iii. Assure that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained;
2. Hydrologic and Hydraulic Report Requirements: A hydrologic and hydraulic report sealed by a registered civil engineer is required. Hydrologic data for this reach may be available from FEMA, and if so, it is the responsibility of the design engineer to obtain it.
3. Encroachment Permits: A standard encroachment permit shall be required for the construction within the City right-of-way. 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.
4. Detailed Erosion and Sediment Control Plan: Required for sites greater than 1/2 acre, or for building or other site disturbance proposed on slopes over 15%, or for projects located within critical areas. The Plan shall show control measures to provide protection against erosion of adjacent property and prevent sediment or debris from entering the City right of way, adjacent properties, any harbor, waterway, or ecologically sensitive area. It must include a written narrative, detailed site plan, typical drawing and details.
5. 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.
6. 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.

**Additional Notes** - Add the following notes to the plans. These are required for Building Permit Approval.

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.

## **BUILDING DEPARTMENT CONDITIONS:**

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

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:**

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.

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

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.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 16th day of July 2019 on the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

ATTEST

\_\_\_\_\_  
Scot Graham, Community Development Manager

The foregoing resolution was passed and adopted this 16th day of July 2019.

**GENERAL NOTES**

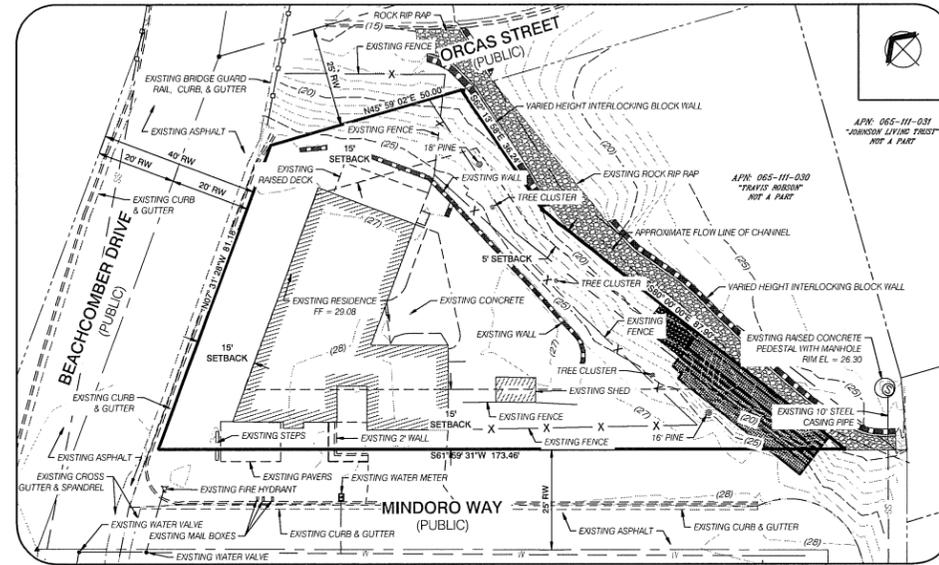
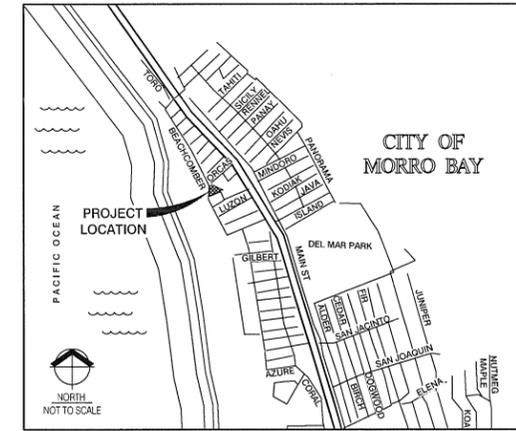
- NO CONSTRUCTION SHALL BE STARTED WITHOUT PLANS APPROVED BY THE BUILDING DEPARTMENT. THE BUILDING DEPARTMENT SHALL BE NOTIFIED AT LEAST 24 HOURS PRIOR TO STARTING OF CONSTRUCTION AND OF THE TIME LOCATION OF THE PRECONSTRUCTION CONFERENCE. ANY CONSTRUCTION PERFORMED WITHOUT APPROVED PLANS OR PRIOR NOTIFICATION TO THE BUILDING DEPARTMENT WILL BE REJECTED AND WILL BE AT THE CONTRACTOR'S AND/OR OWNER'S RISK.
- FOR ANY CONSTRUCTION PERFORMED THAT IS NOT IN COMPLIANCE WITH PLANS OR PERMITS APPROVED FOR THE PROJECT THE BUILDING DEPARTMENT MAY REVOKE ALL ACTIVE PERMITS AND RECOMMEND THAT CODE ENFORCEMENT PROVIDE A WRITTEN NOTICE OR STOP WORK.
- ALL CONSTRUCTION WORK AND INSTALLATIONS SHALL CONFORM TO THE MOST CURRENT PUBLIC IMPROVEMENT STANDARDS AND ALL WORK SHALL BE SUBJECT TO THE APPROVAL OF THE BUILDING DEPARTMENT.
- THE PROJECT OWNER AND CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND/OR MAINTAINING ALL WEATHER ACCESS AT ALL TIMES TO EXISTING PROPERTIES LOCATED IN THE VICINITY OF WORK. ADDITIONALLY, THEY SHALL BE RESPONSIBLE FOR MAINTAINING ALL EXISTING SERVICES, INCLUDING UTILITY, GARBAGE COLLECTION, MAIL DISTRIBUTION, ETC. TO ALL EXISTING PROPERTIES LOCATED IN THE VICINITY OF WORK.
- ON-SITE HAZARDS TO PUBLIC SAFETY SHALL BE SHIELDED BY CONSTRUCTION FENCING. FENCING SHALL BE MAINTAINED BY THE PROJECT OWNER AND CONTRACTOR UNTIL SUCH TIME THAT THE PROJECT IS COMPLETED AND OCCUPIED. POTENTIAL HAZARDS HAVE BEEN MITIGATED, OR ALTERNATIVE PROTECTIVE MEASURES HAVE BEEN INSTALLED.
- SOILS TESTS SHALL BE DONE IN ACCORDANCE WITH PUBLIC IMPROVEMENT STANDARDS. ALL TESTS MUST BE MADE WITHIN 15 DAYS PRIOR TO THE PLACING MATERIAL. THE TEST RESULTS SHALL CLEARLY INDICATE THE LOCATION AND SOURCE OF THE MATERIAL.
- ROADWAY COMPACTION TESTS SHALL BE MADE ON SUBGRADE MATERIAL, AGGREGATE BASE MATERIAL, AND MATERIAL AS SPECIFIED BY THE ENGINEER. SAID TESTS SHALL BE MADE PRIOR TO THE PLACEMENT OF THE NEXT MATERIAL LIFT.
- SUBGRADE MATERIAL SHALL BE COMPACTED TO A RELATIVE COMPACTION OF 95% IN THE ZONE BETWEEN FINISHED SUBGRADE ELEVATION AND A MINIMUM OF ONE FOOT BELOW. ALL MATERIAL IN FILL SECTIONS BELOW THE ZONE MENTIONED ABOVE SHALL BE COMPACTED TO 90% RELATIVE COMPACTION.
- A REGISTERED CIVIL ENGINEER SHALL CERTIFY THAT THE IMPROVEMENTS WHEN COMPLETED ARE IN ACCORDANCE WITH THE PLANS PRIOR TO THE REQUEST FOR A FINAL INSPECTION. RECORD DRAWINGS SHALL BE PREPARED AFTER CONSTRUCTION IS COMPLETED. THE CIVIL ENGINEER CERTIFYING THE IMPROVEMENTS AND PREPARING AS-BUILT PLANS MAY BE PRESENT WHEN THE FINAL INSPECTION IS MADE BY THE COUNTY.
- AN ENGINEER OF WORK AGREEMENT AND AN ENGINEER CHECKING AND INSPECTION AGREEMENT ARE REQUIRED PRIOR TO THE START OF CONSTRUCTION. THE BUILDING DEPARTMENT SHALL BE NOTIFIED IN WRITING OF ANY CHANGES TO THE ENGINEER OF WORK AGREEMENT. CONSTRUCTION SHALL NOT PROCEED WITHOUT AN ENGINEER OR WORK AGREEMENT.
- ALL UTILITY COMPANIES SHALL BE NOTIFIED PRIOR TO THE START OF CONSTRUCTION.
- A COUNTY ENCROACHMENT PERMIT IS REQUIRED FOR ALL WORK DONE WITHIN THE RIGHT-OF-WAY. THE ENCROACHMENT PERMIT MAY ESTABLISH ADDITIONAL UTILITY AND TRAFFIC CONTROL REQUIREMENTS.
- THE COUNTY INSPECTOR ACTING ON BEHALF OF THE BUILDING DEPARTMENT MAY REQUIRE REVISIONS IN THE PLANS TO SOLVE UNFORESEEN PROBLEMS THAT MAY ARISE IN THE FIELD. ALL REVISIONS SHALL BE SUBJECT TO THE APPROVAL OF THE DEVELOPER'S ENGINEER OF WORK.
- HYDROSEEDING OR OTHER PERMANENT EROSION CONTROL SHALL BE PLACED AND ESTABLISHED WITH 90% COVERAGE ON ALL DISTURBED SURFACES (OTHER THAN PAVED OR GRAVEL SURFACES) PRIOR TO THE FINAL INSPECTION.
- FOR ANY PUBLIC IMPROVEMENTS TO BE MAINTAINED BY THE COUNTY, IF ENVIRONMENTAL PERMITS FROM THE U.S. ARMY CORPS OF ENGINEERS, THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD/STATE WATER RESOURCES CONTROL BOARD, OR THE CALIFORNIA DEPARTMENT OF FISH & GAME ARE REQUIRED, THE DEVELOPER SHALL:
  - SUBMIT A COPY OF ALL SUCH COMPLETED PERMITS TO THE COUNTY BUILDING DEPARTMENT OR
  - DOCUMENT THAT THE REGULATORY AGENCIES DETERMINED THAT SAID PERMIT IS NOT REQUIRED; PRIOR TO ACCEPTANCE OF THE COMPLETED IMPROVEMENTS FOR COUNTY MAINTENANCE AND RELEASE OF IMPROVEMENT SECURITY. ANY MITIGATION MONITORING REQUIRED BY SAID PERMITS WILL REMAIN THE RESPONSIBILITY OF THE DEVELOPER.
- WHEN THE PROJECT SITE EARTHWORK IS NOT INTENDED TO BALANCE THEN A SEPARATE GRADING PERMIT FOR THE SENDING OR RECEIVING PROPERTY MAY BE REQUIRED. A COPY OF THE PERMITS OR EVIDENCE THAT NO PERMITS ARE REQUIRED SHALL BE SUBMITTED TO THE DEPARTMENT PRIOR TO COMMENCING PROJECT EARTHWORK.

# AUERBACH RESIDENCE

## 3200 BEACHCOMBER DRIVE

### MORRO BAY, CA

#### APN: 065-111-029



**PROJECT AIR QUALITY**

DURING GROUND DISTURBING ACTIVITIES, THE CONTRACTOR OR BUILDER SHALL DESIGNATE A PERSON OR PERSONS TO MONITOR THE DUST CONTROL PROGRAM AND TO ORDER INCREASED WATERING, AS NECESSARY, TO PREVENT TRANSPORT OF DUST OFF SITE. THEIR DUTIES SHALL INCLUDE HOLIDAY AND WEEKEND PERIODS WHEN WORK MAY NOT BE IN PROGRESS. THE NAME AND TELEPHONE NUMBER OF SUCH PERSONS SHALL BE PROVIDED TO THE APCD PRIOR TO COMMENCEMENT OF CONSTRUCTION.

THE MEASURES FOR DUST CONTROL ARE AS FOLLOWS, BUT NOT LIMITED TO:

- REDUCE THE AMOUNT OF DISTURBED AREA WHERE POSSIBLE.
- USE OF WATER TRUCKS OR SPRINKLER SYSTEMS IN SUFFICIENT QUANTITIES TO PREVENT AIRBORNE DUST FROM LEAVING THE SITE. INCREASED WATERING FREQUENCY WILL BE REQUIRED WHENEVER WIND SPEEDS EXCEED 15 MPH. RECLAIMED (NON-POTABLE) WATER SHALL BE USED WHENEVER POSSIBLE.
- ALL DIRT STOCK PILE AREAS SHALL BE SPRAYED DAILY AS NEEDED.
- PERMANENT DUST CONTROL MEASURES IDENTIFIED IN THE APPROVED PROJECT REVEGETATION AND LANDSCAPE PLANS SHALL BE IMPLEMENTED AS SOON AS POSSIBLE FOLLOWING COMPLETION OF ANY SOIL DISTURBING ACTIVITIES.
- EXPOSED GROUND AREAS THAT ARE PLANNED TO BE REWORKED AT DATES GREATER THAN ONE MONTH AFTER INITIAL GRADING SHOULD BE SOWN WITH A FAST GERMINATING NATIVE GRASS SEED AND WATERED UNTIL VEGETATION IS ESTABLISHED.
- ALL DISTURBED SOIL AREAS NOT SUBJECT TO REVEGETATION MUST BE STABILIZED USING APPROVED CHEMICAL SOIL BINDERS, JUTE NETTING, OR OTHER METHODS APPROVED IN ADVANCE BY APCD.
- ALL ROADWAYS, DRIVEWAYS, SIDEWALKS, ETC. TO BE PAVED SHALL BE COMPLETED AS SOON AS POSSIBLE. IN ADDITION, BUILDING PADS SHOULD BE LAID AS SOON AS POSSIBLE AFTER GRADING UNLESS SEEDING OR SOIL BINDERS ARE USED.
- VEHICLES SPEED FOR ALL CONSTRUCTION VEHICLES SHALL NOT EXCEED 15 MPH ON ANY UNPAVED SURFACE AT THE CONSTRUCTION SITE.
- ALL TRUCKS HAULING DIRT, SAND, SOIL, OR OTHER LOOSE MATERIALS ARE TO BE COVERED OR SHALL MAINTAIN AT LEAST TWO FEET OF FREEBOARD (MINIMUM VERTICAL DISTANCE BETWEEN TOP OF LOAD AND TOP OF TRAILER) IN ACCORDANCE WITH CALIFORNIA VEHICLE CODE SECTION 23114.
- INSTALL WHEEL WASHERS WHERE VEHICLES ENTER AND EXIT UNPAVED ROADS ONTO STREETS, OR WASH OFF TRUCKS AND EQUIPMENT LEAVING THE SITE.
- SWEEP STREETS AT THE END OF EACH DAY IF VISIBLE SOIL MATERIAL IS CARRIED ONTO ADJACENT PAVED ROADS. WATER SWEEPERS WITH RECLAIMED WATER SHALL BE USED WHERE FEASIBLE.

