



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, April 20, 2021 - 6:00 P.M.
Held Via Teleconference**

Vice-Chairperson Susan Stewart
Commissioner Jennifer Ford

Chairperson Jesse Barron

Commissioner Joseph Ingraffia
Commissioner William Roschen

ESTABLISH QUORUM AND CALL TO ORDER
MOMENT OF SILENCE
ELECTION OF CHAIR AND VICE CHAIR
PLANNING COMMISSIONER ANNOUNCEMENTS
PUBLIC COMMENT PERIOD
PRESENTATIONS

Public Participation:

In order to prevent and mitigate the effects of the COVID-19 pandemic, and limit potential spread within the City of Morro Bay, in accordance with Executive Order N-29-20, the City will not make available a physical location from which members of the public may observe the meeting and offer public comment. Remote public participation is allowed in the following ways:

- *Community members are encouraged to submit agenda correspondence in advance of the meeting via email to the Community Development office at planningcommission@morrobayca.gov prior to the meeting and will be published on the City website with a final update one hour prior to the meeting start time. Agenda correspondence received less than an hour before the meeting start time may not be posted until after the meeting.*
- *Members of the public may watch the meeting either on cable Channel 20 or as streamed on the City [website](#).*
- *Alternatively, members of the public may watch the meeting and speak during general Public Comment or on a specific agenda item by logging in to the Zoom webinar using the information provided below. Please use the “**raise hand**” feature to indicate your desire to provide public comment. Each speaker will be allowed three minutes to provide input.*

Please click the link below to join the webinar:

➤ <https://us02web.zoom.us/j/82722747698?pwd=aWZpTzcwTHlRTk9xaTlmWVNWRWFUQT09>

Password: 135692

*Or Telephone Attendee: (408) 638-0968 or (669) 900 6833 or (346) 248 7799; Webinar ID: 827 2274 7698; Password: 135692; Press * 9 to “**Raise Hand**” for Public Comment*

A. CONSENT CALENDAR

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

B. PUBLIC HEARINGS

B-1 **Case No.:** Appeal of *MUP20-02*

Site Location: 2460 Main Street

Applicant/Project Sponsor: Brian Der Vartanian DBA Morro Bay Recovery

Proposed Project: Appeal of a Minor Use Permit (MUP20-02) approved February 24, 2021 that allows a change in use from motel to a supportive housing facility, classified under the Morro Bay Housing Element as a residential use. The project was approved administratively pursuant to the requirements under AB2162. This facility will be licensed through the Department of Health and Human Services, State of California. The zoning of the site is MCR/R-4/SP and is not located in the Coastal Appeals Jurisdiction

CEQA Determination: Categorically exempt under Section 15301, minor changes to existing facility

Staff Recommendation: Uphold Administrative approval of MUP20-02 and deny the appeal

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

B-2 **Case No.:** **UPO-024**

Site Locations: 1130 Napa, APN: 066-280-036 (Morro Bay Elementary School).

Project Description: Planning Commission review of Special Use Permit No. UPO-024, that was approved by the City Council on November 22, 2004. The Special Use Permit allowed for a number of uses at the Morro Bay Elementary School that were at a scale and intensity compatible with the neighborhood and facility, consistent with Morro Bay Municipal Code Section 17.30.030.S.

CEQA Determination: The City's original approval of UPO-024 was exempt from the California Environmental Quality Act (CEQA), pursuant to section 15301 as the permit was associated with the use of existing public facilities, minor alteration, repair, maintenance, leasing and involved negligible expansion of the existing use. Review of the UPO-024 falls under the same exemption.

Staff Recommendation: Planning Commission review the staff report, allowed uses and existing uses and provide comment

Staff Contact: Scot Graham, Community Development Director (805) 772-6291, sgraham@morrobayca.gov

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 on May 4, 2021 at 6:00 p.m. via teleconference.

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.

This Agenda may be found on the Internet at: 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 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 present testimony either in support of or in opposition to the proposal.
4. Finally, the Chair may invite the applicant/agent 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.

Agenda No: A-1
 Meeting Date April 20, 2021

Approved projects are deleted on next version of log.

#	Applicant/ Property Owner	Project Address	Application Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
Hearing or Action Ready Projects:										
1	Twin Bay Inc.	2460 Main Street	12/15/20	MUP20-02	Alcohol and drug rehab center (supportive housing)	This is a resubmittal of previously withdrawn application. Planning disapproved with minor comments. All other departments conditionally approved. Project deemed complete, public noticed from 2/10/21 to 2/20/21. Permit approved and issued on 2/24/21. Project appealed 3/1/21. Scheduled for PC hearing on April 20, 2021				nh
2	Currey	154 Orcas	2/9/21	CDP21-003	New ADU and living/entry, kitchen, and master suite additions	Comment letter sent 03/02/21. Awaiting resubmittal. Resubmittal received 3/23/21 and is under review. Application deemed complete and noticed on 4/8/2021. Admin Action to occur on 4/20/2021.				am
3	Westbrook	939 Pacific St.	1/28/21	CUP21-02	Addition to existing single family residence. This is a second story addition to a non-conforming home, which requires a conditional use permit.	Under review. Project deemed incomplete and comment letter sent 2/18/21. Awaiting resubmittal. Resubmittal received 3/29/21 and is under review. Project deemed complete and tentatively scheduled for 5/4/2021 PC meeting.				am
4	Regan	429 Tulare Ave.	3/11/21	CUP21-03	560 sf addition to existing single family residence. This is a second story addition to a non-conforming home (insufficient front setback) ans requires a CUP.	Under review. Project deemed complete. PC meeting date to be confirmed.				am
5	MacMillan	1840 Main St	4/14/21	CP0-404 / UP0-364	Request for extension of CDP / CUP for approximate 1,400sf Sonic drive-up restaurant with canopied parking and associated site improvements	Planning permit extension request received 4-14-2021 for permits #CP0-404 and #UP0-364 approved by Planning Commission on 4-18-2017. PC meeting date is to be confirmed.				cj
30 -Day Review, Incomplete or Additional Submittal Review Projects:										
6	Perry	3202 Beachcomber	See comment	CDP21-014/ LTM21-01	Demo existing home, merge 3 non-conforming parcels into 2 parcels, building new SFR with attached garage on each parcel	Submittal received, but not complete. Waiting for balance of required submittal before review.				nh
7	Tullis	404 Estero	3/17/21	CDP21-011	CDP to demo existing improvements & construct new SFR and site improvements.	Under review. Deemed incomplete, comment letter sent to applicant April 2, 2021				nh
8	Valerie	490 Mindoro	1/20/21	CDP21-001/PKG21-03	Project changed March 15, 2021 from original application to a new SFH converted from an existing garage on a parcel newly separated from the adjacent parcel which had the original SFH	Planning deemed incomplete and comments were sent 3/29/21				nh

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9	Perkins/Thompson	454 Estero	3/15/21	CDP21-009	CDP to create an attached Accessory Dwelling Unit, 496sf	Under review. Deemed incomplete, comment letter sent to applicant March 30, 2021				nh
10	Kleemann	2970 Elm	3/9/21	CDP21-006	Admin CDP for a new Accessory Dwelling Unit, 748 sf. Includes garage conversion.	Under review. Deemed incomplete 3/29/21. Resubmittal received 4/7/21 and is under review.				am
11	Feuerberg	2083 Seaview Ave.	3/15/21	CDP21-007	Convert an existing detached garage into an ADU with separate storage space.	Under review. Project deemed incomplete, comment letter sent 4/5/21021. Resubmittal received 4/14/2021 and is under review.				am
12	Hauck	206 Bradley	2/24/21	CDP21-005	1250 sf addition, plus a 665 sf attached ADU and new garage	Planning deemed incomplete, comments sent 3/11/21				nh
13	McDonald	846 Pacific St	2/22/21	CDP21-004	Create an ADU by adding 321 sf to existing garage and converting 278 sf of existing garage (599 sf total)	Under review. Comment letter sent 3/11/21. Awaiting resubmittal.				am
14	Alba	1245 Little Morro Creek Rd	1/20/21	MIN21-001	Minor Modification to existing T-Mobile Wireless Telecomm Facility	Under review. Planning corrections sent 2/16/21. Awaiting resubmittal. Followup email inquiry sent to applicant 3/23/21. Resubmittal received 4/7/2021 and under review.				cj
15	Diaz	365 Driftwood	1/19/21	CUP20-13 & CDP21-002	Addition to existing single family home. This is an addition to a non-conforming home which requires a conditional use permit and coastal development permit for duplex unit.	Comment letter sent 2/6/21. Requires resubmittal with changes.				nh
16	Miagany	405 Elena	12/29/20	CUP20-15 & PKG20-05	Conditional Use Permit & Parking Exception for addition to an existing non-conforming single family home	Under review. Project deemed incomplete and incomplete letter sent 1-21-2021. Awaiting resubmittal. Resubmittal received 3/25/21 and is under review.				am
17	Vistra	1290 Embarcadero	12/28/20	CDP20-026 & CUP20-14	Battery Energy Storage System (BESS) - New proposed project to construct 600MW BESS on old tank farm north of existing Morro Bay Power Plant. BESS to be constructed as 3 separate buildings, 30 feet in height plus 10 feet of screening for rooftop equipment.	Under initial review. Project deemed incomplete and incomplete letter sent 1-21-2021. Applicant resubmittal received 2-17-2021 and under review currently. Project deemed complete for processing on 2/23/2021. Project plans and documents being evaluated. Environmental review process in progress.				cj
18	Phelps	490 Piney Way	11/18/20	CUP20-10/ CDP20-020	1124 sf addition to existing 736 sf home with 518 sf decks, conversion of garage to ADU	Under Review - PC approval of CUP, Admin approval of CDP for ADU. Project deemed incomplete on 12/7/20. Resubmitted 2/25/21, under review. Planning deemed incomplete and comment letter was sent 3/18/21. Need resubmittal.				nh

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19	Van Beurden Investments	701 Embarcadero Road	11/17/20	MAJ20-004	Dutchman Harborwalk public access and improvements with wharf changes. Major Modification to CUP.	Under review. Incomplete letter sent 12-10-20.				cj
20	Vazquez	590 Morro Ave	10/22/20	MAJ20-002	CDP/CUP Major Modification to propose equipment upgrade to an existing rooftop telecom wireless site.	Under review. Incomplete letter sent 11/19/20.				cj
21	AT&T	800 Quintana	9/23/20	MAJ20-001	Minor Modification to CDP/CUP Amendment proposed to modify existing rooftop wireless telecommunications site on commercial building. Request includes 3 foot height increase of corner antennas.	Under review. Incomplete letter sent 10/22/20. Resubmittal received 10/28/20 and under review. Project requests a 2nd height exception for a total height of approximately 36 feet. Applicant advised on 11/30/20 that project should be redesigned to comply with height or provide greater substantiation why project is otherwise infeasible. Also requested a coverage map. Project Applicant emailed 1/22/2020 to request change to application and state they are no longer seeking a height exception or to make exterior changes. Project would be modified to swap out and upgrade existing facilities only. Project changes are deemed to be administrative-level approval. Project request revised, no change in height, just upgrade of existing infrastructure. Emailed applicant 2/1/21 with comment letter. Emailed applicant 3/9/21 acknowledging revised plans received and requesting updated RF report in order to proceed. RF report received 4-9-21. RF report deemed incomplete and correction request emailed 4-12-21.				cj
22	Appel	400 Pico	8/24/20	CDP20-013	Admin CDP for garage conversion to a 408sf ADU	Submittal is under review. Deemed incomplete. Correction letter sent 9/14/2020, waiting for resubmittal				am
23	Hurless	2290 Greenwood Ave	5/7/20	CDP20-007	Legalize ADU from prior construction. Was a previous Code Enforcement issue. Plans difficult to understand.	Correction letter sent 5/18/20. Resubmittal received June 16, 2020 under review. Project deemed incomplete, comment letter sent July 16, 2020. Resubmittal received January 20, 2021. Planning and PW deemed incomplete, comment letter sent 2/6/21. Public works disapproved, planning conditionally approved 3/25/21. Resubmittal required.				nh
24	Bean	197 Main Street (formerly known as 199 Sandpiper Court)	12/19/19	CUP19-20, CDP19-04, VAR20-001	CUP/CDP for new home on triangular small parcel on the bluff. Proposed home is 526 sf 2-stories with access easement to Main Street	Project deemed incomplete, comment letter sent January 7, 2020. Resubmittal received 10/26/20 adding a variance request, under review. Planning deemed incomplete, comments sent 11/29/20. Waiting for resubmittal.				nh
25	Cleary	1282 and 1290 Embarcadero Road	5/23/19	CDP19-016	CDP for removal of major vegetation.	Submittal is under review. Correction letter sent 6/10. Awaiting resubmittal.				cj
Projects Appealed to Planning Commission or PC Continued projects										
Projects Appealed or Forwarded to City Council										

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26	Gambriel	571 Embarcadero	10/14/19	MAJ19-006	Major Modification to CUP Amendment for proposed public access improvements, conversion of 2nd floor to 1 vacation rental unit with deck, dock & gangway replacement and realignment, and master sign program approval for businesses uses.	Correction letter sent 11/13/2019. Awaiting resubmittal. Applicant inquired 1-21-21 about potentially re-designing project to include ADA lift access from street side of the building. Awaiting further information. Revised plans received for review 2-10-21 with changes proposed to reflect PC direction. Project resubmitted 3-12-21. Project recommended for approval at 4/6/21 PC hearing. Tentative Council agenda for 5/11/2021		PN-Conditionally Approved 10/16/2019		cj
27	City of Morro Bay	Citywide			Plan Morro Bay: General Plan / Local Coastal Program / Zoning Code Update project	Comprehensive overall update to the City's 1988 General Plan, 1984 Local Coastal Program, and 1997 Zoning Code. For more information or to get involved, visit www.morrobayca.gov/planmb . Public draft of combined General Plan/ LCP released May 2018 for review. Worked with Coastal staff on CCC input received during 2019. Adoption Draft to be reviewed by Planning Commission at 10/20/20 hearing. Admin Draft of EIR received and to be circulated. Reviewed by PC at the 11/4/2020 & 11/17/20, 12/1/20, & 12/15/20 PC meetings. 3-16-2021 meeting is for review of the EIR and make recommendations to City Council for adoption.				
Environmental Review:										
28	City of Morro Bay	N/A		UP0-423	MND for Chorro Creek Stream Gauges	Applicant requesting meeting for week of 9/9/13. SWCA performing the environmental review. Received completed MND from Water Systems Consulting (WSC) on 4/1/15. Routed to State Clearinghouse for required 30 day review period. Tentative hearing 8/4/15. No recent activity.	No review performed.	MND complete. Cut permit checks to RWQCB and CDFW on 2/27/15		cj
Final Map Under Review Projects:										
29	Eisemann	535 Atascadero Road	3/7/19	PAR19-01	Final Parcel map	Submittal is under review. Planning disapproved 3/14/19. Resubmittal disapproved on May 14, 2019. Resubmittal received, review comments provided 6-5-19. Disapproved 11-5-19. Waiting for revised submittal to remove improvements not requested by CalTrans. Applicant granted an extension of the timeline to finalize the final parcel map to August 8, 2021. Resubmittal received, planning approved 12/6/20		PN- Disapproved 11-6-2019		nh
Projects going forward to Coastal Commission for review (Pending LCP Amendments) / or State Department of Housing:										

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30	City of Morro Bay	Citywide	10/16/13	A00-013. A00-029: Ordinance 601	Zoning Text Amendment - Second Unit	Secondary Unit Ordinance Amendment. Ordinance 576 passed by City Council in 2012. Change recommended by PC after Council direction which led to Adoption of Ord. 585 by City Council on 5/13/14. Ordinance to be sent as an LCP Amendment for certification by Coastal Commission. New language for PC and Council review. Second reading going to council on April 12, 2016. PC reviewed change 5-3-16. CC second First Reading 6-28-16.. Application submitted to Coastal Commission August 2016. Coastal objected to ban on use as vacation rentals. New State legislation in effect 1-1-20 which supersedes previous adopted ordinances. To be incorporated into Plan Morro Bay.	No review performed.			wm
Projects Continued Indefinitely, No Response to Date on Incomplete Letter or inactive:										
31	Verizon / Knight	484 Main new location, Corner of Main and Cabrillo	11/19/14	UP0-394 and CP0-512	Coastal Development Permit and Conditional Use Permit for installation of new Wireless Facility/Verizon antennas on existing pole.	Under Review. JG. Incomplete. Waiting on response from Tricia Knight. Wants to keep project open and figure out the parking situation or move location. 1/26. JG. Applicant looking to move location to pole across the street. resubmittal rcv'd 5/26. Deemed Complete, waiting for Applicant to confirm PC meeting date. PC hearing held on 9/6/16 and continued for further review to 11-1-16 PC hearing. Continuance requested. Continued to a date uncertain		PN- Conditionally approved 6/14/16		jg
Grants										
32	California Coastal Commission, California Ocean Protection Council	City-wide	4/6/16		\$400,000 Grant for LCP update to address sea-level rise and climate change impacts. Round 3 Grant award of \$200,000 for Lateral Access Plan, and ESHA delineation. Round 6 funding of \$65,000 received Mar 2020.	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. Additional LCP grant funding received in 2020 under Round 6 for \$65,000 to complete LCP update.	No review performed.	N/A		sg
33	City of Morro Bay	City-wide			Community Development Block Grant/HOME Program - Urban County Consortium	Staff has ongoing responsibilities for contract management in coordination with County staff administration. City Council approved Cooperation Agreement for 2021-2023 CDBG Program Years at 5/26/20 Council meeting. 2021 CDBG Funding Allocation to be approved as final funding recommendations to the County by City Council on 3-9-21.	No review performed.	N/R		cj
34	City of Morro Bay	City-wide			Climate Action Plan - Implementation	Staff has ongoing responsibilities for implementation of Climate Action Plan as adopted by City Council January 2014. Staff coordinating activities with other Cities and County of SLO via APCD.				cj

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Projects in Building Plan Check:										
35	HASLO	405	Atascadero	12/22/20	B20-0215	35 unit affordable apartments	Planning approved 1/10/21.			nh
36	Wilkie	476-A	Atascadero	3/26/20	B20-0057	ATTACHED ADU - Convert existng attached garage to 344 sf Accessory Dwelling Unit.	Correction letter sent 4/30/20.			nh
37	Goldstein	186	Bayshore Dr.	11/4/20	B20-0190	Remodel kitchen, dining & living area.				sg
38	LaPlante	3093	Beachcomber	4/29/17	B-31487	New SFR: 3,495 sf w/ 500 sf garage on vacant land. No activity on this project. Remains in plan check.	Permit extended to 9-22-22	Ready to issue	PN - Approved 6/21/2018	Emailed comments on 10-20-17.
39	Calanchini	433	Bernardo Ave.	4/8/21	B21-0067	Finish open space on the first floor that is enclosed within current structure. The space will become a 22 sf guest room/game room w/wet bar. All electrical & plumbing is currently located in the existing walls.				am
40	Diaz	365	Driftwood	1/6/20	B19-0280	328 sq ft addition to master bedroom and bath on second flr. Convert covered patio to living space 50 sq ft enclosed covered porch 30 sq ft interior remodel.	Planning disapproved 1/31/20. Project requires a Conditional Use permit. Planning cannot approve building permit until Conditional Use Permit is final and permit issued. CUP20-13 received, building review following CUP/CDP approval.	Bldg. - Approved 12/29/20		nh
41	Hubbard	603	Driftwood	3/1/21	B21-0030	Interior remodel of kitchen and bath, enclose 24 sf porch to enlarge kitchen, 548 sf two story addition at rear of SFR (348 sf lower, 200 sf upper), 104 sf second story deck, and remove existing 240 sf carport.	Under review. Minor changes shown, requires documentation for the record. Planning reviewed and approved 3/11/21	Bldg. Approved 3/11/21		nh
42	City of Morro Bay	833	Embarcadero	12/30/20	B20-0220	Demo existing 2 story structure (formerly Off the Hook - Retail & Restaurant) Construct new mixed use structure, 2 story with retail, restaurant, and hotel space.	Disapproved 1-25-21. Correction memo sent to Bldg. Cj.	Bldg. - Disapproved 1/25/21		cj
42	Fowler	1215	Embarcadero	3/31/21	B20-0056	Tenant improvements (interior); 2nd floor restaurant		Bldg. - Plancheck		cj
43	Novick	2820	Greenwood Ave.	3/25/21	B21-0055	Addendum to B20-0151 - Downstairs bath to be removed and constructed upstairs.		Bldg. Plancheck		am
44	Lawrence	2590-A	Hemlock Ave.	1/21/21	B21-0009	Attached ADU - The first floor of new single family residence will consist of a 643 sf Accessory Dwelling Unit (ADU). See permit B21-0008 for primary dwelling permit.	Planning approved 1/24/21	Bldg. Disapproved 1/28/21		nh

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45	Lawrence	2590	Hemlock Ave.	1/20/21	B21-0008	Demolition of existing 888 sf single family residence (SFR) and construction of new two story SFR, 1298 sf living on second floor with a 630 sf attached tandem garage and 119 sf 2nd floor deck. See permit B21-0009 for first floor Accessory Dwelling Unit (ADU).	Planning approved 1/24/21	Bldg. - Disapproved 1/28/21			nh
46	Godfrey	396	Hill St.	3/18/21	B21-0045	New Duplex - Unit A includes 2422 sf of living, and 770 sf garage. Unit B includes 2616 sf of living area and 603 sf garage.		Bldg. - Plancheck			am
47	May	401	Kern Ave.	2/11/21	B21-0024	Interior remodel of kitchen, bath and stairs, converting 288 sf of garage area to 1st floor living area, 65 sf addition to 2nd floor living area (353 sf total living area addition) new 437 sf garage addition to remaining 107 sf of garage. New 300 sf covered patio and 650 sf roof top deck.	Under review. Planning disapproved 3/16/21.	Bldg. - Approved 3/11/21			am
48	Haworth Beach Properties	273 1/2	Main St.	1/25/21	B21-0011	Replace damaged flooring & drywall, upgrade electrical wiring, repair roof damage, upgrade kitchen cabinets & appliances.		Bldg. Disapproved 1/27/21			sg
49	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 4/15/19		sg
50	Sonic	1840	Main St.	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. Requested Permit Extension. Planning permit extension requested and granted to allow new permit expiration of April 2021. Emailed applicant 3-19-2021 advising them of permit expiration date and extension opportunities.	BLDG - Disapproved by California Code Check (contract building inspection services (see memo) on 7-23-18. PB Permit extended to 4/18/21	Disapproved by jb on 11-21-17.	1-2-18 - Emailed BLDG (code ck) comments to architect. PB	cj
51	Twin Bay Inc.	2460	Main St.	7/21/20	B-32117 B20-0114	ADA and parking lot improvements. ADA stall to be relocated closer to street and make van accessible.	Resubmittal received 2/2/21, planning approval pending issuance of MUP permit. Planning approved ADA improvement permit 2/11/21	Bldg. Approve 2/9/21			nh
52	Cleath	2790	Main St.	7/2/20	B20-0106	Remove 736 sf existing building and construct new 4996 sf 8 room hotel.	Planning approved 7/27/20.	Bldg. - Approved 2/17/21			nh
53	Leonard	918	Marina St.	3/8/21	B21-0039	Construct 420 sf deck with steps (just under 5 ft. in height) at front of SFR, also install French drain.		Bldg. - Approved 3/10/21			sg
54	Biaggini	1148	Market Ave	2/4/21	B21-0018	New two story SFR, 1635 sf living with attached 438 sf garage and 104 sf 2nd floor deck, at the rear of the lot.	Planning approved	Bldg. - Disapproved 2/22/21			nh
55	Biaggini	1148-A	Market Ave	2/4/21	B21-0019	Existing single story SFR to be relocated to a new foundation and will become a 1,008 sf detached Accessory Dwelling Unit (ADU).	Planning approved	Bldg. - Disapproved 2/22/21			nh

#	Applicant/ Property Owner	Project Address		Application 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
56	Biaggini	1148-A	Market Ave	2/4/21	B21-0020	New 500 sf attached Jr. Accessory Dwelling Unit (JADU) on the ground floor.	Planning approved	Bldg. - Disapproved 2/22/21			nh
58	McCutcheon	361	Mindoro St.	4/7/21	B21-0062	Addendum to B20-0149; Engineering done to make footings & spans up to code. Survey done to get exact distance to house from property line.		Bldg. - Approved 4/7/21			sg
59	LifePoint Church	615	Monterey	1/6/20	B19-0279	Remodel/upgrade current building	Planning disapproved 1/27/20. Awaiting resubmittal.	Bldg - Diapproved 1/30/20			nh
60	Gaffney	960	Napa Ave		B21-0057	Addition to SFR 983 sf new 2 story addition plus demo existing garage and build new 441 sf detached 2-car garage	Planning approved 4-7-21	Bldg. - Plancheck			nh
61	Gaffney	960-A	Napa Ave		B21-0058	Detached ADU above new garage (see permit B21-0057)	Planning approved 4-7-21	Bldg. - Plancheck			nh
62	Dill	2300	Nutmeg Ave	4/6/21	B21-0061	Replacing a 2nd story 160 sf cantilever deck with 160 sf deck with posts		Bldg. - Approved 4/7/21			sg
64	French	2460	Nutmeg Ave	4/8/21	B21-0066	Demo existing steps & handrail, remove modular block retaining walls. Pour new concrete retaining walls (less than 3'4" in height) for terraced yard sections as shown on plans. Excavate & pour new concrete steps & install new 1 1/2" O.D continuous handrail.		Bldg. -Approved 4/13/21			sg
65	Erb	2630	Nutmeg Ave	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. Variance application approved. Awaiting building permit resubmittal.	Bldg. - Approved 3/27/19			wu
65	Angelucci	953	Pacific St.	3/25/21	B21-0052	Add 300 sf to 2nd story, 470 sf attached 2 car garage, 275 sf open deck & 188 sf covered deck.		Bldg. - Plancheck			am
66	Enns	655-A	Paula St.	11/3/20	B20-0189	ATTACHED ADU - Demo existing attached garage & construct new 395 sf attached garage with 866 sf ADU.	Under review. Disapproved 11/23/2020. Awaiting resubmittal of CDP 20-019 before building plans can be approved. CDP approved 12/29/2020.	Bldg. - Disapproved 11/05/20			am
67	Behman	965	Pelican Pl.	3/8/21	B21-0041	Interior remodel (reconfigure kitchen and dining area), new electrical wiring throughout, panel upgrade from 70 amp to 100 amp, new plumbing lines, new interior gas lines, and new mini split heat pump.		Bldg. - Disapproved 3/11/21			co
68	Renent	325	Pico St.	11/4/20	B20-0191	Install sunroom 12'x20.5'	Disapproved 11/10/2020. Awaiting resubmittal.	Bldg. - Disapproved 11/09/20			am
69	Lee	684	Piney Way	9/10/20	B20-0168	Demo existing detached 416 sf work shed with bathroom & reconstruct new 416 sf garage/shop with electrical, keeping existing bathroom on existing slab/foundation.	Planning disapproved 9/15/20. Requires a Admin CDP and Parking Exception prior to review and approval of the building permit. Waiting for submittal.	Bldg. - Disapproved 3/1/21			nh
70	Scharin Family Trust Johan C. Scharin Trustee	710	Quintana	5/21/20	B20-0082	Remodel of former Dollar Tree into a new O'Reilly Auto Parts for the retail sale of automotive parts and accessories.		Bldg. - Approved 1/12/21			wu

#	Applicant/ Property Owner	Project Address		Application 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
71	Volk	800	Quintana Rd.	3/2/21	B21-0034	Addition of 30 kw diesel backup generator with a 190 gallon subbase fuel tank on a 4' x 10' concrete pad. Install new CMU walls with screened chain-link access gates, and install automatic transfer switch and camlock together.	Approved. Cj.	Bldg. - Approved 3/10/21			cj
72	PG&E	475	Radcliff Ave.	2/9/21	B21-0023	Installation of six panel antennas and associated equipment on an existing 73-foot PG&E lattice tower. Equipment will be enclosed by an 8-foot tall CMU wall placed 35 feet from the base of the lattice tower.	Under review. Correction lent sent. Cj.	Bldg. Approved 2/17/21			cj
73	Giannini	750	Radcliff Ave.	7/22/19	B19-0156	Remove three existing panel antennas, three radio and replace with three radio intergrated antennas and associated cabling. Install equipment expansions to the top of existing cabinets (approx 1'2') with associated electrical wiring.	Approved 9/26/19.	Ready to issue			cj
74	Hosford	775-A	Ridgeway St.	3/8/21	B21-0040	ATTACHED ADU - Create new 700 sf accessory dwelling unit (ADU) from 1400 sf non conditioned storage space under SFR, 700 sf will remain unconditioned storage space.		Bldg. Disapproved 3/10/21			am
75	Kennedy	1130	Scott Street	12/20/19	B19-0271	New commercial project with residential security unit above	Conditionally approved 1/3/20. Review resubmittal - disapproved 1-25-21 - conditions not met. Applicant is processing required documents 3/8/21. Planning approved 3/28/21	Bldg. - Approved 2/17/21			nh
76	Parker	580	Shasta Ave	8/31/20	B20-0159	Add new detached garage	Planning under review. Planning disapproved 9/8/20. Need resubmittal	Bldg. - Disapproved 9/14/20			nh
77	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
78	Kelter	1107	West Ave	3/2/21	B21-0033	Add 18 sf to extend kitchen area by removing an angled wall and constructing a straight wall and adding a 6030 window.	Under review, issues related to bluff setback and previous permit restrictions. Project redesigned to avoid bluff impact. Requires resubmittal with new plans. Planning approved revised design April 2, 2021	Bldg. - Disapproved 3/11/21			nh
79	Davis	1149	West Ave	7/8/19	B19-0145	Construct lower level 360 sf enclosed patio (12' x 30') at rear of existing SFR.	Disapproved, proposed enclosed patio extended into the 25 foot bluff setback.	Bldg. - Approved 7/10/19			nh

Planning Projects & Permits with Final Action:

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#	Applicant/ Property Owner	Project Address	Application 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
Staff Directory:										
Scot Graham - sg	Chad Ouimet - co	Cindy Jacinth - cj	Pam Newman - pn	Nancy Hubbard - nh	Abby Miramontes - am					



AGENDA NO: B-1

MEETING DATE: April 20, 2021

Staff Report

TO: Planning Commissioners

DATE: April 13, 2021

FROM: Nancy Hubbard, Contract Planner

SUBJECT: A Minor Use Permit (MUP20-02) application was filed on December 15, 2020 to request approval for a change in use in the existing motel (formerly Twin Bay Inn and Best Western) to supportive housing. Residents in the supportive housing program are voluntary participants in a program licensed by the state. The existing facility has 27 rooms, some of which can be double occupied. Supportive housing is an allowed use in both the MCR and the R-4 zones. The zoning of the site is MCR/R-4/SP and is not located in the Coastal Appeals Jurisdiction.

RECOMMENDATION:

Deny the appeal and uphold the Director's approval of Minor Use Permit (MUP20-02) allowing the change in use to supportive housing in compliance with the requirements of the MBMC, by adopting Planning Commission Resolution 08-21.

ALTERNATIVES:

1. Uphold the appeal and provide direction to staff regarding desired action
2. Continue appeal and provide direction to staff regarding desired action

APPELLANTS: Ashley Smith

APPLICANTS: Brian Der Vartanian, Agent for Morro Bay Recovery

LEGAL DESCRIPTION/APN: 068-201-004

SUMMARY:

Administrative approval of a Minor Use Permit (MUP20-02) with conditions of approval to allow a change in use from a motel to a residential supportive housing facility was granted February 24, 2021. An Appeal of this action was filed on March 1, 2021 by Ashley Smith.

Prepared By: NH

Department Review: SG

The proposed change in use is to “supportive housing,” defined as “housing with no limit on length of stay, that is occupied by a target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live, and, when possible, work in the community.” MBMC § 17.12.626. This definition mirrors the definition of “supportive housing” in Section 50675.14 of the Health & Safety Code.

People in alcohol and substance abuse recovery are considered disabled and under both State and Federal law, and are provided protections for housing for the disabled. California Fair Employment and Housing Act expressly prohibits discrimination through public or private land use practices and decisions that make housing opportunities unavailable. (Gov’t Code Section 12900 et seq.; 42 U.S.C. Section 3601 et seq.; 42 U.S. C Section 12101 et seq.).

Supportive housing is permitted in the R-4 and MCR zones, as provided by MBMC Sections 17.24.070 and 17.24.110, respectively. The North Main Specific Plan overlay includes a requirement for frontage improvements to be installed along Main Street, which is incorporated as a condition of approval.

The proposed program for supportive housing provides housing with no limit on length of stay to a target population, namely, people who are recovering from alcohol or substance abuse. The facility will be licensed by the State of California as a residential treatment facility, and will provide the following onsite/offsite services: counseling, psych-social therapy, and medication monitoring. The facility will engage a network of medical, mental health providers and provide self-help recovery group meetings, and other entities providing social and recreational services to the residents. The majority of the services are provided on site. Therefore, it constitutes supportive housing under our code.

State law provides that “... supportive housing shall be considered a residential use of property and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone. Supportive housing, as defined in [Government Code] Section 65650, shall be a use by right in all zones where multifamily and mixed uses are permitted, as provided in Gov’t Code § 65583(c)(3).

The stated grounds for the appeal are listed below, followed by a staff response (in bold italics):

1. The MUP 20-02 does not adequately address the impact of the MBPD (Police Department), MBFD (Fire Department), Morro Bay Chamber of

Commerce and tourism.

Staff response: The fire and police departments reviewed and approved or conditionally approved the application for a change in use to supportive housing prior to the issuance of the permit. The MB Chamber of Commerce is not a City agency and has no involvement in the review or approval of City issued permits.

2. The MUP does not adequately address measures to ensure safety to surrounding neighborhood.

Staff response: The MUP allows a change in use from motel to supportive housing which is allowed 'by right' in every residential zone and some commercial zones in Morro Bay. State Assembly Bill 2162 prohibits jurisdictions from creating or imposing restrictions that are not applied to any other residential dwelling of the same type in the same zone. The City's review of this application included thorough research into the requirements of supportive housing to ensure that the decision to approve this permit and the resulting conditions of approval met the requirements of the MBMC, Housing Element, and state guidelines without bias.

3. The MUP does not adequately address the facility curriculum/program or the facility employees, such as the physicians and counselors.

Staff response: The Minor Use Permit is allowing a change in use, but does not provide operational guidelines for the specific programs related to serving the supportive housing clients. The facility will be licensed under the State of California, Department of Health Care Services, as a residential substance abuse treatment center. The licensing agency will provide regulations and program policies and procedures for the operations, the curriculum, and program. The state agency provides background checks on the facility owners, operators and staff. The state involvement in licensing preempts any perceived roll of the City of Morro Bay in the operations of the facility, other than code violations. In response to public comment on the noticing for the MUP permit, the City posted on the website information from the applicant about the proposed project operations. See <http://www.morro-bay.ca.us/842/Current-Planning-Projects>

APPEAL REQUESTED ACTION:

Below are the requested relief or actions requested by Appellant followed by staff response in bold italics:

1. A stay on permit issued to have a public hearing. ***Staff response: The City of Morro Bay approved the MUP permit administratively in compliance with the MBMC and the requirements of the State AB2162. A delay of approximately 60 days in the permit effective date resulted from the filing of an appeal. The appeal resulted in a public hearing. This action has been taken.***

2. Request the Chief of Police and Chief of Fire and a representative from Chamber of Commerce and Applicant address these issues. ***Staff response: The application was reviewed by the police and fire departments, which approved or conditionally approved the application prior to issuance of the permit. This action has been taken. The Chamber of Commerce is not a City agency and was therefore not consulted on the approval of the MUP.***

REGULATORY REQUIREMENTS FOR APPEALS TO PLANNING COMMISSION:

The function and duties of the Planning Commission as the appellate body are to review the appeal, administrative record, and written correspondence received by staff and included in the staff report, and take one of the following actions:

- A. Conduct a public hearing considering the concerns raised by the appellant, and uphold or deny the appeal; or
- B. If new evidence comes to light at the hearing that was not previously reviewed by staff, remand the matter back to staff for further review and action.

The Planning Commission, under option A above, shall conduct a de novo review in that the appellant body shall consider only the same application, plans and related materials that were the subject of the original decision, and is not required to give any deference to the original determination of the Director.

ENVIRONMENTAL DETERMINATION

Pursuant to the California Environmental Quality Act, the project meets the requirements for a categorical exemption under CEQA Guidelines Section 15301, Class 1a (minor improvements to an existing facility necessary for the change in use). Additionally, none of the Categorical Exemption exceptions, noted under Section 15300.2, apply to the project.

PUBLIC NOTICE: Notice of this item was published in the San Luis Obispo Tribune newspaper on April 9, 2021 and all property owners of record within 500 feet of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application.

CONCLUSION: The City of Morro Bay processing of this application was thorough and in compliance with the requirements of the MBMC and the State requirements under AB2162. As a result, staff has concluded that the grounds for an appeal of the project's approval are inadequate to repeal the Director's approval of the Minor Use Permit based on the above staff analysis. The project submittal was sufficient to make the necessary findings for approval including that the project is consistent with the City's General Plan, Local Coastal Program and the Municipal Code.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission deny the appeal and uphold the Director approval of the Minor Use Permit subject to the findings and conditions of approval as specified by Planning Commission Resolution #08-21 attached below as Exhibit A.

EXHIBITS:

Exhibit A – Planning Commission Resolution 08-21

Exhibit B – Appeal received from Appellants dated March 1, 2021.

Exhibit C – Minor Use Permit (MUP20-02) Permit with conditions of approval issued. 2/24/21.

Link to project correspondence: <http://www.morro-bay.ca.us/842/Current-Planning-Projects>

EXHIBIT A

Planning Commission Resolution 08-21

Appeal of MUP20-02

Page 1

RESOLUTION NO. PC 08-21

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION UPHOLDING THE APPEAL OF MINOR USE PERMIT (MUP20-02) APPROVING A CHANGE IN USE FROM MOTEL TO SUPPORTIVE HOUSING AT 2460 MAIN STREET

WHEREAS, Twin Bay, Inc., DBA Morro Bay Recovery, applied for a minor use permit on December 15, 2020 requesting a change from motel use to supportive housing (residential treatment center) (the "project"); and

WHEREAS, the City of Morro Bay administratively approved the minor use permit (MUP20-02) on February 24, 2021, following the end of the 10-day public notification period; and

WHEREAS, Ashley Smith submitted an appeal of the City's approval of MUP20-02 on March 1, 2021 (Appeal) within in the valid appeal period; and

WHEREAS, the Planning Commission of the City of Morro Bay (the "City") conducted a public hearing via video conference on April 20, 2021 for the purpose of considering the Appeal request; and

WHEREAS, pursuant to the Governor's Executive Order N-29-20 issued on March 17, 2020 in response to the present State of Emergency in existence due to the threat of COVID-19, the City of Morro Bay Planning Commission is authorized to hold public meetings via teleconferencing and all requirements in the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are hereby waived; 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 appellant, 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:

Minor Use Permit Finding

1. As conditioned, the project is in compliance with the General Plan and certified Local Coastal Program and will not be detrimental to the health,

EXHIBIT A

- safety, and general welfare of persons residing or working in the surrounding neighborhood.
2. Supportive housing is allowed in all residential zoning districts and many commercial/mixed-use zoning districts, including the subject property zoning district (MCR/R-4/SP), subject to a Minor Use Permit. MBMC Section 17.24.110.
 3. The proposed use fits the definition of supportive housing pursuant to MBMC 17.12.626 and Section 50675.14 of the Health and Safety Code.
 4. The MUP was noticed and approved through an administrative approval process in accordance with the requirements of MBMC Section 17.24.110.
 5. Conditions imposed through the required administrative approval process do not create restrictions that are not imposed on any other residential use within that zoning district.

State Assembly Bill 2162 Findings

1. The project was approved in compliance with AB 2162, which specifies that transitional housing and supportive housing are a residential use of property, subject only to those restrictions that apply to other residential dwellings of the same type in the same zone. Gov't Code § 65583(c)(3).

Section 2: Action. The Planning Commission does hereby deny the appeal of Minor Use Permit MUP20-02 for the property located at 2460 Main Street subject to the conditions of approval included in the Permit issued February 24, 2021.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 20th day of April 2021 on the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Chairperson

ATTEST

Scot Graham, Planning Secretary

The foregoing resolution was passed and adopted on this 20th day of April 2021.

EXHIBIT B
RECEIVED

Nancy



CITY OF
MORRO BAY

MAR 01 2021

APPEAL FORM

City of Morro Bay

Community Development Department
Planning Division

955 Shasta Avenue
Morro Bay, CA 93442
(805) 772-6261

CCC Appeals Jurisdiction?

YES - No Fee
 NO - Fee Paid: Yes No

Project Address being appealed: 2460 Main Street

Appeal from the decision or action of (governing body or City officer):
 Administrative Decision Planning Commission City Council

Appeal of action or specific condition of approval:
Appeal admin decision, push project to planning.

Permit number and type being appealed (ie. coastal permit, use permit, tentative subdivision):
MUP20-02

Date decision or action rendered: 2/24/2021

Grounds for the appeal (attach additional sheets as necessary):
MUP20-02 does not adequately address impact of: MBPD, MBFD, Morro Bay chamber of commerce & tourism.
Does not adequately address measures to ensure safety to surrounding neighborhood →

Requested relief or action:
A stay on permit issued, to have a public hearing. Requesting chief of police & chief of fire a rep from chamber of commerce & Mr. Der Varonian address these issues.
Ashley Smith

Appellant (please print): 2418 Reno Ct, MB Phone: (805) 464-9290

Address:
[Signature]

Appellant Signature: [Signature] Date: 3/1/2021

FOR OFFICE USE ONLY

Accepted by:	Date appeal filed:
Appeal body:	Date of appeal hearing:

EXHIBIT B

MUPU20-02 does not adequately address the facility curriculum/program or the facility employees such as physicians & counselors.

RECEIVED

MAR 01 2021

City of Morro Bay
Community Development Dept.

EXHIBIT C



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

February 24, 2021

Brian Der Vartanian
Morro Bay Recovery, Inc.
2460 Main Street
Morro Bay, CA 93442

RE: Minor Use Permit No. MUP20-02 at 2460 Main Street, Morro Bay

Description: *MUP to allow a change in use from motel to a supportive housing facility, classified under the Morro Bay Housing Element as a residential use. The program clients are provided housing while they are participating in the rehabilitation programs. This facility will be licensed through the Department of Health and Human Services, State of California. The zoning of the site is MCR/R-4/SP and is not located in the Coastal Appeals Jurisdiction.*

Dear Mr. Der Vartanian:

The City of Morro Bay Community Development Director has conditionally approved your request. Any further processing of this project must be initiated by the applicant, subject to the applicable rules and regulations of the Morro Bay Municipal Code. ***Please be advised that you must return the enclosed Acceptance of Conditions form, signed, to this department or the action is null and void.***

Please also find enclosed the Notice of Exemption for your project. The City of Morro Bay no longer files notices of exemptions. You may file the Notice of Exemption with the County Clerk's office located in the County Government Building in San Luis Obispo. The filing Fee is \$50.00 and the County requires the original Notice of Exemption and at least one copy.

Section 15062 (d) of The California Environmental Quality Act (CEQA) provides:

"The filing of a Notice of Exemption and the posting on the list of notices start a 35 day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. If a Notice of Exemption is not filed, a 180 day statute of limitations will apply."

Sincerely,

Scot Graham
Community Development Manager, Public Services Department

By: 

Nancy Hubbard, Contract Planner

EXHIBIT C



CITY OF MORRO BAY COMMUNITY DEVELOPMENT DEPARTMENT

MINOR USE PERMIT (MUP20-02)

This approval is based upon the attached findings and compliance with the conditions of approval and is valid only after the applicable appeal period. Failure to comply with the conditions of this permit shall, at the discretion of the Community Development Manager pursuant to Municipal Code Section 17.60.150, render this entitlement null and void.

CASE NO: MUP20-02

THIS PERMIT IS HEREBY APPROVED AND ISSUED FOR:

SITE ADDRESS: 2460 Main Street

APPLICANT: Brian Der Vartanian, DBA Morro Bay Recovery

APN/LEGAL: 068-201-004

DATE APPROVED: February 24, 2021

APPROVED BY: Community Development Director

CEQA DETERMINATION: Categorical Exemption, Class 1, CEQA Guidelines Section 15301

DESCRIPTION

OF APPROVAL: *MUP to allow a change in use from motel to a supportive housing facility, classified under the Morro Bay Housing Element as a residential use. The program clients are provided housing while they are participating in the rehabilitation programs. This facility will be licensed through the Department of Health and Human Services, State of California. The zoning of the site is MCR/R-4/SP and is not located in the Coastal Appeals Jurisdiction.*

Please see reverse for Permit Effective Date.

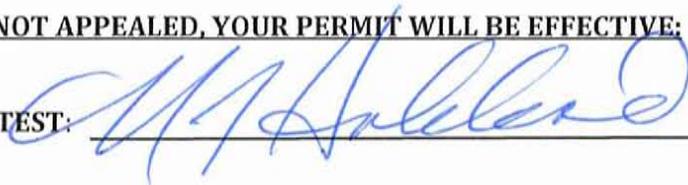
EXHIBIT C

YOUR PROPERTY IS LOCATED IN THE CITY OF MORRO BAY JURISDICTION, OUTSIDE OF THE COASTAL APPEALS JURISDICTION.

YOUR PROPERTY IS LOCATED IN THE COASTAL COMMISSION APPEALS JURISDICTION: THE FOLLOWING COASTAL COMMISSION APPEAL PERIOD APPLIES TO YOUR PROJECT: This City decision is appealable to the California Coastal Commission pursuant to the California Public Resource Code, Section 30603. The applicant or any aggrieved person may appeal this decision to the Coastal Commission within TEN (10) Working days following Commission receipt of this notice and after expiration of the City of Morro Bay appeal period. Appeals must be in writing and should be addressed to: California Coastal Commission, 725 Front Street, Ste. 300, Santa Cruz, CA 95060, Phone: 831-427-4863. If you have any questions, please call the City of Morro Bay Community Development Department, 772-6264.

IF NOT APPEALED, YOUR PERMIT WILL BE EFFECTIVE: March 4, 2021

ATTEST: _____



DATE: February 24, 2021

THIS IS A ADMINISTRATIVE PLANNING PERMIT APPROVAL AND DOES NOT CONSTITUTE A BUILDING PERMIT

EXHIBIT C

APPLICANT'S ACCEPTANCE
OF
CONDITIONS OF APPROVAL

CASE NO. MUP20-02

SITE LOCATION: 2460 MAIN STREET

APPLICANT NAME: Brian Der Vartanian, DBA Morro Bay Recovery

APPROVAL BODY: COMMUNITY DEVELOPMENT DIRECTOR

DATE OF ACTION: 2/24/21

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

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

 Case Number: MUP20-02

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

APPLICANT'S SIGNATURE

DATE

EXHIBIT C

CITY OF MORRO BAY NOTICE OF EXEMPTION

TO: San Luis Obispo Co. Clerk
County Government Center
San Luis Obispo CA 93401

FROM: City of Morro Bay
Community Development Department
955 Shasta Avenue
Morro Bay, CA 93442

Office of Planning & Research
1400 Tenth Street
Sacramento, CA 95814

Project Title: Change in use from motel to supportive housing

Project Location - Specific: 2460 Main Street (APN 068-201-004)

Project Location - City: MORRO BAY **County:** SAN LUIS OBISPO

Description of Project: *MUP to allow a change in use from motel to a supportive housing facility, classified under the Morro Bay Housing Element as a residential use. The program clients are provided housing while they are participating in the rehabilitation programs. This facility will be licensed through the Department of Health and Human Services, State of California. The zoning of the site is MCR/R-4/SP and is not located in the Coastal Appeals Jurisdiction.*

Name of Public Agency Approving the Project: CITY OF MORRO BAY, 955 SHASTA AVE, MORRO BAY, CA 93442
Nancy Hubbard, nhubbard@morrobayca.gov, 805-772-6211

Name of Person or Agency Carrying Out Project: Brian Der Vartanian, 2460 Main Street Morro Bay, CA, 93442, 323-741-0092, brian@netcpa.com

Exempt Status: (Check One)

Reasons why project is exempt: This is a change in use for an existing facility, only minor changes are being made as a condition of the permit.

- Ministerial (Sec. 21080(b)(1); 15268); Categorical Exemption:
Type and Section Number: 15301, Class 1
- Declared Emergency (Sec. 21080(b)(3); 15269(a)) _____
- Declared Emergency (Sec. 21080(b)(3); 15269(a)) Statutory Exemption Code No. _____

Lead Agency: City of Morro Bay, 955 Shasta Ave, Morro Bay, CA 93442

Contact Person: Nancy Hubbard, Contract Planner Telephone: 805-772-6211

Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Certification: I hereby certify that the public agency has made the above finding and that the project is categorically exempt from CEQA.

Signature:  Title: Contract Planner Date: 2/24/21

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2640 Main Street
Page 1

MINOR USE PERMIT
CASE NO. MUP20-02
SITE LOCATION: 2460 MAIN STREET
APPROVED FEBRUARY 24, 2021

I. FINDINGS OF APPROVAL

The Community Development Director has reviewed this Minor Use Permit and application and finds the following:

California Environmental Quality Act (CEQA)

Pursuant to the California Environmental Quality Act, the project meets the requirements for a Categorical Exemption under CEQA Guidelines Section 15301 Class 1a (minor improvements to an existing facility necessary for the change in use). Additionally, none of the Categorical Exemption exceptions, noted under Section 15300.2, apply to the project.

Minor Use Permit findings

1. The project is consistent with the General Plan and Local Coastal Program (LCP) that specifically identifies this area for residential uses.
2. The project is in compliance with the zoning code, which includes supportive housing as a use by right in the zoning district.
3. The project is in compliance with the General Plan and certified Local Coastal Program and will not be detrimental to the health, safety, and general welfare of persons residing or working in the surrounding neighborhood.

II. CONDITIONS OF APPROVAL

STANDARD CONDITIONS

1. This permit is granted for a Minor Use Permit to allow a change in use from motel to a supportive housing facility, classified under the Morro Bay Housing Element as a residential use. The facility will be operated pursuant to the requirements of a license issued by the State of California. The zoning of the site is MCR/R-4/SP and is not located in the Coastal Appeals Jurisdiction
2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this Resolution and is diligently pursued, thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Any extension may be granted by the City's Community Development Director (the "Director"), upon finding the project complies with all applicable provisions of the Morro Bay Municipal Code (the "MBMC"), General Plan and certified Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.

EXHIBIT C

3. Changes: Minor changes to the project description and/or conditions of approval shall be subject to review and approval by the Director.
4. Compliance with the Law: (a) All requirements of any law, ordinance or regulation of the State of California, the City, and any other governmental entity shall be complied with in the exercise of this approval, (b) This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan for the City.
5. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicants' failure to comply with conditions of approval. Applicant understands and acknowledges the City is under no obligation to defend any legal actions challenging the City's actions with respect to the project. This condition and agreement shall be binding on all successors and assigns.
6. Compliance with Conditions: The applicant's establishment of the use or development of the subject property constitutes acknowledgement and acceptance of all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Director. Failure to comply with any of these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the MBMC and is a misdemeanor.
7. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the MBMC and shall be consistent with all programs and policies contained in the LCP and General Plan of the City.

PLANNING CONDITIONS

1. 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

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2640 Main Street
Page 3

permit may be renewed for a period of three days or less while the emergency continues.

2. 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.
3. 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.
4. License with State of California: Prior to occupancy under the new use, the City shall be provided with a copy of the final operational license with the State of California. Any changes to the license status should be reported to the City within 10 days of the change.

BUILDING DIVISION CONDITIONS

- 1.) If frontage improvements are required, a fully accessible route (path of travel) from the public way into the building will be required.

A. CONDITIONS PRIOR TO THE 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.) BUILDING PERMIT APPLICATION: To apply for building permits, submit three (3) sets of construction plans, fire sprinkler plans, if applicable, and supplemental documents to the Building Division.
- 4.) The Title sheet of the plans shall include, but not limited to:
 - Street address, lot, block, track and Assessor Parcel Number
 - Occupancy Classification(s)
 - Construction Type
 - Maximum height of the building allowed and proposed.
 - Floor area of the building(s)
 - Fire sprinklers proposed or existing.
 - Minimum building setback allowed and proposed.

All construction will conform to the 2019 California Building Code (CBC), 2019 California Residential Code (CRC), 2019 California Fire Code (IFC), 2019 California Mechanical Code (CMC), 2019 California Plumbing Code (CPC), 2019

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California Electrical Code (CEC), 2019 California Energy Code, 2019 California Green Building Code (CGBC), Title 14 and 17 of the Morro Bay Municipal Code.

(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 to not infringe on neighboring property, such as debris and dust. A storm water management plan shall be maintained through the duration of the project. The storm water management measures such as fiber rolls, silt fencing, etc. will be enforced by City staff by random site visits.
- 2.) **ARCHAEOLOGICAL MATERIALS:** In the event unforeseen archaeological resources are unearthed during any construction activities, all grading and or excavation shall cease in the immediate area and the find left untouched. The Building Official shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, Native American, or paleontologist, whichever is appropriate. The qualified professional shall evaluate the find and make reservations related to the preservation or disposition of artifacts in accordance with applicable laws and ordinances. If discovered archaeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the Building Official shall notify to county coroner. If human remains are found to be of ancient age and of archaeological and spiritual significance, the Building Official shall notify the Native American Heritage Commission. The developer shall be liable for costs associated with the professional investigation.
- 3.) **EXISTING BUILDINGS:** Where windows are required to provide emergency escape and rescue openings, replacement windows shall comply with the maximum sill height requirements of section R310.2.2 and the minimum opening area requirements of section R310.2.1 of the 2019 California Residential Code.

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

- 1.) Prior to building division final approval and request for final inspection, all required inspections from the other various divisions and departments must be 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. This permit card shall then be turned into the building division for scheduling of the final building inspection.
- 2.) Any as-built drawings that were required by the building inspector or plans examiner must be submitted for approval prior to the request for final inspection.

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- 3.) If structural observations were required, the final structural observation report shall be submitted to the building division prior to issuance of the certificate of occupancy or final inspection approval.
- 4.) If special inspections were required, the final special inspection report shall be submitted to the building division prior to the issuance of the certificate of occupancy or final inspection approval.
- 5.) Final T-24 energy reports (Certificates of Installation).

PUBLIC WORKS CONDITIONS:

The plans are Conditionally Approved and subject to the following conditions:

1. Frontage Improvements: Frontage improvements are required. Show the installation of City standard driveway approaches per B-6, curb, gutter, sidewalk, and street trees. An encroachment permit is required for any work within the Right of Way. (MBMC 14.44.020)
2. Water Meter: New water meters are required for all structures that are not under the same roof. Indicate and label new and existing water meter on plans and include size of meter(s). (MBMC 13.0.140)
3. Water Backflow Prevention Device: Verify and label all new or existing water backflow preventers. Devices are required for fire water systems, irrigation systems on a dedicated water meter, systems which may change in character of use (commercial rentals, etc.), gray water systems, or any plumbing system which has cross-connections or the ability to allow water of deteriorated sanitary quality to enter the public water supply. Add note to plan that device is required to be an approved domestic water backflow prevention device. (MBMC 3.08.040)
4. Fence and retaining wall: Fence along frontage and part of retaining wall at driveway entrance is located within the City right-of-way. There are three options : relocate (at or behind private property line), remove fence or apply for a "Special Encroachment Permit". To apply for a Special Encroachment Permit, submit fee payment and an 8.5"x11" size exhibit for City Engineer approval. Exhibit shall show the plan layout of the frontage and fence. Label and dimension fence, right-of-way width and street. (MBMC 8.14.020)

Add the following Notes to the Plans:

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

EXHIBIT C

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Page 6

Bay Public Works Office located at 955 Shasta Ave. A standard encroachment permit shall be required for the proposed driveway; the driveway shall comply with B-9 (Driveway Ramps: Size & Location). A sewer encroachment permit shall be required for any repairs or installation of a sewer lateral within the City right-of-way or within a utility easement. If a construction dumpster is used, the dumpster location shall be on private property, unless allowed by an encroachment permit within the City right-of-way.

FIRE DEPARTMENT CONDITIONS:

1. Fire Safety during Construction and Demolition shall be in accordance with 2019 California Fire Code, Chapter 33. This Chapter prescribes minimum safeguards for construction alteration and demolition operations to provide reasonable safety to life and property during such operations.
2. Automatic fire sprinklers. Due to the change in occupancy, automatic fire sprinkler system is required in accordance with NFPA13, California Fire Code (Section 903) and Morro Bay Municipal Code (Section 14.08.090). Applicant shall submit sprinkler plans to Morro Bay Community Development Department for review.
3. Every sleeping room shall have at least one operable window or door approved for emergency escape or rescue that shall open directly into a public way and shall be operable from inside to provide a full, clear opening without tools. Minimum width of the opening: 20 inches. Minimum height of the opening: 24 inches. The windowsill must not be higher than 44 inches from the ground level.
4. Fire Department access to equipment. Rooms or areas containing controls for electrical, FAU, Alarm, Fire sprinklers systems shall be identified by approved and appropriate signage for Fire Department use. (CFC, Title 19, Sec. 3.29)
5. Key Boxes. Where access is or within a structure or an area is restricted because of the secured openings or where immediate access is necessary for lifesaving or fire-fighting purposes, a Knox Box must be provided for installation to the exterior of the structure. Obtain a Knox Box application from Morro Bay Fire Department during business hours.

EXHIBIT C

Community & Economic
Development Department
Building & Safety Division

919 Palm St, San Luis Obispo, CA 93401
(805) 781-7220
San Luis Obispo.gov/Building

California Green Building Standards Code:

Residential Mandatory Measures Requirements for (R-3) SFD

All newly constructed single family dwellings (SFD) and any addition or alteration to an existing single family dwelling which proposes to increase the dwellings conditioned area, volume, or size shall fully comply with the adopted California Green Building Standards Code and the items described in this checklist. These requirements apply only to the specific area of addition or alteration for existing dwellings.

Building Permit Number: _____ Site Address: _____

Section	Green Mandatory Measures
Division 4.1	Planning & Design: Site Development
4.106.2	Storm water drainage and retention during construction: Projects which disturb less than one acre of soil and are not part of a larger common development shall manage storm water drainage during construction in accordance with this code and State law.
4.106.3	Grading and paving. Site grading or drainage systems will manage all surface water flows to keep water from entering buildings.
4.106.4	Electric vehicle charging for new one- and two-family dwellings with attached private garages. For each dwelling unit, install a listed raceway to accommodate a dedicated 208/240-volt branch circuit (nominal 1-inch inside diameter) that originates at the main service or subpanel and terminates into a listed cabinet, box or other enclosure in close proximity to the proposed location of an EV charger. The service panel or subpanel shall provide capacity to install a 40-ampere minimum dedicated branch circuit and space(s) reserved to permit installation of a branch circuit overcurrent protective device. The service panel or subpanel shall be permanently labeled to identify the breaker space as "EV CAPABLE". The raceway termination location shall be permanently and visibly marked as "EV CAPABLE".
Division 4.2	Energy Efficiency
4.201.1	Scope. This project shall comply with all applicable energy efficiency requirements as set forth in the most recent version of the California Energy Code. Energy calculations and forms shall be included as part of the plans and drawings.
Division 4.3	Water Efficiency & Conservation
4.303.1	Indoor water use. Plumbing fixtures and fittings shall comply with the following and shall be shown on the construction documents:

Fixture Type	Maximum Flow Rate	
Shower Head	2.0 GPM @60 psi	Plumbing fixtures and fittings shall be installed in accordance with the California Plumbing Code and shall meet the applicable standards referenced in Table 1701.1 of the California Plumbing Code.
Kitchen Faucet	1.8 GPM @60 psi	
Lavatory Faucet	1.2 GPM @60 psi	
Water Closet	1.28 gallons per flush	
Urinal	0.125 gallons per flush	
4.304.1	Outdoor potable water use in landscape areas. New residential developments with an aggregate landscape area equal to or greater than 500 square feet shall comply with one of the following options: a. A local water efficient landscape ordinance or the current California Department of Water Resources Model Water Efficient Landscape Ordinance (MWEL0), whichever is more stringent; or b. Projects with aggregate landscape areas less than 2,500 square feet may comply with the MWEL0's Appendix D Prescriptive Compliance Option.	
Division 4.4	Material Conservation & Resource Efficiency	
4.406.1	Rodent proofing: Annular spaces around pipes, electric cables, conduits or other openings in sole/bottom plates at exterior walls shall be protected against the passage of rodents by closing such openings with cement mortar, concrete masonry or a similar method acceptable to the city building inspector.	
4.408.1	Construction waste management. Recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition waste in accordance with either CAL Green Section 4.408.2 Waste Management Plan, 4.408.3 Waste Management Company or 4.408.4 Waste Stream Reduction Alternative. A City approved waste management company/hauler shall be used for recycling of construction waste. Documentation of compliance with Section 4.408.1 shall be provided to the Authority Having Jurisdiction prior to project final approval.	
4.410.1	Operation and Maintenance manual. The builder shall prepare an Operation and Maintenance Manual as outlined in Cal Green Section 4.410.1. The manual shall be given to the owner upon final approval by the building inspector. In such case where the property is being sold, it should be given to the new owner at the time of sale. A copy of the manual shall be available for the inspector prior to, or at the time of final inspection.	
Division 4.5	Environmental Quality	
4.503.1	Fireplaces. Any installed gas fireplace shall be of the direct vent, sealed combustion type. New wood burning fireplaces are not permissible in accordance with AQMD Rule 445.	
4.504.1	HVAC system protection. During the construction process and until final startup of the HVAC system, all duct and other related air distribution component openings shall be covered with tape, plastic, sheet metal or other method to reduce the amount of water, dust and debris which may enter the system.	
4.504.2	Finish material pollutant control. Finish materials shall comply with the following:	
4.504.3	a. Adhesives, sealants and caulks used on this project shall comply with SCAQMD Rule 1168 for VOC limits and toxic compounds. Aerosol adhesives, sealants and caulks shall comply with statewide VOC standards.	
4.504.4	b. Paints and coatings shall comply with VOC limits in Cal Green Table 4.504.3.	
4.504.5	c. Aerosol paints and coatings shall comply with statewide requirements and other requirements noted in Cal Green Section 4.504.2.3.	

	d. Carpet systems. All carpeting and carpet cushions shall meet the requirements of the Carpet and Rug Institute Green Label program. Carpet Adhesives shall comply with VOC limits in Cal Green Table 4.504.1. e. Resilient flooring. Where installed, 80% of the floor area receiving resilient flooring shall comply with one or more of the standards listed in Cal-Green Section 4.504.4. f. Composite wood products used on the interior or exterior of the building shall comply with the formaldehyde limits per Cal-Green Table 4.504.5. Verification of compliance with the standards listed above shall be provided upon request to the building inspector.
4.505.1 4.505.2 4.505.3	Interior moisture control. Buildings shall meet or exceed the provisions of the California Building Code. a. Concrete Slab foundations. Concrete Slab-on grade foundations/floors that are required to have a vapor retarder by California Building Code Section 1907 or California Residential Code Section R506, shall have a capillary break installed between the concrete slab and supporting grade. b. Building materials with visible signs of water damage shall not be installed. Wall and floor framing lumber shall not be enclosed when the framing members exceed 19-percent moisture content. Moisture content shall be verified using one of the methods listed in Cal Green Section 4.505.3. c. Insulation products which are visibly wet or have high moisture content shall be replaced or allowed to dry prior to enclosure in wall or floor cavities.
4.506.1	Indoor air quality and exhaust. Each bathroom (a room which contains a bathtub, shower, or tub/shower combination) shall be mechanically ventilated and shall comply with the following: <input type="checkbox"/> Exhaust fans shall be ENERGY STAR compliant and be ducted to terminate outside the building. <input type="checkbox"/> Unless functioning as a component of a whole house ventilation system, bathroom exhaust fans must be controlled by a humidity control. <input type="checkbox"/> Humidity controls shall be capable of adjustment between 50% and 80% relative humidity. Humidity control may utilize manual or automatic means of adjustment which may be a separate component to the exhaust fan (not required to be built-in).
4.507	HVAC system design. HVAC systems shall be sized, designed and have equipment selected using the methods listed in Cal Green Section 4.507.2.

Designer's Declaration Statement	Builder's Declaration Statement
I hereby certify as the designer of record that the proposed building plans meet the requirements of the California Green Building Standards Code.	I hereby certify as the builder or installer of record under the permit listed herein, that this project will be constructed to meet the requirements of the California Green Building Standards Code.
Name: Richard Diradourian Address: 3786 La Crescenta Ave, Glendale, CA 91208 Signature: Date: 10/30/19 License #: C 10336	Name: Brian Der Vartanian Address: 2659 South Buenos Aires Dr., Covina, CA 91724 Signature: Date: 10/30/19 License #: n/a

2

3

City of Morro Bay
Administrative Approval
Project #(s) MUP20-02
Approved as Submitted
Approved with Changes
Approval Date: 2/24/21
Planner: N. Hubane



BEST WESTERN HOTEL
2460 Main Street, Morro Bay, Ca. 93442

RICHARD C. DIRADOURIAN
ARCHITECT - INTERIOR DESIGNER
3786 La Crescenta Avenue, Suite 207, Glendale, California 91208

1/8/2020 AS SHOWN SCALE
1841-1431 COMMISSION NO.
RD CHECKED BY
RD DRAWN BY

REV. NO. DATE
1.1 10/30/19
ALL DIMENSIONS ARE IN FEET AND INCHES. CONDITIONS SHALL BE CHECKED ON SITE. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT IMMEDIATELY IN WRITING OF ANY DISCREPANCY BEFORE PROCEEDING WITH THE WORK.

A 0.2

1841-1431
RD CHECKED BY
RD DRAWN BY
1/8/2020 AS SHOWN SCALE
1841-1431 COMMISSION NO.

SITE PLAN KEYED NOTES

1. EXT'G FLOOR WALL LINE
2. EXT'G PARKING LOT
3. NEW ACCESSIBILITY PARKING (VAN)
4. EXT'G BRICK VENEER LINE
5. EXT'G CONCRETE DRIVEWAY
6. ADA PATHWAY- NO PEDESTRIAN SIDEWALK EXISTS @ STREET
7. PROPERTY LINE
8. EXT'G ROOF LINE
9. EXT'G CONC. WALKWAY
10. EXT'G LAWN LANDSCAPING TO REMAIN
11. NEW ACCESSIBILITY RAMP
12. NEW LANDING
13. NEW CONC. STEPS
14. EXT'G CURB
15. NEW WHEEL STOP
16. EXT'G FLAT ROOF

- EXT'G FLOOR AREA
- EXT'G LANDSCAPING

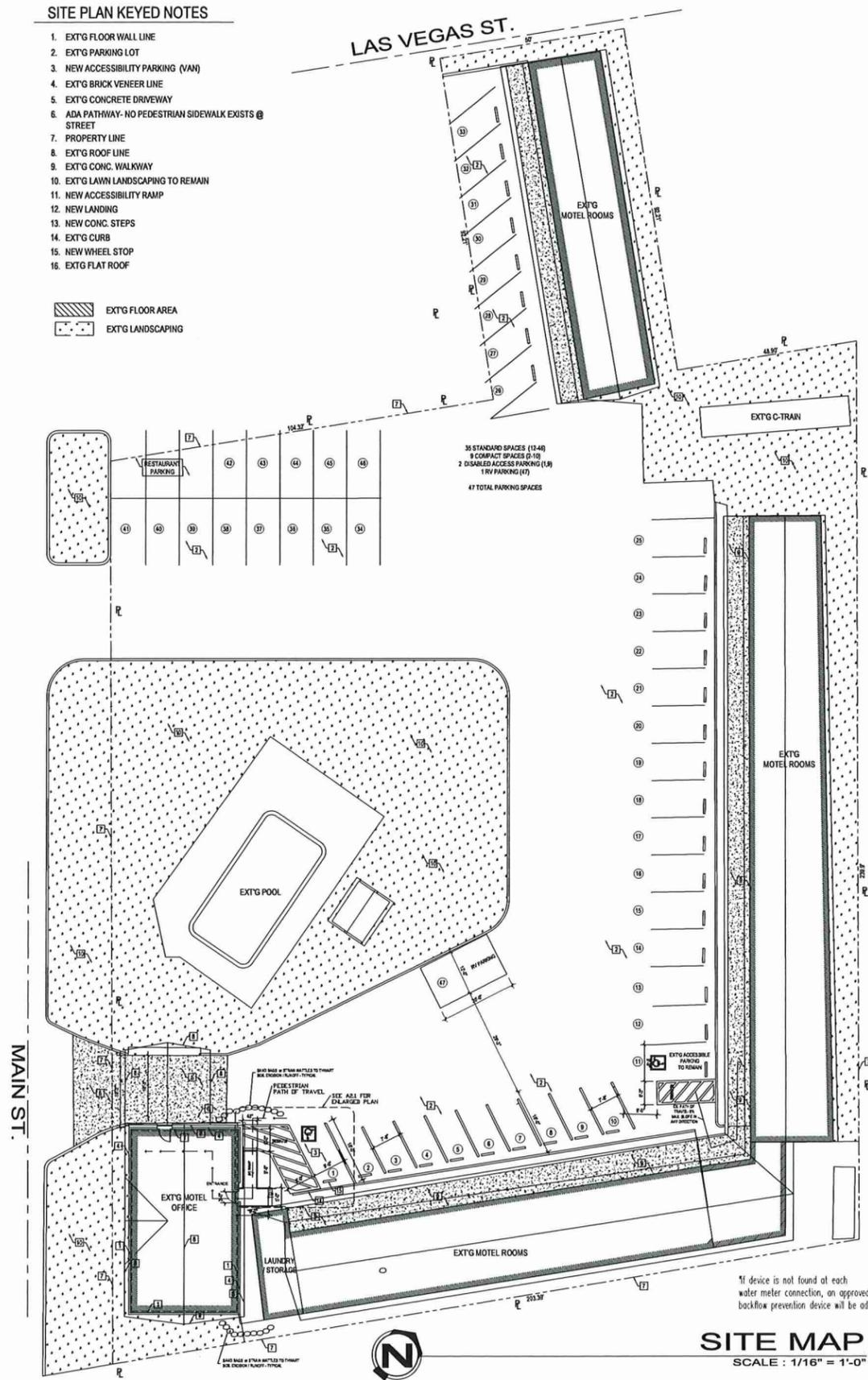
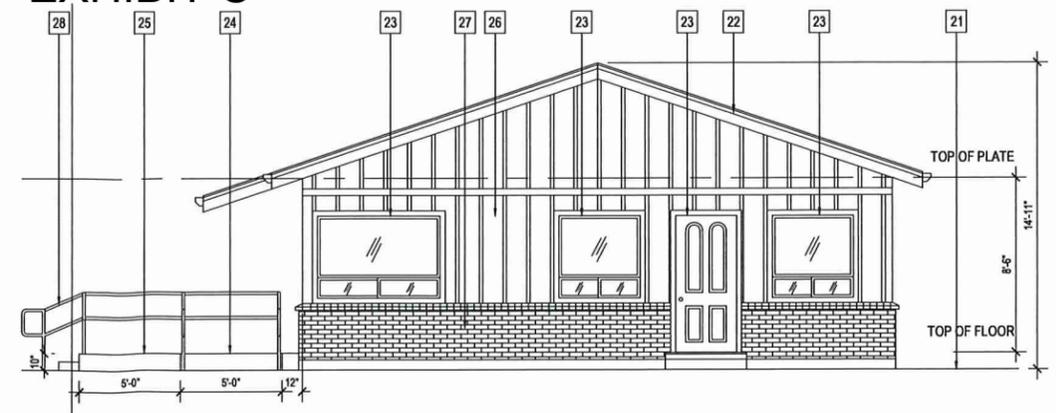
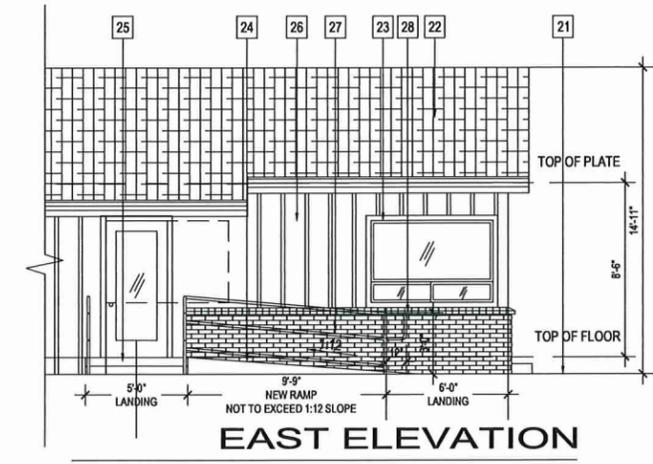


EXHIBIT C



ELEVATION KEYED NOTES

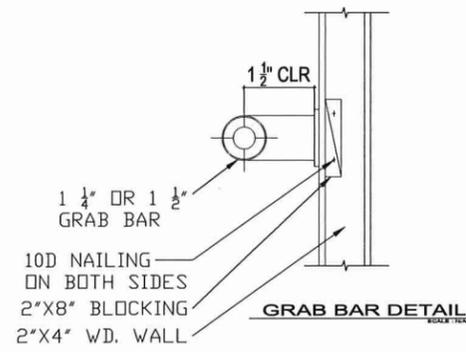
21. EXT'G GRADE
22. EXT'G ROOF TO REMAIN
23. EXT'G DOOR / WINDOW TO REMAIN
24. NEW ADA RAMP
25. NEW LANDING WITH STEPS
26. EXT'G SIDING TO REMAIN
27. EXT'G BRICK TO REMAIN
28. NEW GUARDRAIL (SEE A1.2 FOR DETAIL)



City of Morro Bay
Administrative Approval
Project #(s) MUP 20-02
✓ Approved as Submitted
— Approved with Changes
Approval Date: 2/24/21
Planner: N. Hubbard

P/BC 2020-084

THESE DIAGRAMS ILLUSTRATE THE SPECIFIC REQUIREMENTS OF THESE REGULATIONS AND ARE INTENDED ONLY AS AN AID FOR BUILDING DESIGN AND CONSTRUCTION



ACCESSIBLE PARKING SIGN INSTALLED AT EACH SPACE



REV. NO. | DATE | BY | REVISION

A1.1

BEST WESTERN HOTEL
2460 Main Street, Morro Bay, Ca. 93442

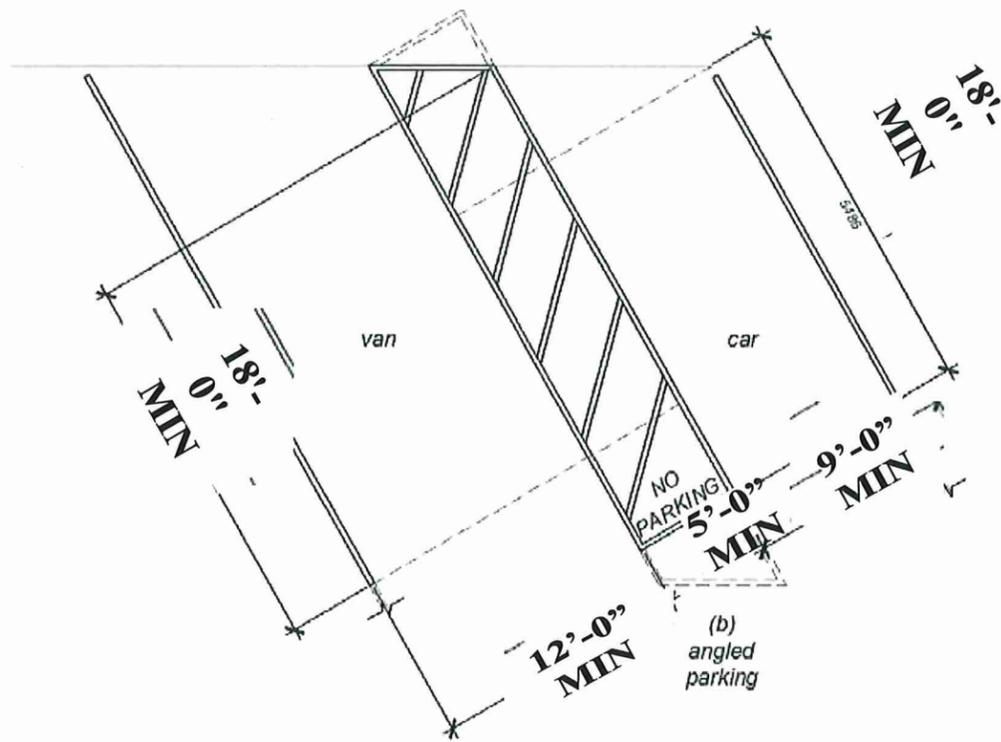
RICHARD C. DIRADOURIAN
ARCHITECT - INTERIOR DESIGNER
3788 La Cresentita Avenue, Suite 207, Glendale, California 91208

1/19/2020 AS SHOWN SCALE

1841 - 1431 RD

1/1/2020 AS SHOWN SCALE

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities.