**APPLICABLE CODES**

- 2016 CALIFORNIA ENERGY CODE
- 2016 CALIFORNIA BUILDING CODE, VOLS 1 & 2
- 2016 CALIFORNIA ELECTRICAL CODE
- 2016 CALIFORNIA ENERGY CODE
- 2016 CALIFORNIA FIRE CODE
- 2016 CALIFORNIA GREEN BUILDING CODE
- 2016 CALIFORNIA MECHANICAL CODE
- 2016 CALIFORNIA PLUMBING CODE
- 2016 CALIFORNIA REFERENCE STANDARDS CODE
- 2016 CALIFORNIA RESIDENTIAL CODE
- CITY BUILDING AND CONSTRUCTION ORDINANCE
- CITY COASTAL ZONE LAND
- CITY FIRE CODE ORDINANCE
- CITY LAND USE ORDINANCE

**CIVIL ENGINEER**  
 DANIEL SOTELO, PE  
 ENGINEERING DESIGN PROFESSIONALS, INC.  
 2055-A 9TH STREET  
 LOS OSOS, CA 93402  
 TEL. 805-602-6167

**LAND SURVEYOR**  
 MICHAEL B. STANTON, PLS  
 MBS LAND SURVEYS, INC.  
 3563 SUELDO ST. UNIT O  
 SAN LUIS OBISPO, CA 93401  
 TEL. 805-694-1960

**OWNER**  
 WALTER AUERBACH  
 3200 BEACHCOMBER  
 MORRO BAY, CA 93442  
 TEL. 530-214-3037

**SHEET INDEX**

No.	SHEET	DESCRIPTION
1	C1	COVER SHEET
2	C2	NOTE SHEET
3	C3	BANK STABILIZATION
4	C4	DETAIL SHEET

**PROJECT STATISTICS**

<b>SITE SUMMARY</b>	
SITE AREA:	8,500 SF
<b>EXISTING BUILDING SUMMARY</b>	
USE:	SINGLE FAMILY RESIDENCE
OCCUPANCY:	R-3U-1
ZONING:	R-1S.2A
CONSTRUCTION:	TYPE VB, SPRINKLERED
NUMBER OF STORIES:	1
<b>SETBACKS</b>	
	ACTUAL
FRONT	15'
LEFT SIDE	15'
RIGHT SIDE	15'
BACK	5'

**FLOOD ZONE INFORMATION**  
 A PORTION OF THE PROPERTY LIES WITHIN ZONE A, AN AREA OF 1% ANNUAL CHANCE OF FLOOD HAZARD WITHOUT A BASE FLOOD ELEVATION PER FEMA PANEL NO. 050702013H, EFFECTIVE DATE 5/16/2017.

**BASIS OF BEARINGS**  
 THE BASIS OF BEARINGS FOR THIS PROJECT IS BASED ON FOUND MONUMENTS ALONG THE MOST WESTERLY LINE OF SUBJECT LOT. BEARING S 80° 00' 00" E.

**BENCHMARK**  
 THE BENCHMARK FOR THIS PROJECT IS CITY OF MORRO BAY BENCHMARK A-119AT THE INTERSECTION OF MAIN STREET AND NASSAU, ELEVATION=36.88' (NGVD29)

**DISCLAIMER NOTE:**  
 EXISTING UTILITY LOCATIONS SHOWN HEREON ARE APPROXIMATE ONLY. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT VERTICAL AND HORIZONTAL LOCATION OF ALL EXISTING UNDERGROUND UTILITIES PRIOR TO COMMENCING CONSTRUCTION. NO REPRESENTATION IS MADE THAT ALL EXISTING UTILITIES ARE SHOWN HEREON. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR UTILITIES NOT SHOWN IN THEIR PROPER LOCATION.

BUILDING PERMIT - 1ST SUBMITTAL	
A	3/13/2019
REP.	DATE
DESCRIPTION	

**ENGINEERING DESIGN PROFESSIONALS, INC.**  
 LOS OSOS CA  
 805-602-6167 | EDPINCORPORATED.COM

**COVER SHEET**  
 AUERBACH RESIDENCE  
 3200 BEACHCOMBER DRIVE  
 MORRO BAY, CA  
 APN # 065-111-029

DATE:	3/13/2019	SCALE:	1"=20'
DRAWN:	DS	CHECKED:	DS



3/13/2019  
 SHEET  
**C1**  
 SHEET 1 OF 4 SHEETS  
 PMT TBD

**GENERAL NOTES**

- NO CONSTRUCTION SHALL BE STARTED WITHOUT PLANS APPROVED BY THE CITY BUILDING DEPARTMENT. THE BUILDING DEPARTMENT SHALL BE NOTIFIED AT LEAST 24 HOURS PRIOR TO STARTING OF CONSTRUCTION AND OF THE TIME LOCATION OF THE PRECONSTRUCTION CONFERENCE. ANY CONSTRUCTION PERFORMED WITHOUT APPROVED PLANS OR PRIOR NOTIFICATION TO THE BUILDING DEPARTMENT WILL BE REJECTED AND WILL BE AT THE CONTRACTOR'S AND/OR OWNER'S RISK.
- FOR ANY CONSTRUCTION PERFORMED THAT IS NOT IN COMPLIANCE WITH PLANS OR PERMITS APPROVED FOR THE PROJECT THE CITY BUILDING DEPARTMENT MAY REVOKE ALL ACTIVE PERMITS AND RECOMMEND THAT CITY CODE ENFORCEMENT PROVIDE A WRITTEN NOTICE OR STOP WORK ORDER.
- ALL CONSTRUCTION WORK AND INSTALLATIONS SHALL CONFORM TO THE MOST CURRENT CITY OF MORRO BAY BUILDING DEPARTMENT STANDARDS AND ALL WORK SHALL BE SUBJECT TO THE APPROVAL OF THE BUILDING DEPARTMENT.
- THE PROJECT OWNER AND CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND/OR MAINTAINING ALL WEATHER ACCESS AT ALL TIMES TO EXISTING PROPERTIES LOCATED IN THE VICINITY OF WORK. ADDITIONALLY, THEY SHALL BE RESPONSIBLE FOR MAINTAINING ALL EXISTING SERVICES, INCLUDING UTILITY, GARBAGE COLLECTION, MAIL DISTRIBUTION, ETC. TO ALL EXISTING PROPERTIES LOCATED IN THE VICINITY OF WORK.
- ON-SITE HAZARDS TO PUBLIC SAFETY SHALL BE SHIELDED BY CONSTRUCTION FENCING. FENCING SHALL BE MAINTAINED BY THE PROJECT OWNER AND CONTRACTOR UNTIL SUCH TIME THAT THE PROJECT IS COMPLETED AND OCCUPIED. POTENTIAL HAZARDS HAVE BEEN MITIGATED, OR ALTERNATIVE PROTECTIVE MEASURES HAVE BEEN INSTALLED.
- SOILS TESTS SHALL BE DONE IN ACCORDANCE WITH THE CITY PUBLIC IMPROVEMENT STANDARDS. TESTS MUST BE MADE WITHIN 15 DAYS PRIOR TO PLACING MATERIAL. THE TEST RESULTS SHALL CLEARLY INDICATE THE LOCATION AND SOURCE OF THE MATERIAL.
- ROADWAY COMPACTION TESTS SHALL BE MADE ON SUBGRADE MATERIAL, AGGREGATE BASE MATERIAL, AND MATERIAL AS SPECIFIED BY THE ENGINEER. SAID TESTS SHALL BE MADE PRIOR TO THE PLACEMENT OF THE NEXT MATERIAL LIFT.
- SUBGRADE MATERIAL SHALL BE COMPACTED TO A RELATIVE COMPACTION OF 95% IN THE ZONE BETWEEN FINISHED SUBGRADE ELEVATION AND A MINIMUM OF ONE FOOT BELOW. ALL MATERIAL IN FILL SECTIONS BELOW THE ZONE MENTIONED ABOVE SHALL BE COMPACTED TO 90% RELATIVE COMPACTION.
- A REGISTERED CIVIL ENGINEER SHALL CERTIFY THAT THE IMPROVEMENTS WHEN COMPLETED ARE IN ACCORDANCE WITH THE PLANS PRIOR TO THE REQUEST FOR A FINAL INSPECTION. RECORD DRAWINGS SHALL BE PREPARED AFTER CONSTRUCTION IS COMPLETED. THE CIVIL ENGINEER CERTIFYING THE IMPROVEMENTS AND PREPARING AS-BUILT PLANS MAY BE PRESENT WHEN THE FINAL INSPECTION IS MADE BY THE CITY.
- AN ENGINEER OF WORK AGREEMENT AND AN ENGINEER CHECKING AND INSPECTION AGREEMENT ARE REQUIRED PRIOR TO THE START OF CONSTRUCTION. THE BUILDING DEPARTMENT SHALL BE NOTIFIED IN WRITING OF ANY CHANGES TO THE ENGINEER OF WORK AGREEMENT. CONSTRUCTION SHALL NOT PROCEED WITHOUT AN ENGINEER OF WORK.
- ALL UTILITY COMPANIES SHALL BE NOTIFIED PRIOR TO THE START OF CONSTRUCTION.
- A CITY ENCROACHMENT PERMIT IS REQUIRED FOR ALL WORK DONE WITHIN THE CITY RIGHT-OF-WAY. THE ENCROACHMENT PERMIT MAY ESTABLISH ADDITIONAL UTILITY AND TRAFFIC CONTROL REQUIREMENTS.
- THE CITY INSPECTOR ACTING ON BEHALF OF THE CITY BUILDING DEPARTMENT MAY REQUIRE REVISIONS IN THE PLANS TO SOLVE UNFORESEEN PROBLEMS THAT MAY ARISE IN THE FIELD. ALL REVISIONS SHALL BE SUBJECT TO THE APPROVAL OF THE DEVELOPER'S ENGINEER OF WORK.
- HYDROSEEDING OR OTHER PERMANENT EROSION CONTROL SHALL BE PLACED AND ESTABLISHED WITH 90% COVERAGE ON ALL DISTURBED SURFACES (OTHER THAN PAVED OR GRAVEL SURFACES) PRIOR TO THE FINAL INSPECTION.
- FOR ANY PUBLIC IMPROVEMENTS TO BE MAINTAINED BY THE CITY, IF ENVIRONMENTAL PERMITS FROM THE U.S. ARMY CORPS OF ENGINEERS, THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD/STATE WATER RESOURCES CONTROL BOARD, OR THE CALIFORNIA DEPARTMENT OF FISH & GAME ARE REQUIRED, THE DEVELOPER SHALL:
  - SUBMIT A COPY OF ALL SUCH COMPLETED PERMITS TO THE CITY BUILDING DEPARTMENT OR,
  - DOCUMENT THAT THE REGULATORY AGENCIES DETERMINED THAT SAID PERMIT IS NOT REQUIRED.
 PRIOR TO ACCEPTANCE OF THE COMPLETED IMPROVEMENTS FOR CITY MAINTENANCE AND RELEASE OF IMPROVEMENT SECURITY. ANY MITIGATION MONITORING REQUIRED BY SAID PERMITS WILL REMAIN THE RESPONSIBILITY OF THE DEVELOPER.
- WHEN THE PROJECT SITE EARTHWORK IS NOT INTENDED TO BALANCE THEN A SEPARATE GRADING PERMIT FOR THE SENDING OR RECEIVING PROPERTY MAY BE REQUIRED. A COPY OF THE PERMITS OR EVIDENCE THAT NO PERMITS ARE REQUIRED SHALL BE SUBMITTED TO THE DEPARTMENT PRIOR TO COMMENCING PROJECT EARTHWORK.

**PROJECT PRE-CONSTRUCTION MEETING**

PRIOR TO START OF CONSTRUCTION, A PRE-CONSTRUCTION MEETING SHALL BE SCHEDULED WITH THE REPRESENTATIVE OF THE CITY OF MORRO BAY, THE CIVIL ENGINEER OF RECORD, THE SOILS ENGINEER OF RECORD, THE GRADING CONTRACTOR OF RECORD, THE OWNER/DEVELOPER, AND OTHERS REQUIRED TO IMPLEMENT AND TO SUPPORT THIS PROJECT. THE OWNER/DEVELOPER SHALL COORDINATE THIS MEETING WITH THE CITY REPRESENTATIVE AND OTHER PARTIES.

**OPERATION AND TESTING PROGRAM**

THE SOILS ENGINEER OF RECORD SHALL OBSERVE THE FOLLOWING TASKS:

- PLACEMENT, BACKFILL, AND COMPACTION OF FILL MATERIAL
- BI-WEEKLY REPORTS ARE REQUIRED BY THE SOILS ENGINEER OF RECORD TO THE GRADING INSPECTOR, MONITORING THE JOB PROGRESS INCLUDING THE STATUS OF EROSION & SEDIMENTATION MONITORING.
- A FINAL REPORT IS REQUIRED FOR ENGINEERING GRADING INCLUDING ALL COMPACTION REPORTS.