PERPENDICULAR PARKING STALL DETAIL
SCALE: N/A

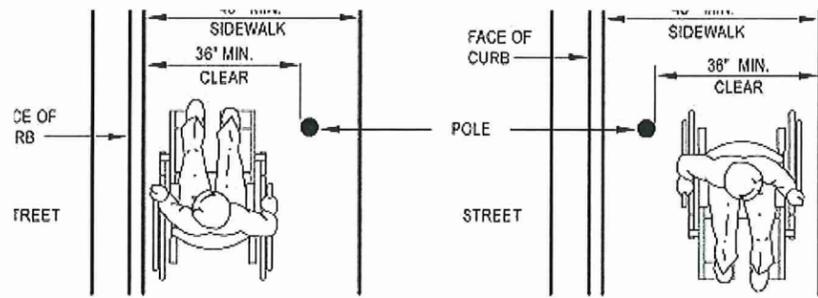


FIGURE 11B-405.9.2
CURB OR BARRIER EDGE PROTECTION

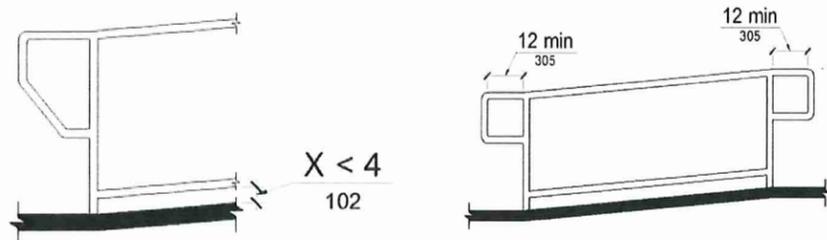
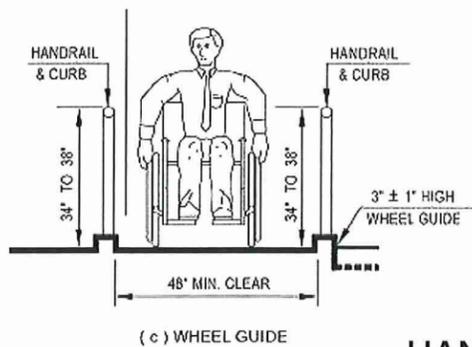
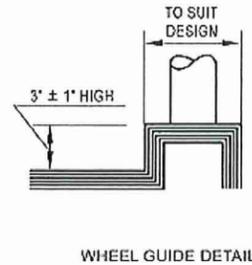


FIGURE 11B-505.10.1
TOP AND BOTTOM HANDRAIL EXTENSION AT RAMP

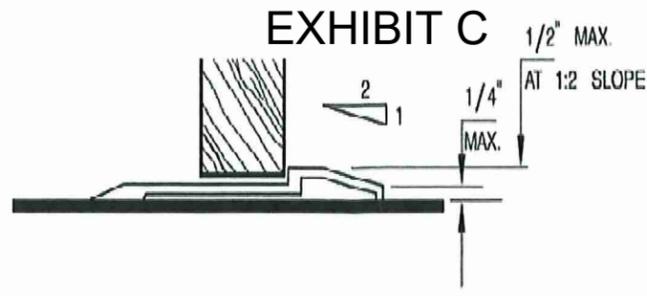


(c) WHEEL GUIDE



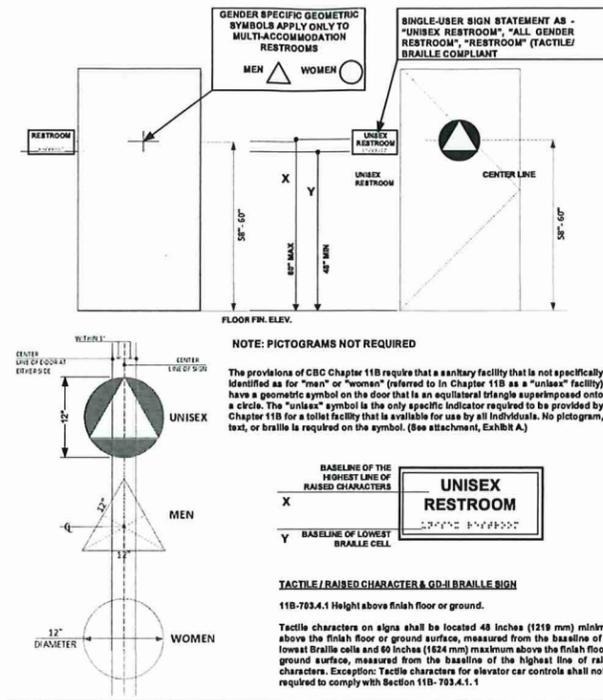
WHEEL GUIDE DETAIL

HANDRAIL RAMP DETAILS
SCALE: N/A

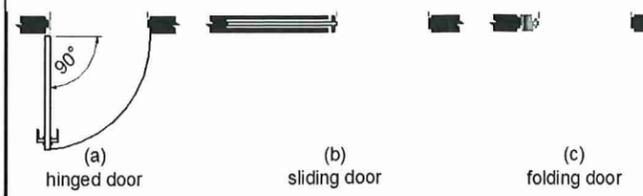
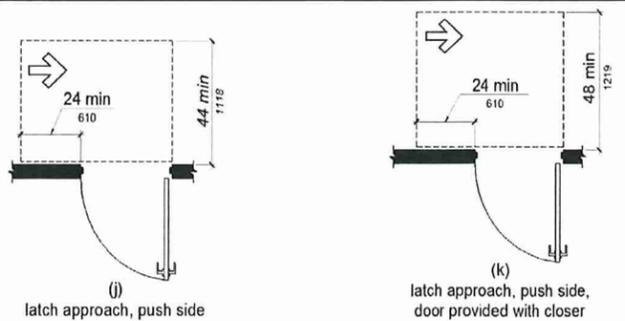


ACCESSIBLE THRESHOLD DETAIL
SCALE: N/A

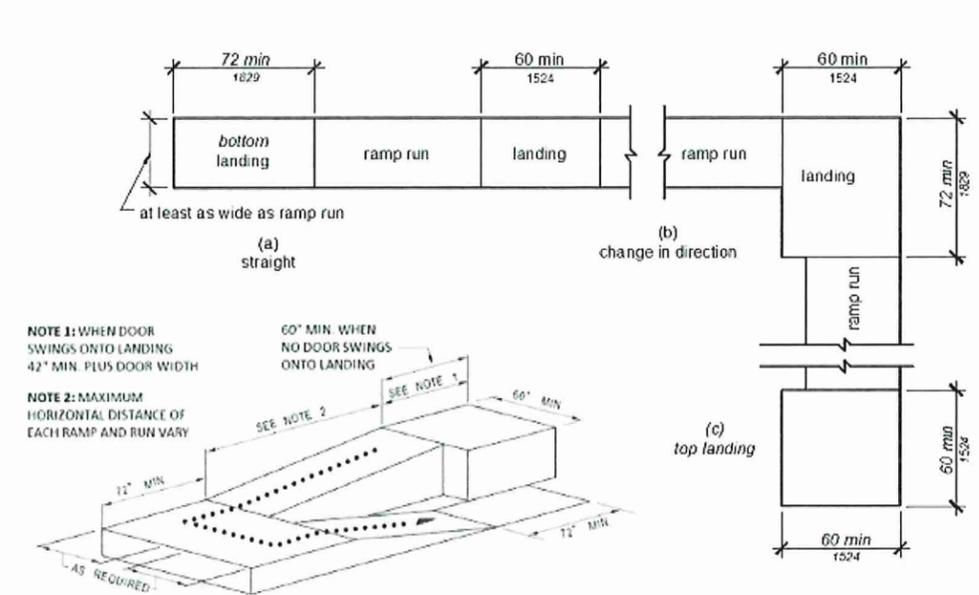
TOILETS AND BATHING FACILITIES GEOMETRIC SYMBOLS



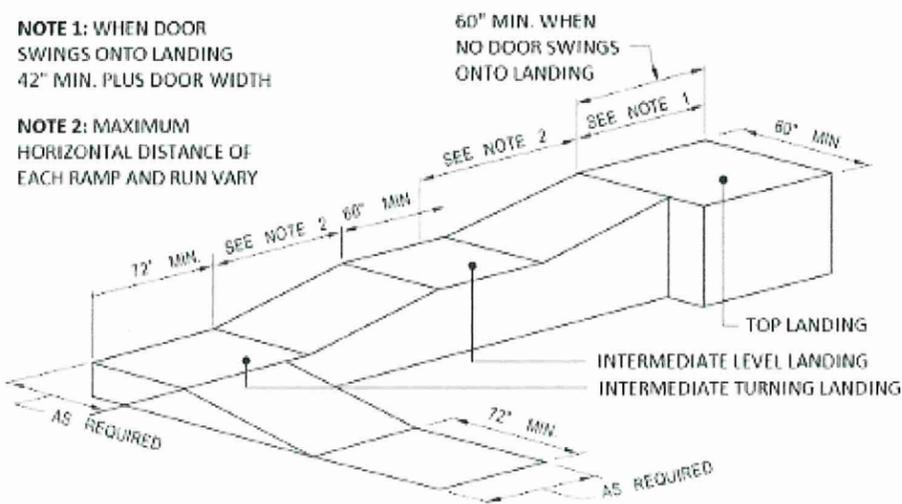
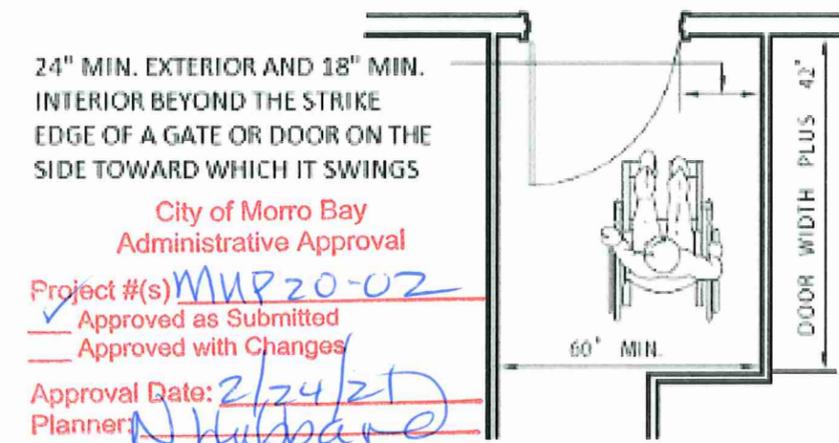
TYP. ACCESSIBLE SIGNAGE
SCALE: N/A



TYP. CLEARANCE AT SWINGING DOOR
SCALE: N/A



NOTE 1: WHEN DOOR SWINGS ONTO LANDING 42" MIN. PLUS DOOR WIDTH
NOTE 2: MAXIMUM HORIZONTAL DISTANCE OF EACH RAMP AND RUN VARY



RAMP DETAILS
SCALE: N/A

City of Morro Bay
Administrative Approval
Project #(s) MUP 20-02
Approved as Submitted
Approved with Changes
Approval Date: 2/24/21
Planner: N. Hubbard

REVISION: _____ DATE: _____ BY: _____

ALL DIMENSIONS AND FINISHES UNLESS OTHERWISE SPECIFIED SHALL BE CHECKED BY THE ARCHITECT. THE ARCHITECT SHALL BE NOTIFIED IMMEDIATELY BY THE CONTRACTOR OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK.

A1.2

BEST WESTERN HOTEL
2460 Main Street, Morro Bay, Ca. 93442

RICHARD C. DIRADOURIAN
ARCHITECT INTERIOR DESIGNER
3788 La Cresenta Avenue, Suite 207, Glendale, California 91208

1/9/2020 AS SHOWN 1941-1431 RD
DATE SCALE COMMISSION NO. RD CHECKED BY RD DRAWN BY

RS

A. APPLICATION AND ADMINISTRATION

- 1. When alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition shall be provided unless otherwise exempt. §11B-202.4.
2. Primary accessible path of travel shall include a primary entrance to the building or facility, toilet and bathing facilities serving the area, drinking fountains serving the area, and public telephones serving the area, and signs. §11B-202.4
3. The attached "Summary of Accessibility Upgrades" Form should be completed and submitted for review, as not all elements are shown to comply with minimum accessibility code standards. §11B-202.4 Exception 8
4. Verify the project adjusted construction cost. If below the current valuation threshold (As of Jan 2018: \$161,298*) and not all elements are proposed to be improved to comply with disabled access requirements, complete the attached "Summary of Upgrades Form" and detail path of travel improvements as required.
*Visit here for the updated valuation threshold that is updated annually in January: http://www.dgs.ca.gov/itsa/Programs/progAccess/threshold.aspx §11B-202.4 Exception 8

B. BUILDING BLOCKS

- 1. Confirm any elevation differences on the plans and provide detail(s) showing compliance with Section 11B-303 Changes of Level. §11B-303.1
2. At the location(s) indicated on the plan, show and dimension the required turning space (circle or T-shaped). §11B-304
3. At the location(s) indicated on the plans, provide sections detailing minimum knee and toe clearance. (At laboratories, sinks, dining and work surfaces...). §11B-306
4. At the location(s) indicated on the plans, dimension the required clear floor or ground space. §11B-305
5. Show on the site plan a guardrail or barrier that complies with the following. Provide a guardrail or other barrier with a leading edge located 27 inches maximum above the finish floor or ground as the vertical clearance above the circulation path is reduced to less than 80 inches. §11B-307.4
6. Provide dimensions to ensure the objects indicated on the plans do not protrude into the accessible route clear width or more than 4 inches horizontally into the circulation path. §11B-307.2
7. Add dimensions on the plans to ensure the objects indicated are within allowable reach ranges. Confirm front or side approach at unobstructed and/or obstructed conditions, as applicable. §11B-308
8. At required operable parts, indicate maximum force and specify operation type. §11B-308.4

C. ACCESSIBLE ROUTES

- 1. Show on the site plan accessible routes that comply with the following. At least one accessible route shall be provided within the site from accessible parking spaces and accessible passenger loading zones; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve. Where more than one route is provided, all routes must be accessible. §11B-206.2.1
2. Show on the site plan at least one accessible route that complies with the following. At least one accessible route shall connect accessible buildings, accessible facilities, accessible elements, and accessible spaces that are on the same site. §11B-206.2.2
3. Show on the floor plans at least one accessible route that complies with the following. At least one accessible route shall connect each story and mezzanine in multi-story buildings and facilities. §11B-206.2.3 (See exceptions)
4. Show on the floor plans all accessibility requirements that comply with the following. Although the building is without an elevator, the upper/lower level(s) must still meet all accessibility requirements.
5. Show on the floor/site plan accessible means of vertical access and dimensions that comply with the following. In new construction of buildings where elevators are required by 11B-206.2.3 Multi-Story Buildings and Facilities, and which exceed 10,000 square feet on any floor, an accessible means of vertical access via ramp, elevator or lift shall be provided within 200 feet of travel of each stair and each escalator. §11B-206.2.3.2
6. Show on the floor/site plan accessible means of vertical access and dimensions that comply with the following. In existing buildings that exceed 10,000 square feet on any floor and in which elevators are required by 11B-206.2.3 Multi-

- Story Buildings and Facilities, whenever a newly constructed means of vertical access is provided via stairs or an escalator, an accessible means of vertical access via ramp, elevator or lift shall be provided within 200 feet of travel of each new stair or escalator. §11B-206.2.3.2
7. Show on the floor/site plans at least one accessible route that complies with the following. At least one accessible route shall connect accessible building or facility entrances with all accessible spaces and elements within the building or facility, including mezzanines, which are otherwise connected by a circulation path. §11B-206.2.4 (See exceptions 1 through 7)
8. Show on the floor/site plan accessible routes and circulation paths that comply with the following. Accessible routes shall coincide with or be located in the same area as general circulation paths. Where circulation paths are interior, required accessible routes shall also be interior. An accessible route shall not pass through kitchens, storage rooms, restrooms, closets or other spaces used for similar purposes, except as permitted by Chapter 10. §11B-206.3

EMPLOYEE WORKSTATIONS

- 9. Detail accessible route to employee workstation and specify compliance with Division 4. Spaces and elements within employee workstations shall only be required to comply with Sections 11B-207.1, 11B-215.3, 11B-302, 11B-303, 11B-308, 11B-306.1.2, 11B-306.1.2 and 11B-404.2.3. Common use circulation paths within employee workstations shall comply with Section 11B-206.2.8. §11B-203.9
10. Indicate on the floor plans the use of each space. Specifically call out common areas and employee work stations.
11. Provide accessible details to comply with the following. The area indicated is a common area and is not considered an employee workstation, therefore disabled access compliance details are required. §11B-203.9

DETECTABLE WARNINGS AND DETECTABLE DIRECTIONAL TEXTURE

- 12. Show and detail all required detectable warnings on the plans to demonstrate compliance with the selected items below. §11B-247 & §11B-705
a. Curb ramps shall have detectable warnings that extend 36 inches in the direction of travel for the full width of the ramp run less than 2 inches maximum on each side, excluding any flared sides. §11B-247.1.2.2, §11B-705.1.2.2
b. On perpendicular curb ramps, detectable warnings shall be located so the edge nearest the curb is 6 to 8 inches from the line at the face of the curb marking the transition between the curb and the gutter, street or highway. §11B-247.1.2.2, §11B-705.1.2.2
c. On parallel curb ramps, detectable warnings shall be placed on the turning space at the flush transition between the street and sidewalk. Detectable warnings shall extend the full width of the turning space at the flush transition between the street and the sidewalk less than 2 inches maximum on each side §11B-247.1.2.2, §11B-705.1.2.2, Figure 11B-406.3.2
d. Islands or cut-through medians 96 inches or longer in length in the direction of pedestrian travel shall have detectable warnings that are 36 inches minimum in depth extending the full width of the pedestrian path or cut-through less than 2 inches maximum on each side, placed at the edges of the pedestrian island or cut-through median, and separated by 24 inches minimum of walking surface without detectable warnings. §11B-247.1.2.3, §11B-705.1.2.3
e. Walks that cross or adjoin a route provided for vehicular traffic, such as in a street, driveway, or parking facility, shall be separated by detectable warnings, curbs, railings or other elements between the pedestrian areas and vehicular areas. §202, §11B-247.1.2.5, §11B-705.1.2.5
f. Detectable warnings provided to separate walks that cross or adjoin a route provided for vehicular traffic, such as in a street, driveway, or parking facility, shall be 36 inches in width and continuous at the boundary between the pedestrian areas and vehicular areas. §202, §11B-247.1.2.5, §11B-705.1.2.5
g. Detectable warning surfaces shall be yellow and approximate FS 33538 of Federal Standard 595C. §11B-705.1.1.3.1

ENTRANCES

- 13. Show and specify the required primary building entry. §11B-206.4
14. For the new building proposed, detail compliance at all entrances and exterior ground-floor exits to buildings and facilities shall comply with 11B-404 Doors, Doorways, and Gates. §11B-206.4.1
15. Show and specify primary entry door and door(s) along path of travel, including door size(s), hardware, landings, thresholds, kickplates, pressure, etc...§11B-206.6

TECHNICAL REQUIREMENTS FOR ACCESSIBLE ROUTES

- 16. On the site plan, show and define the required accessible path of travel: 48 in minimum width walkway, 5% maximum slope in the direction of travel, 2% maximum cross-slope. §11B-403.3 & §11B-403.5
17. Delineate all walking surfaces and dimension the required widths (36"/44"/48"/60"). §11B-403.5
DOORS, DOORWAYS, AND GATES
18. Specify all door and gate widths, heights, hardware, thresholds, kick plates, etc... §11B-404
19. Show and dimension all required landings/maneuvering clearances. §11B-402.2.4
20. Revolving doors, revolving gates, and turnstiles shall not be part of an accessible route. §11B-404.2.1
21. At least one of the active leaves of doorways with two leaves shall comply with 11B-404.2.3 Clear Width and 11B-404.2.4 Maneuvering Clearances. §11B-404.2.2
22. Door openings shall provide a clear width of 32 inches minimum. Openings more than 24 inches deep shall provide a clear opening of 36 inches minimum. Specify all door widths on the plans and/or at door schedule. §11B-404.2.3
23. At doorways less than 36 inches wide without doors or gates, sliding doors, or folding doors dimension required maneuvering clearances complying with Table 11B-404.2.4.2. §11B-404.2.4.2
24. Dimension the minimum 18 inch interior and 24 inch exterior strike side clearance on the latch side of all doors with adjacent obstruction. §11B-404.2.4.3
25. Provide threshold details for doors, indicating 1/2 inch maximum height. §11B-404.2.5
26. Specify door hardware type(s) for all doors and gates and provide elevation indicating hardware height between 34 inches minimum and 44 inches maximum above the finish floor or ground. §11B-404.2.7
27. Swinging door and gate surfaces within 10 inches of the finish floor or ground measured vertically shall have a smooth surface on the push side extending the full width of the door or gate. Parts creating horizontal or vertical joints in these surfaces shall be within 1/16 inch of the same plane as the other and be free of sharp or abrasive edges. Cavities created by added kick plates shall be capped. Show and dimension required kickplate(s). §11B-404.2.10
28. Where sliding doors are in the fully open position, confirm operating hardware shall be exposed and usable from both sides. §11B-404.2.7

RAMPES

- 29. Provide enlarged ramp details, including finish floor elevation at each landing, clear width, slope, cross-slope, top and bottom landing dimensions, handrails, handrail extensions, etc.complying with the following: §11B-405
a. Ramp runs shall not exceed a running slope of 1:12 (8.33%) and cross slopes of ramp runs shall not be steeper than 1:48 (2.083%). §11B-405.2 & §11B-405.3
b. Floor or ground surfaces of ramp runs shall comply with 11B-302 Floor or Ground Surfaces. Changes in level other than the running slope and cross slope are not permitted on ramp runs. §11B-405.4
c. The clear width of a ramp run shall be 48 inches minimum. §11B-405.5
d. The rise for any ramp run shall be 30 inches maximum. §11B-405.6
e. Ramps shall have landings at the top and the bottom of each ramp run. §11B-405.7
f. Landings shall comply with 11B-302 Floor or Ground Surfaces. Changes in level are not permitted. §11B-405.7.1
g. The landing clear width shall be at least as wide as the widest ramp run leading to the landing. §11B-405.7.2
h. Top landings shall be 60 inches wide and 60 inches long, minimum. §11B-405.7.2.1 & §11B-405.7.3
i. Bottom landings shall extend 72 inches minimum in the direction of ramp run. §11B-405.7.3.1
j. Ramps that change direction between runs at landings shall have a clear landing 60 inches minimum by 72 inches minimum in the direction of downward travel from the upper ramp run. §11B-405.7.4
k. Where doorways are located adjacent to a ramp landing, maneuvering clearances required by 11B-404.2.4 and 11B-404.3.2 shall be permitted to overlap the required landing area. Doors, when fully open, shall not reduce the required ramp landing width by more than 3 inches. Doors, in any position, shall not reduce the minimum dimension of the

- ramp landing to less than 42 inches. §11B-405.7.5
l. Ramp runs shall have compliant handrails per 11B-505 Handrails. §11B-405.8
m. Edge protection complying with 11B-405.9.2 Curb or Barrier shall be provided on each side of ramp runs and at each side of ramp landings. §11B-405.9 (See exceptions)
n. A curb or barrier shall be provided that prevents the passage of a 4 inch diameter sphere, where any portion of the sphere is within 4 inches of the finish floor or ground surface. To prevent wheel entrapment, the curb or barrier shall provide a continuous and uninterrupted barrier along the length of the ramp. §11B-405.9.2

HANDRAILS

- 30. Show required handrails on each side of stairs and ramps, including required top and bottom extensions. §11B-505.2 & §11B-505.10
31. Provide details and dimensions of the handrail cross-section(s), clearances, and gripping surfaces. §11B-505
32. Dimension to the top of gripping surfaces of handrails. Handrails shall be 34 inches minimum to 38 inches maximum vertically above walking surfaces, stair nosings, and ramp surfaces and shall be at a consistent height. §11B-505.4
33. Clearance between handrail gripping surfaces and adjacent surfaces shall be 1 1/2 inches minimum. Handrails may be located in a recess if the recess is 3 inches maximum deep and 18 inches minimum clear above the top of the handrail. §11B-505.5
34. Handrail gripping surfaces with a circular cross section shall have an outside diameter of 1 1/2 inches minimum and 2 inches maximum. §11B-505.7.1
35. Handrail gripping surfaces with a non-circular cross section shall have a perimeter dimension of 4 inches minimum and 6 1/2 inches maximum, and a cross-section dimension of 2 1/4 inches maximum. §11B-505.7.2
36. In alterations, where the extension of the handrail in the direction of stair flight or ramp run would create a hazard, the extension of the handrail may be turned 90 degrees from the direction of stair flight or ramp run. §11B-505.10 exception 3
37. Ramp handrails shall extend horizontally above the landing for 12 inches minimum beyond the top and bottom of ramp runs. Extensions shall return to a wall, guard, or the landing surface, or shall be continuous to the handrail of an adjacent ramp run. §11B-505.10.1
38. At the top of a stair flight, handrails shall extend horizontally above the landing for 12 inches minimum beginning directly above the first riser nosing. Extensions shall return to a wall, guard, or the landing surface, or shall be continuous to the handrail of an adjacent stair flight. §11B-505.10.2
39. At the bottom of a stair flight, handrails shall extend at the slope of the stair flight for a horizontal distance equal to one tread depth beyond the last riser nosing. The horizontal extension of a handrail shall be 12 inches long minimum and a height equal to that of the sloping portion of the handrail as measured above the stair nosings. Extension shall return to a wall, guard, or the landing surface, or shall be continuous to the handrail of an adjacent stair flight. §11B-505.10.3

STAIRWAYS

- 40. A stair is defined as a change in elevation, consisting of one or more risers. For all stairs, comply with the following: §11B-202
a. Provide stair details, including tread rise and run, nosings, striping, handrails, etc...§11B-504
b. Open risers are not permitted. §11B-504.3 (See exceptions)
c. Show and specify all required stairway striping. Interior stairs shall have the upper approach and lower tread marked by a stripe providing clear visual contrast. Exterior stairs shall have the upper approach and all treads marked by a stripe providing clear visual contrast. The stripe shall be a minimum of 2 inches wide to a maximum of 4 inches wide placed parallel to, and not more than 1 inch from, the nose of the step or upper approach. The stripe shall extend the full width of the step or upper approach and shall be of material that is at least as slip resistant as the other treads of the stair. A painted stripe shall be acceptable. Grooves shall not be used to satisfy this requirement. §11B-504.4.1

CURB RAMPS, BLENDED TRANSITIONS, AND ISLANDS

- 41. For curb ramps/blended transitions/islands, please comply with the following:

EXHIBIT C

- a. Perpendicular ramp runs shall have a running slope not steeper than 1:12 (8.33%). §11B-406.2.1
b. For perpendicular ramps, where provided, curb ramp flares shall not be steeper than 1:10. §11B-406.2
c. The running slope of the curb ramp segments shall be in-line with the direction of sidewalk travel. Ramp runs shall have a running slope not steeper than 1:12 (8.33%). §11B-406.3.1
d. A turning space 48 inches minimum by 48 inches minimum shall be provided at the bottom of the curb ramp. The slope of the turning space in all directions shall be 1:48 maximum (2.083%). §11B-406.3.2
e. Blended transition ramps shall have a running slope not steeper than 1:20 (5%). §11B-406.4.1
f. Curb ramps and the flared sides of curb ramps shall be located so that they do not project into vehicular traffic lanes, parking spaces, or parking access aisles. Curb ramps at marked crossings shall be wholly contained within the markings, excluding any flared sides. §11B-406.5.1
g. The clear width of curb ramp runs (excluding any flared sides), blended transitions, and turning spaces shall be 48 inches minimum. §11B-406.5.2
h. Landings shall be provided at the tops of curb ramps and blended transitions (parallel curb ramps shall not be required to comply). The landing clear length shall be 48 inches minimum. The landing clear width shall be at least as wide as the curb ramp, excluding any flared sides, or the blended transition leading to the landing. The slope of the landing in all directions shall be 1:48 (2.083%) maximum. §11B-406.5.3
i. Grade breaks at the top and bottom of curb ramp runs shall be perpendicular to the direction of the ramp run. Grade breaks shall not be permitted on the surface of ramp runs and turning spaces. Surface slopes that meet at grade breaks shall be flush. §11B-406.5.6
j. The cross slope of curb ramps and blended transitions shall be 1:48 (2.083%) maximum. §11B-406.5.7
k. Counter slopes of adjoining gutters and road surfaces immediately adjacent to and within 24 inches of the curb ramp shall not be steeper than 1:20 (5%). The adjacent surfaces at transitions at curb ramps to walks, gutters, and streets shall be at the same level. §11B-406.5.8
l. The bottom of diagonal curb ramps shall have a clear space 48 inches minimum outside active traffic lanes of the roadway. Diagonal curb ramps provided at marked crossings shall provide the 48 inches minimum clear space within the markings. §11B-406.5.9
m. Curb ramps and blended transitions shall have detectable warnings complying with 11B-705 Detectable Warnings. §11B-406.5.12
n. Raised islands in crossings shall be cut through level with the street or have curb ramps at both sides. The clear width of the accessible route at islands shall be 60 inches wide minimum. Where curb ramps are provided, they shall comply with 11B-406 Curb Ramps, Blended Transitions and Islands. Landings complying with 11B-406.5.3 Landings and the accessible route shall be permitted to overlap. Islands shall have detectable warnings complying with 11B-705 Detectable Warnings and Detectable Directional Texture. §11B-406.6, Figure 11B-406.6

D. GENERAL SITE AND BUILDING ELEMENTS

PARKING SPACES

- 1. Where parking spaces are provided, accessible parking spaces shall be provided in number and kind required per Section 11B-208 Parking Spaces. Show and detail all required disabled access stalls, including dimensions, markings, signage, clear height, etc...For the purpose of this section, electric vehicle charging stations are not parking spaces; see Section 11B-228. §11B-208
2. Provide () accessible parking spaces as required by Table 11B-208.2 §11B-208.2 (See exceptions)
3. Provide accessible spaces for each parking facility (parking lots and parking structures). The number of parking spaces required to be accessible is to be calculated separately for each parking facility; the required number is not based on the total number of parking spaces provided in all of the parking facilities provided on site. §11B-208.2
4. Ten percent of patient and visitor parking spaces provided to serve hospital outpatient facilities, and free-standing buildings providing outpatient clinical services of a hospital, shall comply with Section 11B-502 Parking Spaces. §11B-208.2.1

- 5. Twenty percent of patient and visitor parking spaces provided to serve rehabilitation facilities specializing in treating conditions that affect mobility and outpatient physical therapy facilities shall comply with Section 11B-502 Parking Spaces. §11B-208.2.2
6. One in every six or fraction of six parking spaces required by Section 11B-208.2 Minimum Number, but not less than one, shall be served by an access aisle 96 inches wide minimum placed on the side opposite the driver's side when the vehicle is going forward into the parking space and shall be designated "van accessible". All such spaces may be grouped on one level of a parking structure. §11B-208.2.4 & §11B-402
7. Accessible parking spaces complying with Section 11B-502 Parking Spaces serving a particular building or facility shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance (as near as practical to an accessible entrance). §11B-208.3.1
8. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces complying with Section 11B-502 Parking Spaces shall be dispersed and located closest to the accessible entrances. §11B-208.3.1
9. In parking facilities that do not serve a particular building or facility, accessible parking spaces complying with Section 11B-502 Parking Spaces shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. §11B-208.3.1
10. Dimension minimum 18-foot long car and van accessible parking space(s) and access aisle(s). §11B-502.2, Figures 11B-502.2 & 11B-502.3
11. Dimension minimum 9-foot width at accessible car parking space. §11B-502.2, Figures 11B-502.2 & 11B-502.3
12. Dimension minimum 12-foot wide accessible van parking space with minimum 5-foot wide access aisle. Van parking spaces shall be permitted to be minimum 9 feet wide where access aisle is 8-foot wide minimum. §11B-502.2, Figures 11B-502.2 & 11B-502.3
13. Car and van stall access aisle shall be 5 foot wide minimum and shall adjoin an accessible route. Two parking spaces shall be permitted to share a common access aisle. §11B-502.3, Figures 11B-502.2 & 11B-502.3
14. Access aisles shall be marked with a blue painted borderline around their perimeter. The area within the blue borderlines shall be marked with hatched lines a maximum of 36 inches on center in a color contrasting with that of the aisle surface, preferably blue or white. The words "NO PARKING" shall be painted on the surface within each access aisle in white letters a minimum of 12 inches in height and located to be visible from the adjacent vehicular way. Access aisle markings may extend beyond the minimum required length. §11B-502.3.3, Figure 11B-502.3.3
15. Access aisles shall not overlap the vehicular way. Access aisles shall be permitted to be placed on either side of the parking space except for van parking spaces which shall have access aisles located on the passenger side of the parking spaces. §11B-502.3.4
16. Clearly show minimum vertical clearance of 8 feet 2 inches at accessible parking spaces and along at least one vehicle access route to such spaces from site entrances and exits. §11B-502.5 (See exception)
17. Parking space identification signs shall include the International Symbol of Accessibility complying with Section 11B-703.7.2.1 International Symbol of Accessibility. §11B-502.6, Figure 11B-703.7.2.1
18. Signs identifying van parking spaces shall contain additional language or an additional sign with the designation "van accessible." Signs shall be 60 inches minimum above the finish floor or ground surface measured to the bottom of the sign. §11B-502.6
19. Parking identification signs shall be reflectorized with a minimum area of 70 square inches. §11B-502.6.1
20. Additional language or an additional sign below the International Symbol of Accessibility shall state "Minimum Fine \$250." §11B-502.6.2
21. A parking space identification sign shall be visible from each parking space. Signs shall be permanently posted either immediately adjacent to the parking space or within the projected parking space width at the head end of the parking space. Signs may also be permanently posted on a wall at the interior end of the parking space. §11B-502.6.3
22. Each accessible car and van space shall have surface identification complying with either of the following schemes: §11B-502.6.4
a. The parking space shall be marked with an International Symbol of Accessibility complying with Section 11B-703.7.2.1 International Symbol of Accessibility in white on a blue background a minimum 36 inches wide by 36 inches high. The centerline of the International Symbol of Accessibility shall be a maximum of 6 inches from the centerline of the

City of Morro Bay
Administrative Approval
Project #(s) MUP 20-02
Approved as Submitted
Approved with Changes
Approval Date: 2/24/20
Planner: N. Hubschare

Professional seal and signature block for Richard C. Diradourian, Architect, Interior Designer, State of California. Includes project information for Best Western Hotel, 2460 Main Street, Morro Bay, CA 93442. The seal features the text 'LICENSED ARCHITECT', 'RICHARD C. DIRADOURIAN', 'ARCHITECT - INTERIOR DESIGNER', '3786 La Cresenta Avenue, Suite 207, Chatsworth, California 91318', '1941-1431', '1/1/2020', 'AS SHOWN', 'DATE', 'RD', 'CHECKED BY', 'RD', 'DRAWN BY', 'SCALE', 'COMMISSION NO.', and 'COPYRIGHT © RICHARD C DIRADOURIAN 2018'. A large 'A1.3' is stamped over the seal.

EXHIBIT C

DOOR SCHEDULE									
MARK	MATERIAL	WIDTH	HEIGHT	THICK	GLAZE TEMP	SOLID CORE	FINISH	HARDWARE TYPE	NOTES
①	METAL FRAMED	3'-0"	7'-0"	1 3/4"		●	CLEAR ANODIZED	L	EXTERIOR DOOR
②	WOOD	3'-0"	6'-8"	1 3/8"		●	PAINTED	L	INTERIOR DOOR

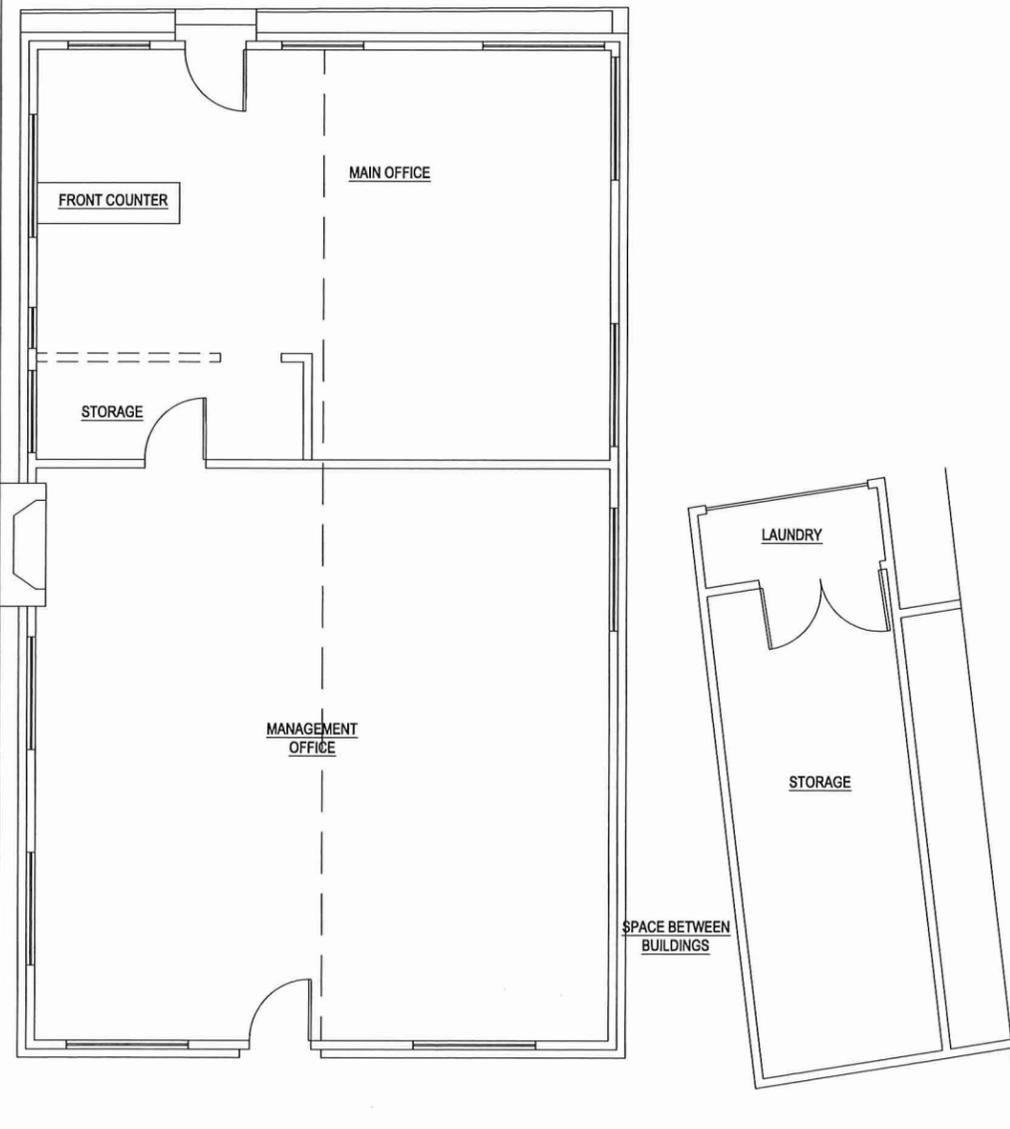
DOOR NOTES :

- 'L' LEVER TYPE HARDWARE - DOOR HANDLE TO BE 34" TO 44" ABOVE FINISH FLOOR
- PANIC HARDWARE ON ALL EXIT DOORS
- 1. SHAPE OF OPERATING DEVICES MUST BE EASY TO GRASP WITH ONE HAND
- 2. NO TIGHT GRASPING, TIGHT PINCHING, OR TWISTING OF THE WRIST TO OPERATE
- 3. LEVERS AND U-SHAPED HANDLES ARE ACCEPTABLE
- 4. NO SPECIFIC PROJECTION IS REQUIRED FOR PULLS
- 5. NO HIGHER THAN 48" ABOVE FINISHED FLOOR
- 6. FROM DOOR OPEN POSITION OF 70 DEGREE TO 3" FROM LATCH, THE SWEEP PERIOD SHALL BE ADJUSTED TO BE 3 SECONDS MIN.

EXIT DOOR MUST BE OPENABLE FROM EGRESS SIDE WITHOUT THE USE OF KEY, SPECIAL KNOWLEDGE, OR EFFORT. CBC 1010.1.9

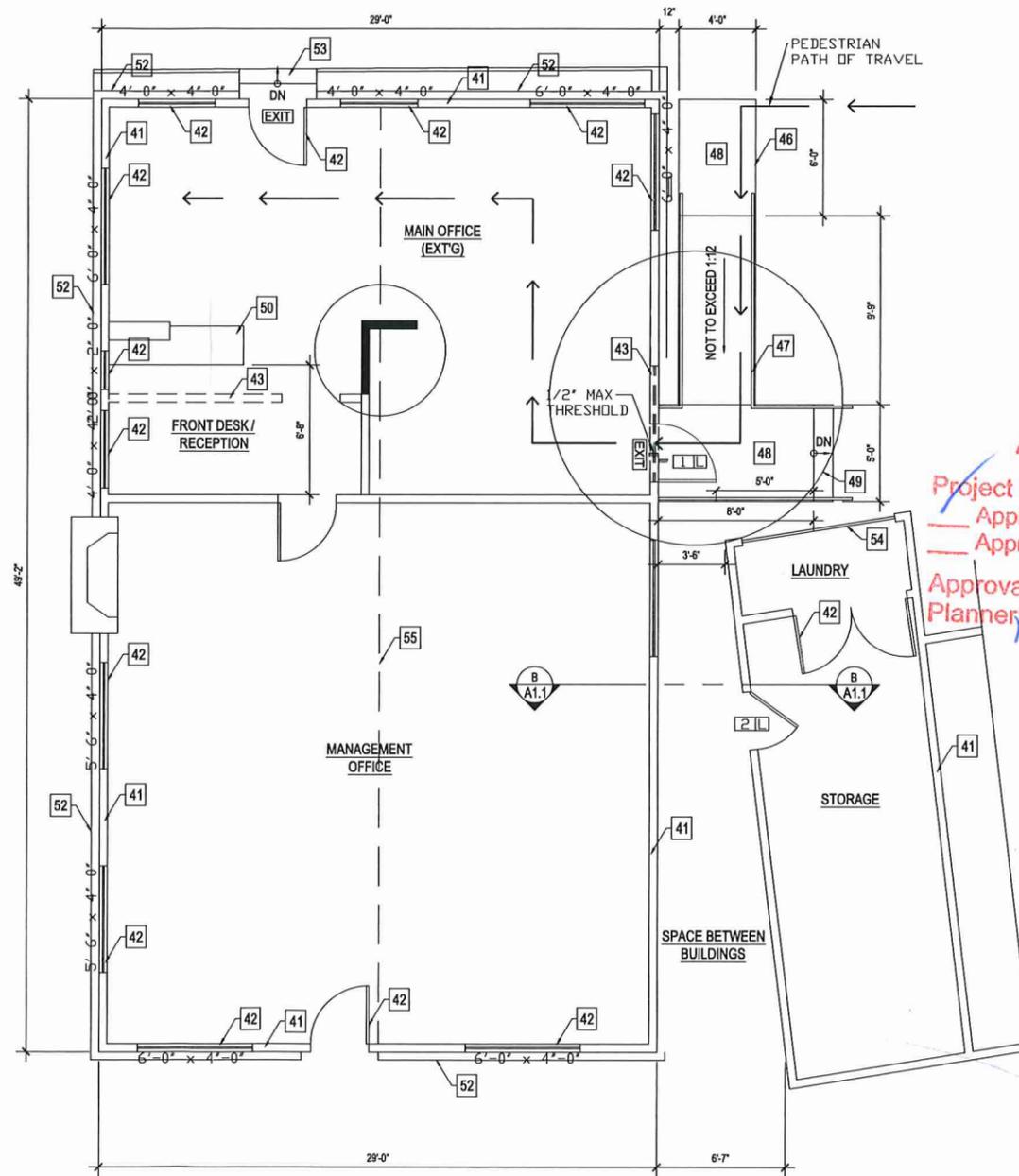
FLOOR PLAN KEYED NOTES :

- (S.B.D.) SELECTED BY OWNER OR CONTRACTOR
- 41. EXT'G WALLS TO REMAIN
- 42. EXT'G DOOR / WINDOWS TO REMAIN
- 43. EXT'G WALLS TO BE REMOVED
- 44. NEW WALLS
- 45. EXT'G WINDOW OPENING TO BE CLOSED
- 46. NEW ACCESSIBILITY CONC. RAMP
- 47. NEW GUARDRAILS
- 48. NEW CONC. LANDING
- 49. NEW CONC STEPS
- 50. FRONT DESK COUNTER @ 34" HT.
- 51. EXT'G CABINETS
- 52. EXT'G BRICK VENEER
- 53. EXT'G STEPS TO REMAIN
- 54. EXT'G ROLL-UP DOOR
- 55. EXT'G CEILING LINE



EXT'G MAIN OFFICE FLOOR PLAN

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



PROPOSED MAIN OFFICE FLOOR PLAN

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

WALL / SYMBOL LEGEND

- FULL HEIGHT NEW WALLS
- WALLS TO REMAIN
- EXT'G WALL TO BE REMOVED
- FIRE EXTINGUISHER, SEMI-RECESSED
- LIGHT SWITCH ACTIVATED MECHANICAL EXHAUST VENT
- EXIT PATHWAY
- DOOR NUMBER
- DETAIL NUMBER
- SHEET NUMBER
- EXIT SIGN
- CUSTOMER AREA
- 2 LAMP LED EMERGENCY LIGHTING

City of Morro Bay
 Administrative Approval
 Project #(s) MAUP 20-02
 Approved as Submitted
 Approved with Changes
 Approval Date: 2/24/26
 Planner: J. Hubbard



A2.1

REVISION

DATE

REV. NO.

ALL DIMENSIONS AND FINISHES TO BE SHOWN UNLESS OTHERWISE SPECIFIED. THE CONTRACTOR SHALL VERIFY THE ACCURACY OF ALL DIMENSIONS AND FINISHES PRIOR TO CONSTRUCTION.

BEST WESTERN HOTEL
 2460 Main Street, Morro Bay, Ca. 93442

RICHARD C. DIRADOURIAN
 ARCHITECT - INTERIOR DESIGNER
 3786 La Chisqueta Avenue, Suite 207, Glendale, California 91208

1/9/2020 DATE
 AS SHOWN SCALE
 1/84 - 1/431 RD
 1/84 - 1/431 RD
 1/84 - 1/431 RD



AGENDA NO: B-1

MEETING DATE: APRIL 20, 2021

**AGENDA CORRESPONDENCE
RECEIVED BY THE PLANNING
COMMISSION FOR PUBLIC REVIEW
PRIOR TO THE MEETING**

-----Original Message-----

From: Nick Fedrow [REDACTED]
Sent: Saturday, February 20, 2021 8:20 AM
To: PlanningCommission <PlanningCommission@morrobayca.gov>
Subject: Proposed Rehab Facility

Dear planning commission,

I am a Morro Bay citizen writing in regards to the proposed rehab facility designated for the current Roadway Inn site. I will try to keep this as logical and unbiased as possible, despite living within a couple blocks of this site along with my wife and young daughter. I have legitimate concerns along with the rest of the residents related to this proposal and the risk it poses to the community. As a voluntary rehab facility there will be no requirement for occupants to stay long enough to get well. It is simply going to create a rotating door for addicts in our community and other communities to come have a roof over their head by the coast. Additionally this site is adjacent to a mobile home lot known for issues with drug peddling. I have close friends that live across from the mobile home lot and have witnessed the issue first hand. Therefore, in essence this rehab facility will be providing a desirable destination for addicts to obtain accommodations, with no requirement for them to actually stay and heal, directly next to an easy supply of drugs. Combined with the drug issue Morro Bay already faces this is more apt to accelerate the number of drug dependent transients on our streets than actually help people. Furthermore, the site is on one of the busiest streets in Morro bay with no fencing or other means of keeping people at the lowest points of their lives from walking out into traffic. This could prove to be a major issue as I am sure you can imagine. Who is responsible should such an event occur? The rehab facility that has no obligation to keep the occupants there? Doubtful. As someone with family members and close friends who are recovering addicts, I value these facilities and what they can offer. However, there was absolutely no foresight engaged with this plan. This will be a powder keg for the city. I guess beautify Morro Bay only applies to the locations heavily trafficked by tourists. At some point the city is going to need to show consideration for its own upstanding citizens, but I haven't felt my needs or those of my family considered since buying my home here.

Sincerely,
Concerned Citizen

From: Amos & Karen Acevedo [REDACTED]
Sent: Sunday, February 21, 2021 11:38 AM
To: PlanningCommission <PlanningCommission@morrobayca.gov>
Subject: Proposed Drug and Alcohol Rehab center in Morro Bay

I would like to strongly request the Planning Commission deny this Zoning Change and DO NOT Accept the responsibility that this Drug and Rehab Facility will place on this community.

My Concerns.:

What happens to the clients when they are released? They will be allowed to walk out and hit our streets as homeless individuals with no resources. This is where home break-ins occurs and additional city county services are impacted. Police resources will also be greatly impacted and I understand that Defunding of these Hero's will also hit this small community.

My family lives less than a block away where kids play basketball and ride bikes in the street. These people will get day passes and I am concerned with their actions during that time.

How will this affect the tourism industry in Morro Bay? Badly I am afraid. I believe that we cannot afford to drive off anymore tourism business with things like this Rehab Facility. I have sent 49 emails to family and friends in the Fresno/Hanford area regarding the increase in Cannabis Dispensaries and now this Rehab facility. Of the 49 emails 37 have responded saying they WILL take there summer and holiday business to Monterey County if the homeless people in this area increases. The Rehab Facility will increase the number of homeless, quaranteed. We can't afford to more tourist dollars. Most won't go to San Francisco anymore due to that homeless population, poop in the streets and needles everywhere. Is that what we want here? I think not.

The KSBY article indicates that we have no say in the Drug and Rehab Facility coming to Morro Bay. But we do!!!!!! My vote will be counted in the next city council election and my tax dollars will be spent in San Luis Obispo. My friends will not be spending their tourism dollars here and the city tourism will suffer.

Be smart and realize that the downside to this Rehab Facility will cost more to this community than it provides in tax dollars.

Therefore, I BEG YOU NOT TO REZONE THE PROPERTY AND DO NOT ALLOW THIS FACILITY TO IMPACT OUR COMMUNITY.

The Family and Friends of Morro Bay.
THANK YOU for YOUR NO VOTE.

KM Ace

MUP 20-02 Twin Bay Inn + Best Western Hotel

Property Owner CONCERNS regarding above MUP.

The above use permit approval would have a detrimental effect on the surrounding RESIDENTIAL NEIGHBORHOOD.

Has potential of 40 people living there - congregating each day with NOT MUCH TO DO.

They'll be stuck there for many hours, many days. Probable do NOT have a car.

No place to go for services such as:

Commercial laundry

Salvation Army

County Social Services

Options

Post Office

Library, ETC.

Because NONE OF THESE ARE IN THAT AREA OF M.B!

No place to go EXCEPT INTO THE RESIDENTIAL NEIGHBORHOOD.

CONCERNED

RECEIVED

FEB 23 2021

City of Morro Bay

Community Development Dept.

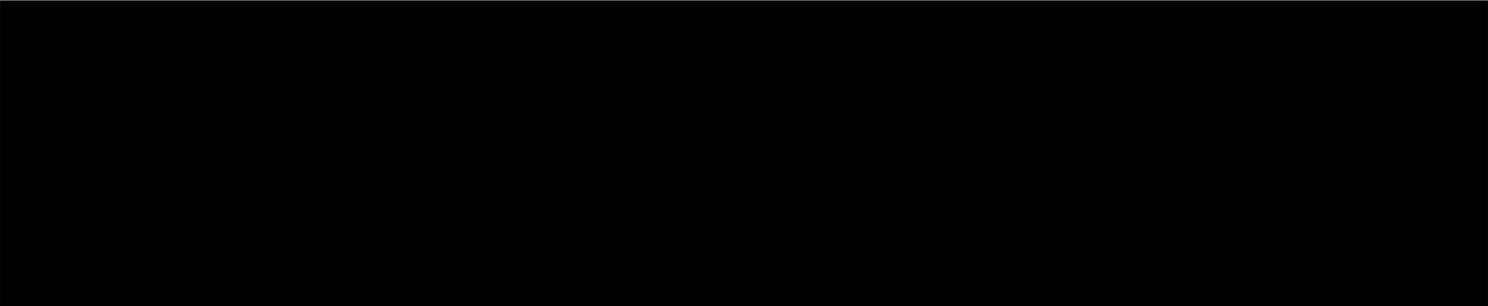
[Handwritten signature]
[Handwritten signature]



Dear MS Hubbard, could you provide the staff proposed conditions of approval for the above project?

Thanks, John Erwin

Sent from my iPad



Dear Nancy,

My name is Riven Barton and I am the owner of 2490 Main Street which is occupied by the Maya restaurant directly in front of the Twin Bays Hotel. I am writing in regard to the proposed development changing the hotel into a supportive housing unit. I, my tenant, and many many people in the neighborhood believe that allowing this change in the neighborhood would have a profoundly negative impact on the immediate area and have a profoundly negative impact on property values, particularly my own. It is a highly residential area with long term established businesses as well as schools in very close proximity to the proposed development, all of which would be negatively impacted by such a change of usage. I am writing to strongly urge the city to deny this application to protect the neighborhood, address safety concerns, and to maintain the value of the property and businesses in the area..

Thank you

Riven Barton





Hi there . It has been brought to my attention that a drug and alcohol rehab center is proposed for the Rodeway Inn . Having lived in the area my entire life , I have great concern as a business owner in a residential area with many young families. Just when North Morro Bay seems to be turning a corner into a respectful tranquil neighborhood, this is highly questionable to say the least . This sort of thing should not be anywhere near children . Not to be insensitive but my only sister died of a drug overdose a couple of years ago . A facility like this may have saved her . I would not have wanted Kimberly here where there are two liquor store within walking distance not to mention Spencer's and two schools. Honestly if this goes in I may move my business. I remember Roanoak out on Quintana . Sorry to rain on your parade whoever is proposing this hair brained idea . Do it on ranch property away from outside influence . Thank you for listening to my opinion.

Sent from my iPhone



Hi Scot and Nancy,

There is talk about a homeless shelter or something of this type being proposed at the Best Western Hotel here in Morro Bay. Is this true? If so, do you have at City website links?

Thank You!

Kristen Headland

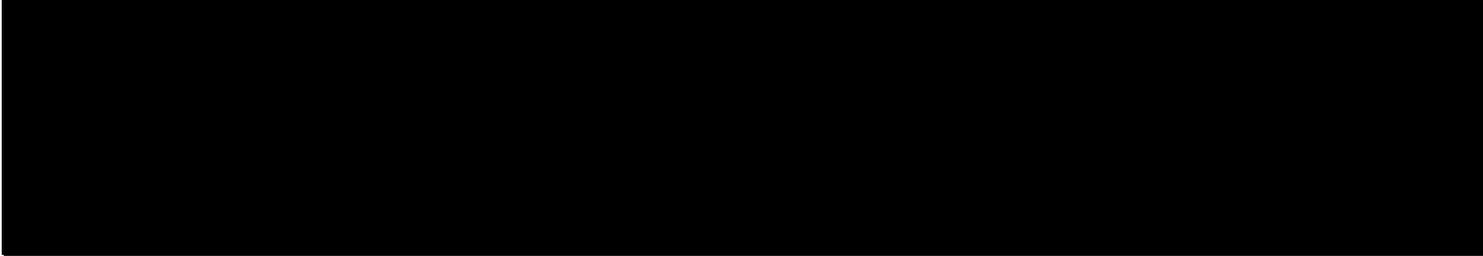


Hi Nancy,

I certainly hope the City rethinks the proposed site for a rehab clinic. In my opinion this is a terrible place to locate this type of facility. I see young people, I'd say mostly teenagers, walking by this location every time I drive by it on Main street. I see them walking in both directions. I estimate that the great majority of Morro Bay children of all ages, live in that very part of town. I suggest a much better location would be somewhere along Quintana between Kings St. and South Bay Blvd, if there is a pressing need for a drug rehab center in Morro Bay--or possibly beyond South Bay Blvd. Actually, SLO is near enough--why not there? I really think there must be many more people that are living in SLO that are in need of drug rehab. In the meantime, I would like to know the rationale for the City proposing this site and I would really appreciate your letting me know more about it.

Thanking you in advance for your time and consideration,

Nattalia Merzoyan

Nancy-

As a teacher, parent, and member of this community I strongly oppose the plan to allow for a rehabilitation center in Morro Bay. In some areas there may be a need for a rehabilitation center, however Morro Bay is not one of them. Our community does not have 40-50 people who need this service. By allowing the rehabilitation center to go through, you will be inviting a large number of people, who have a record for drug abuse, to reside in our safe, family oriented community.

The center could potentially pose a threat to the community in several ways. The location is between two of our schools and close to a residential neighborhood. I would hope that this would be a main factor in denying the plan to go through. It is my understanding that when patients do not abide by the rules they are kicked out of the facility and could potentially contribute to part of Morro Bay's homeless problem. Our children should not be exposed or be worried about coming into contact with these patients if they are kicked out or are hanging out in front of the rehabilitation center or neighborhood. The location on Main Street is the main route to go to and from both schools, the bike park, and the skate park. This location seems like a very poor choice for a rehabilitation center.

In the last few years, we have seen a rise in the number of homeless people in Morro Bay. It is evident in the trash and their homes that are now visible from the highway and in our local parks. We now encounter homeless people everytime we go to the grocery store, MB Parks and Recreation, the library, or many other local shops. I know that it scares my kids and makes me uncomfortable when we see mentally unhealthy people approaching us in our community. I have a difficult time understanding how any member of the Morro Bay community would want this for the residents of Morro Bay, especially since most of our residents consist of families, retirees, and the elderly.

Thank you for allowing me to express my concerns with you. I truly hope that this does not go through, as I think it will be detrimental to our community, especially our youth. Please let me know what the community can do to express our concerns to a broader audience or if this needs to be addressed with other members in your office. Thank you.

Sincerely,
Nadra Dallas





I just received the flyer about the proposal to turn the Rodeway Inn into a drug and alcohol rehab center. I wholeheartedly oppose this change. These facilities have very strict guidelines in which residents have to abide by, but due to their addictions, they are very often susceptible to "slip" and be asked to leave the facility for breaking the rules. I can see your building from my home and I do not want strangers who are desperate, falling into my neighborhood looking for a place to hide. Please re-consider the placement of this facility in another location. Thank you



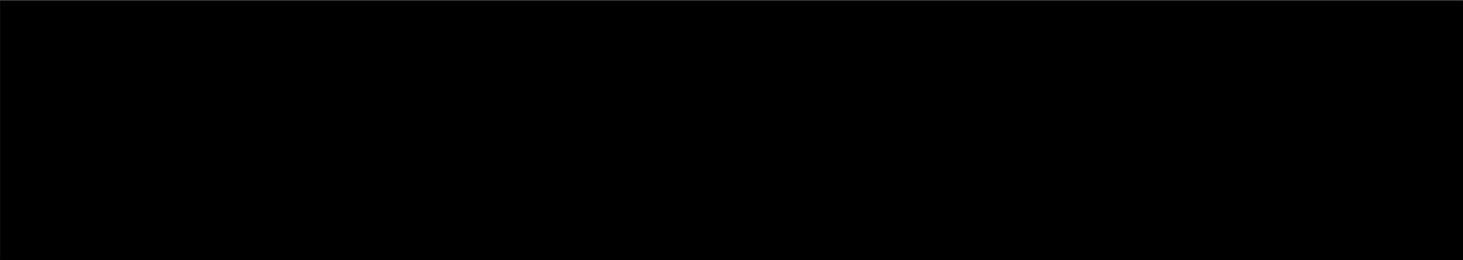
As a Morro Bay resident I was shocked to see that a Drug Rehab center had been approved by the City. The local residents were not notified in advance so that they could give their legitimate concerns on this proposal. What is the gain for the City? I have heard it is \$30,000 per unit that is used, times 27 units. Is this true? So it comes down to the money, over the concerns and welfare of the public.

My parents live on the street behind the motel. They are concerned as to how this will affect them. The notice they received in the mail from the City said the motel was going to be turned into rentals, this was so misleading!

Also, the owners are NOT Morro Bay residents and this will not affect them.
Please reconsider this Center and keep Morro Bay the beauty it is.

Resident
Cindie Wiggins

Sent from my Verizon, Samsung Galaxy smartphone



Like many of the Morro Bay residents just learning of the alcohol/drug rehab facility being proposed @ 2460 Main Street Morro Bay, I'm writing in opposition to this facility and the location.

The disappointed in the lack of transparency and the small window this is trying to be snuck in and snuck by residents is palpable throughout the community.

I don't see how this facility adds value to our town of Morro Bay. In addition to this location representing an almost immediate negative hit on surrounding property values it more importantly creates a risk to residents young and old. I believe there is also a high school and elementary school near this location as well.

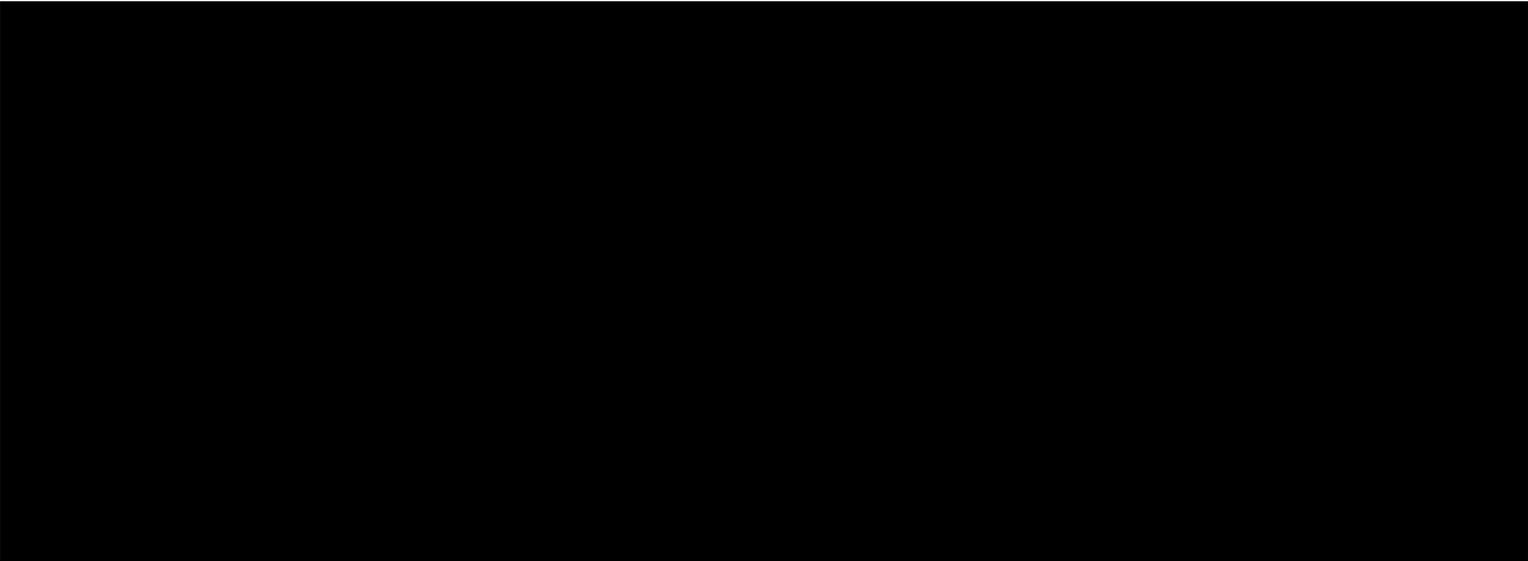
With no plan whatsoever to address those alcohol & drug addicts that aren't able comply with or meet the standards of this facility and are just pushed out in the Morro Bay community, its "impossible to tell" just how large of another concern this becomes for us as residents.

Also hearing rumors the current Rodeway/Twins Bay management or owners are slated to run or oversee this new alcohol/drug rehab facility. Based on the track record of 1-star guest reviews, this doesn't bode well and highlights another large concern if true.

I would hope those in charge of the short and long term planning of Morro Bay are taking the multiple concerns from the our community and obvious red flags into consideration before allowing something like this facility to be approved.

Thank you!

Derek Mahoney
Morro Bay home owner & resident



We have been working so hard to support our local businesses and IMPROVE our community. Between drug rehab and a recycling center, we might as well turn our corner into the new Central Coast skid row. I live on Las Vegas Street. There are eight boys between the ages of 9 and 16 on our block. Would you have wanted these people approaching your children when they were at such a vulnerable age?

Our property values will go in the toilet. We will be forced to move away. Crime is going to skyrocket, and you won't give a shit because you don't live over here, do you?

This is the sneakiest and most disgusting thing I've ever had a community do. You should be ashamed.

My husband has painted peoples homes on our block and fixed things that were broken without charging residents here because we WANTED THE STREET TO LOOK NICER. We want Morro Bay to attract a more affluent population rather than surfers who inherited their grandparents vacation homes and live on "disability" with drugs supplied by Dr. Levitan.

Now our improvements have been for nothing.

You stink. There must be something you blood thirsty money mongers could do to stop this.

I know more about addiction than most people. I come from a family of addicts. These places are not rehabilitating anyone. THEY MAKE A FORTUNE OFF OF PEOPLES INSURANCE, AND THATS IT. They don't care one iota about the patients. Like you, they see only dollar signs.

Why don't you encourage residents to get vaccinated so life could go back to normal and tourists would return? YOU'RE TURNING YOUR BACK ON THE RESIDENTS OF MORRO BAY. You may have a short term fix but ultimately you'll end up with more "Frank" s yelling in the street and keeping people from wanting to live here.

And the battery storage facility? Cancer correlations and a fire hazard.

We hope you resign.

Eileen Stanley

Ryan Dawson



Morro Bay Planning Commission,

I was surprised to learn that a tentative action date has been set for February 23rd on the proposed change in use from a hotel to supportive housing at 2640 Main Street. I am not aware of any public outreach to inform residents in the neighborhood about this or to solicit input. I live at 350 Las Vegas Street, within walking distance of the hotel, and all that I received was a postcard indicating that the proposed project was deemed to have minimal environmental impact. We receive a lot of those types of postcards, so it didn't catch my attention. No additional information was provided, nor am I aware of any further outreach efforts to share information with the neighborhood and alert us to this significant proposal. If it was on an agenda for a recent Planning Commission hearing, that is in no way a sufficient effort to notify the public or solicit input, especially in the midst of a pandemic.

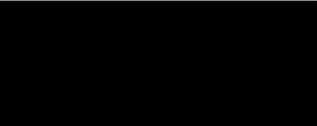
I am curious to know how familiar you are with the section of Main Street from San Jacinto to Bonita Street. Are you aware of what's already happening in the parking lot of Spencer's, at the Holland Inn and Suites and around the trash dumpsters at Maya Restaurant? Have you considered the impact of introducing a recycling area in the parking lot of Spencer's? How will the addition of temporary residents to the Roadway Inn who are seeking rehabilitation impact what's already going on this area? There seems to be a pattern emerging around the activities that are permitted to occur in our neighborhood, and they all seem to point to questionable health and safety considerations. Are you purposely trying to create blight? I am also wondering how this proposal will have any positive economic impact on the City. Will it generate sales taxes, property taxes, or TOT? Are you planning to staff a police substation near that location? What other mitigation efforts are you planning?

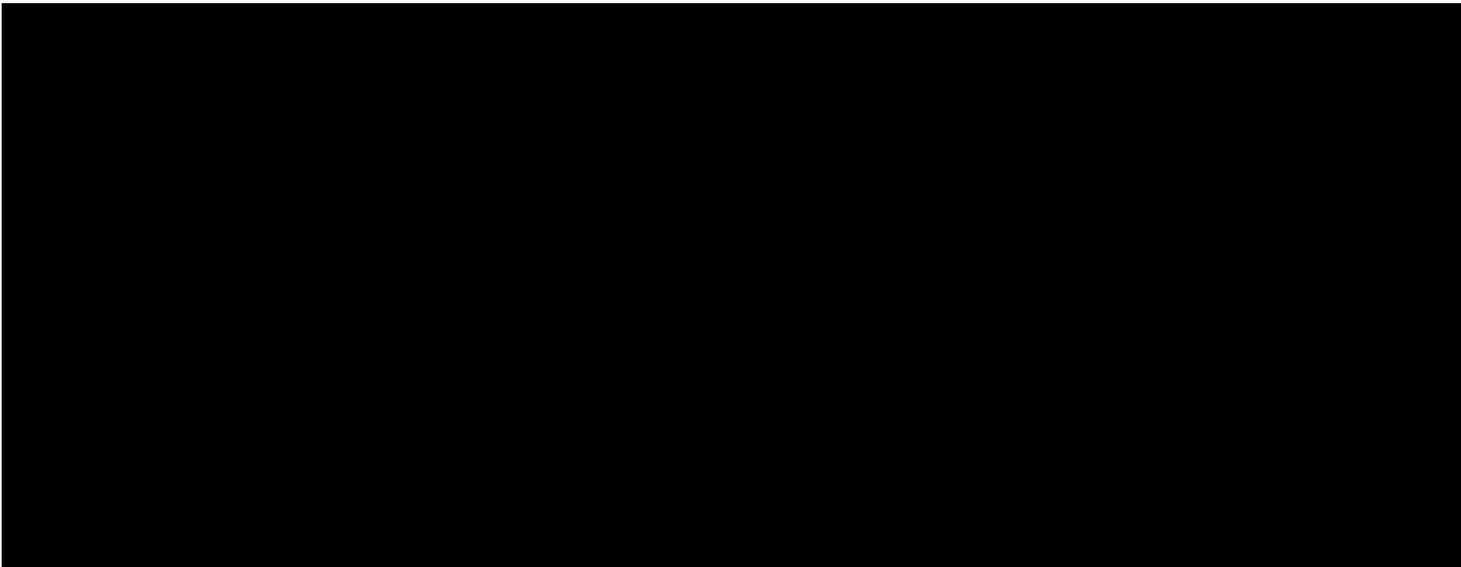
My wife and I are trying to raise our 11-year-old son on a residential street nearby with many other young families. The placement of a supportive housing facility of that scale in that location seems incredibly ill-advised, and what's particularly discouraging is how you have implemented this proposal without sufficient time or public outreach to solicit public input and engage in due diligence.

I am hoping that there will be the collective courage among the leadership represented here to delay the approval of this project until further due diligence can be conducted and greater efforts are invested to inform the public and seek input.

Thank you for your consideration.

Brian Tietje





Like many of the Morro Bay residents just learning of the alcohol/drug rehab facility being proposed @ [2460 Main Street](#) Morro Bay, I'm writing in opposition to this facility and the location.

The disappointed in the lack of transparency and the small window this is trying to be snuck in and snuck by residents is palpable throughout the community.

I don't see how this facility adds value to our town of Morro Bay. In addition to this location representing an almost immediate negative hit on surrounding property values it more importantly creates a risk to residents young and old. I believe there is also a high school and elementary school near this location as well.

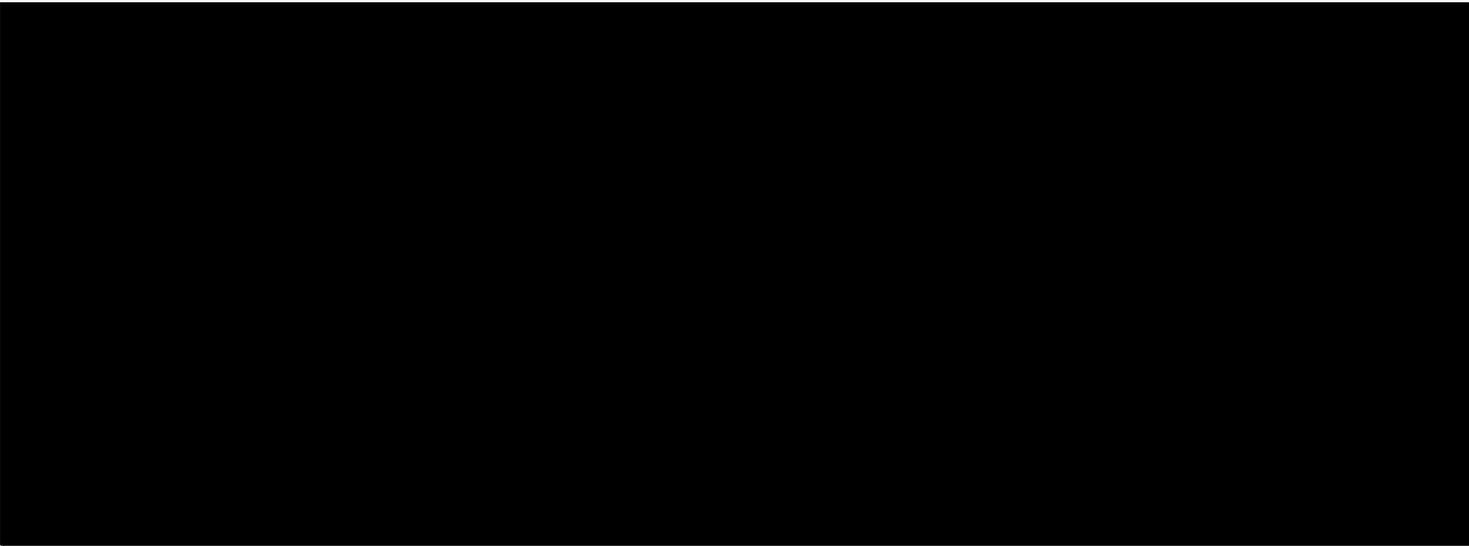
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Also hearing rumors the current Rodeway/Twins Bay management or owners are slated to run or oversee this new alcohol/drug rehab facility. Based on the track record of 1-star guest reviews, this doesn't bode well and highlights another large concern if true.

I would hope those in charge of the short and long term planning of Morro Bay are taking the multiple concerns from the our community and obvious red flags into consideration before allowing something like this facility to be approved.

Thank you!

Derek Mahoney
Morro Bay home owner & resident



To Whom It May Concern,

I have gotten some notifications about a hotel in town changing into a recovery center and I think it is a brilliant plan. I hope the plan passes the vote and I truly hope that incorporating a recovery center into our town can help promote awareness and compassion surrounding the epidemic of drug abuse.

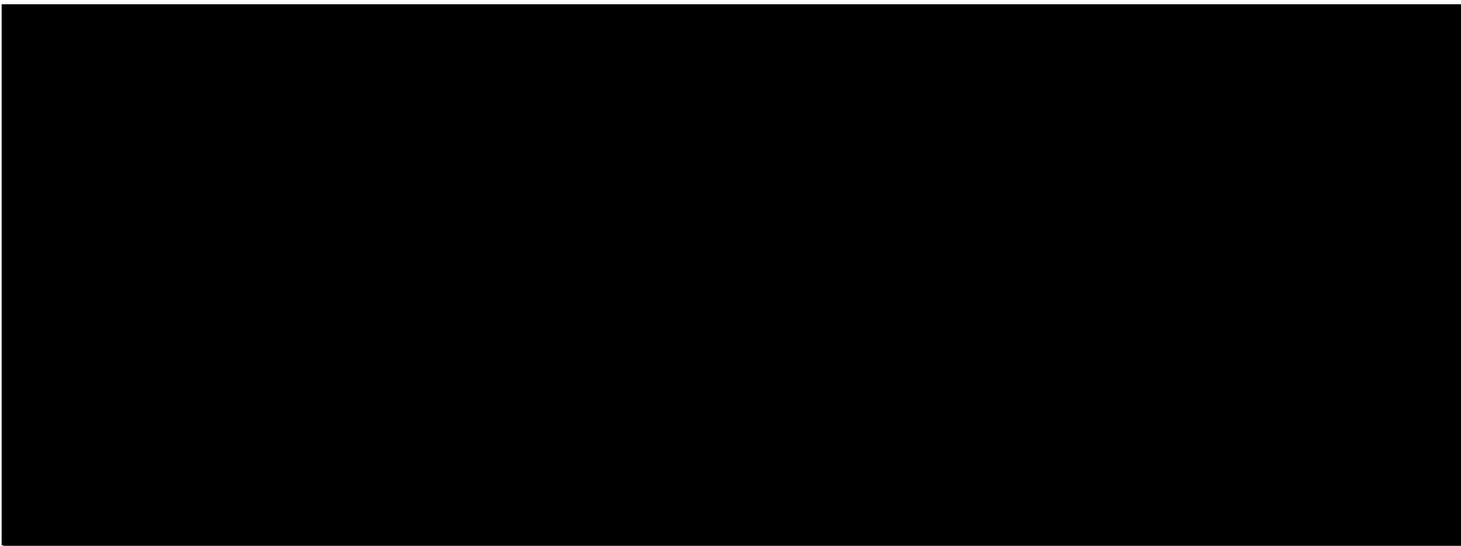
I think at this point in America, practically everyone has been impacted by the disease of addiction; either directly or indirectly. I have seen many homeless drug addicts living under bridges in Morro Bay, and although this treatment center may get out of state clients I still think it may help dissolve some of the stigma surrounding the disease of addiction in our city.

I used to struggle with addiction, and due to the help of in-patient treatment as well as living in a sober living, I was able to turn my life around. After beginning my sobriety I went to community college, and recently transferred to Cal Poly to finish a degree in Mathematics.

I saw your email addresses on the 'NextDoor' phone app recruiting people to send emails if they are against passing this plan, and I just wanted to send a message stating how much I support it. I am even hopeful that maybe in the future we could incorporate sober living homes into the area or nearby to help the transition for those seeking recovery.

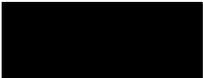
I hope this message finds you safe and well in these difficult times.

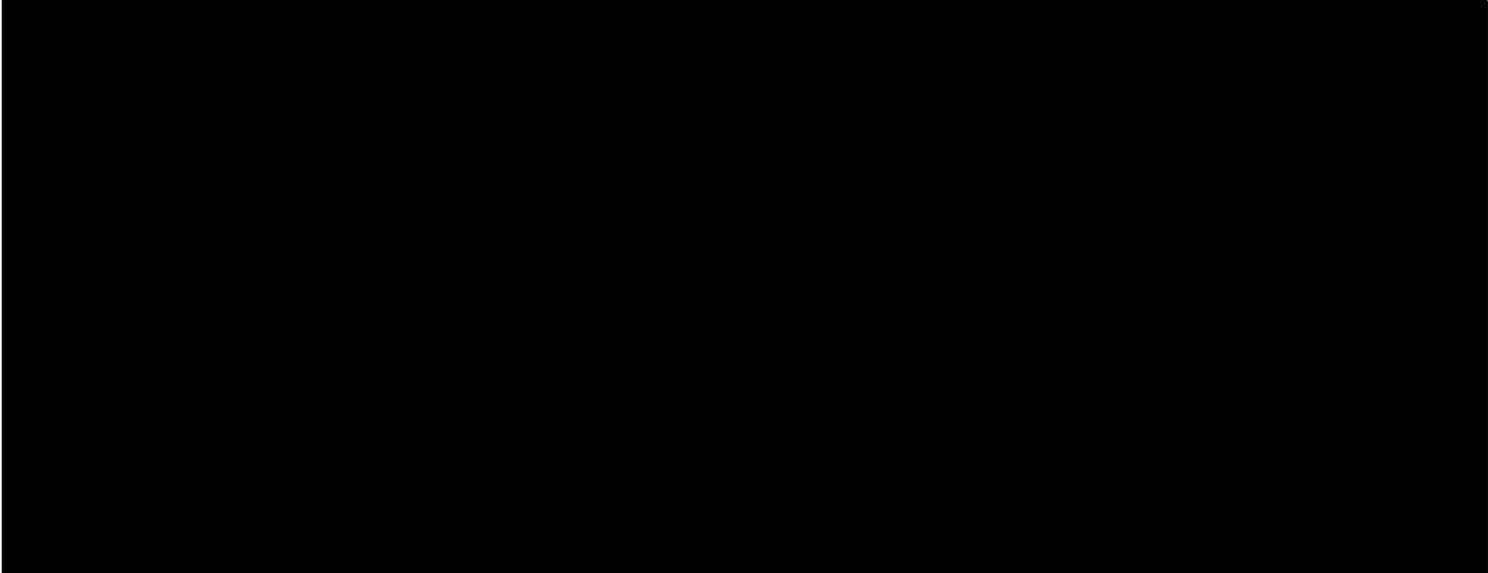
Riley Lane



hello - I am writing to say that we oppose the facility that is being proposed at the Rodeway Inn on Main near Maya. We need more information and research before this is allowed. We live in the neighborhood and we have had no notification of the proposal. We would like to be notified of any public forum to discuss.

Thank you
Debbie and Barry Smith





Hi Mr Graham

I was just advised on the proposed plans to put a rehabilitation center on the corner of my street. This is a huge problem for us as we have 12 & 17 year old sons that walk to And from school. I am also fearful for the safety of our homes. As well as decreased hime value on our street. Do the residents have a voice? Can we sign a petition? Thank you for your help

Casey Campanario

Sent from my iPhone



My name is Diane Walling. I have been a long time resident in Morro Bay. My career background includes San Luis County Mental Health Inpatient Unit, California Men's Colony and Atascadero State Hospital. I am very familiar of repercussions and consequences of criminal activity brought on by element of people this proposed project plans to house at 2460 Main Street.

The notices City of Morro Bay sent to only residents who live in close proximity to 2460 Main SHOULD have been sent to every resident in Morro Bay as this impacts the entire town. It's evident that this is being "railroaded" through and citizens in this town are not being given the opportunity to voice their concerns on decision that will bring much crime to community.

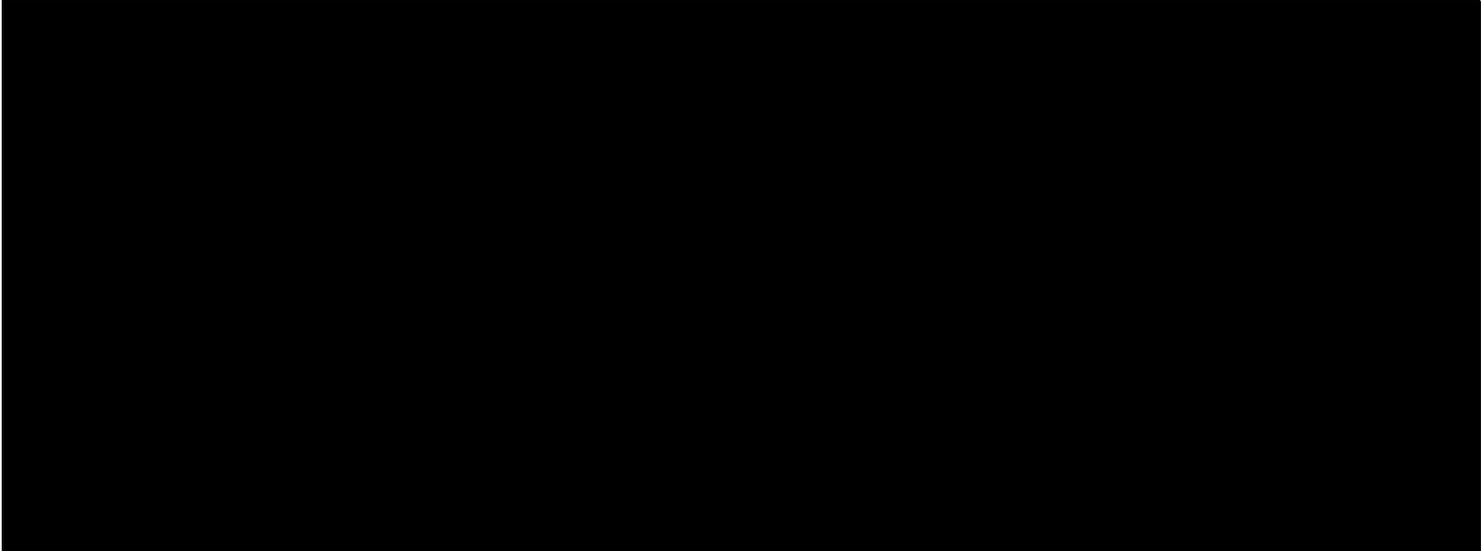
I would like to remind everyone that City Council and city employees work for residents in Morro Bay. What is happening here is the people of Morro Bay are not even being considered and this is on TAXPAYERS DIME!

I don't know of anyone who is in favor of this and there will be more as information is only beginning to spread. The information in notice mailed to select few residents was extremely vague and actually misleading and had false information.

I strongly suggest this project be on hold and let the people of Morro Bay voice their concerns I request that all parties who receive this email please respond to confirm you have received this email.

Diane Walling





I am emailing you to voice my opposition to the proposed project on N. Main St., converting a current motel into a drug and alcohol rehab center. I strongly object to this change in my city.