**PROJECT SURVEY MONUMENTS**

EXISTING SURVEY MONUMENTS SHALL BE TIED OUT OR REPLACED IN ACCORDANCE WITH CITY STANDARDS AND SPECIFICATIONS

**GRADING NOTES**

- ALL GRADING CONSTRUCTION SHALL CONFORM TO THE APPLICABLE CODES AS NOTED UNDER "APPLICABLE CODES" HEADING.
- THE DEVELOPER SHALL BE RESPONSIBLE FOR SCHEDULING A PRE-CONSTRUCTION MEETING WITH THE CITY AND OTHER AFFECTED AGENCIES. THE CONTRACTOR SHALL NOTIFY THE CITY BUILDING DEPARTMENT AT LEAST 24 HOURS PRIOR TO ANY WORK BEING PERFORMED, AND ARRANGE FOR INSPECTION.
- SOILS ENGINEER TO DETERMINE THE SOILS SUITABLE TO SUPPORT THE INTENDED STRUCTURE. SUCH REPORT INCLUDING PROGRESS AND/OR COMPACTION REPORTS SHALL BE SUBMITTED TO THE FIELD INSPECTOR PRIOR TO FINAL INSPECTION WHEN A SOILS REPORT IS OBTAINED. THE CITY POLICY REGARDING PAD CERTIFICATION SHALL BE FOLLOWED. WHEN APPLICABLE THE ENGINEER SHALL OBSERVE THE GRADING OPERATION(S) AND PROVIDE THE FIELD INSPECTOR WITH REQUIRED COMPACTION REPORTS AND A REPORT STATING THAT THE GRADING PERFORMED HAS BEEN OBSERVED AND IS IN CONFORMANCE WITH THE USC AND CITY ORDINANCES.
- NO CUT OR FILL SLOPES WILL BE CONSTRUCTED STEEPER THAN TWO HORIZONTAL TO ONE VERTICAL (2:1).
- DUST CONTROL IS TO BE MAINTAINED AT ALL TIMES DURING CONSTRUCTION.
- AREAS OF FILL SHALL BE SCARIFIED, BENCHED AND RECOMPACTED PRIOR TO REPLACING FILL AND OBSERVED BY A SOIL OR CIVIL ENGINEER.
- FILL MATERIAL WILL BE RECOMPACTED TO 90% OF MAXIMUM DENSITY.
- REMOVE ANY DELETERIOUS MATERIAL ENCOUNTERED BEFORE PLACING FILL.
- ALL DISTURBED AREAS SHALL BE HYDRO SEEDER OR PLANTED WITH APPROVED EROSION CONTROL VEGETATION AS SOON AS PRACTICAL AFTER CONSTRUCTION IS COMPLETE.
- MINIMUM SETBACK TO CREEKS AND BLUFFS SHALL BE MAINTAINED. MINIMUM SETBACK OF TWO FEET FROM ALL PROPERTY LINES WILL BE MAINTAINED FOR ALL GRADING.
- MINIMUM SLOPE AWAY FROM BUILDINGS SHALL BE 5% FOR THE FIRST TEN FEET AROUND PERIMETER.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SURVEY MARKERS DURING CONSTRUCTION. ALL SUCH MONUMENTS OR MARKERS DISTURBED SHALL BE RESET AT THE CONTRACTOR'S EXPENSE.
- ALL CONTRACTORS AND SUBCONTRACTORS WORKING WITHIN THE RIGHT OF WAY SHALL HAVE AN APPROPRIATE CONTRACTOR'S LICENSE, A LOCAL BUSINESS LICENSE, AND SHALL OBTAIN AN ENCROACHMENT PERMIT.
- ENGINEERING REPORTS FOR CUT OR FILL SLOPES STEEPER THAN 2:1 SHALL BE SUBMITTED TO THE FIELD INSPECTOR.

**EROSION CONTROL NOTES**

- EROSION CONTROL MEASURES FOR WIND, WATER, MATERIAL STOCKPILES, AND TRACKING SHALL BE IMPLEMENTED ON ALL PROJECTS AT ALL TIMES AND SHALL INCLUDE SOURCE CONTROL, INCLUDING PROTECTION OF STOCKPILES, PROTECTION OF SLOPES, PROTECTION OF ALL DISTURBED AREAS, PROTECTION OF ACCESSES, AND PERIMETER CONTAINMENT MEASURES. EROSION CONTROL SHALL BE PLACED PRIOR TO THE COMMENCEMENT OF GRADING AND SITE DISTURBANCE ACTIVITIES UNLESS THE BUILDING DEPARTMENT DETERMINES TEMPORARY MEASURES TO BE UNNECESSARY BASED UPON LOCATION, SITE CHARACTERISTICS OR TIME OF YEAR. THE INTENT OF EROSION CONTROL MEASURES SHALL BE TO KEEP ALL GENERATED SEDIMENTS FROM ENTERING A SWALE, DRAINAGE WAY, WATERCOURSE, ATMOSPHERE, OR MIGRATE ONTO ADJACENT PROPERTIES OR ONTO THE PUBLIC RIGHT-OF-WAY.
- INSPECTIONS AND APPROPRIATE MAINTENANCE OF ALL EROSION CONTROL MEASURES/DEVICES SHALL BE CONDUCTED AND DOCUMENTED AT ALL TIMES DURING CONSTRUCTION AND ESPECIALLY PRIOR TO, DURING, AND AFTER RAIN EVENTS.
- THE DEVELOPER SHALL BE RESPONSIBLE FOR THE PLACEMENT AND MAINTENANCE OF ALL EROSION CONTROL MEASURES/DEVICES AS SPECIFIED BY THE APPROVED PLAN UNTIL SUCH TIME THAT THE PROJECT IS ACCEPTED AS COMPLETE BY THE BUILDING DEPARTMENT OR UNTIL RELEASED FROM THE CONDITIONS OF APPROVAL OF THEIR GENERAL PERMIT. EROSION CONTROL MEASURES/DEVICES MAY BE RELOCATED, DELETED OR ADDITIONAL MEASURES/DEVICES MAY BE REQUIRED DEPENDING ON THE ACTUAL CONDITIONS ENCOUNTERED DURING CONSTRUCTION. ADDITIONAL EROSION CONTROL MEASURES/DEVICES SHALL BE PLACED AT THE DISCRETION OF THE ENGINEER OF WORK, CITY INSPECTOR, SWPPP MONITOR, OR RWOCB INSPECTOR. GUIDELINES FOR DETERMINING APPROPRIATE EROSION CONTROL DEVICES SHALL BE INCLUDED IN THE PLANS WITH ADDITIONAL MEASURES/DEVICES NOTED FROM THE APPENDIX OF THE PUBLIC IMPROVEMENT STANDARDS.
- WET WEATHER EROSION CONTROL MEASURES/DEVICES SHALL BE AVAILABLE, INSTALLED, AND/OR APPLIED BETWEEN OCTOBER 15 AND APRIL 15 OR ANYTIME WHEN THE RAIN PROBABILITY EXCEEDS 30%.
- THE CONTRACTOR, DEVELOPER, AND ENGINEER OF WORK SHALL BE RESPONSIBLE TO REVIEW THE PROJECT SITE PRIOR TO OCTOBER 15 (RAIN SEASON) AND TO COORDINATE AN IMPLEMENTATION PLAN FOR WET WEATHER EROSION CONTROL DEVICES. A LOCALLY BASED STANDBY CREW FOR EMERGENCY WORK SHALL BE AVAILABLE AT ALL TIMES DURING THE RAINY SEASON (OCTOBER 15 THROUGH APRIL 15). NECESSARY MATERIALS SHALL BE AVAILABLE AND STOCK PILED AT CONVENIENT LOCATIONS TO FACILITATE RAPID CONSTRUCTION OR MAINTENANCE OF TEMPORARY DEVICES WHEN RAIN IS IMMINENT.
- IN THE EVENT OF A FAILURE, THE DEVELOPER AND/OR HIS REPRESENTATIVE SHALL BE RESPONSIBLE FOR CLEANUP AND ALL ASSOCIATED COSTS OR DAMAGE. IN THE EVENT THAT DAMAGE OCCURS WITHIN THE RIGHT-OF-WAY AND THE CITY IS REQUIRED TO PERFORM CLEANUP, THE OWNER SHALL BE RESPONSIBLE FOR CITY REIMBURSEMENT OF ALL ASSOCIATED COSTS OR DAMAGE.
- IN THE EVENT OF FAILURE AND/OR LACK OF PERFORMANCE BY THE OWNER AND/OR CONTRACTOR TO CORRECT EROSION CONTROL RELATED PROBLEMS THE BUILDING DEPARTMENT MAY REVOKE ALL ACTIVE PERMITS AND RECOMMEND THAT CITY CODE ENFORCEMENT PROVIDE A WRITTEN NOTICE OR STOP WORK ORDER IN ACCORDANCE WITH THE LAND USE ORDINANCE.
- PERMANENT EROSION CONTROL SHALL BE PLACED AND ESTABLISHED WITH 90% COVERAGE ON ALL DISTURBED SURFACES OTHER THAN PAVED OR GRAVEL SURFACES. PRIOR TO FINAL INSPECTION, PERMANENT EROSION CONTROL SHALL BE FULLY ESTABLISHED PRIOR TO FINAL ACCEPTANCE. TEMPORARY EROSION CONTROL MEASURES SHALL REMAIN IN PLACE UNTIL PERMANENT MEASURES ARE ESTABLISHED.
- THE COUNTY AIR POLLUTION CONTROL DISTRICT (APCD) MAY HAVE ADDITIONAL PROJECT SPECIFIC EROSION CONTROL REQUIREMENTS. THE CONTRACTOR, DEVELOPER, AND ENGINEER OF WORK SHALL BE RESPONSIBLE FOR MAINTAINING SELF-REGULATION OF THESE REQUIREMENTS.
- ALL PROJECTS INVOLVING SITE DISTURBANCE OF ONE ACRE OR GREATER SHALL COMPLY WITH THE REQUIREMENTS OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES). THE DEVELOPER SHALL SUBMIT A NOTICE OF INTENT (NOI) TO COMPLY WITH THE GENERAL PERMIT FOR CONSTRUCTION ACTIVITY WITH THE REGIONAL WATER QUALITY CONTROL BOARD (RWQCB). THE DEVELOPER SHALL PROVIDE THE CITY WITH THE WASTE DISCHARGE IDENTIFICATION NUMBER (WQID #) OR WITH VERIFICATION THAT AN EXEMPTION HAS BEEN GRANTED BY RWQCB.
- WQID NO.: WA LESS THAN ONE ACRE SITE DISTURBANCE PERSON TO CONTACT 24 HOURS A DAY IN THE EVENT THERE IS AN EROSION CONTROL/SEDIMENTATION PROBLEM (STORM WATER COMPLIANCE OFFICER): NAME: DANIEL SOTELO LOCAL PHONE: (805) 602-6167

**GRADING AND VEGETATION REMOVAL**

TO CONTROL EROSION, ACTUAL GRADING SHALL BEGIN WITHIN 30 DAYS OF VEGETATION REMOVAL OR THAT AREA SHALL BE PLANTED. NO VEGETATION REMOVAL OR GRADING WILL BE ALLOWED WHICH WILL RESULT IN THE SITUATION OF WATER COURSE OR UNCONTROLLABLE EROSION.

**EROSION CONTROL & INSPECTIONS**

EROSION AND SEDIMENT CONTROL BEST MANAGEMENT PRACTICES MUST BE IN PLACE AND FUNCTIONAL PRIOR TO THE FIRST INSPECTION. NO INSPECTIONS CAN BE PERFORMED IF THEY ARE NOT IN PLACE OR HAVE FAILED TO PROVIDE EROSION CONTROL. FAILURE TO MAINTAIN EROSION CONTROL WILL CAUSE INSPECTIONS TO BE DELAYED UNTIL EROSION CONTROL MEASURES ARE FUNCTIONAL.

PRE-STORM INSPECTIONS SHALL BE CONDUCTED TO ENSURE THAT BEST MANAGEMENT PRACTICES (BMPs) ARE APPROPRIATELY INSTALLED AND MAINTAINED POST-STORM INSPECTIONS SHALL BE CONDUCTED TO ENSURE THAT BMPs HAVE FUNCTIONED ADEQUATELY. BMPs SHALL BE EVALUATED FOR ADEQUACY AND PROPER IMPLEMENTATION AND WHETHER ADDITIONAL BMPs ARE REQUIRED IN ACCORDANCE WITH THE TERMS OF THE GENERAL PERMIT. QUALIFIED PERSONNEL SHALL CONDUCT INSPECTIONS OF THE SITE.

- PRIOR TO ANTICIPATED STORM EVENTS
- DURING EXTENDED STORM EVENTS IN 24-HOUR INTERVALS
- AFTER ACTUAL STORM EVENTS

**EARTHWORK QUANTITIES**

AREA OF DISTURBANCE = 0.018 AC  
 ESTIMATED CUT: 3 CY ±  
 ESTIMATED FILL: 53 CY ±  
 NET: 50 CY ± FILL  
 MAX CUT: 1.5'  
 MAX FILL: 7'

NOTE: EXACT SHRINKAGE, CONSOLIDATION, AND SUBSIDENCE FACTORS AND LOSSES DUE TO CLEARING OPERATIONS ARE NOT INCLUDED. ESTIMATED EARTHWORK QUANTITIES ARE BASED UPON THE DIFFERENCE BETWEEN EXISTING GROUND SURFACE AND PROPOSED FINISH GRADES, AS SHOWN ON THE PLAN, AND SHOULD VARY ACCORDING TO THESE FACTORS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SITE INSPECTION AND QUANTITY TAKE OFF, AND SHALL BID ACCORDINGLY.

**SPECIAL INSPECTIONS**

- ALL CONSTRUCTION & INSPECTIONS SHALL CONFORM TO 2016 CALIFORNIA BUILDING CODE (CBC) CHAPTER 17.
  - SPECIAL INSPECTION REQUIREMENT ARE REQUIRED FOR THIS PROJECT. THE OWNER OR REGISTERED DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE ACTING AS THE OWNER'S AGENT SHALL EMPLOY ONE OR MORE SPECIAL INSPECTORS TO PROVIDE INSPECTIONS DURING CONSTRUCTION ON ALL TASKS IDENTIFIED BELOW.
  - SPECIAL INSPECTORS SHALL BE A QUALIFIED PERSON WHO SHALL DEMONSTRATE COMPETENCE, TO THE SATISFACTION OF THE CITY BUILDING DEPARTMENT, NAMES AND QUALIFICATIONS OF SPECIAL INSPECTOR(S) SHALL BE SUBMITTED TO THE CITY BUILDING DEPARTMENT FOR APPROVAL.
  - EACH CONTRACTOR RESPONSIBLE FOR THE CONSTRUCTION OF COMPONENTS LISTED IN THE SPECIAL INSPECTIONS SHALL SUBMIT A WRITTEN STATEMENT OF RESPONSIBILITY TO THE CITY BUILDING DEPARTMENT AND THE OWNER PRIOR TO THE COMMENCEMENT OF WORK. THE STATEMENT SHALL CONTAIN THE ITEMS LISTED IN CBC 1706.1.
  - A FINAL REPORT PREPARED BY A SOIL OR CIVIL ENGINEER SHALL BE SUBMITTED TO THE FIELD INSPECTOR STATING THE WORK PERFORMED IS IN SUBSTANTIAL CONFORMANCE WITH THE APPROVED PLANS, APPLICABLE CODES, AND IS FOUND TO BE SUITABLE TO SUPPORT THE INTENDED STRUCTURE. SUCH REPORT SHALL INCLUDE ANY FIELD PROGRESS REPORTS, COMPACTION DATA ETC.
- SECTION 1705, STATEMENT OF SPECIAL INSPECTIONS:
- 1705.1 GENERAL, WHERE SPECIAL INSPECTION OR TESTING IS REQUIRED BY SECTION 1704, 1707 OR 1708, THE REGISTERED DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE SHALL PREPARE A STATEMENT OF SPECIAL INSPECTIONS IN ACCORDANCE WITH SECTION 1706 FOR SUBMITTAL BY THE PERMIT APPLICATION (SEE SECTION 1704.1.1).
  - 1705.2 CONTENT OF STATEMENT OF SPECIAL INSPECTIONS, THE STATEMENT OF SPECIAL INSPECTIONS SHALL IDENTIFY THE FOLLOWING:
    - THE MATERIALS, SYSTEMS, COMPONENTS AND WORK REQUIRED TO HAVE SPECIAL INSPECTION OR TESTING BY THE BUILDING OFFICIAL OR BY THE REGISTERED DESIGN PROFESSIONAL, RESPONSIBLE FOR EACH PORTION OF THE WORK.
    - THE TYPE AND EXTENT OF EACH SPECIAL INSPECTION.
    - THE TYPE AND EXTENT OF EACH TEST.
    - ADDITIONAL REQUIREMENTS FOR SPECIAL INSPECTION OR TESTING FOR SEISMIC OR WIND RESISTANCE AS SPECIFIED IN SECTION 1705.3, 1705.4, 1707 OR 1708.
  - FOR EACH TYPE OF SPECIAL INSPECTION, IDENTIFICATION AS TO WHETHER IT WILL BE CONTINUOUS SPECIAL INSPECTION OR PERIODIC SPECIAL INSPECTION.
- SECTION (TABLE) 1704.7, REQUIRED VERIFICATION AND INSPECTION OF SOILS.
- VERIFY MATERIALS BELOW FOOTINGS ARE ADEQUATE TO ACHIEVE THE DESIGN BEARING CAPACITY SHALL BE PERFORMED PERIODICALLY DURING TASK.
  - VERIFY EXCAVATIONS ARE EXTENDED TO PROPER DEPTH AND HAVE REACHED PROPER MATERIAL. SHALL BE PERFORMED PERIODICALLY DURING TASK.
  - PERFORM CLASSIFICATION AND TESTING OF CONTROLLED FILL MATERIALS, SHALL BE PERFORMED PERIODICALLY DURING TASK.
  - VERIFY USE OF PROPER MATERIALS, DENSITIES AND LIFT THICKNESSES DURING PLACEMENT AND COMPACTION OF CONTROLLED FILL SHALL BE PERFORMED CONTINUOUSLY DURING TASK.

**OBSERVATION & TESTING PROGRAM**

THE PROJECT SOILS ENGINEER SHALL PERFORM THE INSPECTION & TESTING FOR THE FOLLOWING TASKS:

- FINAL PLANS
- STRIPPING AND CLEARING OF VEGETATION
- RECOMPACTION OF SCARIFICATION SOILS
- FILL PLACEMENT AND COMPACTION
- OVER EXCAVATING
- VERIFICATION OF SOILS TYPE & DEPTH
- FINAL REPORT

THE SOILS ENGINEER OF WORK SHALL BE XXXXXX THE PROJECT ENGINEER OF WORK SHALL PERFORM THE INSPECTION FOR THE FOLLOWING TASKS:

- ROUGH GRADING & SITE PREPARATION
- FINAL GRADING INSPECTION PRIOR TO FINAL CITY INSPECTION

THE PROJECT ENGINEER OF WORK SHALL BE DANIEL SOTELO OF ENGINEERING DESIGN PROFESSIONALS, INC., RCE #11227, 2005-A 9TH STREET, LOS OSOS, CA 93040, PHONE (805) 602-6167

THE ENGINEER OR WORK SHALL STATE IN WRITING THE WORK IS IN SUBSTANTIAL CONFORMANCE WITH THE APPROVED PLANS.

THE PERSON RESPONSIBLE FOR BMP INSPECTION IS DANIEL SOTELO, PHONE (805) 602-6167.

**ABBREVIATIONS**

ABAN	ABANDON	GR	GAS PRESSURE REGULATOR	TEMP	TEMPORARY
AP	ABANDONED IN PLACE	PL-G	PLASTIC GAS	TBA	TO BE ADJUSTED
AGG	AGGREGATE	S-G	STEEL GAS	TBR	TO BE REMOVED
ALT	ALTERNATE EC	GB	GRADE BREAK	TC	TOP OF CURB
A	AND/OR GAS	GUT	GUTTER	TP	TOP OF PIPE
ACP	ASBESTOS CEMENT PIPE	HDWL	HEADWALL	TS	TRAFFIC SIGNAL
AC	ASPHALTIC CONCRETE	IN	INCH	TSI	TRAFFIC SIGNAL INTERCONNECT
AVE	AVENUE	INT	INTERSECTION	TR	TRANSITION
BC	BACK OF CURB	INV	INVERT	TY	TYPICAL
BCR	BACK OF CURB RADIUS	ISL	ISLAND	UG	UNDERGROUND
BVC	BEGINNING OF VERTICAL CURVE	JB	JUNCTION BOX	VAR	VARIABLE
BM	BENCH MARK	LOC	LENGTH OF CURB	VERT	VERTICAL
BMP	BEST MANAGEMENT PRACTICES	LT	LEFT	VG	VERTICAL CURVE
BMP	BEST MANAGEMENT PRACTICES	LF	LINEAR FEET	VG	VALLEY GUTTER
BORY	LINE BOUNDARY LINE	MH	MANHOLE	VCP	VITRIFIED CLAY PIPE
CATV	CABLE TELEVISION	MAX	MAXIMUM	W	WATER
C-C	CENTER TO CENTER	MIN	MINIMUM	WM	WATER METER
CL	CENTERLINE	MON	MONOLITHIC	WO	WEST OF
CO	CLEAN OUT, SEWER	N/O	NORTH OF	YD	YARD
COMM	COMMERCIAL	NOT	NOT TO SCALE		
CONC	PCC CONCRETE	OC	ON CENTER		
CONST	CONSTRUCTION OR CONSTRUCT	OG	ORIGINAL GROUND		
COR	CORNER	PVMT	PAVEMENT		
CMP	CORRUGATED METAL PIPE	PI	POINT OF INTERSECTION		
CSAP	CORRUGATED STEEL ARCH PIPE	PRC	POINT OF REVERSE CURVE		
CSP	CORRUGATED STEEL PIPE	PC	POINT OF CURVE		
CAG	CURB AND GUTTER	PT	POINT OF TANGENCY		
CIP	CAST IRON PIPE	PCC	POINT OF COMPOUND CURVE		
COL	COLUMN	PP	POWER POLE		
CU,YD	CUBIC YARD	P	POWER		
CU,FT	CUBIC FEET	PL	PROPERTY LINE		
CULV	CULVERT	PROP	PROPOSED		
CF	CURB FACE	PB	PULL BOX		
DEPT	DEPTH	RP	RADIUS POINT		
DIAM	DIAMETER	R	RADIUS		
DWY	DRIVENWAY ORIGINAL GROUND	RR	RAILROAD		
DI	DROP INLET	REIN	REINFORCED		
ESMT	EASEMENT	RC	REINFORCED CONCRETE		
E/O	EAST OF	RCB	REINFORCED CONCRETE BOX		
EP	EDGE OF PAVEMENT	RELOC	RELOCATE		
EO	EDGE OF OIL	RT	RIGHT		
E	ELECTRIC	R/W	RIGHT-OF-WAY		
EM	ELECTRIC METER	RD	ROAD		
ELEV	ELEVATION	SS	SANITARY SEWER		
EMBK	EMBANKMENT	SHT	SHEET		
ECR	END OF CURB RETURN	S/O	SOUTH OF		
EC	END OF CURVE	SW	SIDEWALK		
EVC	END OF VERTICAL CURVE	SO FT, SF	SQUARE FOOT		
EXIST	EXISTING	SO YD, SY	SQUARE YARD		
FT	FEET OR FOOT	STA	STATION		
FG	FINISH GRADE	SHP	STEEL HIGH-PRESSURE PIPE		
FA	FIRE ALARM	SD	STORM DRAIN		
FH	FIRE HYDRANT	STD	STANDARD		
FL	FLOW LINE	STRUCT	STRUCTURAL OR		
GALV	GALVANIZED	SURV	SURVEY		
GM	GAS METER	SL	STREETLIGHT		
		T	TELEPHONE		

**UNDERGROUND UTILITY NOTES**

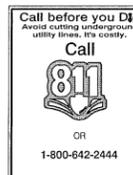
- AN EFFORT HAS BEEN MADE TO DEFINE THE LOCATION OF UNDERGROUND FACILITIES WITHIN THE JOBSITE. HOWEVER, ALL EXISTING UTILITY AND OTHER UNDERGROUND STRUCTURES MAY NOT BE SHOWN ON THIS PLAN AND THEIR LOCATION WHERE SHOWN IS APPROXIMATE. THE CONSTRUCTION CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR LOCATING OR HAVING LOCATED ALL UNDERGROUND UTILITIES AND OTHER FACILITIES AND FOR PROTECTING THEM DURING CONSTRUCTION.
- ALL UTILITY COMPANIES MUST BE NOTIFIED PRIOR TO THE START OF CONSTRUCTION. THE CONSTRUCTION CONTRACTOR SHALL CONTACT UNDERGROUND SERVICE ALERT (USA) AT 811 TWO TO TEN DAYS PRIOR TO THE START OF EXCAVATION AND SHALL VERIFY THE LOCATION OF ALL EXISTING UTILITIES AND WHETHER OR NOT A REPRESENTATIVE OF EACH COMPANY WILL BE PRESENT DURING EXCAVATION.

**LEGEND**

---	PROPERTY BOUNDARY
---	RIGHT OF WAY
---	PROPERTY LINE
---	SECTION LINE
---	CENTER LINE
---	EASEMENT
---	EXISTING BACK OF CURB
---	EXISTING FACE OF CURB
---	EXISTING LIP OF CURB
---	EXISTING MAJOR CONTOUR LINE
---	EXISTING MINOR CONTOUR LINE
---	EXISTING FENCE
---	EXISTING EDGE OF SIDEWALK
---	BUILDINGS
---	CONCRETE
---	BACK OF CURB
---	FACE OF CURB
---	CURB LIP
---	FLOW LINE
---	GRADE BREAK
---	SAWCUT
---	SIDEWALK
---	SETBACK
---	JOINT TRENCH

**STORM WATER PROJECT INFORMATION**

PROJECT NAME	AUERBACH RESIDENCE
APPLICATION NUMBER	TBD
ADDRESS AND APT#	3200 BEACHCOMBER AVE. APT# 065-111-029
NAME OF APPLICANT	WALTER AUERBACH
NAME OF OWNER	WALTER AUERBACH
PROJECT PHASE NUMBER	NA
PROJECT TYPE	SINGLE FAMILY RESIDENCE
<b>PROJECT AREAS</b>	
TOTAL PROJECT SITE AREA	8,500 SF
TOTAL NEW IMPERVIOUS SURFACE AREA	0 SF
TOTAL REPLACED SURFACE AREA	0 SF
TOTAL NEW PERVIOUS AREA	0 SF
CALCULATION OF NET IMPERVIOUS AREA	0 SF
<b>ACKNOWLEDGEMENT OF THE PERFORMANCE REQUIREMENTS THAT APPLY</b>	
PR NO. 1 - SITE DESIGN AND RUNOFF REDUCTION	EXEMPT



**CITY OF MORRO BAY NOTICES**

- 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
- 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.

**FLOOD ZONE INFORMATION**

A PORTION OF THE PROPERTY LIES WITHIN ZONE A, AN AREA OF 1% ANNUAL CHANCE OF FLOOD HAZARD WITHOUT A BASE FLOOD ELEVATION PER FEMA PANEL NO. 06079C0813H, EFFECTIVE DATE 8/16/2017.