Morro Bay is a vacation destination, and needs motels for visitors, and it needs bed tax for revenue

Changing the existing motel into facility like this is an invitation for crime and most certainly will result in a reduction of property values for us that our own homes here

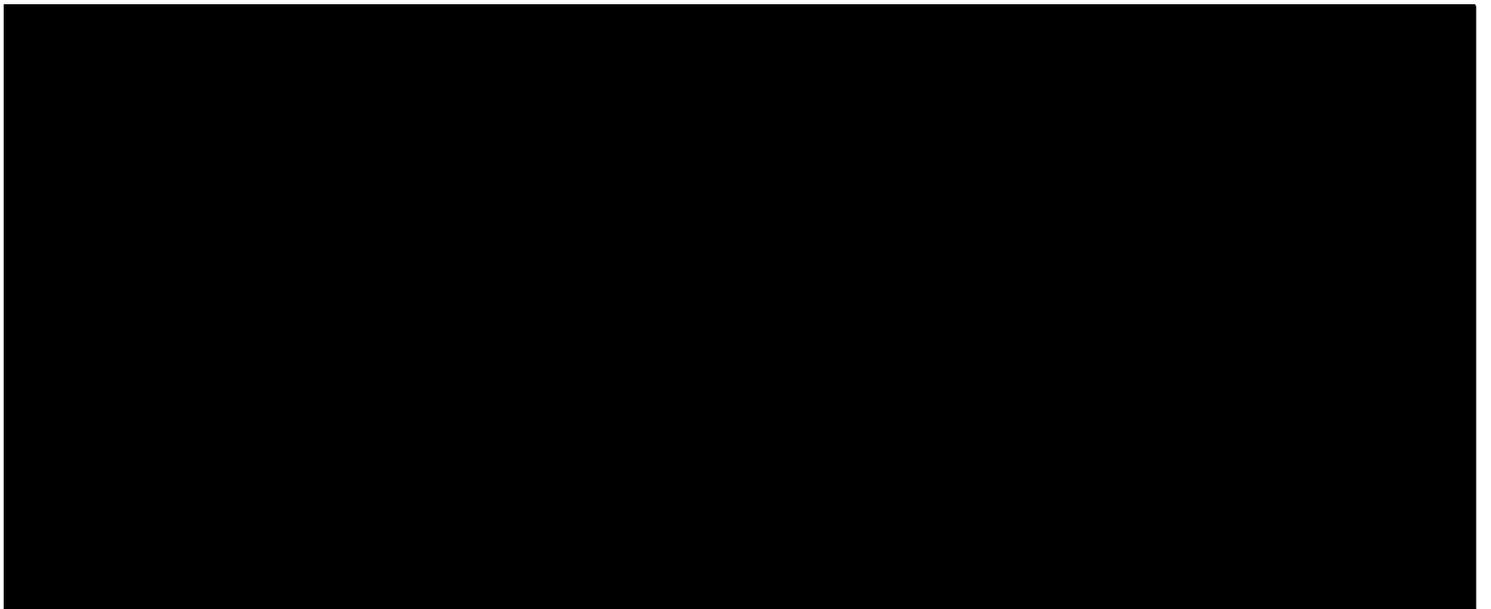
I have lived in Morro Bay since 1980, and I have been a homeowner here since 1985

I am strongly opposed to this change in MY CITY, it is only several blocks from my house and I am very disappointed at the possibility of this change

Please advise me to what I can do to stop this project from going forward

Thank you, Eric Dudley





Hello,

I am strongly opposed to opening an Alcohol and Drug Rehab Center in Morro Bay!
This would be devastating to the neighborhoods and tourism.

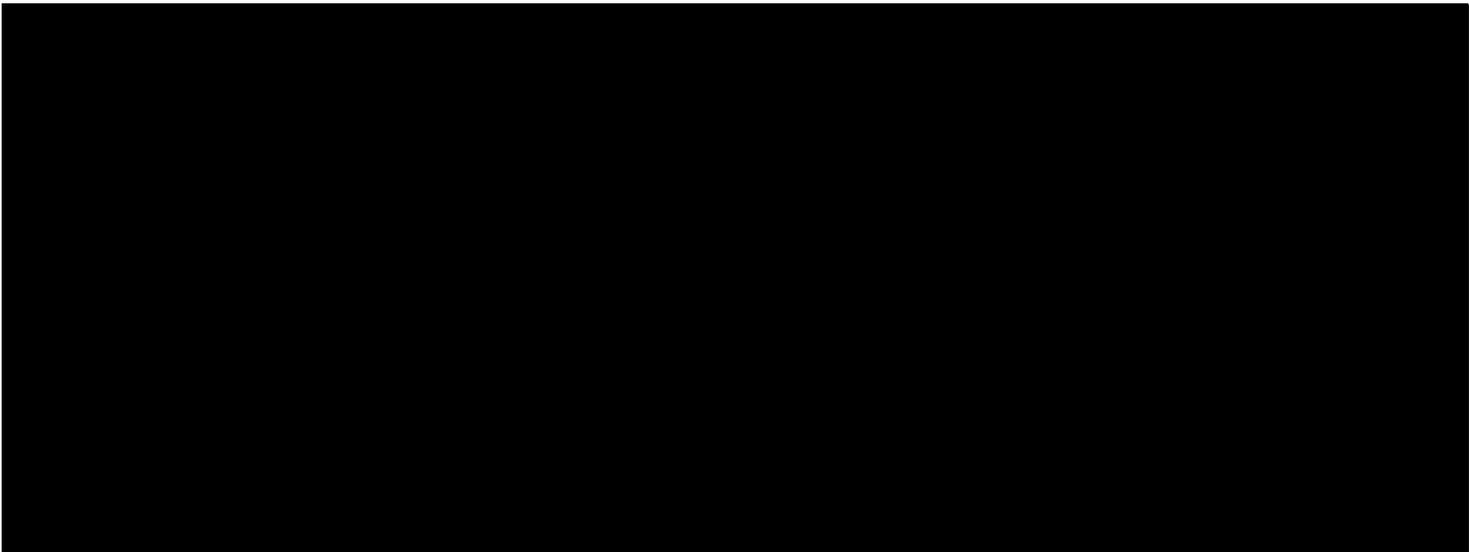
Sincerely,

Julie and Jack Knight
Sent from my iPhone

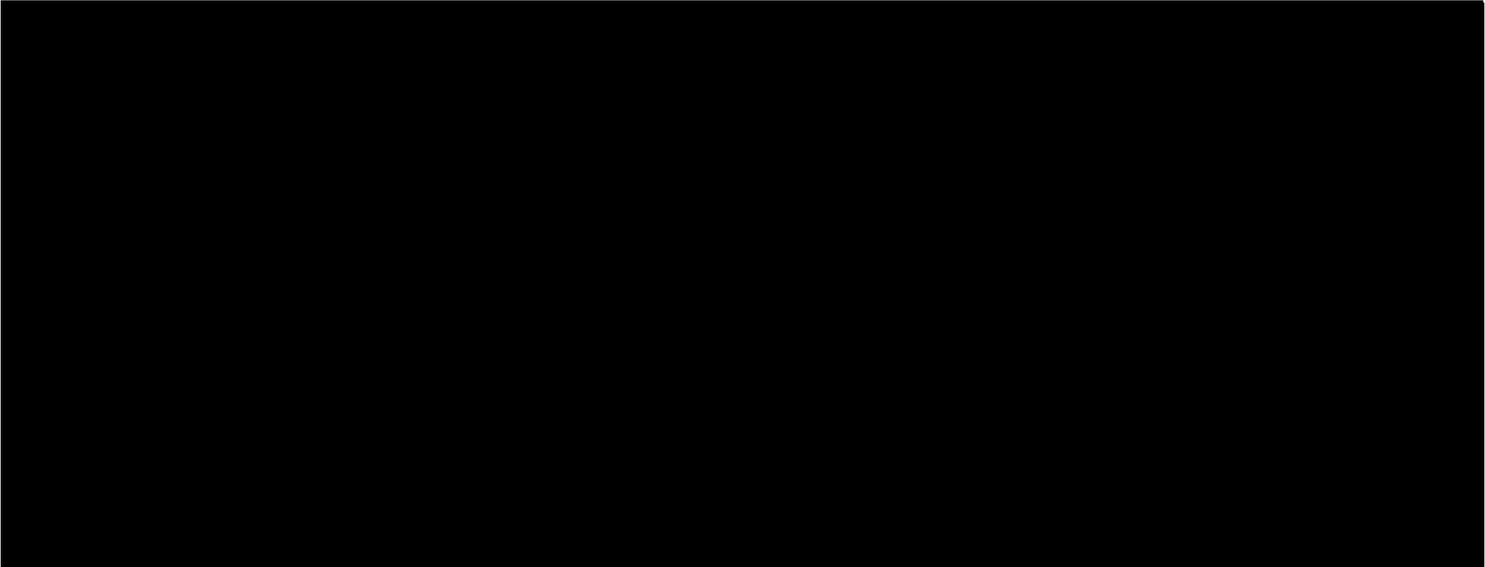


no, No, NO, not at this location. What a deal, \$30,000 per month per person, maybe I'll just turn my house into a facility and sail around the world for the rest of my life.

Sent from [Mail](#) for Windows 10



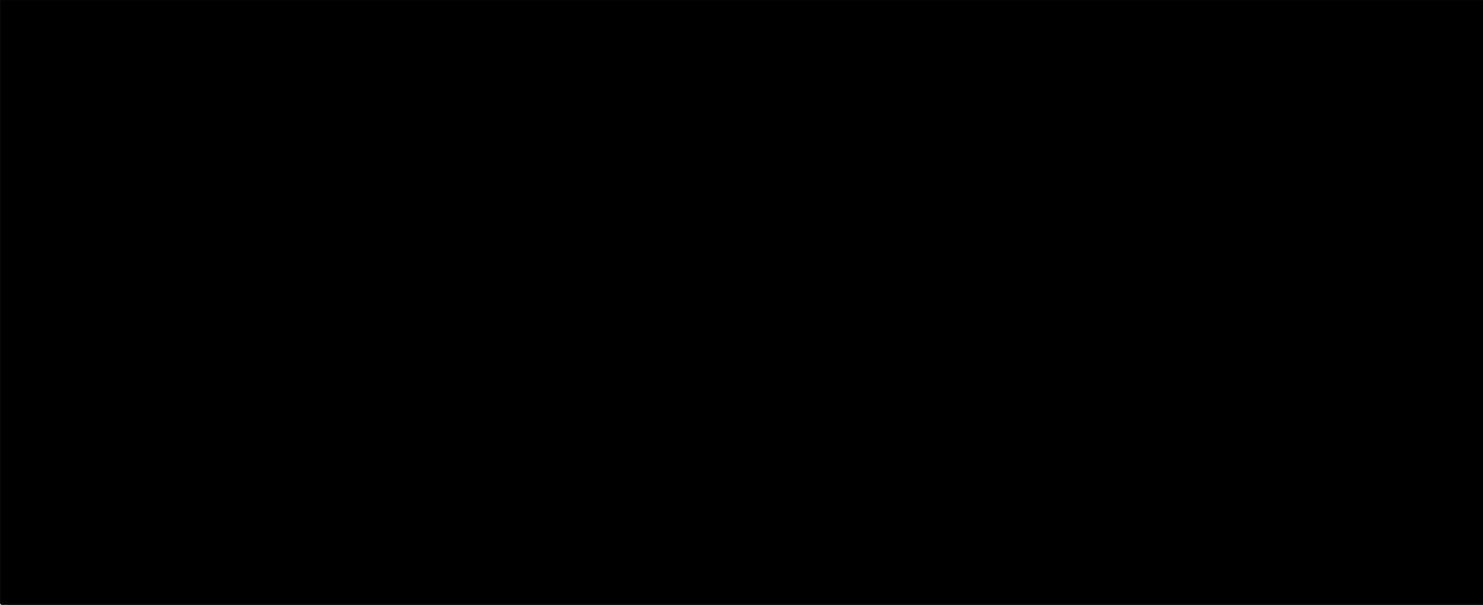
I'm sure they are needed, but, not at the expense of others—losing their business—Which will probably happen to Mayas—also, not good in residential neighborhoods—there are children.



To whom it may concern,

I am writing out of concern for the proposed drug and alcohol facility that is being considered at 2460 Main Street. Our home is located within 1000 feet of this location. My wife lived in this home her entire life. An afternoon on our street is filled with children playing in front yards and families out for an evening stroll. It is a beautiful place to live, and I cannot imagine a better town to grow up in. When my wife and her brother were in high school they would walk past this proposed site on their way to Morro Bay High School that is less than a 1/4 mile away. This close proximity to young impressionable children is what my wife and I find so distressing about locating this much needed facility in a residential neighborhood. I agree that there are individuals who do indeed need and seek help for their addictions, however the location in which you have chosen to facilitate the rehab clinic is poorly thought through. I would ask you, Do you feel comfortable allowing your son or daughter to walk within feet of a drug addict, would you feel as if you did your absolute best at looking after your child, to keep them free from danger, to keep them safe from all harm. I know that COVID-19 has put our community as well as many others have struggled during this pandemic but proposing a rehab facility this close to a high school and a grammar school for financial gain is an atrocious act that cannot be overlooked. Thank you for your time and I hope this heartfelt letter finds your attention.

Sent from my iPhone



To Whom It May Concern,

I have gotten some notifications about a hotel in town changing into a recovery center and I think it is a brilliant plan. I hope the plan passes the vote and I truly hope that incorporating a recovery center into our town can help promote awareness and compassion surrounding the epidemic of drug abuse.

I think at this point in America, practically everyone has been impacted by the disease of addiction; either directly or indirectly. I have seen many homeless drug addicts living under bridges in Morro Bay, and although this treatment center may get out of state clients I still think it may help dissolve some of the stigma surrounding the disease of addiction in our city.

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I saw your email addresses on the 'NextDoor' phone app recruiting people to send emails if they are against passing this plan, and I just wanted to send a message stating how much I support it. I am even hopeful that maybe in the future we could incorporate sober living homes into the area or nearby to help the transition for those seeking recovery.

I hope this message finds you safe and well in these difficult times.

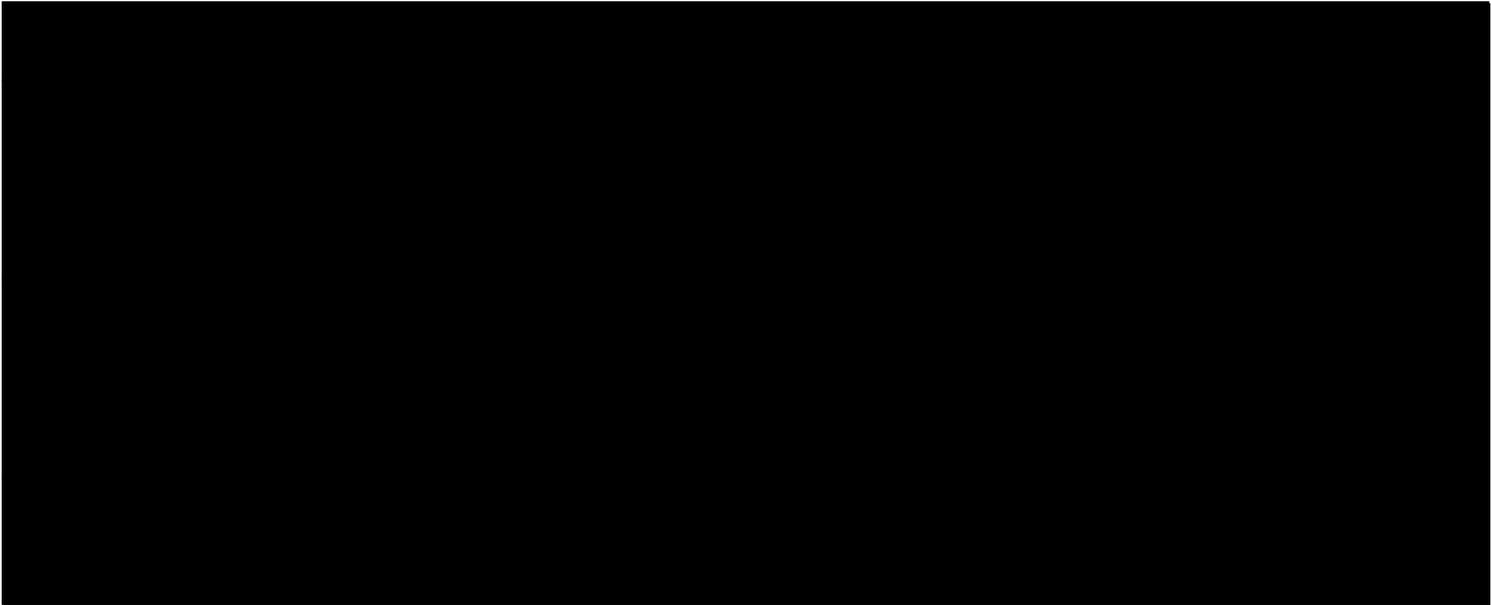
Riley Lane



Scott, most of the general public just got wind of this facility here at the end of the week, I happened to see it on the KSBY news site on Sat morning, this facility doesn't feel right and its almost thru the planning process, this looks like kind of a rushed deal to me and its not a good fit for the neighborhood, it looks more like a homeless shelter of the type that just got started in Paso at the Motel 6, that one is at least in its own corner of town without bothering other business, but this is right out in the middle of everything and will become a problem.

Rehab facilitys usually are more of a hospital type of setup, this is a come and go at will facility strange way to deal with drunks and dope addicts, just because this guy hasn't made a killing owning a hotel in these times is no reason to grant this project.

Aaron Bento

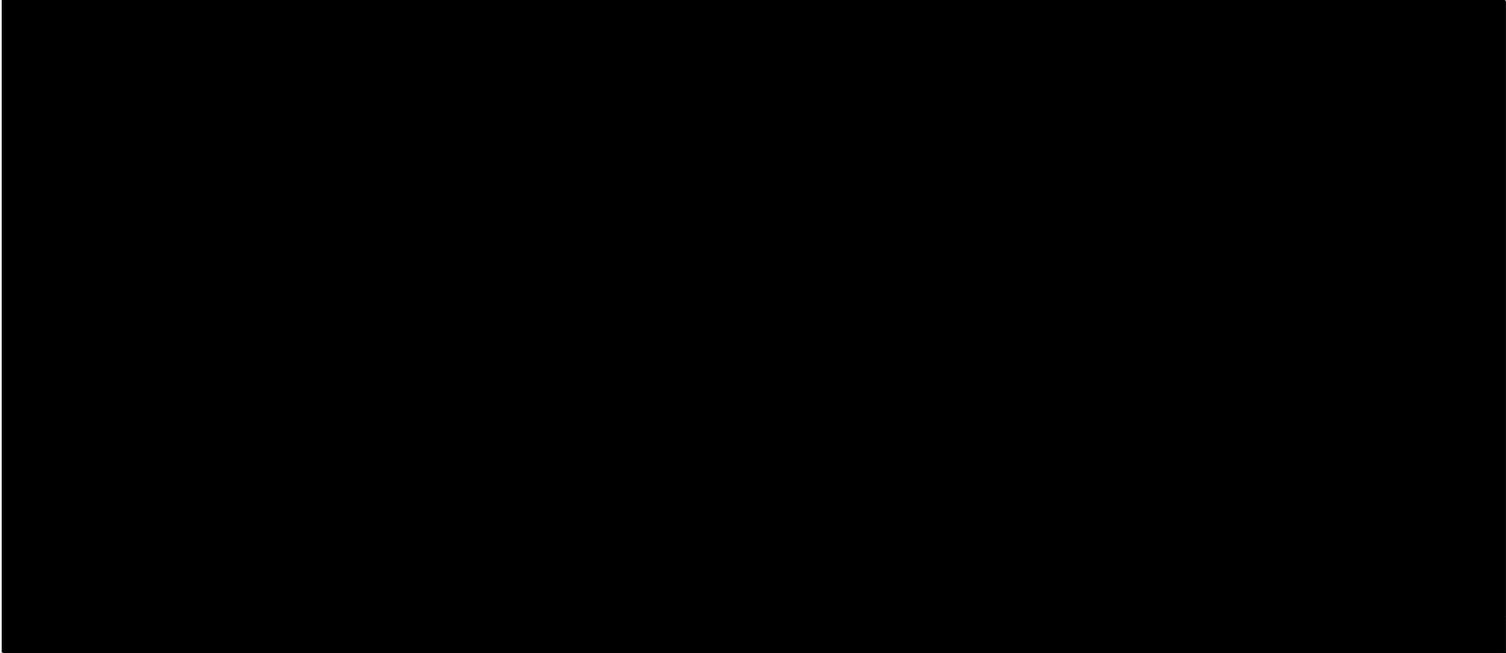


To whom it may concern

I was just advised on the proposed plans to put a rehabilitation center on the corner of my street. This is a huge problem for us as we have 12 & 17 year old sons that walk to And from school. I am also fearful for the safety of our homes. As well as decreased hime value on our street. Do the residents have a voice? Can we sign a petition? Thank you for your help

Casey Campanario

Sent from my iPhone



Morro Bay Mayor and City Council,

My name is Matt Quan, I am a resident of San Clemente, hold a Master of Public Policy from USC, and I am writing to oppose the conversion of the Rodeway Inn Rehab Center.

Like your community, Orange County and San Clemente has significant experience with these unlicensed, unregulated, and predatory rehab centers.

There is no requirement to demonstrate efficacy (rehabilitation rate; NIH puts this generously below 15% for legitimate rehab centers) and patients (whom so-called centers are again not required licensure) are often solicited from out of state, until their funds run out, and become wards of the city and state.

In one damning example in San Clemente, a drug rehab “non-profit” bought out a low income apartment, and evicted its residents, in favor of its clients. Those residents no longer live in San Clemente.

Morro Bay was the last place I visited before the pandemic, and I don’t want to see your community be turned into another “Rehab Rivera”.

Moreover communities where motels have been commandeered as “rehab” and homeless shelters, make it impossible to distinguish which are for tourists, and which are for guests.

If Morro Bay authorizes the conversion of the Rodeway Inn, I’ll likely never visit again, not knowing if I am staying in or near a drug den.

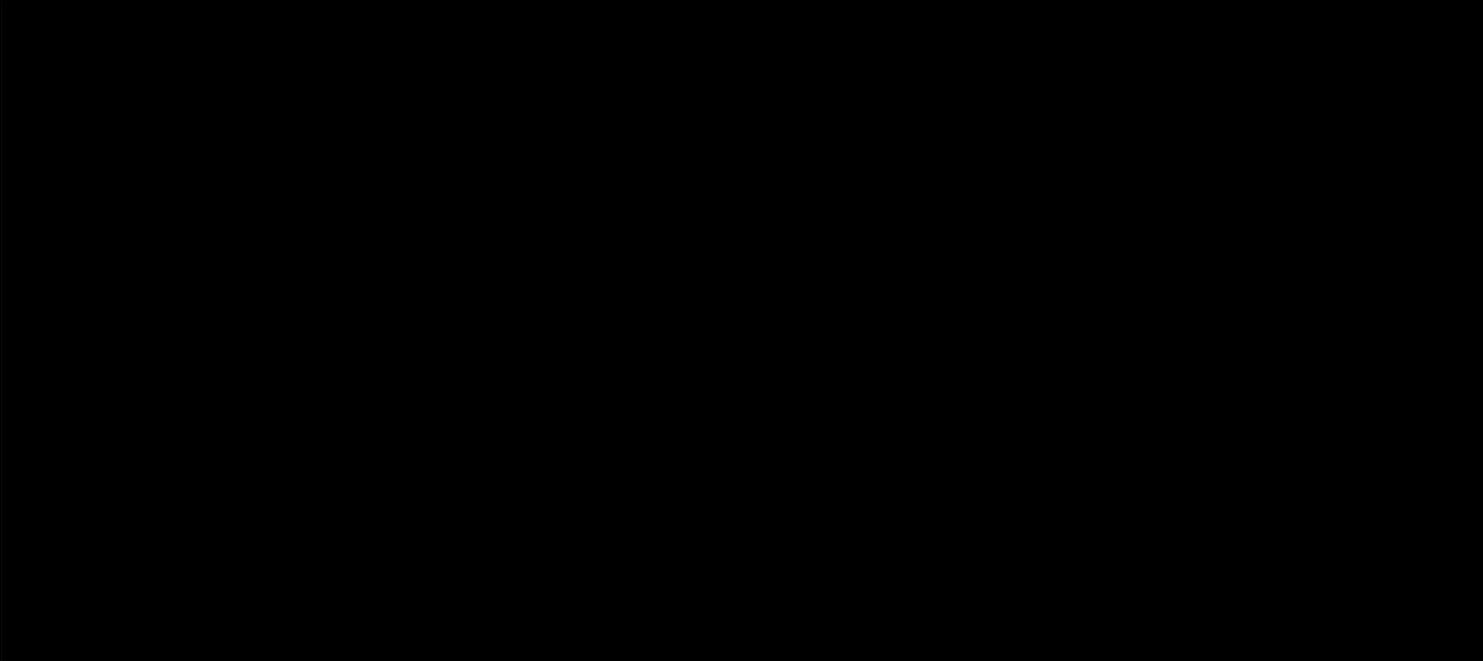
Morro Bay is an amazing community, on the cusp of a generational windfall, with the potential energy storage at the Three Stacks, and two reactors worth of offshore wind energy.

Please protect your community and reject the drug addict conversion at the Rodeway Inn.

Respectfully,

Matthew R. Quan





Good Evening Mr. Collins,

I wanted to voice my opposition to the rehab location chosen for the Rodeway inn.
My family and I live at 2750 Ironwood Ave.

The location is close to a residential neighborhood, restaurants and additionally is replacing a hotel that could be an asset to the community and seemed to be getting slowly fixed up.

I agree that rehabilitation services are needed for regional areas. But they also can be located in places that make sense for the community.

Examples of suitable locations for a regional rehab could be at Camp San Luis Obispo behind Cuesta College, at the edge of the state property that houses the CMC or other areas that are not close to families and neighborhoods.

This location is not a good fit for the community.

I request that you and the City government look into this issue and do all you can to keep our community moving in a positive direction.

Please let me know if there is another avenue or better way to voice opposition on this topic.

Thanks for the assistance in this matter and for providing service to the citizens and visitors of Morro Bay.

Best Regards,
Brian Fuller





Dear Mr.Collins,

I learned yesterday that there is a proposed Drug and Alcohol Rehabilitation center moving into the Rodeway Inn on Main street. I urge you to reconsider the placement of this center. It is far too close to our children's elementary and high schools. It is far too close to the Maya restaurant and other locally owned businesses that are working so hard to stay open during this difficult time.

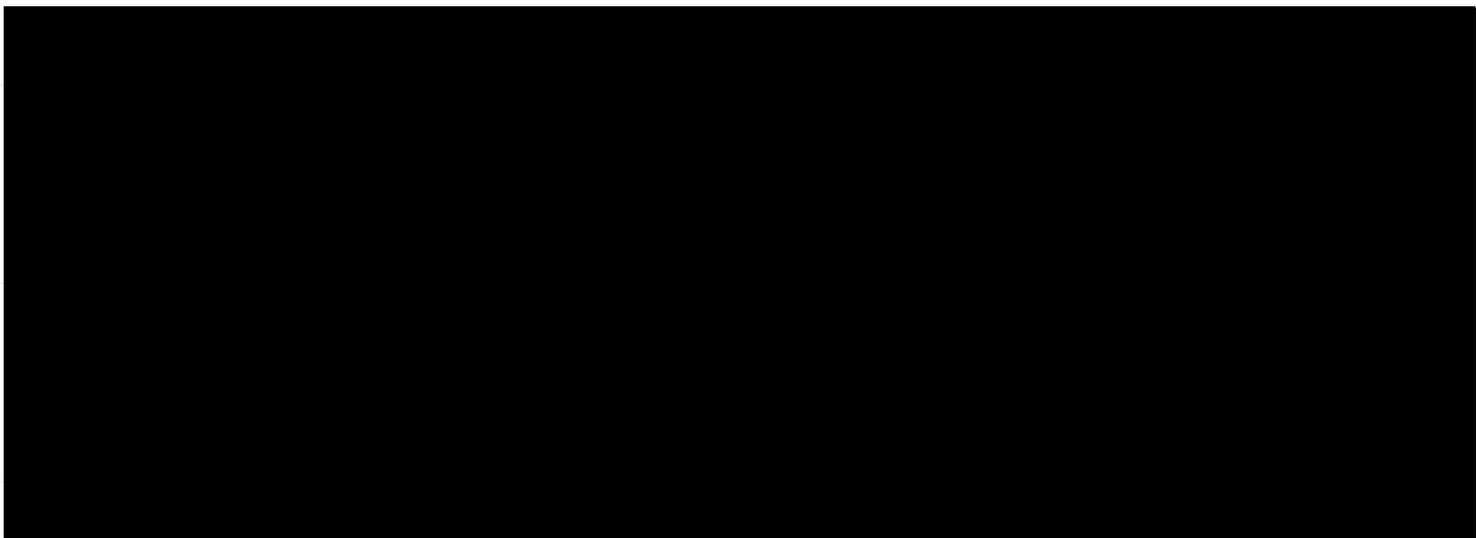
In reading the FAQ's regarding this project, there was very little information on how this facility would safely be run, where residents would go if they dropped out of the program and safety measures to protect the surrounding community.

While I believe these facilities are an important part of a community, I see no guarantee that the residents would be local. Often residents at these facilities could be unstable and could pose a threat to the surrounding community. A facility like this should not be put around a neighborhood and especially so close to the schools and major streets where children walk and ride each day.

Please take into consideration the well being of our children, our neighborhood and our local businesses.

Thank you for your time.

Jennifer Fuller
Morro Bay resident

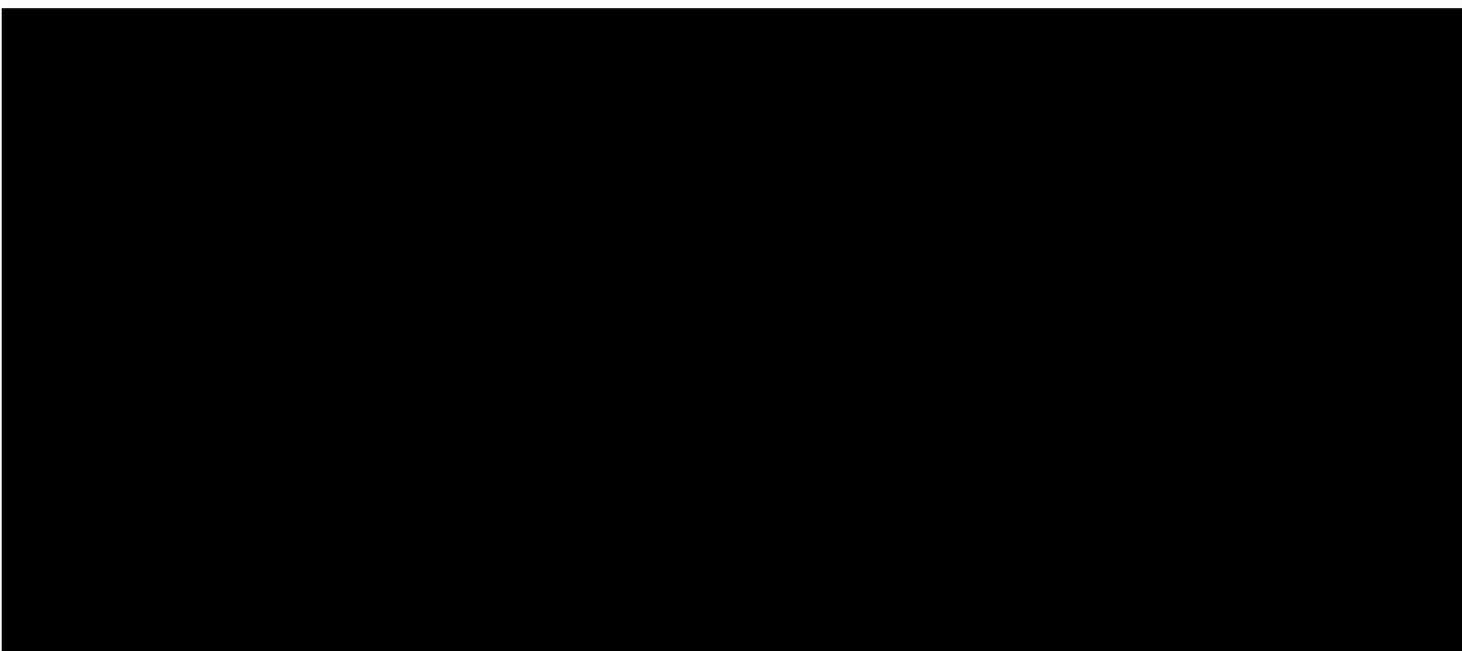


To whom it concern,

I am a critical care RN at French and a Morro Bay resident. My wife and I have two daughters with one attending Del Mar Elementary. I am writing this in opposition to the proposed rehab on Main Street. This proposal shouldn't be entertained for a minute due to its proximity to our elementary school and our high school. Our children should be protected first and foremost and this proposal is ludicrous. Thank you.

Josh Martin RN, BSN, CCRN





Dear Morro Bay City Council,

The Community needs much more information about this proposed Rehab Facility. It is supposedly a voluntary facility that is staffed by "Professionals". What does this mean? It sounds very vague to me. What type of qualifications will these said "professionals" have? It is not a mandatory facility so people can come and go as they please. How is their behavior to be monitored in an open motel facility like this? What is to prevent residents from leaving the facility and resuming their abusive behaviors in the neighboring community? Is there a model for this type of facility? If so are they usually located in a residential community near a high school? Will these residents receive counseling or is it just a flop house for them? Getting a bunch of people together who have drug and alcohol problems can be a recipe for disaster if not monitored properly.

There are so many red flags! Can anyone just open this type of facility with little or no qualifications? "Can anyone just take a failing motel and turn it into a half-way house? As far as I can tell Mr. Brian Der Vartanian, the motel owner, is a CPA. He owns an accountancy firm. He is basically trying to recoup his losses on a failing investment, which in itself is admirable, but what about the regulations for opening this type of facility. Can anyone turn a Motel/Hotel into a "Drug/Alcohol Rehab Facility"?

I strongly encourage the City Council of Morro Bay to reconsider this proposal. It is an accident waiting to happen. There are more questions than answers here. I really have a hard time believing that the City Council cannot do anything. I am discouraged by the seeming lack of concern for the community in which you represent.

Dawn Turner

--

Dawn Turner





Dear Council,

As a 15 year resident and parent of school aged children in Morro Bay, I am responding to the proposed rehabilitation facility at the Best Western Hotel on Main Street.

I believe Morro Bay could do a better job considering the safety of our neighborhoods and utilizing other, more commercial areas of town to provide such services. Additionally, it seems as though a care facility such as this would be a greater benefit to San Luis Obispo where it could be coupled with the additional housing and health care services that Morro Bay does not offer.

We are a very small town and I fear that our aspirations of generating income cloud our vision of the direction the city should be headed to elevate and improve our beautiful beach community.

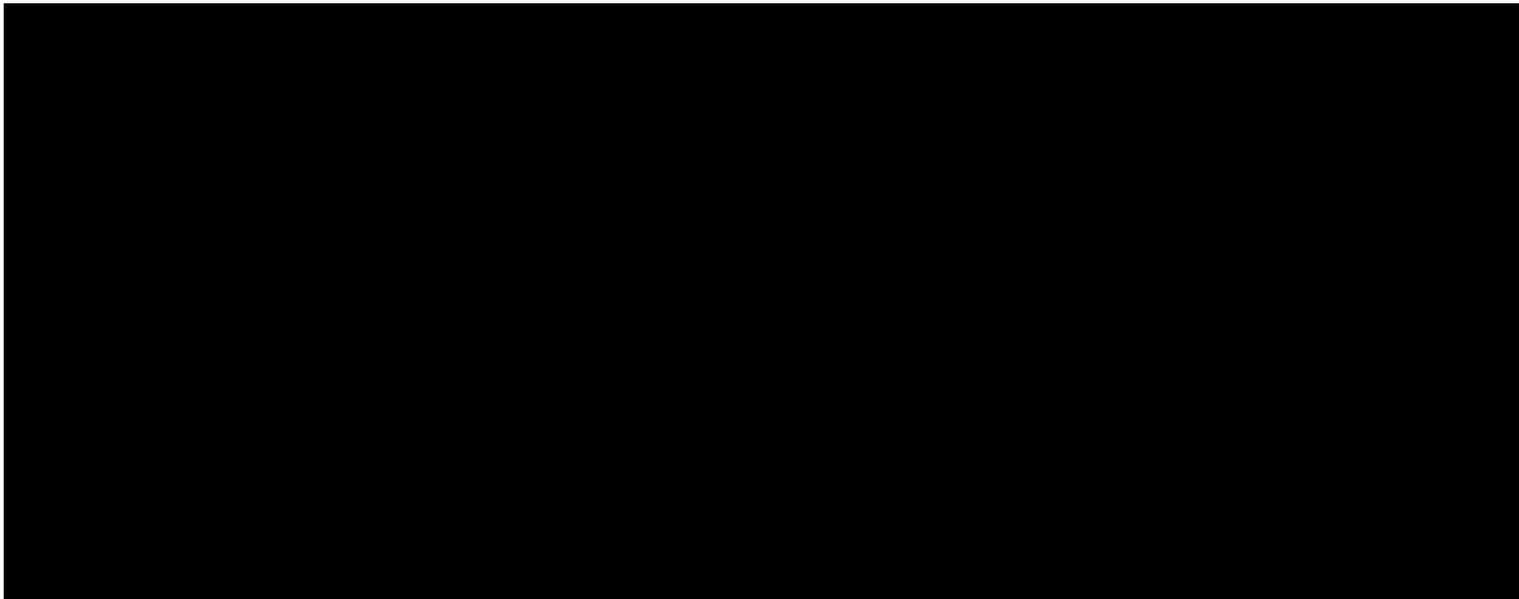
We live on Easter Street in the beach tract and my teen daughters often bike ride to and from the high school, to the nearby parks and the beach in the proposed project vicinity. Our neighborhood would be the nearest beach access for anyone visiting the North Morro Bay Area in a primarily residential zone.

We already suffer an incredible transient influx with the concentrated numbers of VRBO/Air Bnb home rentals in our part of town. It is a growing concern that our quaint town has become a thoroughfare for all caliber of visitors.

I am opposed to the location of this rehabilitation facility nestled in a neighborhood and only a stone's throw from our high school and elementary school. Additionally, the highway exposure makes it an unavoidable visual for all passers by, including our children's bus routes and biking routes to and from school. While this facility provides a vital part of healing individuals in need, I feel it is not an appropriate location for our residential and education focused area.

Thank you for your consideration,

Gibsey Beckett



We did a lot to get to live out our lives in beautiful Morro Bay, and you're letting some rich pig ruin our lives. These facilities are in business to suck tons of money from insurance companies. They don't care about helping anyone. These people will steal from us, approach our children and ruin our neighborhood. Just because we don't live in downtown doesn't mean we don't count.

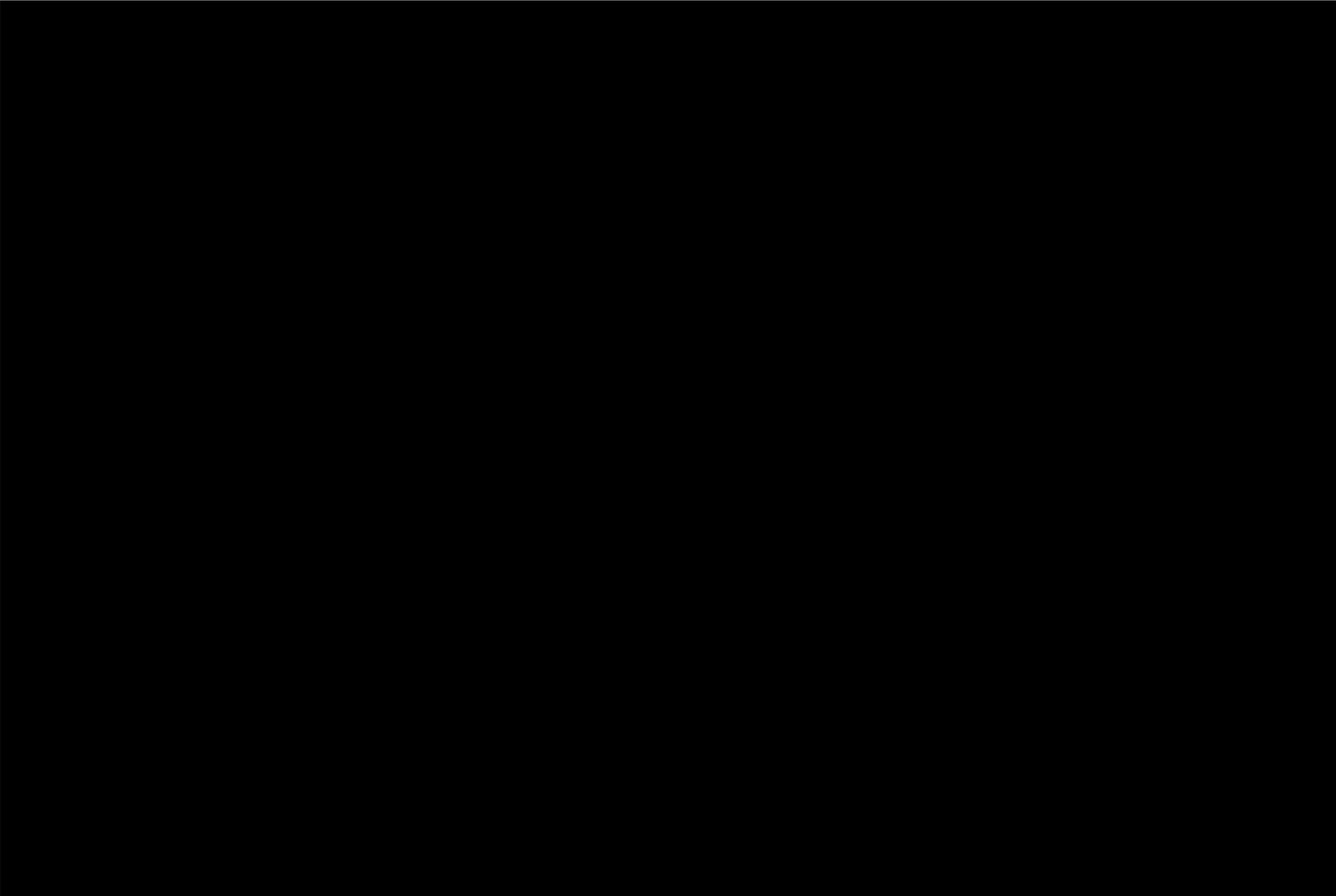
You're ruining this city and I hope you pay a price for letting this happen.

Eileen Stanley

Soon to be a former resident



Dear Ms. Hubbarad: Please know that I am a citizen of Morro Bay who lives not far from a proposed rehab facility site at the Roadway Inn on Main St. near the Mayan Restaurant, and I am not in favor of that decision which is being studied. I do not believe we have back up of police officers to enforce and protect our small population (especially a majority of us who are seniors) against a growing number of homeless. I understand if the patients of the rehab do not abide by policy practices of the rehab facilities, they will be kicked out. Where does that leave them? Roaming our streets to prey on the law abiding citizens of Morro Bay. This is not a plus for our small community. Thank you, I. Miner.



Hello Scott and Nancy,

I am reaching out to you as a very concerned citizen of Morro Bay. I am a father of 4 in town and an active member in our community, also a firefighter in Santa Barbara. Scott you know me well as I and Tim Daley, coached our sons basketball team last year. I am very concerned about the city possibly approving this drug and alcohol rehabilitation facility on Main St. I have a lot of reasons for this, first I live within 700' of the proposed location. I really would have appreciated more of a notice and opportunity to comment on this issue. I am concerned about the amount of possible occupancy. If there are 27 rooms and 2 people a room that's about 60 people at a time. If they are in a 60 day program that would be approximately 720 people a year. If some people do not finish the program and they refill their slot, those numbers could be higher. If some occupants leave or are kicked out where will these people go? As a firefighter for the city of Santa Barbara this is a big issue for our department and the city of Sant Barbara. A lot of times if these people leave these facilities and have nowhere to go they end up on our streets. This drastically changes the dynamics of a city, it causes many problems. I believe people who battle drug and alcohol addiction should get help and as many chances as they need to succeed. But a facility of this size compared to the size of our city would have drastic consequences. The location being right in the middle of North Morro Bay near residential neighborhoods and schools and restaurants is also a problem. Some people in these programs have had difficult lives and complex issues. The proximity of this facility this close to our High School is a huge concern. If they do not have background checks the possibility for a prior sex offender to be in the facility is a real possibility. According to Megans Law, no sex offender can reside within 2,000' of a school. The High School as a crow flies, is within this limit. I believe as the planning committee, it is well within your rights to vote no on this sight based on that law alone. Megans Law should and would in my opinion, override the state laws requiring this approval. I absolutely believe the city would be well within our rights, to deny for this reason and it would stand up in court. Think of the liability this city and planning committee would be putting yourselves in. If just one time something happened at the high school

possibility during a night football game when crowds are large, bad things could happen. It would change everyones lives immediately, is this really worth the risk? Please listen to the citizens of this town and vote no or at the very least postpone the vote till more people have had the opportunity to voice their opinions. I also believe the towns adjacent to us should have a say in this as well, as their children all come to our High School. Another problem I foresee is how many other Hotels in town will opt. to do this type of facility as well. These could be drastic to our tourism and Hotel tax revenue. If our Hotels quit having guests will we lose money on the Hotel tax revenue. These issues absolutely should be above a state law written by people who have no connection to our quiet little town, especially Megans Law. I urge you to listen to your tax paying citizens who support you and this town. Please vote in our best interest. Not the business owner who does not live here and state law makers, who do not understand the drastic consequences that this large of a facility would have on our town. I know there is a large amount of Morro Bay citizens that are in great opposition to this facility and the word is just getting out. We have only had about a week to learn of this proposal, while it has sat in the hands of the committee since December of 2020. Just think about the opposition that will grow when the whole town and adjoining towns learn of this proposal.

Thank you for reading this and listening to our concerns Sincerely Tyler Smith



Howdy Scott,

I want you to know that I fully support this rehab facility down the street from me.

Too many insane NIMBYs on Nextdoor with so much misinformation and no compassion.

Ric



Dear Scott,

A few more thoughts from our conversation.

Currently, the Rodeway Inn was ordered to halt construction by the city inspector. The owner pulled a roofing permit but apparently other work was being done, without a permit.

That falls in your court of planning. That should be something to look into as far as being able to move forward with the proposal. They are currently not in "code" with un-permitted and un-finished construction.

Red flag.

If they are going to cut city permits, what other corners will they cut?

Megan's law.

Megan law requires that sex offenders not live within 2,000 feet of a public school. While you mentioned you had no idea if the patients at the facility will have a criminal background check done, we both agreed that it's very rare that a drug addict hasn't had some kind of run in with the law.

Aerial measurements need to be done before this permit is granted. I can grantee that it will be less than that from the Rodeway Inn to the HS property across the highway. This again, falls into planning and can be used to stop the permit.

The owner can claim all he wants, that sex offenders won't be at the facility. Who will check that ? How do we know they simply left a box unchecked on purpose ?

We need you to stick up for us. Instead of us trying to fight the owners, make the owner fight you and city planning. Your interview with KSBY was very disheartening, it seems like you have rolled over on the situation.

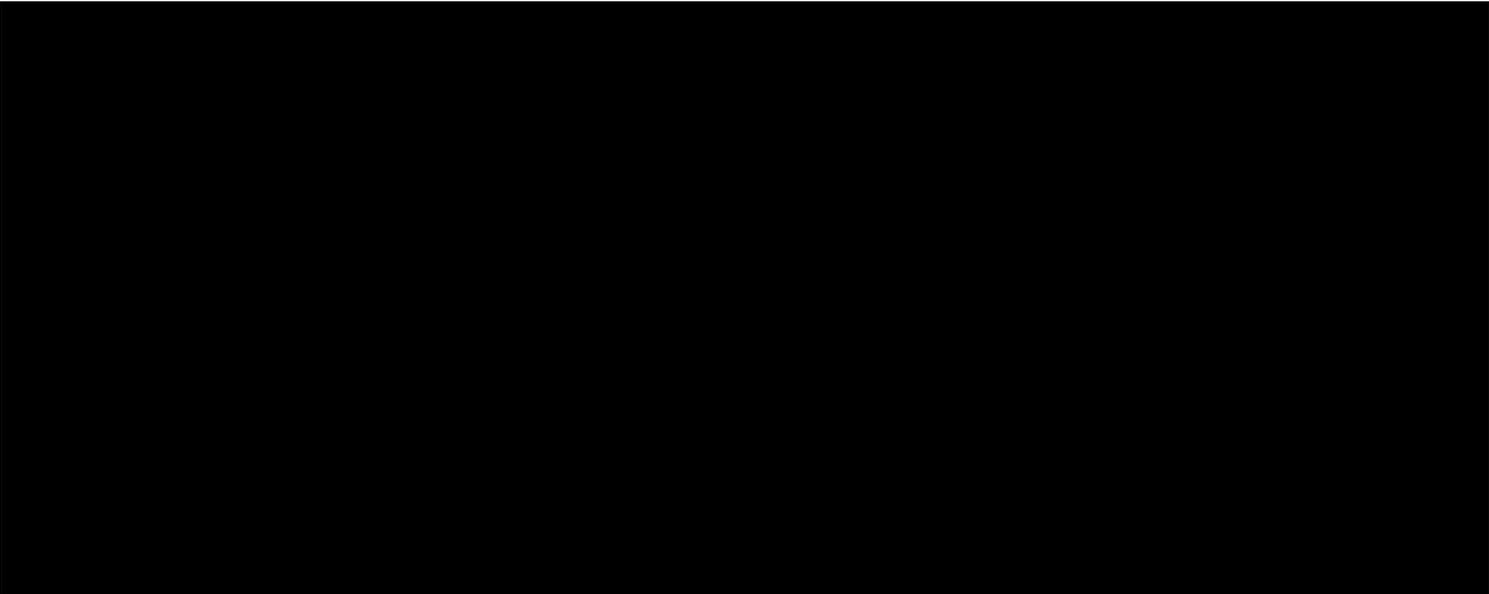
You live in this community, your kids go to school near the proposed facility. Stop the permit process and make these out of town owners, who have no interest in our city aside from a paycheck, FIGHT YOU.

It is ridiculous that I have to go through more hoops to do an addition on my home, than a drug and rehab facility has too.

Stop the permit. Make them fight MB.

Ashley Smith

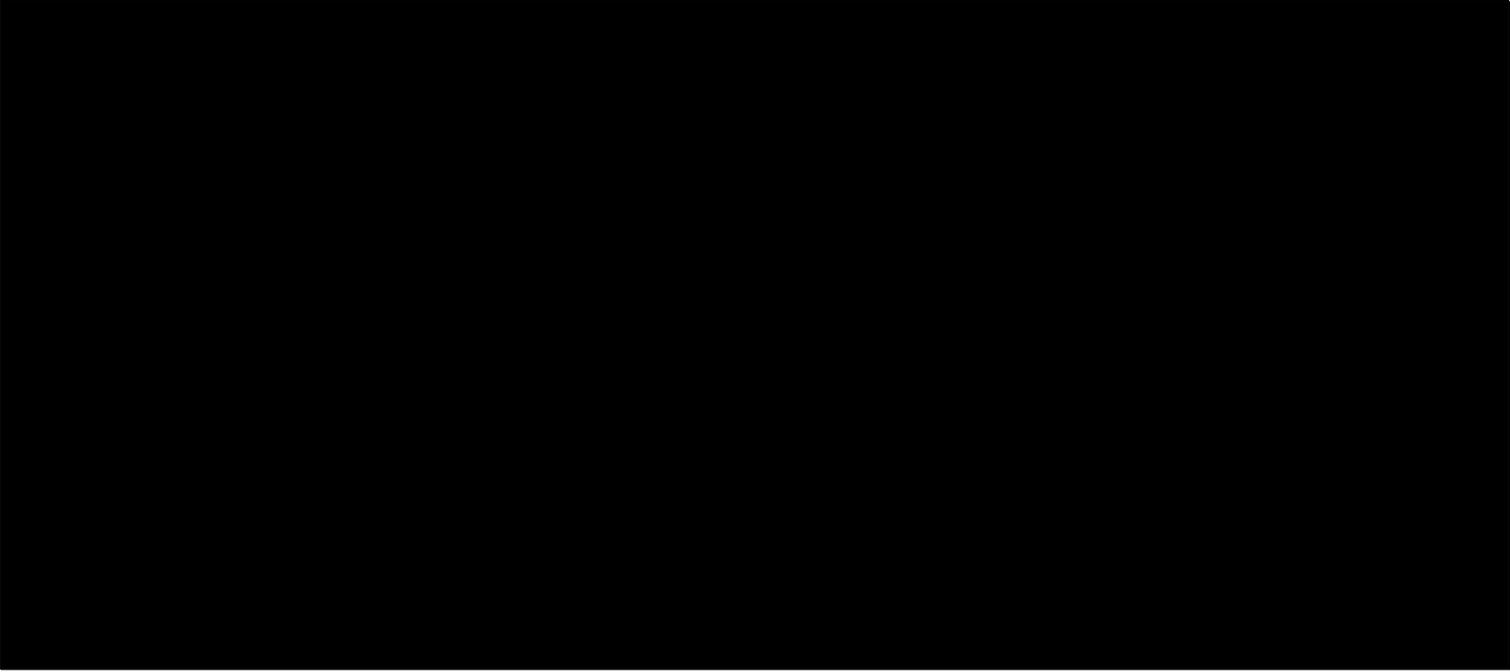
Sent from my iPhone



To whom it may concern,

I am writing out of concern for the proposed drug and alcohol facility that is being considered at 2460 Main Street. Our home is located within 1000 feet of this location. My wife lived in this home her entire life. An afternoon on our street is filled with children playing in front yards and families out for an evening stroll. It is a beautiful place to live, and I cannot imagine a better town to grow up in. When my wife and her brother were in high school they would walk past this proposed site on their way to Morro Bay High School that is less than a 1/4 mile away. This close proximity to young impressionable children is what my wife and I find so distressing about locating this much needed facility in a residential neighborhood. I agree that there are individuals who do indeed need and seek help for their addictions, however the location in which you have chosen to facilitate the rehab clinic is poorly thought through. I would ask you, Do you feel comfortable allowing your son or daughter to walk within feet of a drug addict, would you feel as if you did your absolute best at looking after your child, to keep them free from danger, to keep them safe from all harm. I know that COVID-19 has put our community as well as many others have struggled during this pandemic but proposing a rehab facility this close to a high school and a grammar school for financial gain is an atrocious act that cannot be overlooked. Thank you for your time and I hope this heartfelt letter finds your attention.

Sent from my iPhone



Nancy,

A neighbor shared with me the postcard regarding conversion of Twins Bay motel on Main Street in Morro Bay. Would you please explain what "supportive housing program" entails. I googled this but would like to know what that is as used in the context of this motel.

Thank you,
Lerri Deedon
Morro Bay resident

Sent from my iPhone



Mrs. Hubbard,

I have serious concerns regarding the Minor Use Permit 20-02 for the alcohol and drug rehab center on Main St.

Where can I attain a copy of the application?

This is not a suitable location for a rehab center.

It would deter tourism activity which directly contradicts the City of Morro Bay General Plan, Coastal Land Use Plan Chapter 4 "Visitor Serving Facilities," the North Main St. Specific Plan

This proposed use directly contradicts the intent and sense of community the City policy documents state.

It is located along the primary pedestrian/bicycle route for both elementary and high school aged children which represents serious safety issues.

There are currently two vacant police officer positions in the City. These types of facilities are known to result in additional service calls which the police department is not staffed to accommodate.

There are better locations for these types of facilities that are closer to necessary medical facilities, and proximity to police/fire/ambulance services.

Sincerely, Nathan Parks
North Morro Bay resident





Hello, I live above Spencers Market. I object to the change in the use permit for safety reasons. I lived near a similar facility in Sacramento. Crime went up and property values dropped.

Thank you,
Henry Sanguinetti





City of Morro Bay,

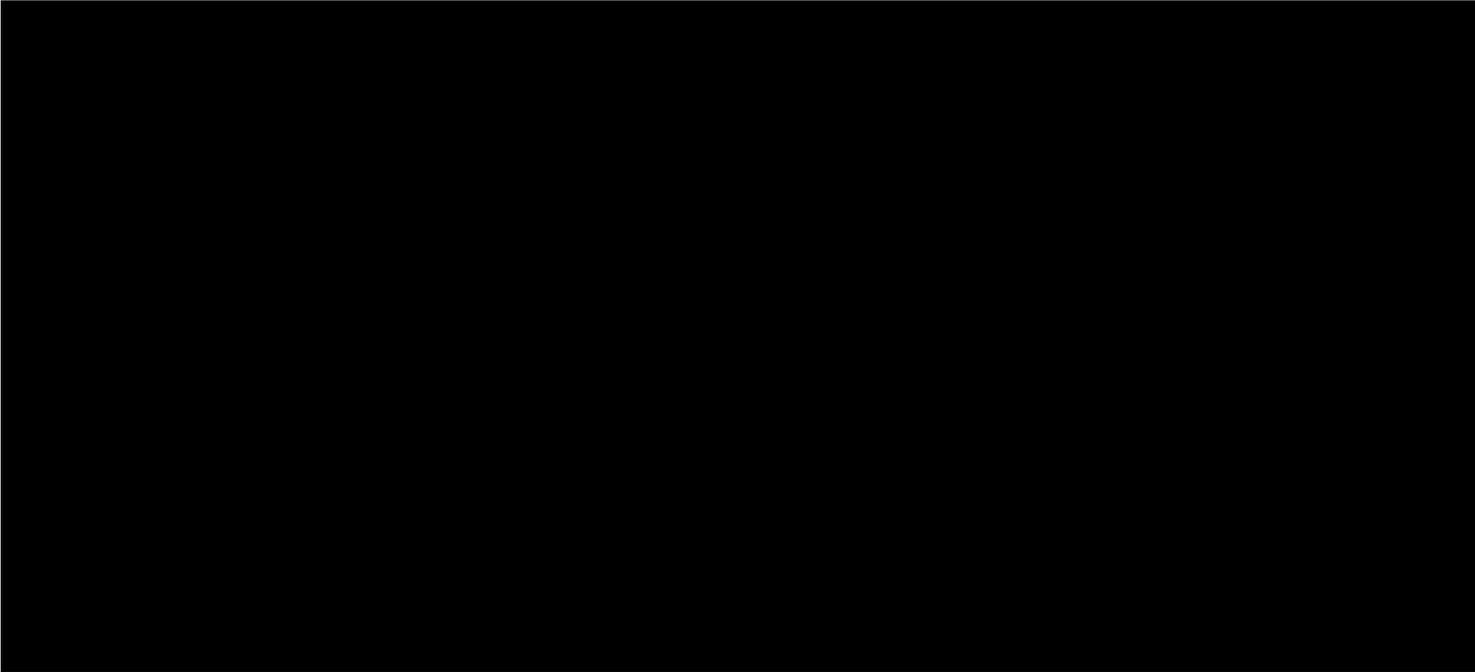
I'm writing to you about the proposal of the new drug and alcohol rehab facility that would be at the location of Rodeway Inn. I'm a Los Osos resident with four children that span from 12-2 years of age and all of them would be attending Morro Bay High. Some in the next few years. As a concerned parent I would definitely rethink our decision to send them to Morro Bay High with a rehab facility within arms length of their school!!!! Our children are all young and impressionable! This facility does belong within such a short distance to our school. Our community children all arrive to school via walking, riding bikes and bus. There is time before and after school that they are around campus as well. I understand the facility would be a treatment facility with professionals, hired to handle the process of rehab. However I can speak from experience, my brother in law has been in and out of rehab three times for both substances. A facility like this has no place close to a school! Please reconsider the placement of this facility.

Thankyou,

Shasta Cellar

Los Osos homeowner

[Sent from Yahoo Mail on Android](#)



Hello Nancy,

Wow that is really ridiculous to consider putting a rehab place there in town in our neighborhood and even in our city. There are many rehab facilities in Santa Barbara and also in San Luis Obispo like Haven facilities that they can go to.

A state run facility would be an interesting process with many policies and procedures to follow. Long and sewn out at best. Not sure what the city Of Morro Bay is thinking. Is it the money that they want from the state? Seems it would be.

State run would bring Board and Care program or a Parole Conditional Release Programs With that comes mentally people with history of violence. Our unique town does not need to be exposed to such things. Our schools are near that hotel. San Luis Obispo would be a much better area and a better fit. Somewhere near Prada St where they can handle such individuals. Plus they have the police force to deal with the issues that will come with having such a facility.

We just do not have the resources to deal with a rehab facility in our area. We barely can handle people stealing the catalytic converters out of our cars in the middle of the night! As someone who already works for a state run facility, I can see a whole gamut of problems with this. I live here in Morro Bay to get away from that state run facility! Morro Bay is my peace place. My calm. And I am sure it is for most people living in Morro Bay.

Too close to home. We all have a right to be free of crime and disorderly conduct. Living in Morro, we have a sense of safety and freedom to live a peaceful life here on the central coast. It's expensive to live here but worth it because of the lifestyle we choose. We choose not to live in the big cities or near areas that will badly influence our children and their safety. I feel this facility will badly influence our community and our city.

My vote is No! I heard this issue may be discussed on 2/22/21.

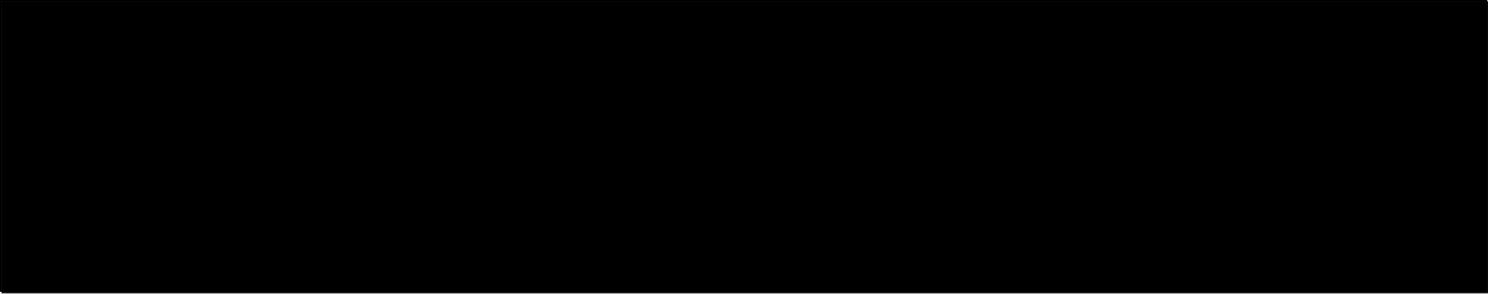
Our town does not need this kind of trouble. I can do without state money. You'd be selling your soul to the devil if you do.

Thank you for your time,

Thanks,
Rebecca Bohlander

Living a peaceful life in the Island streets of Morro Bay

Sent from my iPhone



>

> Hi my name is Janine Hooper and my husband and I are homeowners on Pico Street. We have 3 young children and love our safe little neighborhood. It has been proposed to the city of MB, that the old Best Western on Main in North MB, be turned into a state funded rehab facility.

>

> While I agree that these types of facilities are important in a community, I have many concerns.

> First of all, there is a residential neighborhood behind the facility. Pico street and the surrounding streets behind this facility are filled with children. Children that play outside, especially during the pandemic. These kids have bonded and have a safe place to be kids. We, their parents, would not feel safe letting them play like we do now with this facility so close.

>

> Another reason I'm concerned is the facility policy of patients being kicked out if they don't abide by the rules- contributing more to our homeless problem here in MB.

>

> Also, the proposed site is directly across from MBHS. Students walk in front of that facility to get to school.

>

> The proposed site is also on the side of town where the Elementry school is. My 5th and 2nd grader walk/skate to school (when they return in March).

>

> I'm also concerned that we do not have the police and fire staff in town to support the increase in call volume that will occur if this facility is approved.

>

> Please, consider my concerns. These are the concerns of the majority of residents that live in this neighborhood and north Morro Bay. Our children deserve better. Thank you.

>

> Sincerely,

> Janine Hooper



HAVE THE FOLLOWING OBJECTION TO THE PLANNING A REHAB LOCATION IN MORRO BAY.

A TOWN WITH LITTLE RESOURCES FOR PEOPLE WHO HAVE ADDICTION PROBLEMS...FIRE AND POLICE ARE STRETCHED TO THEIR LIMIT WITH NO MONEY FOR THE ADDITIONAL BURDEN OF CALLS THAT WILL BE REQUIRED.

WE HAVE OUR FAIR SHARE OF HOMELESS WANDERING OUR STREETS AND WE DON'T NEED ANY MORE ONCE THEY DECIDE TO LEAVE THE FACILITY.

WE HAVE SEVERAL BARS AND CANNABIS CENTERS THAT CERTAINLY DO NOT HELP A RECOVERING ADDICT.

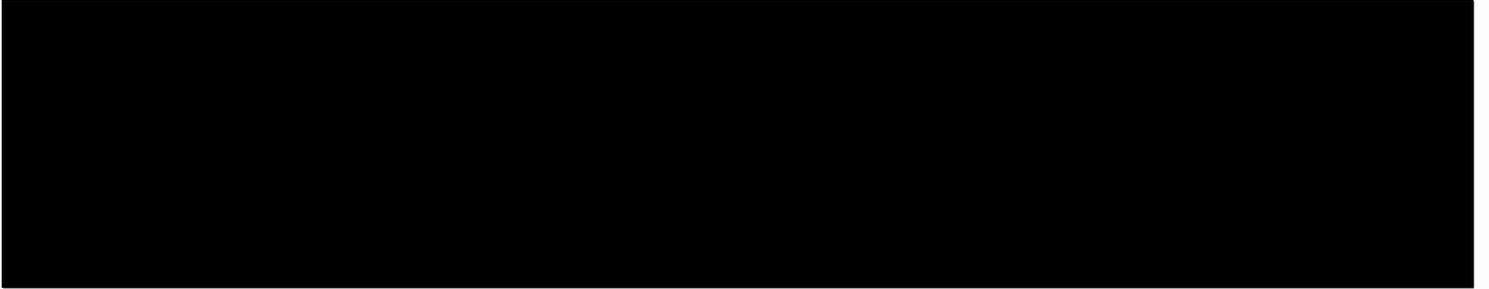
ALONG WITH IT BEING CLOSE TO THE SCHOOLS AND IN NEIGHBORHOODS

IT WILL NOT BRING MUCH NEEDED ADDITIONAL MONEY TO THE CITY ... THE ONLY MONEY WILL BE THE PROPERTY OWNER AND THE FACILITY REPRESENTATIVE.

THE CITY WILL NOT PROFIT, THE HOMEOWNERS SURROUNDING THE FACILITY WILL HAVE POTENTIAL PROBLEMS AND CONCERNS REGARDING SAFETY AND PROPERTY VALUES.

THE CLIENTS OF THE FACILITY WILL NOT HAVE THE IMPORTANT SUPPORTIVE SERVICES NEEDED WHICH CAN BE FOUND IN A CITY LARGER AND MORE CAPABLE AND WITH MORE RESOURCES THAN OURS.

NO...WE DO NOT NEED/WANT! THERE ARE MUCH BETTER ALTERNATIVES ELSEWHERE



Hello Nancy,

I am a homeowner on Elm Ave in Morro Bay.

It has been proposed to the city of MB, that the Roadway Inn hotel, next to the Mayan Restaurant on Main, be turned into a state funded rehab facility. While I agree that these types of facilities are important in a community, I have many concerns. I have 2 young children that will grow up in our public schools and in this neighborhood. Concerns include:

- The proposed site is also on the side of town where the Elementary school is. We have young student walkers and bikers that use the ONLY continuous sidewalk in our neighborhood, right there on Main street, to travel safely.
- The residential neighborhood behind the facility.
- The facility policy of patients being kicked out if they don't abide by the rules- contributing more to our homeless problem here in MB.
- The proposed site is directly across from MBHS. Students walk in front of that facility to get to school.
- We do not have the police and fire staff in town to support the increase in call volume that will occur if this facility is approved.

Please reach out if you like.

All the Best,

Rebecca Frimmer | Entrepreneur in Residence | Kitchen Table Consultants

Helping passionate farmers and food artisans build lasting, profitable, locally-focused businesses.

I'd love to connect. [Here's my calendar link](#) to make finding time easy.



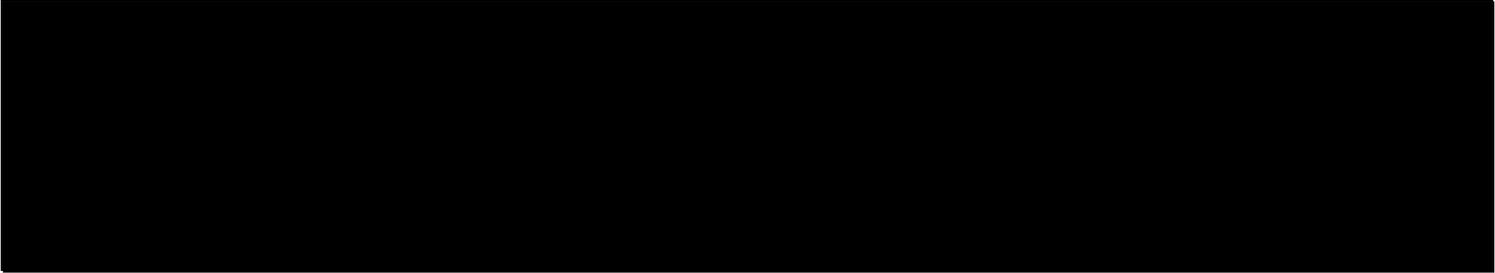
Please provide me exact information on what is proposal for above referenced project. What is exact kind of supportive housing will this be? Who is running this facility, county, state, private or what? I request to be provided with all exact information regarding this project. Also who is funding this project? I'm requesting all information you have.. This is greatly appreciated. Please respond ASAP.

Thank You,

Diane Walling-Roberts



Sent from [Mail](#) for Windows 10



Hello Nancy, this is Eric Dudley, and I own a home on Hemlock Avenue in North Morro Bay

I'm very concerned about the proposed changes on N. Main St., alcohol and drug rehab center. I am sure this will lead to more crime and reduce property values. I am definitely opposed to this project

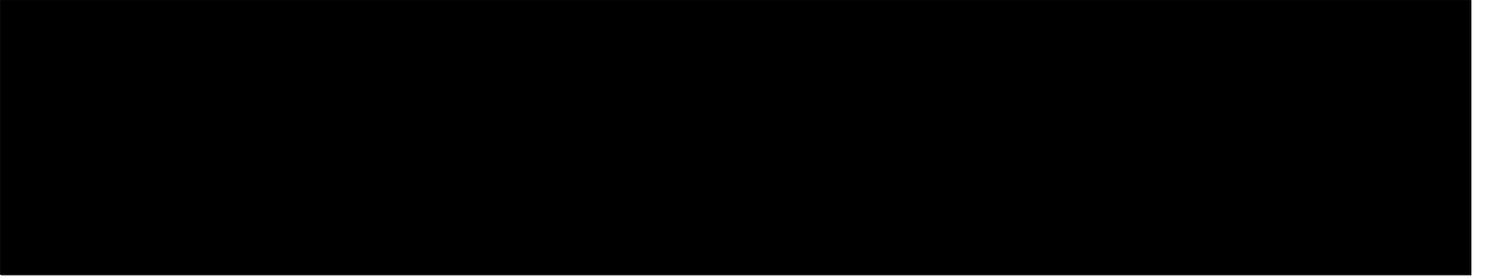
Please voice my views to the planning department and the city Council

I repeat, Eric Dudley property owner, I am supposed to do the proposed project

Please confirm receipt of this email

Thank you, Eric Dudley





I feel like this is not a good fit for the neighborhood. Please reconsider this project.

Sent from my iPhone



To Ms. Hubbard,

Please direct my response regarding the proposed rehabilitation facility to the correct person.

While I believe that more facilities are needed for people who need assistance and care in rehabilitation, the hotel within our neighborhood is not the place. With the location within walking distance to three schools and residential homes is not the best for anyone. Safety should be a priority. The cons outweigh the pros.

I want to keep my children, as well as the community and environment safe. Finding a facility that has less distractions and more assistance (fire department and hospital) should be of great concern for a rehabilitation facility and the people that they hope to provide the best care for.

There are more options out there and I hope that a facility that is in the best interest for the clients is found that will allow them to have the wellness and care they deserve and need.

My stance is that the location proposed is not right for our community.

Thank you,

Blake Gerl

Sent from my iPhone



To whome it may concern,

I have just learned today that a rehabilitation center is proposed to be located on Main Street in N. Morro Bay near my home. This is very concerning and I DO NOT want this in my neighborhood. I am a homeowner and love living in N. Morro Bay. The town of Morro Bay is a family place with children who walk to school many of them right across the direction of this location. There are many families that come to Morro Bay to vacation and I feel that a facility like this will deter families from coming to stay. I also walk my dog along this path and will not feel safe with this sort of facility near my home which is just a block away from the proposed site. I vote NO TO A REHABILITATION FACILITY near my home and in my neighborhood. Please Please Please consider our community and the families who live here this is not good for our community!!

Kirsten Wothe

"The true work of art is but a shadow of the divine perfection"
~Michelangelo~



Dear Ms. Hubbard,

I'm reaching out as I only just found out about the proposed rehabilitation facility at the Rodeway Inn location in North Morro Bay. As I'm sure you've heard from other community members, my first concern is the fact that the general public was not made aware of this until this past week — and for most, it was only due to word-of-mouth. This proposed facility affects all of North Morro Bay — not just those within a particular number of feet from the site. It is literally on Main Street — so, every single one of us that frequents Spencers, goes on walks in our neighborhood, or whose children attend school in the area are impacted.

It is frustrating to read articles that seem to downplay the seriousness of placing this proposed treatment center in North Morro Bay — that it's fine because it's "far from downtown." We are families, we are tax payers and voters, and we are concerned citizens.

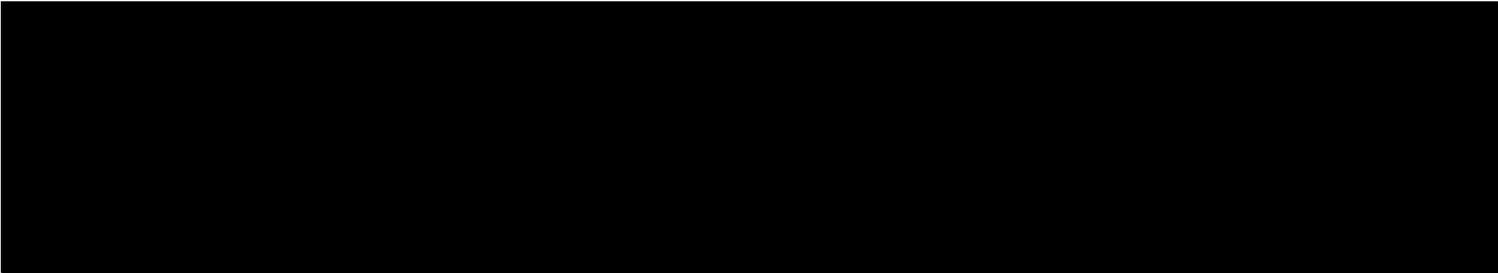
The fact is, Morro Bay has a drug problem. I hope the city has plans to adequately address this issue — not just for residents of a facility, but for all our community members. It's important to provide services to those afflicted by addiction. However, it's my understanding that this facility isn't reserving services solely for Morro Bay residents. And with the facility being voluntary and open 24/7, there are clearly risks associated with its operation. Unless the facility personnel have relationships with local mental health professionals (not the police) to respond to confrontational individuals in the midst of a mental health crisis, I'm afraid for both the safety of those leaving the facility as well as the families living in close vicinity. It's well documented that the City and MBPD do not have the resources, staffing or dedicated professionals (again, not armed officers) to assist this facility should an emergency arise.

The bottom line is, this isn't just a "new business" for the city — it's more serious than that and I would think taking city resident's opinions into consideration would be an important step in this process.

I appreciate your time and hope the city can be more proactive in its outreach with community members moving forward.

Best,
Piper Fedrow

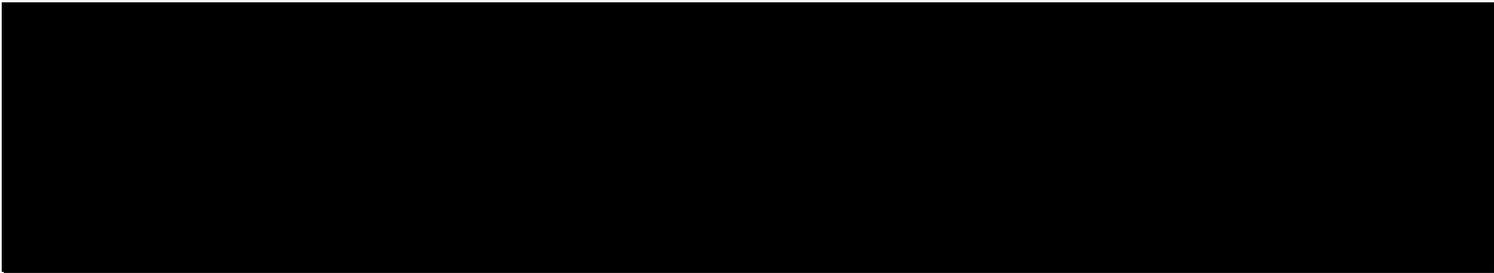
Sent from my iPhone



I am STRONGLY opposed to this facility going forward. I can't believe that the city council thinks that it is a good idea to put this facility near neighborhoods, the high school, an elementary school, a restaurant and a park where multitudes of people, young and old alike, spend time everyday. This is a good idea, a necessary facility but Im sure there are better places in less populated places. I'd like to know the rationale for considering this program. I am wondering what happens to the people who don't "follow the rules" and "cannot stay"? Where do they go and how do they get there? Once they are not welcome at the facility do they just find their own way ? Do they wander the neighborhood? I really don't think this is a good idea.

Sincerely,
Jean Usilton

Sent from my iPad

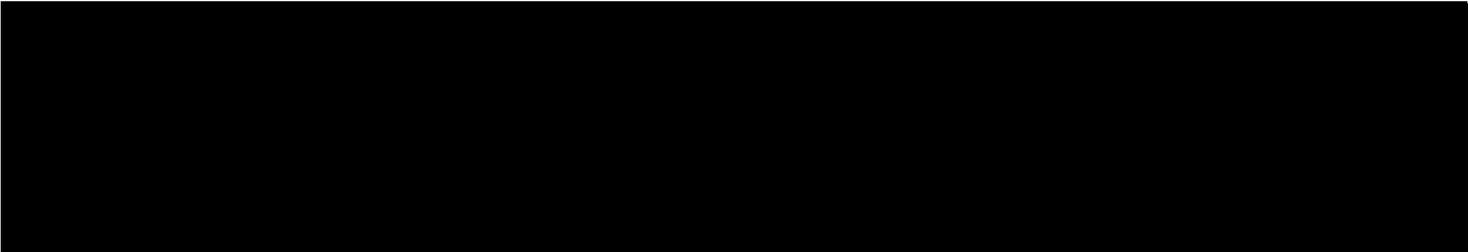


Hello all,

I would like to voice my concern with the location of the proposed rehab facility on Main Street. While I recognize the importance of these facilities, this does not seem like an appropriate location. This is too closed to highly-populated residential neighborhoods and is on a main route for students walking to and from the high school. Please do not move forward with this.

Thanks,

Heather Barbis



To whom it may concern,

I have been a peace officer with the state of California for over 12 years. I am currently assigned to San Luis Obispo in & Santa Barbara County's, and I'm a citizen of the local community.

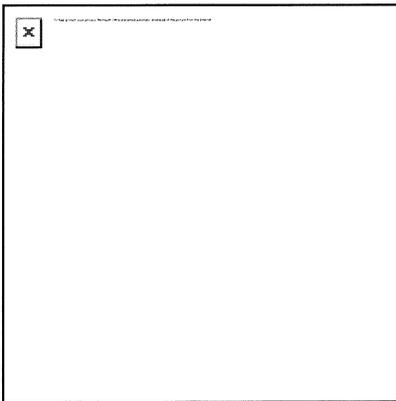
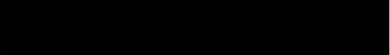
A large portion of the work I do consists of supervising individuals combating substance use disorder. While the type of facilities that are being proposed to be implemented at the Rodeway Inn are needed; the location needs to be thought about and the impact on the surrounding community specifically the close proximity of the facility to an elementary school and family residences with children. Individuals suffering from substance use disorder often engage in criminalistic activity to support their habit these actions are a direct result of their addiction however the repercussions of these actions will be felt by the community as implementation of such a rehabilitative facility will surely result in higher crime rates including theft, property damage, and crimes against individuals. Morro Bay is in town that relies heavily on tourism and although we are in the middle of a Covid pandemic the pandemic will go away and tourism will return. If we implement a rehabilitative facility such as proposed do you not see the negative effects they have a large amount of drug use transient proper damage and other crimes because of the community and the revitalization have to a return to tourism. Morro Bay is a family friendly town hosting large numbers of festivals and events that draw individuals seeking to come to a wholesome environment in which they can spend time at the coast. I enjoy the peace and relatively low crime rate of the area please don't implement this program and destroy this community.