**BASIS OF BEARINGS**

THE BASIS OF BEARINGS FOR THIS PROJECT IS BASED ON FOUND MONUMENTS ALONG THE MOST WESTERLY LINE OF SUBJECT LOT, BEARING S 80° 00' 00" E.

**BENCHMARK**

THE BENCH MARK FOR THIS PROJECT IS CITY OF MORRO BAY BENCHMARK A1-19AT THE INTERSECTION OF MAIN STREET AND NASSAU, ELEVATION=36.89' (NGVD29)

**DISCLAIMER NOTE:**

EXISTING UTILITY LOCATIONS SHOWN HEREON ARE APPROXIMATE ONLY. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT VERTICAL AND HORIZONTAL LOCATION OF ALL EXISTING UNDERGROUND UTILITIES PRIOR TO COMMENCING CONSTRUCTION. NO REPRESENTATION IS MADE THAT ALL EXISTING UTILITIES ARE SHOWN HEREON. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR UTILITIES NOT SHOWN IN THEIR PROPER LOCATION.

BUILDING PERMIT - 1ST SUBMITTAL

ENGINEERING DESIGN PROFESSIONALS, INC. LOS OSOS CA

NOTE SHEET

AUERBACH RESIDENCE  
3200 BEACHCOMBER DRIVE  
MORRO BAY, CA  
APN # 065-111-029

DATE: 9/13/2019

DRAFTER: DS

CHECKED: DS

SCALE: NTS

3/13/2019

SHEET

C2

SHEET 2 OF 4 SHEETS

PMT TBD

PRELIMINARY

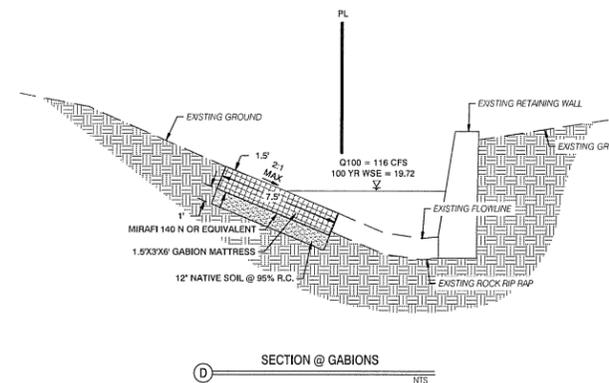
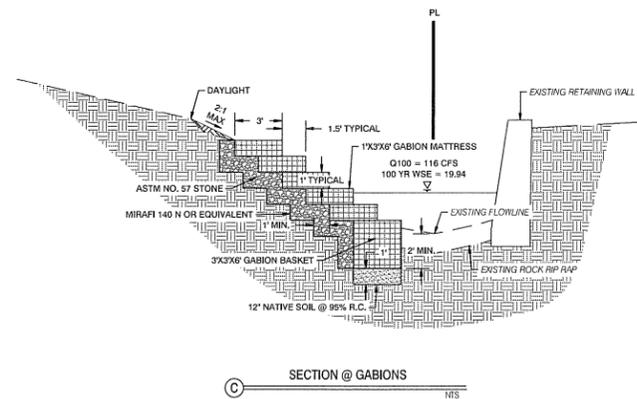
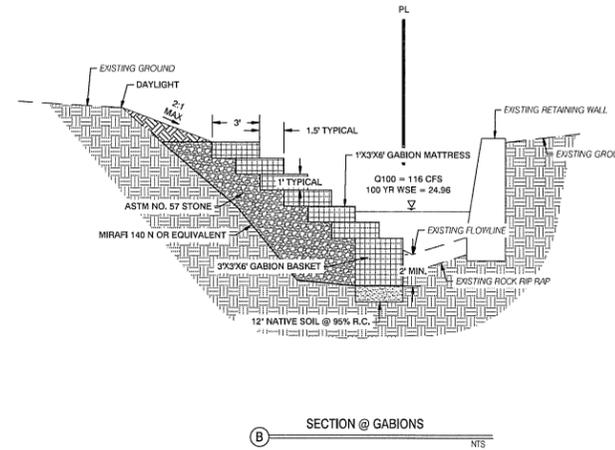
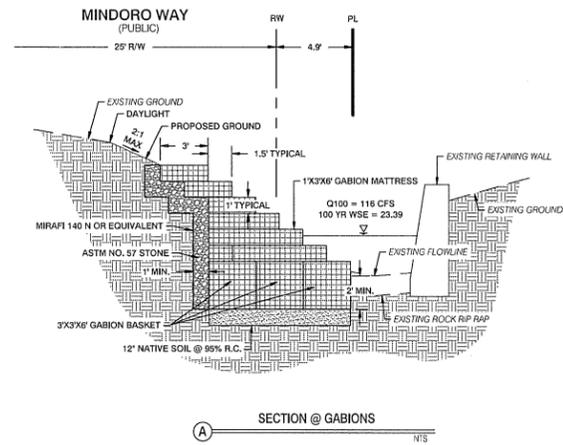
DANIEL A. SOTELO

NO. 81227

STATE OF CALIFORNIA

CIVIL ENGINEER





BUILDING PERMIT - 1ST SUBMITTAL	
A	3/13/2019
REV	DATE

ENGINEERING  
DESIGN  
PROFESSIONALS, INC.  
LOS ANGELES, CA  
605-602-6167 | EDPIN@CORPORATED.COM

**DETAIL SHEET**

AUERBACH RESIDENCE  
3200 BEACHCOMBER DRIVE  
MORRO BAY, CA  
APN # 065-1111-029

DATE:	3/13/2019
DRAFTER:	DS
CHECKED:	DS
SCALE:	1"=10'

REGISTERED PROFESSIONAL ENGINEER  
DANIEL A. SOTELO  
NO. 81227  
**PRELIMINARY**  
CIVIL  
STATE OF CALIFORNIA

SHEET  
**C4**  
SHEET 4 OF 4 SHEETS  
PMT TBD

May 30, 2019  
Rincon Project No: 19-07880

Walter Auerbach, President  
Auerbach Engineering Corporation  
645 West Lake Blvd. Suite 1  
Tahoe City, CA 96145  
Via email: [Wauerbach@auerbachengineering.com](mailto:Wauerbach@auerbachengineering.com)

**Subject: Existing Conditions Concurrence Letter for 3200 Beachcomber Drive in the City of Morro Bay, San Luis Obispo County, California**

Dear Mr. Auerbach:

This letter report has been prepared by Rincon Consultants, Inc. (Rincon) to confirm the type and extent of jurisdictional features located on the property located at 3200 Beachcomber Drive (Assessor's Parcel Number 040-223-003, Lot 1, Block 6 of Track 81).

Specifically, this study was conducted to confirm that the existing conditions of an unnamed drainage on the northeastern corner of the property are consistent with the findings documented in the *Biological Resources Constraints Analysis and Wetlands Evaluation* prepared by Rincon in 2013. The drainage is potentially subject to the jurisdictions of the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), California Department of Fish and Wildlife (CDFW), and the California Coastal Commission (CCC).

Any proposed activity in the drainage may be subject to the permit requirements of the USACE under Section 404 of the Clean Water Act (CWA), RWQCB under Section 401 of the CWA and under the Porter-Cologne Water Quality Control Act (Porter-Cologne Act), and/or CDFW pursuant to Section 1600 et seq. of the California Fish and Game Code. The property and drainage occur within the coastal zone designated by the CCC under the California Coastal Act. Therefore, a Coastal Development Permit (CDP) would likely be required from the City of Morro Bay (City) pursuant to the City's Local Coastal Plan.

Final jurisdictional determinations of the boundaries of waters, wetlands, and riparian habitats are made by each agency, typically at the time that authorizations to impact such features are requested.

## Methods

The evaluation began with a literature review of the *Biological Resources Constraints Analysis and Wetlands Evaluation for 110 Orcas Street*, in the City of Morro Bay, San Luis Obispo County, California (Rincon Consultants, Inc., 2013). Aerial imagery from September 2018 depicting Assessor's Parcel Number 040-223-003 (Google Earth, 2019) was also reviewed. After completion of the literature and aerial imagery reviews, a site visit was completed to confirm and map all potential jurisdictional waters

(Attachment B, Figure 1). The evaluation focused on the unnamed drainage on the northeastern corner of the property. Fieldwork for this evaluation was conducted by Rincon biologist Jamie Deutsch on May 22, 2019.

### *Field Evaluation*

Current federal and state methods and guidelines were used to evaluate and delineate the unnamed drainage. The drainage was surveyed on foot to determine if the feature exhibits an ordinary high water mark (OHWM), and identify potential waters of the U.S., waters of the state, and/or riparian resources, as described in more detail below. General site characteristics were noted and vegetation was documented.

The lateral limits of USACE jurisdiction (i.e., width) for non-wetland waters or “other waters” were determined by the presence of physical characteristics indicative of the OHWM. The OHWM was identified in accordance with the applicable Code of Federal Regulations sections (33 CFR 328.3 and 33 CFR 328.4) and Regulatory Guidance Letter (USACE, 2005), as well as in reference to various relevant technical publications including but not limited to *A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States* (USACE, 2008), and *Updated Datasheet for the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States* (USACE, 2010). Additionally, sources of water and connections to downstream Relatively Permanent Waters (RPWs) and Traditionally Navigable Waters (TNWs) were also evaluated.

The extent of potential RWQCB waters of the state was delineated by identifying the OHWM for resources regulated under Section 401 of the CWA. Additionally, Rincon reviewed the topography and morphology of the drainage to determine the outer limit of the top of the stream banks for additional areas that the RWQCB may regulate under the Porter-Cologne Act.

In addition, the extent of potential CDFW jurisdiction was delineated by determining the outer limit of riparian vegetation, if present, or the top of banks where riparian vegetation was lacking, to identify areas that CDFW may regulate under Section 1600 et seq. of the California Fish and Game Code.

Extents of potential jurisdictional features were mapped using a Trimble Geo 7X Global Positioning System (GPS) with sub-meter accuracy, and were also plotted on aerial photographs. The data were subsequently transferred to Rincon’s geographic information system (GIS) to produce Figure 1 (Attachment B).

## Field Results and Discussion

Based upon the findings of Rincon’s supplemental evaluation, the unnamed drainage is potentially subject to the jurisdiction(s) of the USACE, RWQCB, CDFW, and/or CCC. A figure depicting the extent of each agency’s jurisdiction is provided as Figure 1 (Attachment B).

The bed of the drainage lacks vegetation; however, the bank consists of non-native and invasive herbs with intermittent non-native trees in the upper canopy. Dominant species include cheeseweed (*Malva parviflora*), nasturtium (*Tropaeolum majus*), umbrella sedge (*Cyperus involucratus*), cape ivy (*Delairea odorata*), English ivy (*Hedera helix*), and iceplant (*Carpobrotus edulis*). Non-native trees include Italian cypress (*Cupressus sempervirens*), and pine (*Pinus* sp.). No riparian and/or hydrophytic vegetation were documented within this portion of the drainage.

The drainage has a well-defined bed and bank. No water was observed during the field survey; however, an OHWM is present and averages 4 feet wide. The bed and bank are disturbed and show evidence of past human alteration. Rock rip rap has been placed in the bed and retaining walls has been installed portions of the southern and northern banks. No hydrology indicators or hydrophytic vegetation was documented within this reach of the drainage.

## Conclusions and Recommendations

Consistent with the 2013 report prepared by Rincon, the unnamed drainage meets the USACE jurisdictional standards due to the presence of an OHWM, and downstream connectivity to a TNW, the Pacific Ocean. This drainage would also be regulated by the RWQCB under CWA Section 401 as well as the Porter-Cologne Act. No riparian vegetation is present; however, this drainage is subject to CDFW jurisdiction which includes streambed and streambank habitats up to the top of bank. The drainage occurs within the coastal zone designated by the CCC under the California Coastal Act. Therefore, a CDP would likely be required from the City. The extent of each agency's jurisdiction has changed slightly due to changes in regulations as well as anthropogenic alterations within and adjacent to the drainage between 2013 and 2019; however, the permitting authority within the drainage remains the same. Jurisdictional waters should be considered and avoided during project design, and if avoidance is not feasible, permits from these agencies should be sought prior to impacting such features.

To avoid and minimize indirect impacts to jurisdictional waters, the following avoidance and minimization measures are also recommended:

- During construction, the project will make all reasonable efforts to limit the use of imported soils for fill. Soils currently existing on-site should be used for fill material. If the use of imported fill material is necessary, the imported material must be obtained from a source that is known to be free of invasive plant species; or the material must consist of purchased clean material such as crushed aggregate, sorted rock, or other similar substances.
- To control sedimentation during and after project implementation, appropriate erosion control best management practices (i.e., installation of straw wattle, jute netting, etc.) shall be implemented to minimize adverse effects on jurisdictional areas. Plastic monofilament erosion control matting will not be implemented on-site.
- If feasible, project activities within the jurisdictional areas will occur during the dry season (e.g., between May 1 and November 1) in any given year, or as otherwise directed by the regulatory agencies. Deviations from this work window can be made with permission from the relevant regulatory agencies.
- During construction, no litter or construction debris shall be placed within jurisdictional areas. All such debris and waste shall be picked up daily and properly disposed of at an appropriate site.
- All project-generated debris, building materials, and rubbish shall be removed from jurisdictional areas and from areas where such materials could be washed into them.
- Raw cement, concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic species resulting from project-related activities, shall be prevented from contaminating the soil and/or entering jurisdictional areas.
- All refueling, maintenance, and staging of equipment and vehicles will occur in a location where a potential spill would not drain directly towards jurisdictional features (e.g., on a slope that

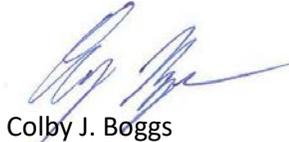
drains away from the water source). Prior to the onset of work activities, a plan must be in place for prompt and effective response to any accidental spills.