Thank you for your consideration,
Chad Rosenlieb



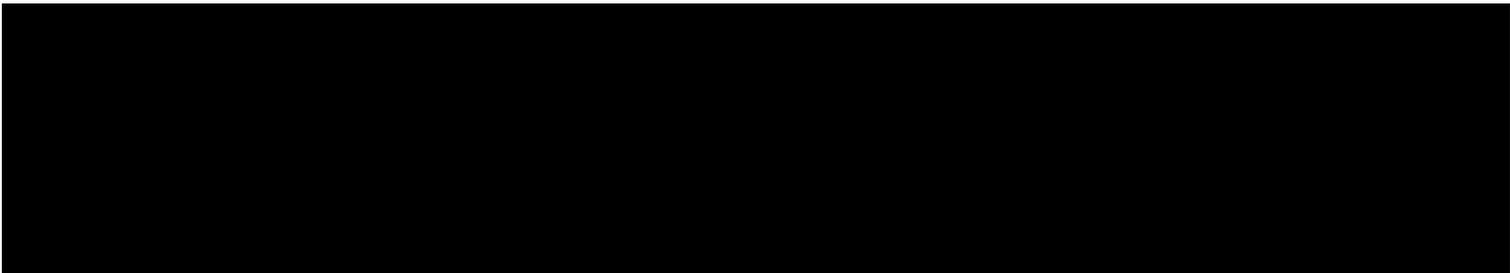
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Chad W. Rosenlieb



Blessed are the peacekeepers for they will be called children of God.

-Matthew 5:9



We write in support of the proposed use of 2460 Main Street as supportive housing.

We followed community conversations on Facebook sites and NextDoor regarding the proposal. Please look at those. Comments are running 5-10 to 1 in favor of the project. Our community, our county, our state and our world need more places for folks to shelter and have a chance to get their lives on track.

We reject the notion that there is more danger in having supportive housing in our neighborhoods than having no plan or support for folks who cannot remain housed. We cannot make community decisions based on unsubstantiated fears. For example, The notion of proximity to schools is fallacious. The high school is adjacent to areas where unsupported, unmanaged alcohol and drug addicted homeless camp daily. The elementary school is over a half mile away and as residents of north Morro Bay we have never seen elementary school-aged children walking there unsupervised. In any case, the supportive housing residents are less of a threat than random transient populations encountered all over the city every single day.

We also reject the notion that the location is inappropriate. If not there, where? The property is on a busy street, in a commercial area, with mostly transient occupancy along a several block stretch and the highway across the street. With the relative size of Morro Bay, there is not a single property anywhere in the city that is not within a block of residences. There are certainly worse places for a facility like this but there are few better.

This is our neighborhood. We walk in the area frequently and drive by at least twice a day. We welcome the facility. We cannot whine about substance abusers and homeless and while turning our backs on a facility trying to address the issues.

Jane & Walter Heath
3020 Beachcomber Drive
Morro Bay

Sent from my iPhone



Hello!

Can you tell me more about the item coming before the City Council next Tuesday regarding a proposed Supportive Housing program slated for 2640 Main Street? Thanks! There is swirling confusion on social media right now, and I think many aren't clear on what exactly will be the focus of the project. As a result, they may be overreacting out of neighborhood impact concerns.

I am a strong advocate for Supportive Housing, as I ran an agency in the SF Bay Area that worked closely with clients in Supportive Housing. I wouldn't see a community risk from having the right type of supportive project at that location. That said, some are saying it is going to be a "rehab" facility (which they are interpreting as those exiting drug and alcohol programs) and an email from Community Development talking about both "Supportive" and "Transitional" housing has further confused the situation.

Might you point me towards any documentation or other helpful information? It would be super helpful for some clarity to the community - and the sooner the better! There seems to be an email chain of sorts where everyone is trying to mount up a campaign to perhaps try to oppose a project that they don't fully understand. Thanks!!

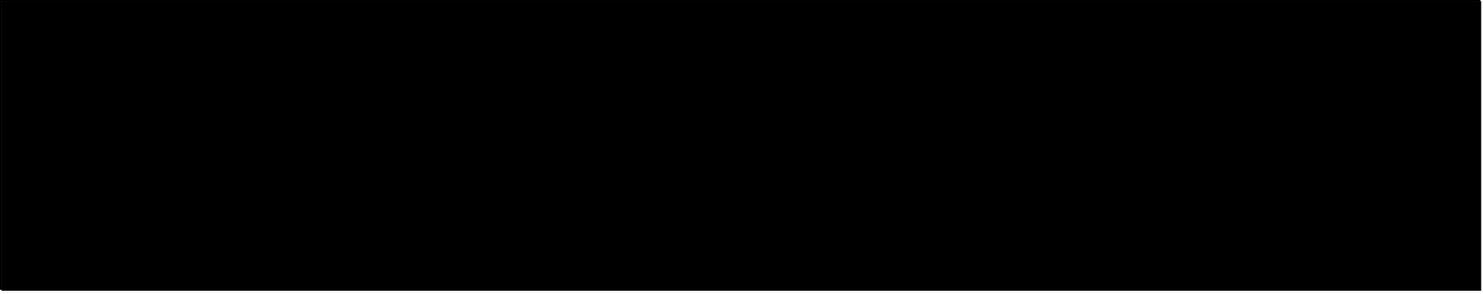
Best regards,

Mary L. Watt



Hello Nancy. I am a long time MB resident with questions concerning the above proposed plan. I have read all supportive documents on the website. There is still nothing clear on exactly what this place will be!!! Is it a Sober Living facility? Is it a medical detox? Is it a Rehabilitation Center? Is it for males, females, or families? Will it be monitored 24/7? How long will they stay? What type of staff will be running the place? Will it house locals, or come from other counties? I read that it will be State Funded, and voluntary, but there is no details. It would be greatly appreciated if this was clarified for us MB residents that have not been given the opportunity of knowing. This is where we live permanently, and brings many concerns to all who live in the neighborhood! If you don't have these answers, would you kindly refer me to someone who does? Thank you, Kim Sheehan

Sent from my Samsung Galaxy , an AT&T LTE smartphone



Good Morning,

I am writing to you in regard to the planned development of the existing Twin Bay Inn and Best Western to be turned into a supportive hotel for drug and alcohol rehabilitation. I live with several feet of the proposed development here on Las Vegas and while I understand the need for program such as this to exist I would also like you to take into consideration other factors which effect our small community and small local businesses. Due to the impact of Covid19 our community has lost million of dollars is revenue to take away another potential site for visitors and decrease the ability to receive tax revenues from their hotel stays goes against the allocation of these revenues and their long term impact for growth and development for the city. 2. In 2020 the city of Morro Bay in the RHNA plan stated and agreement would be made for the city to provide the community with affordable low-income housing for those who live and work in the area. To date the share listed for Morro Bay was set at 391 units, with 97 units to be provided for very low income,60 for lower income and 70 for moderate income levels. This guideline was established buy Health and Safety Codes and regulations for the state-of-California. To date what has been shared with the general public is that 35 units have been provided in agreement by the city to meet this fundamental need. The proposed site at 2460 Main is a large enough site to provide significant housing to those of low income and should be used to meet the prior obligations set forth for the city to meet their Health and Safety requirements prior to providing services for drug and rehabilitation. With Covid 19 the impact has been great and housing instability, increased risk of eviction, and loss of jobs has had a great toll on our city and nation. Please consider providing low income housing to those in greatest need our youth and their families before providing services for other needs. Without housing stability our once beautiful city may find itself in its greatest time of need. Please thoughtfully consider opposing this development and use this area to provide housing to those most desperate in need.

Thank You,
Melissa Ferrer
Concerned Citizen



To Whom It May Concern,

I have gotten some notifications about a hotel in town changing into a recovery center and I think it is a brilliant plan. I hope the plan passes the vote and I truly hope that incorporating a recovery center into our town can help promote awareness and compassion surrounding the epidemic of drug abuse.

I think at this point in America, practically everyone has been impacted by the disease of addiction; either directly or indirectly. I have seen many homeless drug addicts living under bridges in Morro Bay, and although this treatment center may get out of state clients I still think it may help dissolve some of the stigma surrounding the disease of addiction in our city.

I used to struggle with addiction, and due to the help of in-patient treatment as well as living in a sober living, I was able to turn my life around. After beginning my sobriety I went to community college, and recently transferred to Cal Poly to finish a degree in Mathematics.

I saw your email addresses on the 'NextDoor' phone app recruiting people to send emails if they are against passing this plan, and I just wanted to send a message stating how much I support it. I am even hopeful that maybe in the future we could incorporate sober living homes into the area or nearby to help the transition for those seeking recovery.

I hope this message finds you safe and well in these difficult times.

Riley Lane



Nancy,

This proposal is alarming. Speaking to other families that live in MB, most of them do not know about this proposal. I fortunately live in close proximity to have gotten a flyer in the mail about it. This proposal affects more than the residents who live close by. This facility will effect the whole city of Morro Bay.

Have you considered the residential neighborhoods surrounding the proposed site ? Are the participants at the facility background checked for any criminal history?

Do you realize the proposed facility sits directly across the highway from the high school? Many students walk past the proposed site to get to school.

The proposed site is on the same side of town that our Elementry school is on.

Our fire/police department will not be able to support our town and the call volume that will occur from facility such as this.

Why would you allow a rehab center to be put right next to one of the newest housing developments ?

How will this effect the locally owned Mayan restaurant ?

I am rallying everyone I know in the city to speak against this. The location is such a vulnerable spot to our kids, families, businesses and community. This simply cannot pass.

Ashley Smith

Sent from my iPhone



Hello!

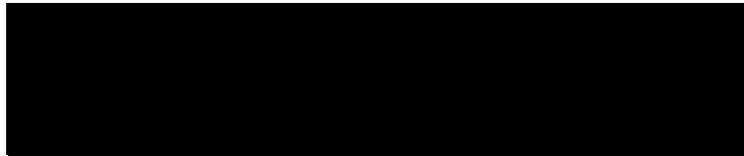
Can you tell me more about the item coming before the City Council next Tuesday regarding a proposed Supportive Housing program slated for 2640 Main Street? Thanks! There is swirling confusion on social media right now, and I think many aren't clear on what exactly will be the focus of the project. As a result, they may be overreacting out of neighborhood impact concerns.

I am a strong advocate for Supportive Housing, as I ran an agency in the SF Bay Area that worked closely with clients in Supportive Housing. I wouldn't see a community risk from having the right type of supportive project at that location. That said, some are saying it is going to be a "rehab" facility (which they are interpreting as those exiting drug and alcohol programs) and an email from Community Development talking about both "Supportive" and "Transitional" housing has further confused the situation.

Might you point me towards any documentation or other helpful information? It would be super helpful for some clarity to the community - and the sooner the better! There seems to be an email chain of sorts where everyone is trying to mount up a campaign to perhaps try to oppose a project that they don't fully understand. Thanks!!

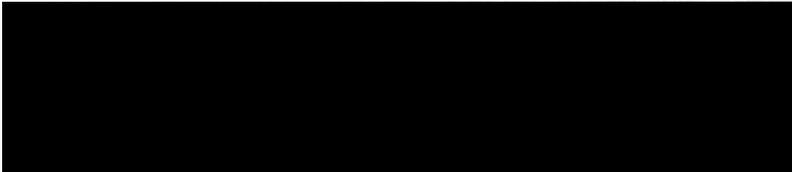
Best regards,

Mary L. Watt



I do not support this housing change.

There are no contained hallways, meeting rooms, dining facilities etc...



Good afternoon Ms. Hubbard

It has come to the attention of us residents in North Morro Bay, and I'm sure the entire city as well, that the City is considering a change of usage for the Best Western, also known as "El Rancho".

I encourage you and the council to ponder very hard about including this type of facility in the area that is proposed. I request due diligence. Take the time and have city wide town hall meetings.

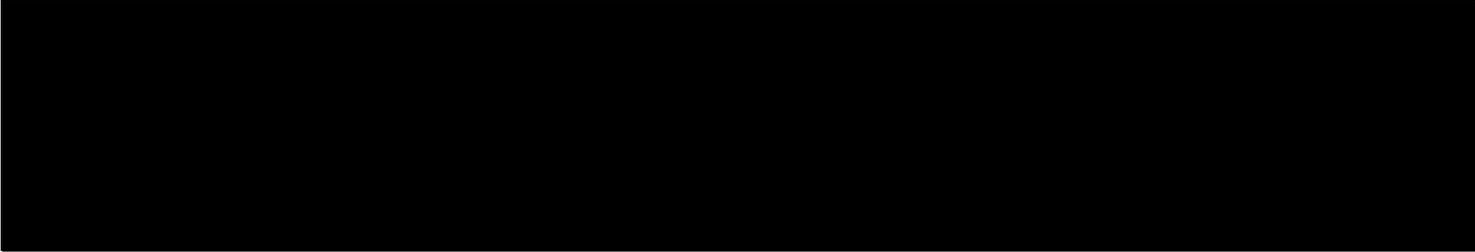
If this is about taxes to the city. The City talks about revenue all the time. Why would we, the city of Morro bay, delete a solid tax base from our coffers? This smells fishy. I would like to know who owns the property? Can you provide that? I'm sure you have knowledge of the title owners and their city of origin. It will be interesting to see who is connected to the property at the local, county or state level. And, what about the Mayan restaurant? Or, is that going down as well?

I could list a myriad of reasons for both sides of the issue, subjective and objective. However, if the State of California is going to run this then that is the main concern. They, the State, will be sending individuals who are not from the area to said facility with no familia support nor housing after the "treatment" is completed. Where will they go? The State will not, nor the county, It will be the city's responsibility. We are already paying a hefty price for a sewer system and poor water quality.

I would encourage, no implore, the council to seriously consider this property usage. This is a bad idea without proper vetting. There is no building for meeting rooms, a dining hall etc.. I could go on, on, on.

Respectfully submitted,

James Keily



Dear City of Morro Bay,

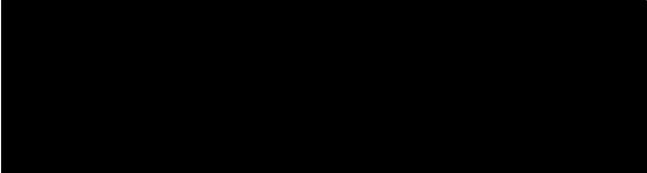
I am a resident of Morro Bay. My father started his optometry practice here back in 1975 when I was just three months old. I grew up in this lovely community, left for a number of years for Texas and Colorado, and returned 17 years ago with my family. We have raised our children here and as you can imagine have a deep sense of community and desire for continued health for our loved ones and neighbors.

I have grave concerns about this rehab facility being proposed for the city of Morro Bay. Basic common sense would make us aware that the location and type of care being provided would be of great harm to our children and contribute to the demise of our community at large. We do not possess the resources to ensure the safety and efficacy of such a proposed program. And until we do, I would strongly suggest that we DO NOT allow this proposal to be passed.

Please consider standing up for our children and the health of our community as you move forward in the decision making process. We need a more comprehensive and logical approach to our homeless situation here on the central coast. I would be happy to help anyone who is interested in problem solving this issue.

Thank you for your consideration,
April Hook





Dear Nancy Hubbard

My name is Matiana McKinley, I have been a Morro Bay resident my whole life, and am now raising my children in our beautiful town. Today I learned from other upset parents that the city is wanting to put a rehab facility in at the Rodeway Inn on Main St! Please, please don't let this happen! As a mother it raises so many concerns of who this will be bringing to our beautiful safe family town. Firstly, Both Del Mar Elementary and Morro Bay High School are only short blocks away! Both school are not gated to stop anyone from being able to roam the campuses! It is also very unsafe for our children that walk to and from school on a daily basis, many of which pass right in front of the Rodeway inn. The parks and bike paths that our children play at(Del Mar Park, Lila Keizer park) could also be affected and become unsafe. Similar to the city park by the bus stop and alcohol anonymous building on Morro Bay Blv, that is known for being a drug spot and homeless hang out! Further more, the residential neighborhoods that are behind and next to the Rodeway Inn will be directly affected by unsavory characters that will be roaming our streets. Many rehab facilities kick these people out for not being able to stick to or follow their housing rules which ends up with them living homeless on the street and brings more crime, drugs and mental illness to our decently safe town. This deeply saddens me for I do believe these people need help but not at the cost of our town and families safety! Lastly our police force is way to small to begin with! If facilities like these are to be brought to our small town the city really needs to beef up our security and bring more officers on to our police force first for the safety and well being of the tax payers that live here. Most importantly the safety of our children that are growing up here should always be first priority!! It is our jobs to protect our community and don't we have a right to feel safe in our own town? I am strongly against a rehab facility being put in such a horrible location and am hoping Morro Bay citizenship well-being will be put first.

Thank you
Matiana McKinley



Hello,

I trust that the city will grant the minor use permit for Twins Bay Inc/DBAMorro Bay Recovery. This is a vital, often life saving service. If addiction has not touched the life of those in opposition, they are indeed fortunate.

Thank you for all you do.



Proposed rehab facility 2460 Main Street

This is really a poor location for this with elementary school and high school nearby. Also it will adversely effect a large residential population nearby. The city did not notify all residents effected by this proposal and it looks like they are trying to ram it thru fast. These facilities toss those that cant pay out in the street and add to the homeless population and it sounds like the applicant has that remedy in mind already. Law Inforcement is already scarce in that end of town, I have not seen a cop on my street in over a year and these type facilities cause problems. The city will be causing blight if this is allowed. It will lower property values around it and our right to enjoy where we live. I heard about this yesterday on Next Door Neighborhood and it looks like the majority of my neighbors dont want this either.

Steve Sharp





Dear Morro Bay City Staff,

I want to start off by thanking each one of you for all the hard work you do for our citizens. I really appreciate it.

I write today regarding the Roadway Inn Hotel being turned into a state funded rehab facility. Let's start with what our city government has stated our goals and objectives are for our community.

"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."

I do not see these goals being achieved by having a rehab center in the heart of north Morro Bay. This borders our local business, neighborhoods and is part of the face of Morro Bay as people drive through our town going north. It is adjacent to the sidewalk for our elementary and high school students when they walk to school. It does not address the shortfall of lodging for tourist or the lack of affordable housing for our local work force. I feel it creates more negativity for our town then anything positive then it can bring.

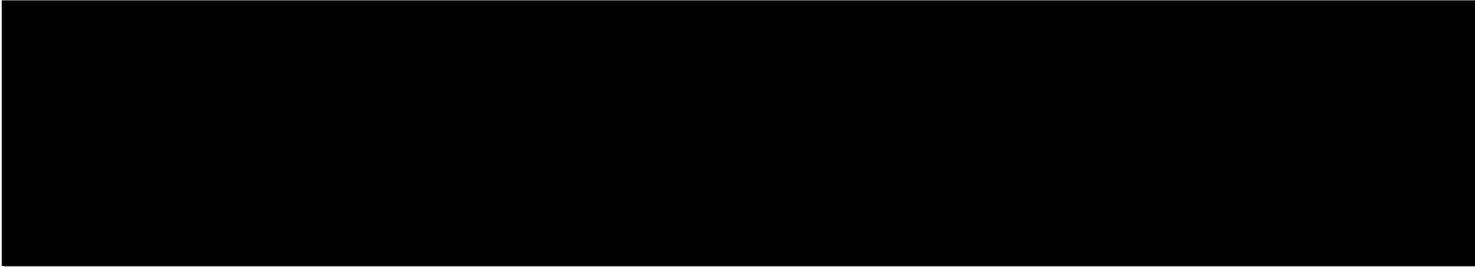
I am not against our town having a facility that helps people trying to recover from what ails them. I am against the location.

Thank you for your time.

Kind Regards,

Cory Paul

Resident and local business owner



This proposal does nothing for the City of Morro Bay, nothing for the citizens of Morro Bay and nothing for the clients of the facility.

With several Cannabis outlets, bars, and homeless wandering our small town and limited Fire and Police resources on a tight and getting tighter budget what are you thinking!

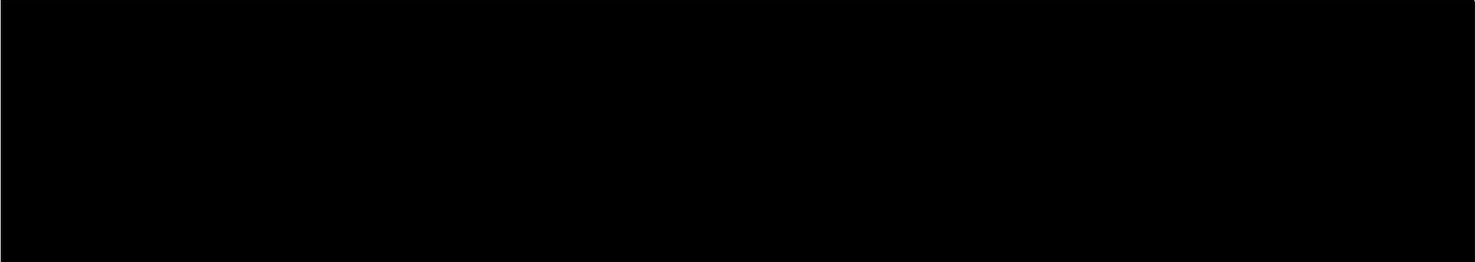
We have no support systems here for them as larger municipalities do. Clinical services are needed for them.

The location is next to brand new homes, in neighborhoods that have children walking to school and on the precious coast where value on property is high and limited. I'm sure the property owner could get a substantial price for that motel.

Do not allow this to become another step in degrading our city at a time when we need to secure an image that will bring the tourist money we need to survive .

Perhaps San Luis County needs to take over our services and our Morro Bay government to better help those that need it. We certainly cannot afford to.

Sent from my iPhone



Hello,

My name is Shawna Robson and my family and I have lived in north Morro Bay for 15 years now. I am sending this email to express my concern regarding the possibility of a state funded rehab center that will be in the location of the Rodeway Inn in North Morro Bay. This concerns me for multiple reasons, but my number one reason is the safety of our children. As I can recognize the need for such a facility, this location is potentially dangerous to the citizens of Morro Bay. Kids walk to school at Del Mar and have to pass this building as well as our high school students getting to school.

I also do not think we have enough police and fire personnel to ensure our safety when patients do not meet the facility requirements and are sent away.

Please help us keep our community safe and refrain from approving a rehab center in a residential area. In the middle of a small town is absolutely not the place for this. Thank you for taking the time to read this email and hear my concerns.

Shawna Robson



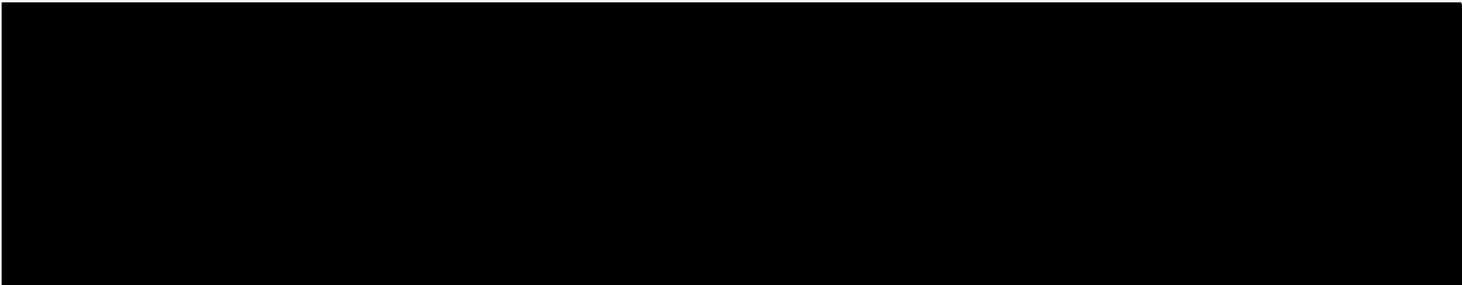
Sent from my iPhone



I strongly protest that location as a rehab center it's in the heart of north Morro bay neighborhoods, on a street used by kids going to school.

Kelly Richardson
Morro bay resident

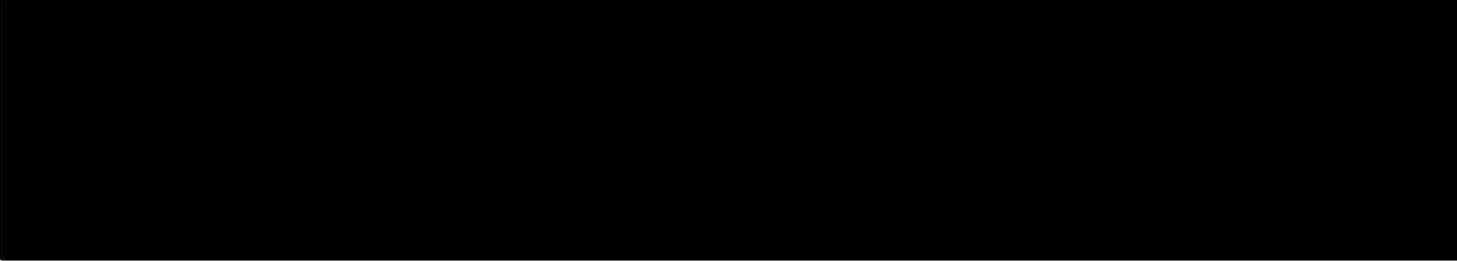
Sent from my iPhone



>
> My family nor my neighbors support the proposed rehab center in North Morro Ba. Please reconsider and think of a better location. Quentana area? Something more industrial & less residential? Thank you!

>
> David Smith

>
> Sent from my iPhone



To the Mayor, to the council members,
For your careful consideration regarding the proposed rehab center:

The impact of our children being in the proposed area of a rehab center on a daily basis is unknown. The children are of all ages from 1st to 12th grade, and they should be your #1 concern. This is YOUR duty to study those facts in all aspects and to listen to your citizens and to think of our City. It is NOT our choice.

It is difficult enough that Morro Bay attracts so many tourists in these many months during a pandemic. We are not even through the pandemic yet!

These are stressful times and it seems our law enforcement already has its hands full with the ongoing concerns of many struggling people here., and more.

We would like a safe City.

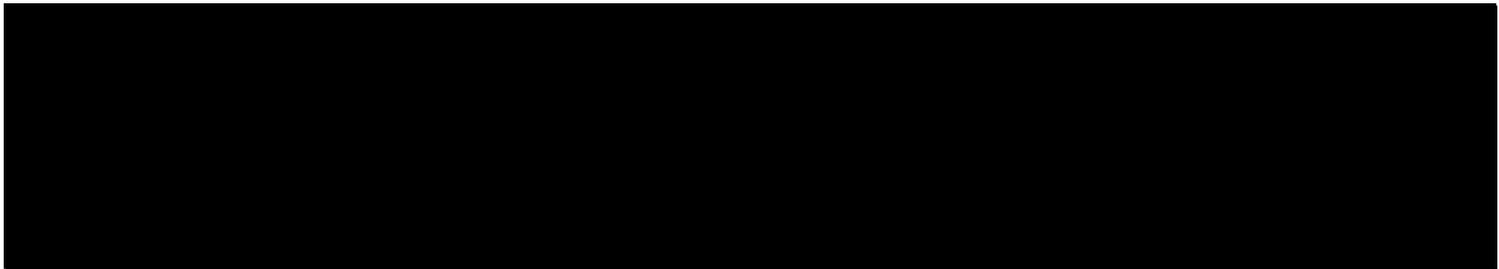
There are other matters, old and new, which should be of more concern to the council.

Let's clean up our act here before we open even more doors to the unknown.

You do not have a winning plan here.

You are not ready and we are not willing, to take on any additional responsibilities or commitments of that type.

Thank you!



To: City of Morro Bay

I am concerned about the potential rehab facility being proposed in north Morro Bay. As long time residents on Orcas Street with two elementary age kids we disagree with utilizing this location for rehab.

We are huge believers that rehab is important for the community but it also must be in locations carefully chosen.

The proposed location in north Morro Bay is too close to both the elementary school and the high school. Our kids walk and bike to school often as the city has encouraged us to do. This is the same for afternoon sports that I help coach. Kids will not be able to participate in sports after school if their families are not comfortable with their kids walking and biking to practices and games at our local schools. Participation will not be possible if there are safety concerns for our children.

Please do not take children's safety away from the residential neighborhood of northern Morro Bay.

A great solution would be to place rehab facilities in commercial districts away from schools. Jobs are more common in these areas and safety is improved for our children.

Thanks for all your hard work to keep our community safe.

Respectfully,

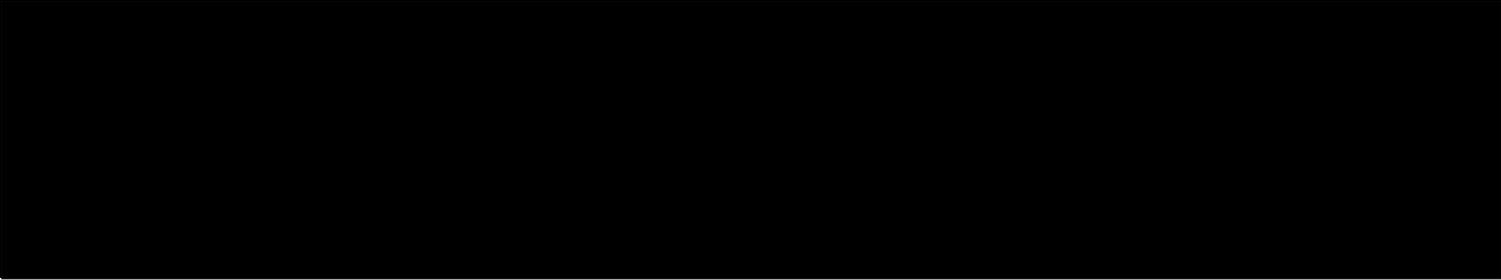
Tim Gailey





I am writing a quick message before heading to Del Mar to teach. Please do not put a rehab facility on Main Street. It's too close to the schools. I am a grateful member of Alanon, and rehab has helped my loved ones. I think another location for this would be okay, but it's tough in a tourist town to find a place I am sure. Please put our children first as you grapple with this challenging issue.

[Sent from Yahoo Mail for iPhone](#)



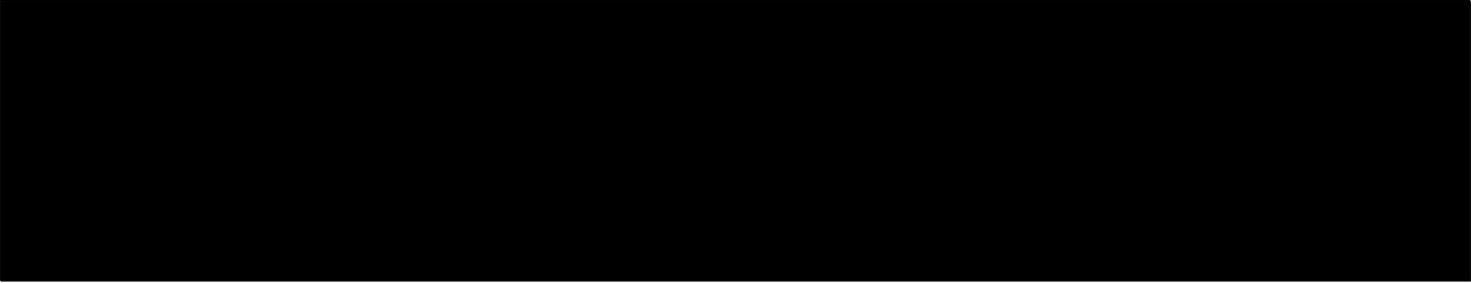
Hi Nancy,

I just became aware of the proposed rehab facility and hope the city will reconsider. As a home owner in north morro bay and a mother of a young child, and a previous victim of abuse, it not only does not benefit our family, it will create an environment of uneasy, unsafe conditions. I understand these facilities are necessary but the location is terrible given that it will potentially be located in a residential neighborhood close to our schools and children. Please, do your due diligence to protect our community, families and especially our children by keeping this center away from our homes.

Thank you,
Depeche Salcedo

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Depeche Salcedo

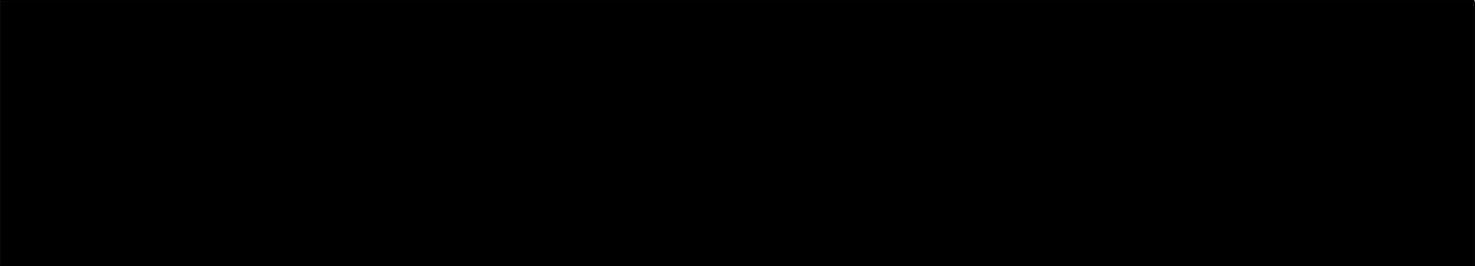



Hello Nancy,

I agree the rehabilitation is a necessary thing for this community but NOT in a neighborhood. I live two streets over and have three children under ten years old who play daily on the street with the neighborhood kids. If this facility goes in I guarantee the kids will not be playing outside and lose an important part of their childhood. There are a lot of unhappy families and residents about this drug and alcohol rehab in this location. We will fight back!

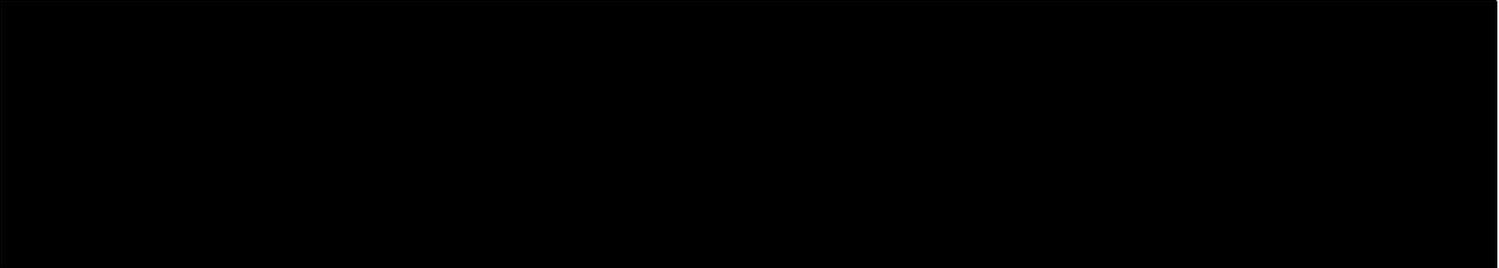
Erin Voerman

Sent from my iPhone



Hello,

I am a morro bay resident that wanted to voice my disapproval and dissatisfaction with the proposed rehab facility coming to morro bay. The community should have access to much more information prior to such a facility moving forward into our community in a residential area.

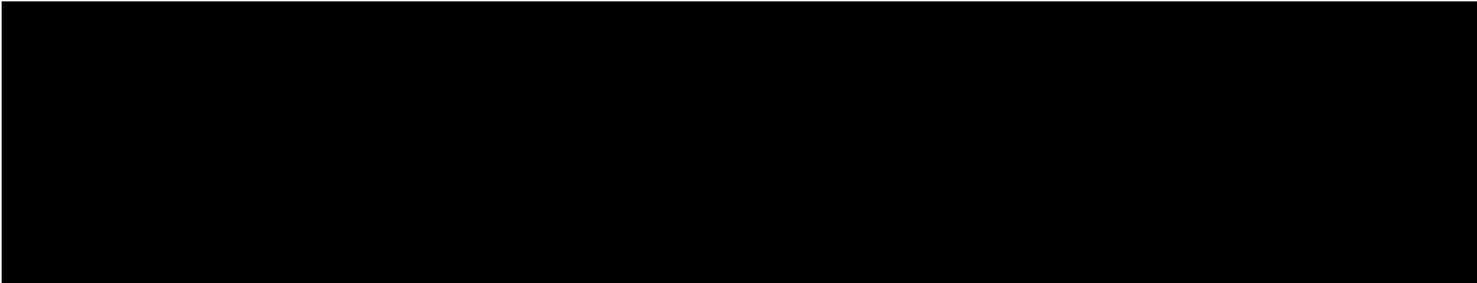


To whom it may concern.

This proposed facility is not well thought out. You let know one know this was happening with advance notice and the first anyone knew about it was two days ago with today being the last day to have any comments made. I'm sorry the owner of the motel has had a bad year but not at the expense of all us locals that live near by with children. I work for a local Resturant that has been hit hard but you don't see us opening up a rehab center. Please rethink this and give Morro Bay residents a chance to have a voice. I'll bet if you wanted to put it in downtown MB there would be plenty of voices being heard. North MB does not want this!

Candace Whitsett

Sent from my iPhone



Hello,

I just heard news about a proposal to turn a hotel on N.Main Street into a rehab facility. I understand that such a facility is desperately needed on the Central Coast and could be a big help to those suffering with addiction. Can you please share details of the proposal with me? I'm interested to know such things as:

How many beds?

How long for in patient care?

Placement after completion of program?

Assurances that people kicked out for non-compliance won't end up being homeless on our streets?

Thank you for your time and assistance,

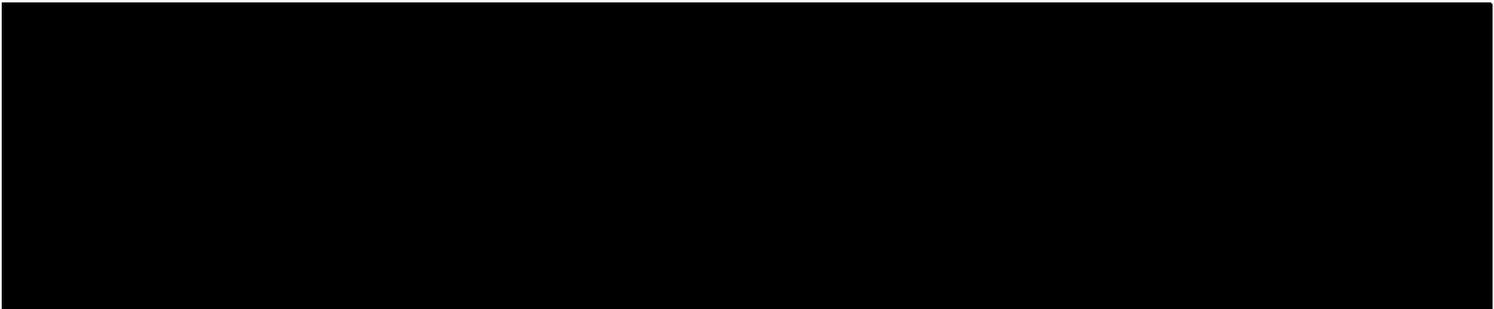
Nicole Dorfman

Morro Bay resident

Nicole Dorfman

Dorfman Kinesiology

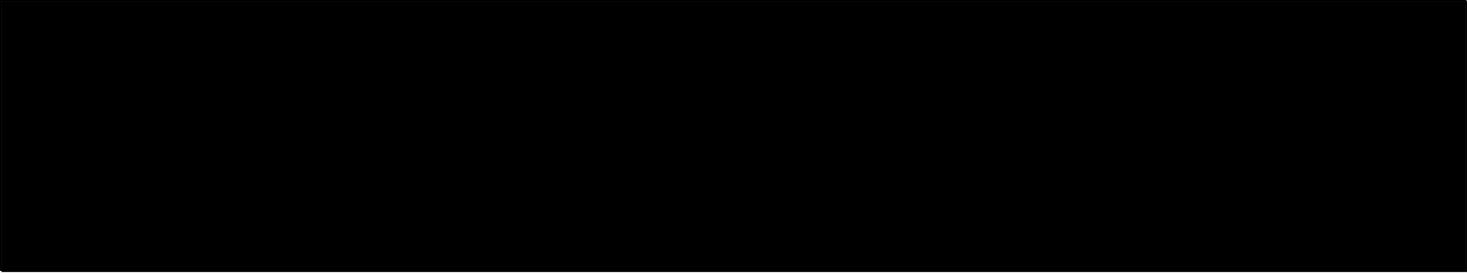




Hello Scott and Nancy,

I am reaching out to you as a very concerned citizen of Morro Bay. I am a father of 4 in town and an active member in our community, also a firefighter in Santa Barbara. Scott you know me well as I and Tim Daley, coached our sons basketball team last year. I am very concerned about the city possibly approving this drug and alcohol rehabilitation facility on Main St.