Sincerely,

**Rincon Consultants, Inc.**



Jamie Deutsch  
Associate Biologist



Colby J. Boggs  
Principal/Senior Ecologist

Attachments:

Attachment A: References

Attachment B: Figure

Attachment C: Representative Site Photographs

Attachment D: OHWM Datasheet

## Attachment A References

Google Earth. 2019. Imagery 2018.

Rincon Consultants. 2013. *Biological Resources Constraints Analysis and Wetlands Evaluation*.

United States Army Corps of Engineers. Environmental Laboratory. 1987. Technical Report Y-97-1. In: United States Army Corps of Engineers Wetlands Delineation Manual. United States Army Corps of Engineers Waterways Experiment Station. Vicksburg, MS.

----- . 2005. Regulatory Guidance Letter (No.05-05). *Ordinary High Water Mark Identification*.

----- . 2008. *A Field Guide to the Identification of the Ordinary High Water mark (OHWM) in the Arid West Region of the Western United States*. Technical Report ERDC/CRREL TR-08-12. U.S. Army Engineer Research and Development Center, Cold Regions Research and Engineering Laboratory. Hanover, New Hampshire.

----- . 2010. *Updated Datasheet for the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States*. Technical Report ERDC/CRREL TN-10-1. U.S. Army Engineer Research and Development Center, Cold Regions Research and Engineering Laboratory. Hanover, New Hampshire.

# Attachment B Figure

Figure 1. Jurisdictional Features



Imagery provided by Google and its licensors © 2019.

Fig X Jurisdictional Delineation

# Attachment C Representative Site Photographs



Photograph 1: View east of rip rap in OWHM and retaining wall along the northern bank of the drainage



Photograph 2: View west of retaining wall along the northern bank of the drainage and gently sloping bank on the southern side of the drainage dominated by non-native and invasive herbs in foreground and non-native trees in background.

## Attachment D: OHWM Datasheet

## Arid West Ephemeral and Intermittent Streams OTHW Datasheet

<b>Project:</b> 3260 Beachcomber Drive <b>Project Number:</b> 19-07880 <b>Stream:</b> Unnamed <b>Investigator(s):</b> Jamie Deutsch	<b>Date:</b> 5/22/2019 <b>Town:</b> Morro Bay <b>Photo begin file#:</b> <b>Time:</b> 1030 <b>State:</b> California <b>Photo end file#:</b>
--	---

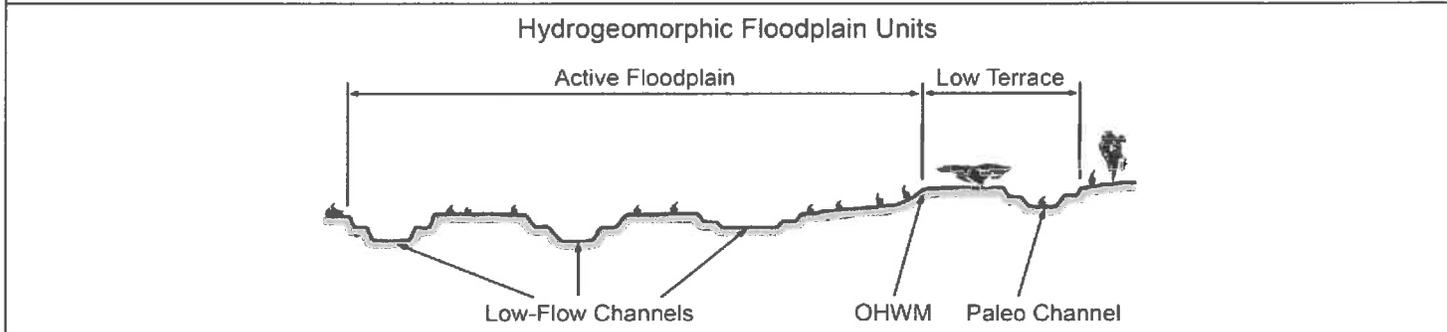
Y <input checked="" type="checkbox"/> / N <input type="checkbox"/> Do normal circumstances exist on the site?  Y <input checked="" type="checkbox"/> / N <input type="checkbox"/> Is the site significantly disturbed?	<b>Location Details:</b> Unnamed drainage northeast of 3200 Beachcomber Drive in Morro Bay, CA.  <b>Projection:</b> <b>Datum:</b> <b>Coordinates:</b> 35°24'1.22"N, 120°51'16.89"W
--	--

**Potential anthropogenic influences on the channel system:**  
 A pipeline goes through drainage feature and a retaining wall has been built along the north side of the drainage. Rip rap in OTHW.

**Brief site description:**  
 Defined bed and bank with vegetation consisting of invasive and non-native upland species. No riparian vegetation present.

**Checklist of resources (if available):**

<input checked="" type="checkbox"/> Aerial photography Dates: <input checked="" type="checkbox"/> Topographic maps <input type="checkbox"/> Geologic maps <input type="checkbox"/> Vegetation maps <input checked="" type="checkbox"/> Soils maps <input type="checkbox"/> Rainfall/precipitation maps <input type="checkbox"/> Existing delineation(s) for site <input type="checkbox"/> Global positioning system (GPS) <input type="checkbox"/> Other studies	<input type="checkbox"/> Stream gage data Gage number: Period of record: <input type="checkbox"/> History of recent effective discharges <input type="checkbox"/> Results of flood frequency analysis <input type="checkbox"/> Most recent shift-adjusted rating <input type="checkbox"/> Gage heights for 2-, 5-, 10-, and 25-year events and the most recent event exceeding a 5-year event
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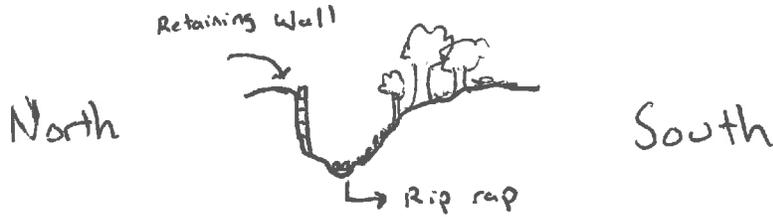
- Procedure for identifying and characterizing the floodplain units to assist in identifying the OTHW:**
1. Walk the channel and floodplain within the study area to get an impression of the geomorphology and vegetation present at the site.
  2. Select a representative cross section across the channel. Draw the cross section and label the floodplain units.
  3. Determine a point on the cross section that is characteristic of one of the hydrogeomorphic floodplain units.
    - a) Record the floodplain unit and GPS position.
    - b) Describe the sediment texture (using the Wentworth class size) and the vegetation characteristics of the floodplain unit.
    - c) Identify any indicators present at the location.
  4. Repeat for other points in different hydrogeomorphic floodplain units across the cross section.
  5. Identify the OTHW and record the indicators. Record the OTHW position via:
 

<input type="checkbox"/> Mapping on aerial photograph	<input checked="" type="checkbox"/> GPS
<input type="checkbox"/> Digitized on computer	<input type="checkbox"/> Other:

Project ID: 19-07880 Cross section ID:

Date: 5/22/19 Time: 1100

**Cross section drawing:**



**OHWWM**

GPS point: 35°24'1.12"N, 120°51'56.14"W

**Indicators:**

- Change in average sediment texture
- Change in vegetation species
- Change in vegetation cover
- Break in bank slope
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_

**Comments:**

Defined break in slope and change in vegetation cover. OHWWM is covered with rip rap

**Floodplain unit:**  Low-Flow Channel  Active Floodplain  Low Terrace

GPS point: 35°24'1.07"N, 120°51'56.09"W

**Characteristics of the floodplain unit:**

Average sediment texture: Medium Sand  
 Total veg cover: 100 % Tree: 20 % Shrub: 30 % Herb: 50 %  
 Community successional stage:

- NA
- Early (herbaceous & seedlings)
- Mid (herbaceous, shrubs, saplings)
- Late (herbaceous, shrubs, mature trees)

**Indicators:**

- Mudcracks
- Ripples
- Drift and/or debris
- Presence of bed and bank
- Benches
- Soil development
- Surface relief
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_

**Comments:**

Low terrace on South side of drainage. Terrace is covered with herbaceous vegetation along with mature trees and shrubs.



# Staff Report

**TO: Planning Commissioners**

**DATE: July 5, 2019**

**FROM: Nancy Hubbard, Contract Planner**

**SUBJECT: MIN19-06; Review of proposed amendments to the Coastal Land Use Plan necessary to clarify the total density derived from the allowed density transfer within the Cloisters Subdivision.**

**RECOMMENDATION:**

Adopt Planning Commission Resolution 15-19 (Exhibit A) recommending the City Council adopt the proposed amendments to the Coastal Land Use Plan (Exhibit A).

**PROJECT DESCRIPTION:**

The LUP amendment language approved in October 24, 1988 (Reso 127-88) related to the currently proposed text amendment, was as follows:

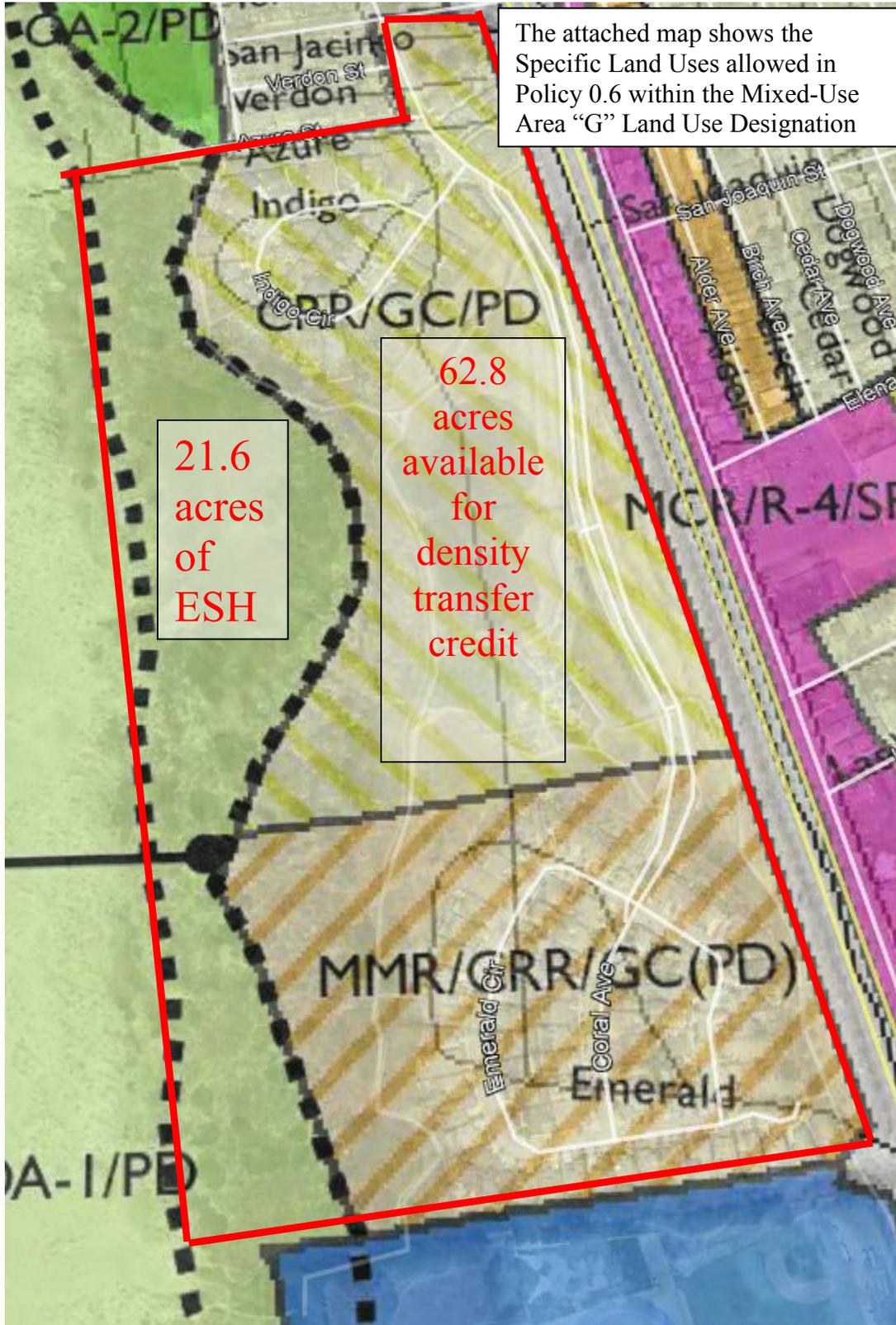
Policy 0.6 Development within Mixed Use Area G (2); 1. Land Use Permitted;  
b. Coastal Resource Residential: Portions of the area, generally adjacent to the Atascadero Beach Tract on the north, Morro Bay High School on the south, and outside the public view corridor designated by Figure 32, may be used for single family detached residences with minimum lot areas of not less than 6,000 square feet a consistent with Chapter 16 of the Municipal Code. Density credit derived from the overall area designated as Coastal Resource (Limited Density) Residential on the Land Use Plan Map with a base density of up to 2 units per acres, may be transferred to the areas outside of the public viewshed, and residences may be developed at higher densities within those areas, subject to the minimum lot sizes set forth above.

The LUP was amended to on October 30, 1989 (Reso 126-89) to add the following language to the end of Policy 0.6 as shown above: Note that this 1989 amendment included an error in the final date – shown as 1015, when the actual map was recorded in 1915. That correction was added to this text amendment request.

**Such Transferred density will allow 120 residential units in a Clustered Residential Development, clustered to the north and south of the view corridors. There shall be no transferred density by reason of the subdivision map recorded in or about 1015.**

**APPLICANT:**

City of Morro Bay,  
955 Shasta Avenue  
Morro Bay, CA 93442



**BACKGROUND:**

This text amendment relates to allowed density on the land that became the Cloisters Subdivision in 1996. The property owner and the City worked together to determine acceptable uses and densities for the 84.4 acres west of Highway 1, north of Morro Bay High School and generally South of Azure Street (one block South of San Jacinto). The LUP amendments relate to the negotiations and the resulting July 1989 settlement agreement between the City of Morro Bay and Keyoto-Natalie Corporation, the property owner.



**ANALYSIS:**

The settlement agreement between the City of Morro Bay and Keyoto-Natalie Corporation included an agreement for 120 residential units, which were to be derived through the density transfer allowed for on property carrying the *Coastal Resource Residential land use classification* within the subdivision, excluding the ESH. The LUP amendment included the change to “allow 120 residential units”, however, the math for the density transfer allows more than 120 units and that is not clear in the existing LUP language. The determination of the total residential density allowed required identification of the portion of the 84.4 acres that was deemed to be ESH, and in the Final Environmental Impact Report (FEIR) dated December 1991, the ESH was determined to be 21.6 acres. So, 84.4 acres less the ESH area of 21.6 acres is 62.8 acres. Using the 2 units per acres allowed under the CRR land use classification calculates to 125.6 total units. The original 120 residential units was based on an estimate that there were 60 acres outside of the ESH to use for density transfer, and as such the settlement agreement resulting 120 residential units were included in the north and south residential clusters, shown in the final Tract Map 1996. However, the remaining 5.6 residential units of density credit available to transfer from the overall area designated as Coastal Resource Residential to remaining land not in the ESH and not within the View Corridor, were not mentioned in the LUP amendments. The Morro Bay Municipal Code, Section 17.48.030 requires that rounding numbers for purposes of density calculations shall round up only if the fraction is .95 or greater. In this case, the 5.6 residential units is rounded down to 5 units. This is the available residential density that is allowed and available to transfer to land outside of the Public View Corridor. This text amendment is necessary to clarify that the maximum allowed density for the subdivision is 125 residential units, not the 120 units mentioned in LUP Policy 0.6.

**ENVIRONMENTAL DETERMINATION:**

The proposed amendments to the text of the Coastal Land Use Plan are exempt from environmental review pursuant to Section 15061(b) (3) of the California Environmental Quality Act (CEQA) Guidelines under the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment, and Section 15265(c) which exempts approval of Coastal Land Use Plans pursuant to the California Coastal Act.

**PUBLIC NOTICE:**

Notice of this item was published in the San Luis Obispo Telegram-Tribune newspaper on June 15, 2019, and interested parties were invited to voice any concerns regarding these text amendments.

**CONCLUSION:**

Staff recommends the Planning Commission adopt Resolution 15-19 (Exhibit A), and recommendation that the City Council adopt the proposed amendments to the Coastal Land Use Plan, as contained in Exhibit B.

Attachments:

Exhibit A - Resolution 15-19

Exhibit B - Coastal Land Use Plan Amendment

EXHIBIT "A"

RESOLUTION NO. PC 15-19

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL APPROVE TEXT AMENDMENTS TO THE MORRO BAY COASTAL LAND USE PLAN NECESSARY TO CLARIFY THE TOTAL RESIDENTIAL DENSITY DERIVED FROM THE ALLOWED DENSITY TRANSFER IN THE CLOISTERS SUBDIVISION (TRACT 1996)

**WHEREAS**, the Planning Commission of the City of Morro Bay conducted a public hearing at the Morro Bay Veteran's Hall, 209 Surf Street, Morro Bay, California, on July 16, 2019, to considering Text Amendments to the Coastal Land Use Plan, to clarify the total allowed residential density from the density transfer allowed for use on non-ESH land in the Cloisters Subdivision;

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

**WHEREAS**, it is the purpose of the Morro Bay Coastal Land Use Plan is to establish the kinds, location, and intensity of land uses, and the applicable resource protection and development policies for the use of land in the City of Morro Bay; and

**WHEREAS**, it is important to have clear, consistent, and easy to interpret policies within the Coastal Land Use Plan; and

**WHEREAS**, amendment of Coastal Land Use Plan Policy 0.6 is necessary to clarify the total density transfer derived from the allowed density transfer to non-view corridor property identified with a land use classification of Coastal Resource Residential (CRR); and

**WHEREAS**, the proposed amendments to the Coastal Land Use Plan are exempt from further environmental review pursuant to Section 15061(b) (3) of the California Environmental Quality Act (CEQA) Guidelines under the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment, and Section 15265(c) which exempts approval of Coastal Land Use Plans pursuant to the California Coastal Act;

**WHEREAS**, clarifying the density transfer allowed under the CRR land use classification has no potential for causing a significant effect on the environment, as any development would be subject to the provisions of the Coastal Land Use Plan and all City development standards;

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

**WHEREAS**, the amendments as presented are consistent with the intent of the City of Morro Bay's Coastal Land Use Plan.

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

**SECTION 1:** The Planning Commission forwards a favorable recommendation to the City Council to approve amendment of the Coastal Land Use Plan Section II.E as contained in Exhibit "B", attached hereto and made a part of this Resolution.

**SECTION 2:** To implement the amendments adopted herein, the Planning Commission of the City of Morro Bay, California hereby finds as follows:

1. That the above recitations are true and correct and constitute the findings of the Planning Commission in this matter.
2. That the proposed amendments to the Coastal Land Use Plan will not be injurious or detrimental to the health, safety, comfort, general welfare or well-being of the persons residing or working in the community.
3. That the proposed amendments are in general conformance with the intent of the City Coastal Land Use Plan; and
4. That proposed amendments to the Coastal Land Use Plan are in compliance with the intent, objectives, and all applicable policies and provisions of the California Coastal Act.

**SECTION 4:** If any section, subsection, clause or phrase or portion of this resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of all other provisions of this ordinance.

The Planning Commission hereby declares that it would have recommended approval of the amendments codified as Exhibit B and each chapter, section, subsection, sentence, clause and phrase or portion thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, or phrases or portions thereof be declared invalid or unconstitutional.

**PASSED AND ADOPTED** by the Morro Bay Planning Commission at a regular meeting thereof held on this 16th day of July 2019 on the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Gerald Luhr, Chairperson

ATTEST

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Scot Graham, Community Development Director

The foregoing resolution was passed and adopted this 16th day of July 2019.

EXHIBIT "B"

Amendment of Coastal Land Use Plan Section II.E.

**Whereas underlined bold text is new language.**

II. Land Use Plan Map and General Land Use Policies

E. SPECIFIC LAND USE POLICIES

**Current Language:**

Policy 0.6 Development within Mixed Use Area G (2); 1. Land Use Permitted;

b. Coastal Resource Residential: Portions of the area, generally adjacent to the Atascadero Beach Tract on the north, Morro Bay High School on the south, and outside the public view corridor designated by Figure 32, may be used for single family detached residences with minimum lot areas of not less than 6,000 square feet a consistent with Chapter 16 of the Municipal Code. Density credit derived from the overall area designated as Coastal Resource (Limited Density) Residential on the Land Use Plan Map with a base density of up to 2 units per acres, may be transferred to the areas outside of the public viewshed, and residences may be developed at higher densities within those areas, subject to the minimum lot sizes set forth above. Such Transferred density will allow 120 residential units in a Clustered Residential Development, clustered to the north and south of the view corridors. There shall be no transferred density by reason of the subdivision map recorded in or about 1015.

**Proposed Language (bold and underlined):**

Policy0.6 Development within Mixed Use Area G (2); 1. Land Use Permitted;

b. Coastal Resource Residential: Portions of the area, generally adjacent to the Atascadero Beach Tract on the north, Morro Bay High School on the south, and outside the public view corridor designated by Figure 32, may be used for single family detached residences with minimum lot areas of not less than 6,000 square feet a consistent with Chapter 16 of the Municipal Code. Density credit derived from the overall area designated as Coastal Resource (Limited Density) Residential on the Land Use Plan Map with a base density of up to 2 units per acres, may be transferred to the areas outside of the public viewshed, and residences may be developed at higher densities within those areas, subject to the minimum lot sizes set forth above. Such Transferred density will allow **up to 125** residential units in a Clustered Residential Development, clustered to the north and south of the view corridors. There shall be no transferred density by reason of the subdivision map recorded in or about **1915**.



AGENDA NO: B-3

MEETING DATE: July 16, 2019

## Staff Report

**TO:** Planning Commissioners **DATE:** July 8, 2019

**FROM:** Scot Graham, Community Development Director  
Cindy Jacinth, Senior Planner

**SUBJECT:** (#MIN19-009) 555 South Bay Blvd. Prezone of a 27.6-acre portion of parcel APN 073-101-017 as a Public Facility zone district in anticipation of a new Water Reclamation Facility to be built at this location.

**RECOMMENDATION:**

*FORWARD A FAVORABLE RECOMMENDATION TO CITY COUNCIL FOR APPROVAL* by adopting a motion including the following action(s):

Adopt Planning Commission Resolution 18-19 for the project as described in this staff report and depicted in Exhibit B.

**APPLICANT/AGENT:** City of Morro Bay

**LEGAL DESCRIPTION/APN:** 068-411-007 (WRF parcel), 073-101-017 (overall parcel)

**PROJECT SUMMARY:**

The City of Morro Bay is proposing to prezone the 27.6-acre portion of parcel APN 073-101-017 as a Public Facility zone district in anticipation of a new Water Reclamation Facility (WRF) to be built at this location. The current zoning in the County is Agriculture. Prezoning is required to process an application for annexation of the site with the San Luis Obispo Local Agency Formation Commission (LAFCO).

**BACKGROUND:**

On June 25, 2019 Council authorized filing of two separate applications with LAFCO. Resolutions 54-19 and 55-19 authorize: 1. An application with LAFCO for a sphere of influence designation and annexation of the South Bay WRF site, and 2. A sphere of influence (SOI) designation for the Tri-W remainder parcel. That staff report and

attachments are linked below at the end of the staff report.

The City Council’s action on June 25, 2019 did not include the required rezoning step. This is being brought to Planning Commission to provide recommendation on the future land use for the site. Planning Commission is requested to review the material presented and forward a favorable recommendation to the City Council for final approval to rezone the property as Public Facility.

**DISCUSSION:**

Pursuant to California Code of Regulation section 65859 subsection (a), “A city may, pursuant to this chapter, rezone unincorporated territory to determine the zoning that will apply to that territory upon annexation to the city. The zoning shall become effective at the same time that the annexation becomes effective.”

The two actions needed by LAFCO are Annexation and SOI Amendment of the 27.6 acre public lot to be created for the WRF site. This is the action that requires rezoning.

The proposed property for rezoning and annexation is currently vacant and undeveloped property located inland of the intersection of South Bay Boulevard and Highway 1 outside of the City limits (Exhibit B). The property is the proposed location of the City’s Water Reclamation Facility (WRF) for which the Coastal Commission is considering a coastal development permit (Hearing date: July 11, 2019).

The below table depicts the current zoning and land uses adjacent to this property per the City’s General Plan / Local Coastal Plan and also illustrated in the below zoning map image:

<b><u>Adjacent Zoning/Land Use (property outside City limits)</u></b>			
North:	AG/ Agriculture	South	AG / Agriculture
East:	Agriculture (County area)	West:	R-A/PD / Bayside Care Center/ Highway One
<b>Existing Land Use designation:</b>		<b>Agriculture</b>	
<b>Proposed Land Use designation:</b>		<b>Public Facilities</b>	



The City's General Plan Policy LU-22 states: "Growth is to be carefully managed and monitored and allowed only when it can be conclusively proven that all community services can be adequately and economically provided to new residents. (LUE 8)"

"Program LU-22.3: At the time of request for annexation, the City shall prezone all lands within its sphere of influence in keeping with the above policy will utilize all methods available to insure county cooperation therewith. (LUE 8) Prezoning shall be applied to the sphere of influence with the intent to minimize urban expansion and maximize environmental conservation. (LUE 39) The sphere of influence areas will not be allowed to annex to the City until the Local Coastal Plan has been amended to include those areas within the LCP Urban-Rural Boundary."

In the City's draft combined General Plan and Local Coastal Plan, this property is shown on the draft Land Use map as a preferred Land Use designation of Public/ Institutional. The Public Facility zone district in the draft new Zoning Code is defined as follows: "*The PF District is intended for facilities that serve the public, such as government buildings and service facilities, schools, hospitals, cultural centers, and other public and quasi-public uses. The Public Facility District implements the Public/Institutional General Plan/Local Coastal Plan Land Use Designation.*"

The Planning Commission's favorable recommendation to the City Council includes a finding of consistency with the City's General Plan and Local Coastal Plan. This action will also create the need for a future General Plan amendment to add the property to the Land Use Map as Public Facility. The corresponding amendment to the Local Coastal Plan will occur through the Plan Morro Bay combined General Plan/Local Coastal Plan update process.

**ENVIRONMENTAL:**

The impacts of the new Water Reclamation Facility, which will be facilitated by the proposed Public Facility zoning, were considered in a Final EIR for that project, certified in June 2018. No additional CEQA review is required for the rezoning action.

**PUBLIC NOTICE:**

Notice of a public hearing on this item was posted at the site on July 3, 2019 and also mailed directly to all property owners and occupants of record within 500 feet of the subject site 10 days prior to the hearing. Notice of a public hearing was also published in the Tribune newspaper on June 15, 2019 30 days prior to the hearing. The notices invited the public to attend the hearing and express any concerns they may have regarding the proposed project.

**CONCLUSION:**

Pursuant to Government Code section 65859, the City may prezone unincorporated territory to determine the zoning that will apply to that territory upon annexation to the City. The future public lot where the WRF will be located is currently outside City limits. On June 25, 2019, City Council authorized the LAFCO application. The City is in the process of filing an application for annexation with LAFCO which requires that this property be prezoned.

Consistent with the City's General Plan that property be prezoned at time of annexation, staff recommends that Planning Commission forward a favorable recommendation to City Council to prezone the WRF parcel as Public Facility zoning.

**EXHIBITS:**

- Exhibit A – Planning Commission Resolution 18-19
- Exhibit B – Existing and Proposed Zoning Map

Link to 6/25/2019 City Council staff report and attachment, Agenda Item C-2  
"Adoption of Resolution Nos. 54-19 and 55-19 Authorizing the Filing of Two Separate

Applications with LAFCO to commence proceedings for (1) a Sphere of Influence Designation and Annexation of the 27.6 acre property the City will be purchasing from Tri-W, Inc. for the construction and operation of the WRF.”  
<http://morrobayca.gov/ArchiveCenter/ViewFile/Item/5072>

RESOLUTION NO. PC 18-19

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION FORWARDING A FAVORABLE RECOMMENDATION TO THE MORRO BAY CITY COUNCIL TO PREZONE A 27.6 ACRE PORTION OF PARCEL APN 073-101-017 AS A PUBLIC FACILITY ZONE DISTRICT IN ANTICIPATION OF A NEW WATER RECLAMATION FACILITY TO BE BUILT AT THIS LOCATION, 555 SOUTH BAY BLVD

**WHEREAS**, the Planning Commission of the City of Morro Bay conducted a public hearing at the Morro Bay Veteran's Hall, 209 Surf Street, Morro Bay, California, on July 16, 2019, for the purpose of considering a favorable recommendation to City Council for pre zoning of a 27.6 acre portion of parcel APN 073-101-017 which is located outside of the City limits (Case No.: #MIN19-009); and

**WHEREAS**, pursuant to California Code of Regulation section 65859 subsection (a) which states that a city may, pursuant to this chapter, prezone unincorporated territory to determine the zoning that will apply to that territory upon annexation to the city. The zoning shall become effective at the same time that the annexation becomes effective; and

**WHEREAS**, the City intends to pursue annexation and a sphere of influence (SOI) amendment of this 27.6 acre parcel to be addressed as 555 South Bay Blvd; and

**WHEREAS**, the current zoning designation in the unincorporated County is agriculture and the City desires to prezone this 27.6 acre parcel as public facility; and

**WHEREAS**, the Planning Commission reviewed Exhibit B of the July 10, 2019 staff report which provided a map exhibit depicting the proposed Public Facility zoning of the 27.6 acre portion of parcel APN 073-101-017 where the Water Reclamation Facility is proposed; and

**WHEREAS**, the City's General Plan Policy LU-22 states growth is to be carefully managed and monitored and allowed only when it can be conclusively proven that all community services can be adequately and economically provided to new residents; and

**WHEREAS**, the City's General Plan Program LU-22.3 states at the time of request for annexation, the City shall prezone all lands within its sphere of influence in keeping with the above policy and will utilize all methods available to insure county cooperation therewith. Pre zoning shall be applied to the sphere of influence with the intent to minimize urban expansion and maximize environmental conservation. The sphere of influence areas will not be allowed to annex to the City until the Local Coastal Plan has been amended to include those areas within the LCP Urban-Rural Boundary; and

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

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

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

**Section 1:** All of the above recitals are true and correct and incorporated herein by reference.

**Section 2:** California Environmental Quality Act (CEQA) Findings

The impacts of the new Water Reclamation Facility, which will be facilitated by the proposed Public Facility zoning, were considered in a Final EIR for that project, certified in June 2018. No additional CEQA review is required for the rezoning action.

**Section 3. Action.** The Planning Commission does hereby forward a favorable recommendation to City Council to prezone the 27.6 acre portion of parcel APN 073-101-017 as a public facility zone district in anticipation of a new water reclamation facility to be built at 555 South Bay Blvd where the current zoning designation is agriculture and finds this action to be consistent with the General Plan.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 16<sup>TH</sup> day of July , 2019 on the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Chairperson Gerald Luhr

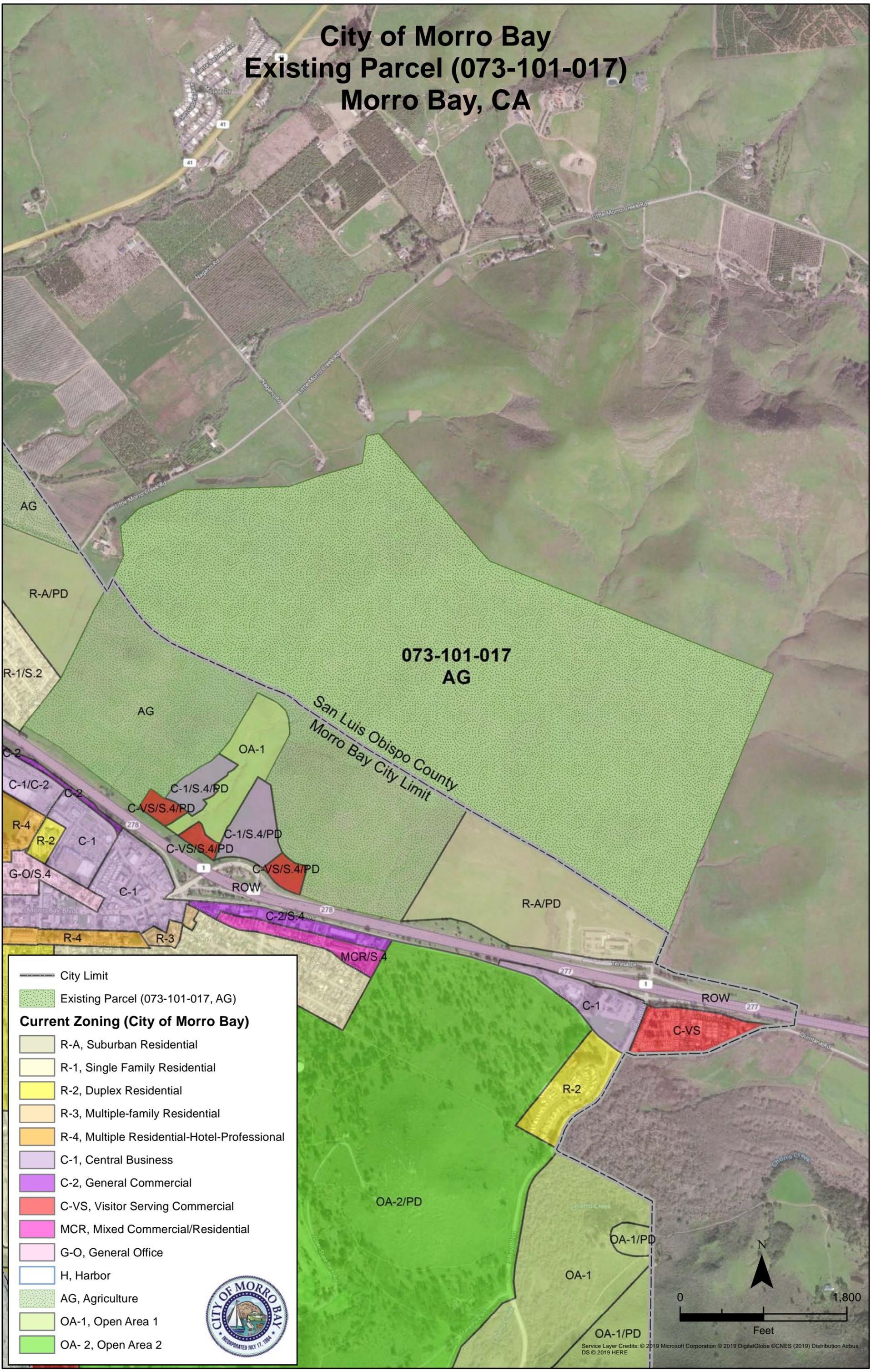
ATTEST

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Scot Graham, Secretary

The foregoing resolution was passed and adopted this 16<sup>th</sup> day of July, 2019.

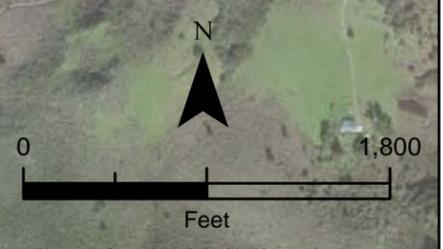
# City of Morro Bay Existing Parcel (073-101-017) Morro Bay, CA



City Limit  
 Existing Parcel (073-101-017, AG)

**Current Zoning (City of Morro Bay)**

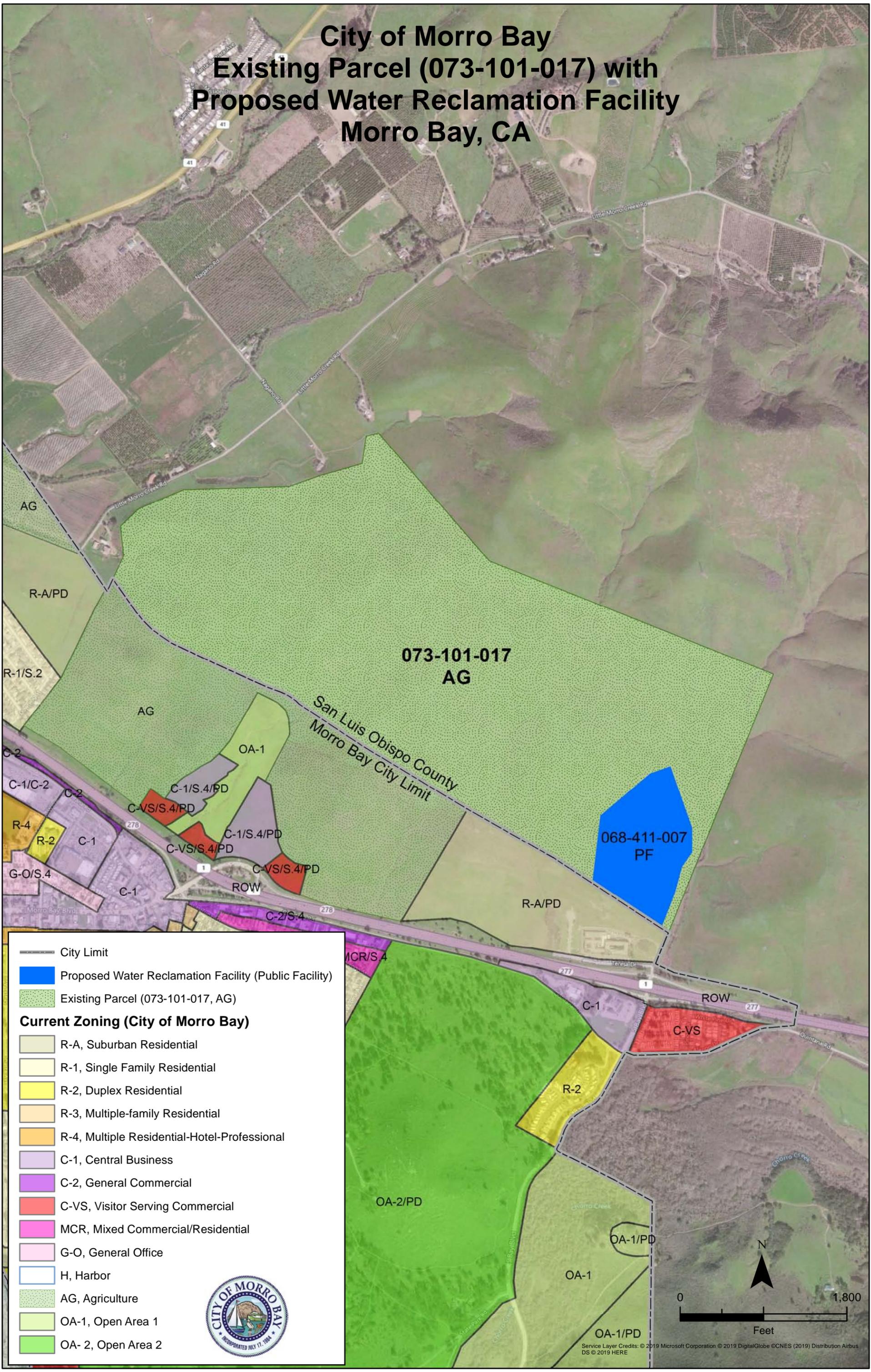
- R-A, Suburban Residential
- R-1, Single Family Residential
- R-2, Duplex Residential
- R-3, Multiple-family Residential
- R-4, Multiple Residential-Hotel-Professional
- C-1, Central Business
- C-2, General Commercial
- C-VS, Visitor Serving Commercial
- MCR, Mixed Commercial/Residential
- G-O, General Office
- H, Harbor
- AG, Agriculture
- OA-1, Open Area 1
- OA-2, Open Area 2



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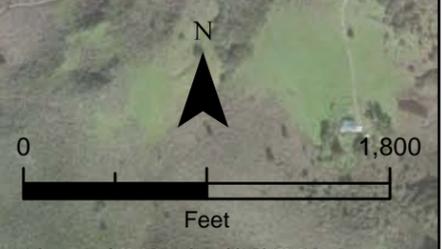
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# City of Morro Bay Existing Parcel (073-101-017) with Proposed Water Reclamation Facility Morro Bay, CA



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	City Limit
	Proposed Water Reclamation Facility (Public Facility)
	Existing Parcel (073-101-017, AG)
<b>Current Zoning (City of Morro Bay)</b>	
	R-A, Suburban Residential
	R-1, Single Family Residential
	R-2, Duplex Residential
	R-3, Multiple-family Residential
	R-4, Multiple Residential-Hotel-Professional
	C-1, Central Business
	C-2, General Commercial
	C-VS, Visitor Serving Commercial
	MCR, Mixed Commercial/Residential
	G-O, General Office
	H, Harbor
	AG, Agriculture
	OA-1, Open Area 1
	OA-2, Open Area 2



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