I have a lot of reasons for this, first I live within 700' of the proposed location. I really would have appreciated more of a notice and opportunity to comment on this issue. I am concerned about the amount of possible occupancy. If there are 27 rooms and 2 people a room that's about 60 people at a time. If they are in a 60 day program that would be approximately 720 people a year. If some people do not finish the program and they refill their slot, those numbers could be higher. If some occupants leave or are kicked out where will these people go? As a firefighter for the city of Santa Barbara this is a big issue for our department and the city of Santa Barbara. A lot of times if these people leave these facilities and have nowhere to go they end up on our streets. This drastically changes the dynamics of a city, it causes many problems. I believe people who battle drug and alcohol addiction should get help and as many chances as they need to succeed. But a facility of this size compared to the size of our city would have drastic consequences. The location being right in the middle of North Morro Bay near residential neighborhoods and schools and restaurants is also a problem. Some people in these programs have had difficult lives and complex issues. The proximity of this facility this close to our High School is a huge concern. If they do not have background checks the possibility for a prior sex offender to be in the facility is a real possibility. According to Megans Law, no sex offender can reside within 2,000' of a school. The High School as a crow flies, is within this limit. I believe as the planning committee, it is well within your rights to vote no on this sight based on that law alone. Megans Law should and would in my opinion, override the state laws requiring this approval. I absolutely believe the city would be well within our rights, to deny for this reason and it would stand up in court. Think of the liability this city and planning committee would be putting yourselves in. If just one time something happened at the high school possibility during a night football game when crowds are large, bad things could happen. It would change everyones lives immediately, is this really worth the risk? Please listen to the citizens of this town and vote no or at the very least postpone the vote till more people have had the opportunity to voice their opinions. I also believe the towns adjacent to us should have a say in this as well, as their children all come to our High School. Another problem I foresee is how many other Hotels in town will opt. to do this type of facility as well. These could be drastic to our tourism and Hotel tax revenue. If our Hotels quit having guests will we lose money on the Hotel tax revenue. These issues absolutely should be above a state law written by people who have no connection to our quiet little town, especially Megans Law. I urge you to listen to your tax paying citizens who support you and this town. Please vote in our best interest. Not the business owner who does not live here and state law makers, who do not understand the drastic consequences that this large of a facility would have on our town. I know there is a large amount of Morro Bay citizens that are in great opposition to this facility and the word is just getting out. We have only had about a week to learn of this proposal, while it has sat in the hands of the committee since December of 2020. Just think about the opposition that will grow when the whole town and adjoining towns learn of this proposal. Thank you for reading this and listening to our concerns Sincerely Tyler Smith



I see the deadline for public comment is tomorrow, the 20th. How do things that potentially have impact on our city get past all of us?

I live near Main and Highway 41 but was not notified via yellow postcard of this proposal. Is there a way of finding out why not?

Personally, I would like to see this type of project in a less public location. Perhaps off the main street and farther from the schools.

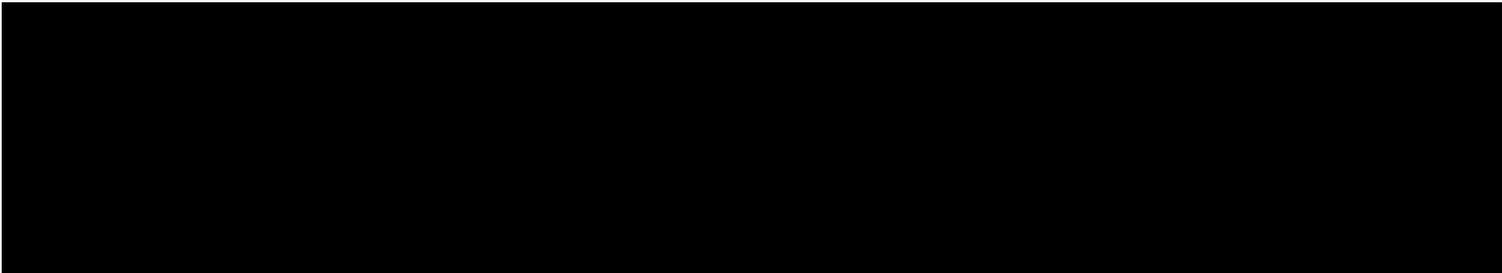
Phyllis Frey
Morro Bay



Hello,

I am a resident of Morro Bay and I am writing to let you know that I am opposed to the rehabilitation facility being in our community. We have a child that plays at the park near that area and would be concerned about the safety and well being of children in our community with such a facility so close by. This is very unfortunate to hear that in such a potentially beautiful community, this is the route the city may choose to go. I understand it is not a city initiated project, but the city can choose to stop it. We are very disappointed that this is the direction the city of Morro Bay is going. Thank you for your consideration to stop this from being approved.

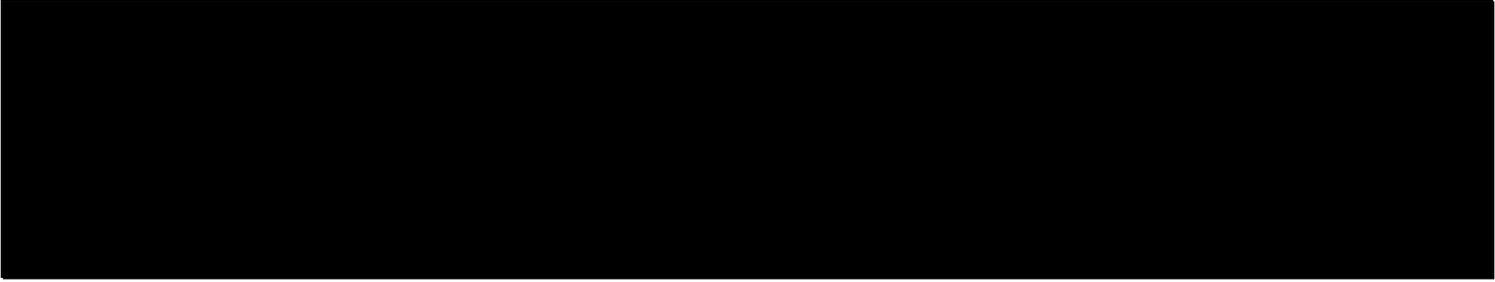
Sent via the Samsung Galaxy Note8, an AT&T 5G Evolution capable smartphone



As a longtime resident of Morro Bay (initially since 1968), I am commenting in opposition to the proposed rehab facility on Main St at the Best Western site. While such a facility may indeed be needed, this is not the location. I question the decision making of anyone who would entertain such a thing actually, considering the proximity to both MBHS and to Del Mar elementary school. Perhaps an industrial area, or maybe a more rural area, but what kind of bad planning idea is it to try to put it in front of a residential neighborhood, across the street from the high school, in the direct path of children to and from school and in really a prime beach access location? I do not approve.

Sincerely,
Robin Landrum

Sent from my iPhone



The property located at 2460 Main St. Morro Bay, CA. is a extremely poor location for a rehab development It is too close to Morro Bay High School . Approximately 1 1/2 blocks away, The parking is extremely poor and rehab property does not need a ocean view. The Costal Commission has been notified of the plans for this property. I am definitely against the plans for this request.

Fred Wilson 805-772-5328



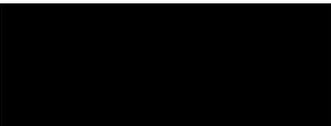
Hello,

It is with great concern that I send this email. My family just found out that the city is thinking of putting a rehab facility at the site of the Rodeway Inn on North Main St. We have a son that will have to walk in front of this place in order to get to and from school, and we feel it is a huge safety concern. This is literally the worst place you could put a rehab facility, right in the middle of the 2 only schools in Morro Bay, Del Mar Elementary and Morro Bay High School. Not to mention that the area right behind it is a residential area. As is, we have recently seen an increase in vandalism and theft cases, and when brought to the attention of the MB police department, we have been told that our city does not have enough officers to respond to all of the complaints. All of our neighbors we have spoken to about this agree that we cannot have a place like this in our small family community, especially in that particular area.

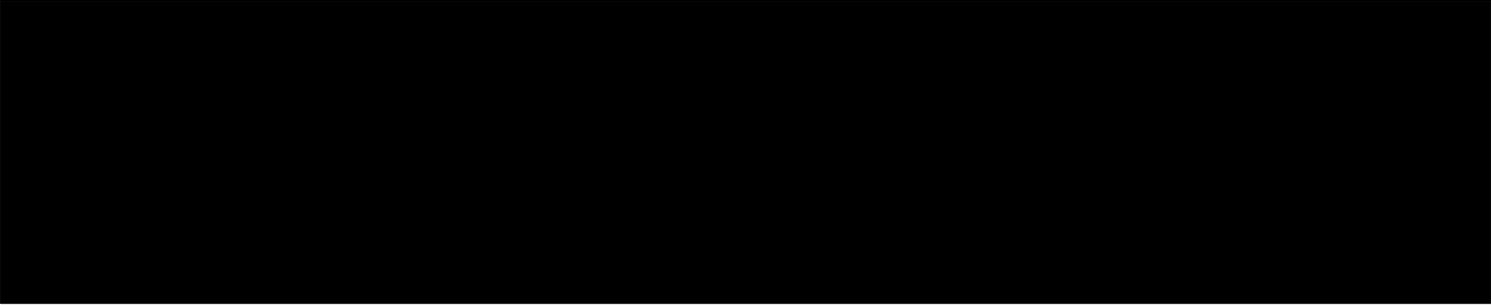
That is why we are writing to ask that you all emphatically turn this proposal down. We cannot afford to have even one incident happen where anyone, especially a child, be put at risk, be hurt, or God forbid, anything worse happen.

Thank you,

Claudia Cadena



Sent from my iPhone



Good afternoon Ms. Hubbard

It has come to the attention of us residents in North Morro Bay, and I'm sure the entire city as well, that the City is considering a change of usage for the Best Western, also known as "El Rancho".

I encourage you and the council to ponder very hard about including this type of facility in the area that is proposed. I request due diligence. Take the time and have city wide town hall meetings.

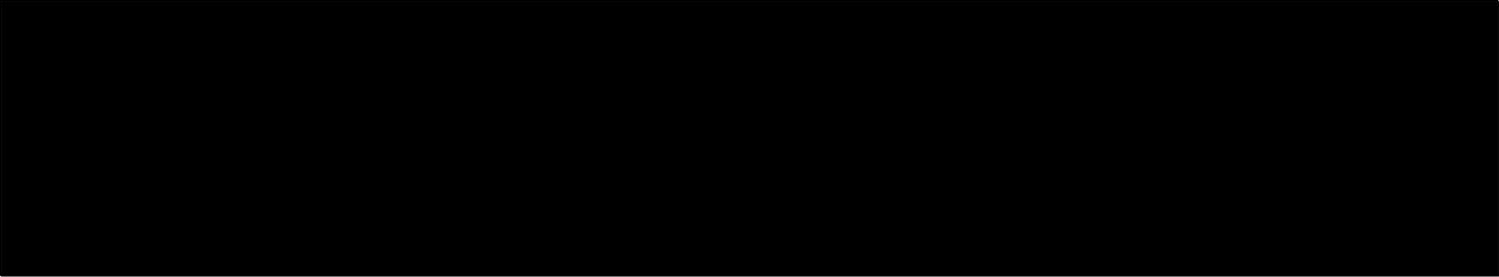
If this is about taxes to the city. The City talks about revenue all the time. Why would we, the city of Morro bay, delete a solid tax base from our coffers? This smells fishy. I would like to know who owns the property? Can you provide that? I'm sure you have knowledge of the title owners and their city of origin. It will be interesting to see who is connected to the property at the local, county or state level. And, what about the Mayan restaurant? Or, is that going down as well?

I could list a myriad of reasons for both sides of the issue, subjective and objective. However, if the State of California is going to run this then that is the main concern. They, the State, will be sending individuals who are not from the area to said facility with no familia support nor housing after the "treatment" is completed. Where will they go? The State will not, nor the county, It will be the city's responsibility. We are already paying a hefty price for a sewer system and poor water quality.

I would encourage, no implore, the council to seriously consider this property usage. This is a bad idea without proper vetting. There is no building for meeting rooms, a dining hall etc.. I could go on, on, on.

Respectfully submitted,

James Keily



I am a single senior who lives on Las Vegas street and am very unnerved by the idea of the proposed change to the Rodeway Inn. This area has many young children and seniors.

Sent from my iPhone



Hello,

Just saw on this on KSBY last nite.

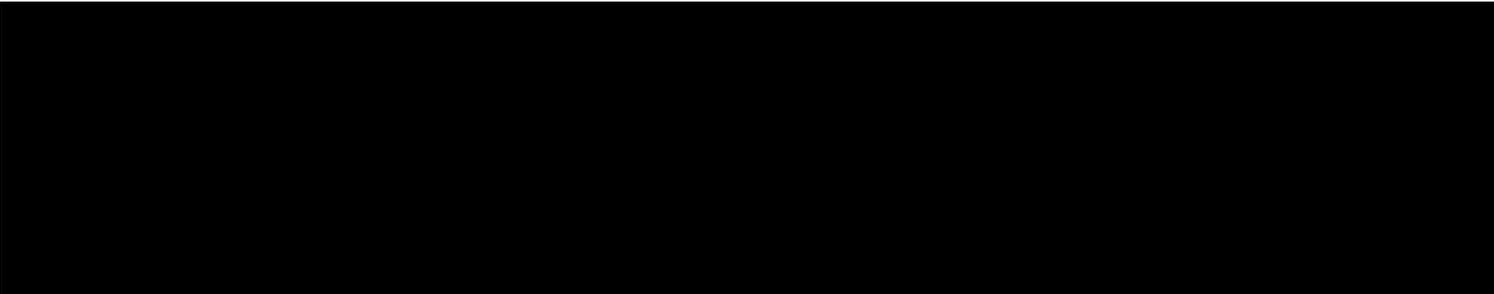
No postcard in mailbox, like my neighbor received in Dec 2020. Not happy about this. Not a good idea. Find another place for those mentally challenged, drug addicted people.

I'm sure you can find some other property for that. I have experience with this. It's not fun. In fact I'm still dealing with it. 10 years of drug addiction and everything that comes with it. My husband & I moved here 35 years ago. We don't want this in our neighborhood. Not a great job of informing the neighbors in advance on your. And I'm sure they won't be happy once they hear about this bad idea.

Keep Morro Bay wonderful, no druggies in our neighborhood. No !No! No!!!

Rose Paslay

Sent from my iPhone



Hi Nancy,

I wanted to follow up on my earlier email to ensure this permit gets denied because of the location for this type of facility is not the right fit for Morro Bay. I assumed this was going in front of the City Council, but this sounds like it isn't, which is very alarming. The hotel located at 2460 Main Street (formerly the Twin Bay Inn and Best Western) that is trying to become a state-funded drug and alcohol rehabilitation facility is not an appropriate location in our town. I can not believe such little communication has been brought to community members and surrounding businesses. I understand that you are only required to notify certain residents within an immediate vicinity; however, this sort of facility has a far reaching effect on way more in the community than just those. Honestly, shame on our Community Development Department.

This location is very close to our high school and also not far from our elementary school. All the kids from the adjacent neighborhood walking to the high school will have to go right past this facility.

It is my understanding that the owner of this site is an out-of-towner with no ties to our community. Other local hoteliers don't even know who they are. "Some outfit from LA, I think" were the exact words when I inquired. It is unsettling that someone with no ties to our community can make this sort of facility open on our Main Street, literally.

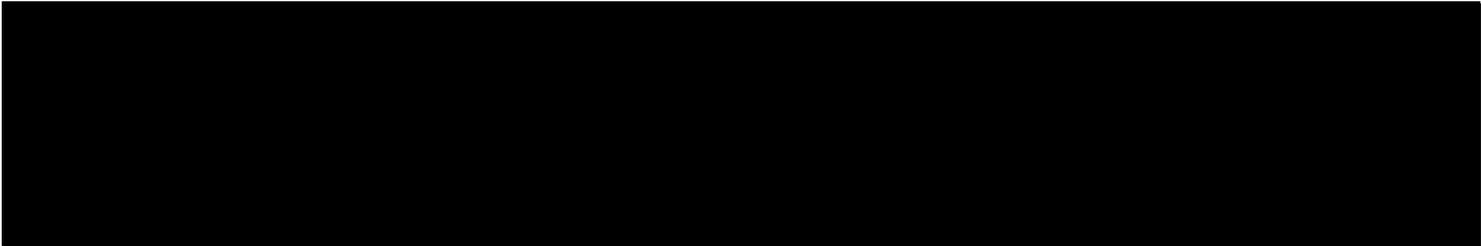
I understand the importance of this sort of facility. However, there are various other locations that would seem to make more sense. Somewhere less prominent. Somewhere that isn't so close to two schools. Somewhere that isn't adjacent to such a large residential neighborhood. The list goes on. Honestly, the location is awful, but there will also be a higher demand on our City's police department, so it will become a financial burden to the City and residents.

Because this affects neighbors, school children and their parents, residents (ie. tax payers) and our police department, I'm surprised this sort of decision doesn't go in front of our elected City Council and have better transparency with the community.

Please do whatever you can to stop this permit from moving forward. This type of community development needs to be located farther away from schools at a different location.

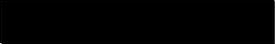
Thanks,

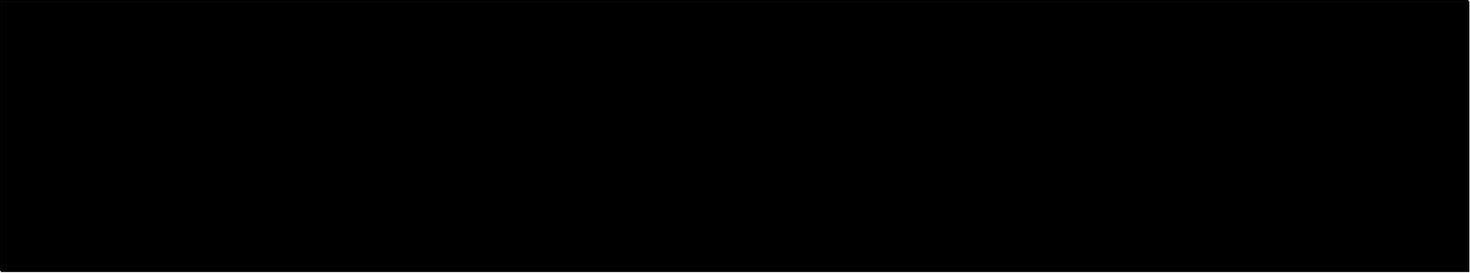
Heather Barbis



I oppose the placement of a rehabilitation facility at the old Best Motel motel. The city does not have the police or fire staff to support the increase in call volume. It is too close to schools. Also there are many elderly people in this neighborhood many of them widows who are easily victimized. It will also impact tourism in this part of town as the motel sits right on Main Street.

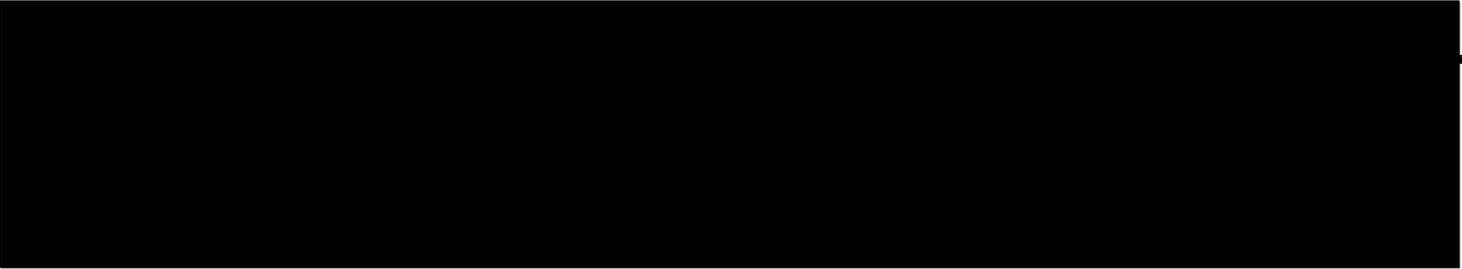
Deborah Cedar





Ma'am, while I can appreciate the need for these locations, in a neighborhood with schools and businesses would be a horrible idea. I get you want to keep these away from tourists but this would create absolute blight in a neighborhood and community. These locations have so little to no control over their residents, allowing them to come and go, creating a crime and homelessness problem in the community. These places only care about money and don't provide proper controls for public safety. This facility cannot come to North Morro Bay. The crime and victimization of the residents will increase with a facility such as this in the neighborhood. What research has been done? With Prop 47, 57, AB 109, these have only allowed more criminals to be out. There is no mandated rehabilitation and this is a horrible plan and location. Thank you for your time,
Katarina Thomas

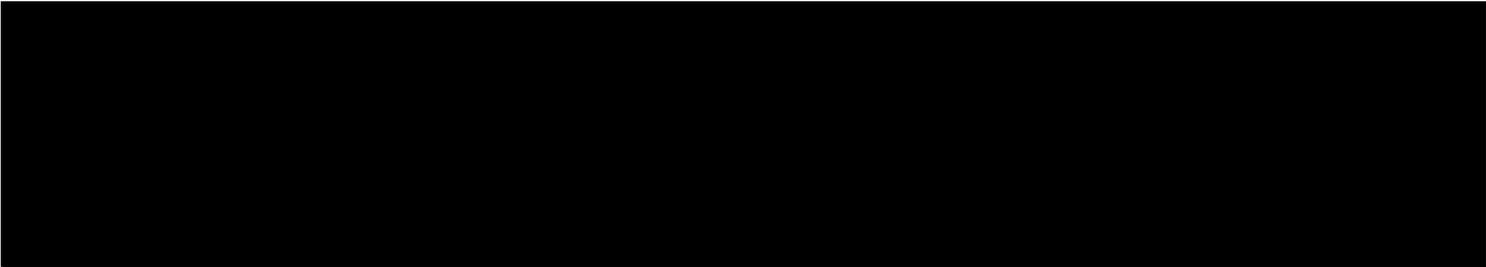
Sent from my iPhone



Dear Ms. Hubbard,

We have just heard of plans to turn the Roadway into a halfway house. This is a slippery slope. A halfway house will make this city a sanctuary to homelessness and criminals more than it already is. As a resident I am close to this decision for the future of our city. A halfway house will lead to a methadone clinic which may bring revenue but will destroy our city as we know it. Also the revenue it generates will not cover the cost of extra needed police officers that we will have. There are many other projects we could be considering such as flipos as a skating rink to make a positive revenue stream. Or building more camping sites for tourism. A halfway house is not the way to go and as a resident I am against it. I will be at the meeting to support those that are against this project. Thank you.

Sent from my iPhone



Dear Nancy & Scott:

Please accept this letter as my opposition for the Rodeway Inn to be turned into a Drug and Alcohol Rehab Center. I feel this is not an appropriate location and would ask that you not move forward with this proposal.

As a frequent customer of Maya Restaurant, this would not only damage their reputation but cause undue harm for their business. The COVID-19 Pandemic has already wrought unimaginable financial damage to this establishment. Furthermore, if allowed to be put in this location, The Rehab Center would create a sense of insecurity and hesitancy for patrons and families, such as myself.

I would ask that other locations, within the County of San Luis Obispo that would be more suitable, be pursued for this type of Center.

Thank you for your consideration in not moving forward with this matter.

Sincerely,

Donnie L. Clark

(Mrs.) Donnie L. Clark
Morro Bay Resident





Good evening council members,

As a current member of the community I am opposed to the conversion of this hotel as noted above. I do not understand how such a radical change can be made to the use of an existing facility without holding a public hearing. The citizens of this community deserve the right to express their thoughts and opinions at a public hearing prior to this being approved.

Thank you.

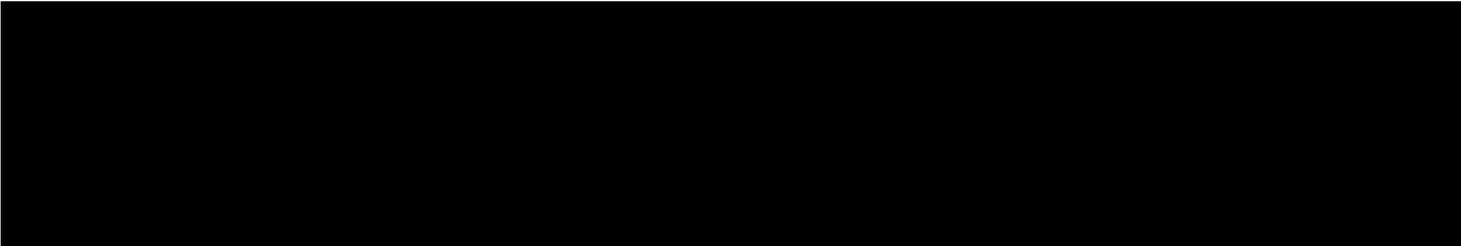
Patrick Teter



Hello Nancy,

As a concerned citizen of Morro Bay and a mother of two young children in the neighborhood, I am against the idea to have a rehab facility at the current Roadway Inn on Main Street in Morro Bay. Morro Bay has enough crime and criminal activity without adding more desperate people to the mix. Thank you so much for your consideration,

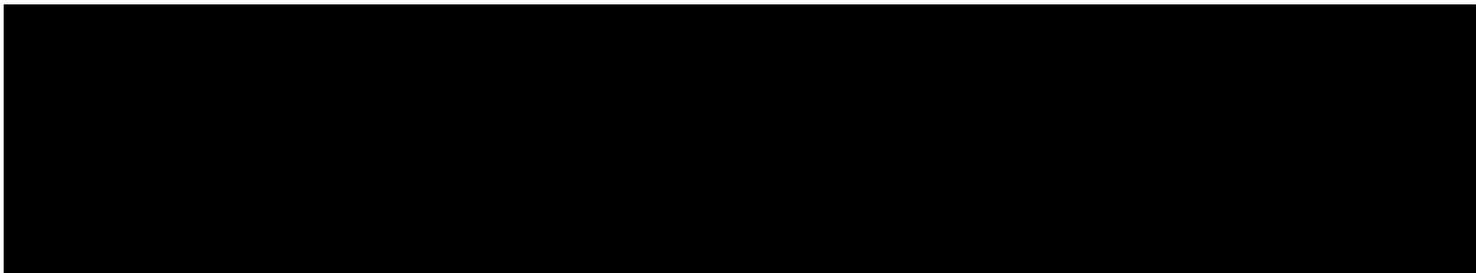
Jillian Parks



Dear Nancy,

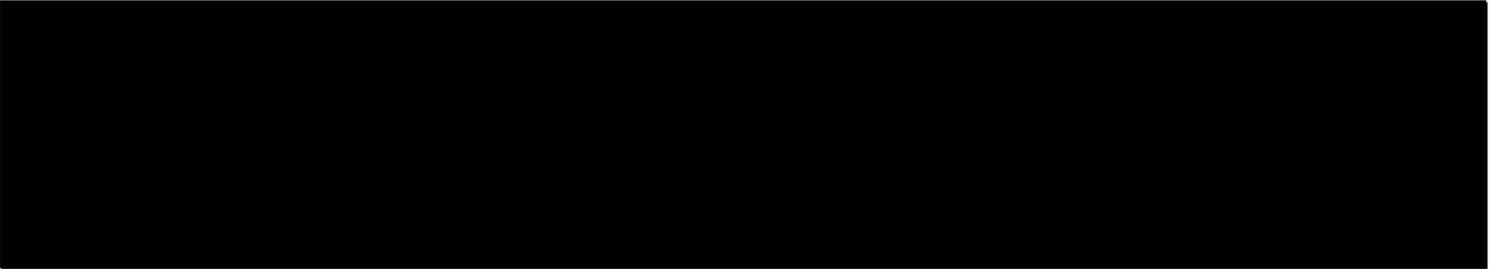
Questions about the Rehab at the Rodeway Inn. Will there be sex offenders staying there? Will there be a staff person on sight at all times? I thought we needed motels to serve our visitors.

Jean Dueck



I'm writing to object to the motel becoming a drug and alcohol rehab center. The card sent out by the city was very misleading.

Sent from [Mail](#) for Windows 10



Ms. Hubbard,

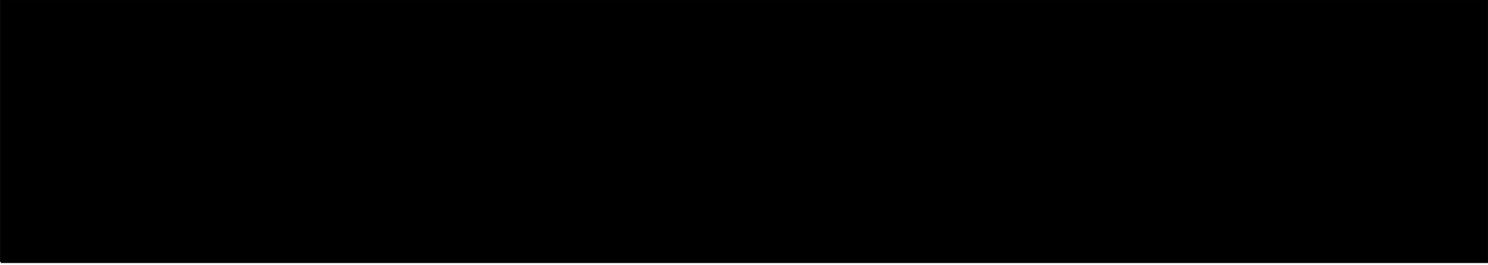
My name is Tom Keating and I live on Bonita Street. Today I received a note that the City of Morro Bay is proposing to turn the Rodeway Inn at 2460 Main St., into a drug and alcohol rehab center. This is the first time I have heard of this. Why wasn't there any notice? As I live in very close proximity to the Rodeway Inn and I walk past it for my exercise I have not seen any notice.

This is to notify you that I am **STRONGLY OPPOSED** to changing the Rodeway Inn to a drug and alcohol treatment center. My opposition is that the surrounding neighborhood has many children as residents. Also during my employment I have dealt with many users of drugs and alcohol and seen the problems the users cause the general population.

In my opinion a rehab center of this sort would be better located in an industrial part of the city where a vacant building is located or on Quintana Road between Morro Bay Blvd and South Bay Blvd., perhaps near the marijuana dispensary.

Thank you.

Tom Keating



To whom it may concern:

I'd like to address the proposed state funded rehabilitation center and it's possible new place in Morro Bay.

I have several friends who are parents who are extremely concerned about the proposed spot it would be inhabiting in Morro Bay. I am also a parent, with the same concerns. I live very close to this area. So do my friends and many others with young children in our little part of the neighborhood.

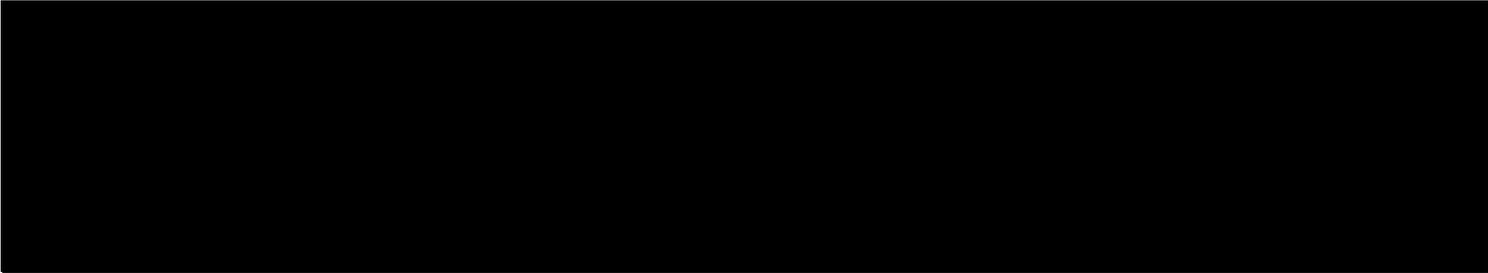
I understand the need for addiction rehabilitation centers. My heart goes out to people struggling with these issues. I don't deny the importance of this center. I know how important they are, for many they are a lifeline, a last resort, a last hope. I don't want to come off as judgemental, or disgusted with the idea of these people being near my home or children. I simply believe there is a better place for such a center. In the middle of a small family town is not the right place. I feel there are and will be other options that can be looked at.

There are many variables to consider, and some of those include a risk to our community, our feeling of safety, and our children's safety. I say this because every struggling addict is different, and there are some who can be erratic, angry, and prone to outbursts and other mental episodes. This isn't the addicts fault- it's a disease- but this is the reality of this disease and that is what seriously needs to be considered.

Thank you for your time and I hope that our community is heard in regards to this matter. I hope there can be consideration for this center to find a great place in an area that can benefit everyone who may be affected by it.

Many Thanks,
Danelle Haugen

Sent from my iPhone



Hello,

I am emailing regarding the proposed plan for a state funded rehab facility at the Rodeway Inn Hotel in Morro Bay. I have some concerns for this choice of a location and am not sure how it ever got approved.

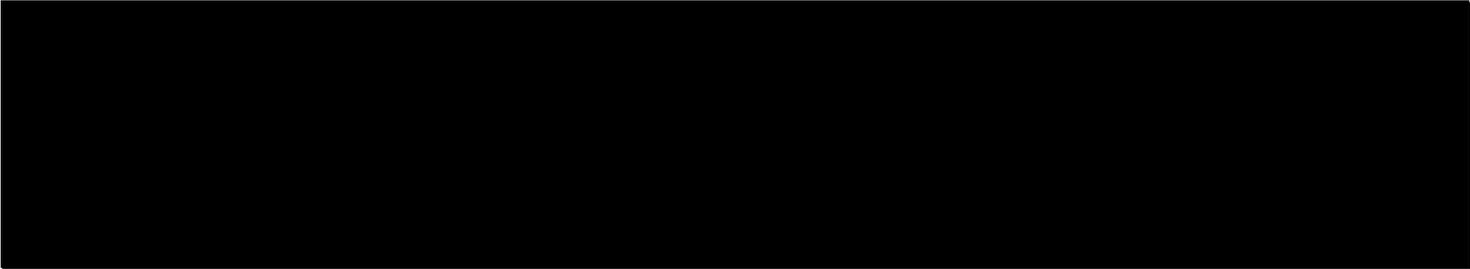
This is located right on main street in between TWO schools. Del mar elementary and the other Morro bay high school. Kids walk to and from school daily. Maybe it hasn't been noticed as much because of virtual learning this past year, but kids will eventually be going back to in person school and some will be walking right by it. When school is in person high school aged children (I have a son that is a freshman at Morro bay high school) walk to places to get lunch and take a break. Others go hang out after school at the skatepark and other places nearby. Having this rehab this close to where teens are hanging out is not good.

This planned facility is located right by family neighborhoods and would not be a wise choice. While it may seem a good idea now, it may become a growing concern to many Morro Bay residents in the near future.

Please not this location! Do not let this facility open at the Rodeway Inn Hotel!

Natalie Penney

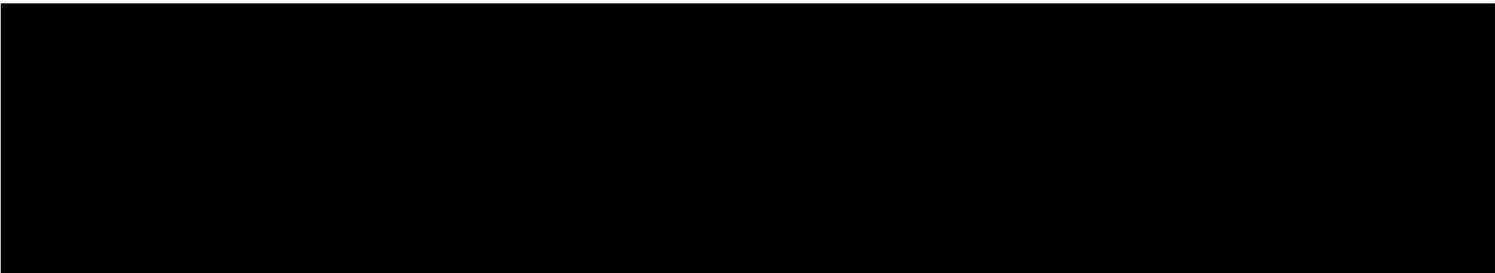
[Sent from Yahoo Mail on Android](#)



Dear Nancy Hubbard

My name is Matiana McKinley, I have been a Morro Bay resident my whole life, and am now raising my children in our beautiful town. Today I learned from other upset parents that the city is wanting to put a rehab facility in at the Rodeway Inn on Main St! Please, please don't let this happen! As a mother it raises so many concerns of who this will be bringing to our beautiful safe family town. Firstly, Both Del Mar Elementary and Morro Bay High School are only short blocks away! Both school are not gated to stop anyone from being able to roam the campuses! It is also very unsafe for our children that walk to and from school on a daily basis, many of which pass right in front of the Rodeway inn. The parks and bike paths that our children play at(Del Mar Park, Lila Keizer park) could also be affected and become unsafe. Similar to the city park by the bus stop and alcohol anonymous building on Morro Bay Blv, that is known for being a drug spot and homeless hang out! Further more, the residential neighborhoods that are behind and next to the Rodeway Inn will be directly affected by unsavory characters that will be roaming our streets. Many rehab facilities kick these people out for not being able to stick to or follow their housing rules which ends up with them living homeless on the street and brings more crime, drugs and mental illness to our decently safe town. This deeply saddens me for I do believe these people need help but not at the cost of our town and families safety! Lastly our police force is way to small to begin with! If facilities like these are to be brought to our small town the city really needs to beef up our security and bring more officers on to our police force first for the safety and well being of the tax payers that live here. Most importantly the safety of our children that are growing up here should always be first priority!! It is our jobs to protect our community and don't we have a right to feel safe in our own town? I am strongly against a rehab facility being put in such a horrible location and am hoping Morro Bay citizenship well-being will be put first.

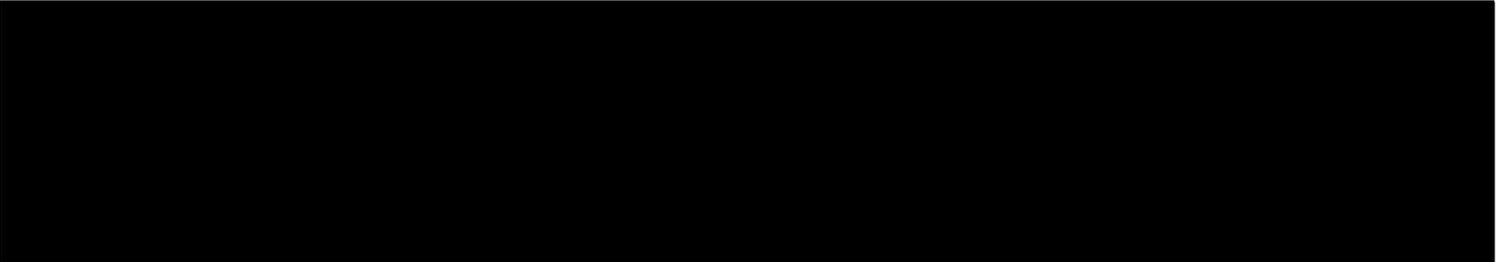
Thank you
Matiana McKinley



Hello,

I trust that the city will grant the minor use permit for Twins Bay Inc/DBAMorro Bay Recovery. This is a vital, often life saving service. If addiction has not touched the life of those in opposition, they are indeed fortunate.

Thank you for all you do.



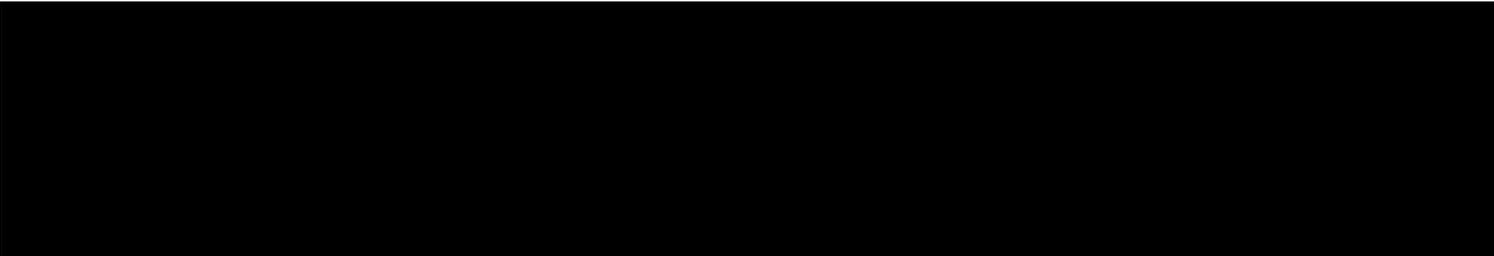
Ms.Hubbard:

I am opposed to the choice of location for the proposed Treatment Facility. This is directly across from the High School. Student walk by this on their way to school.

When the tenants break the rules and get expelled, they go to the streets of Morro Bay, a small town with NO organized help for the homeless! Our Police and Fire Department are already stretched thin trying to handle the tourists, the burglaries, domestic disturbances, druggies and the homeless we already have.

This belongs in a larger city that can handle it....not a small town with a huge elderly population.

Respectfully,
Gayla Newman
Morro Bay resident since 2011.



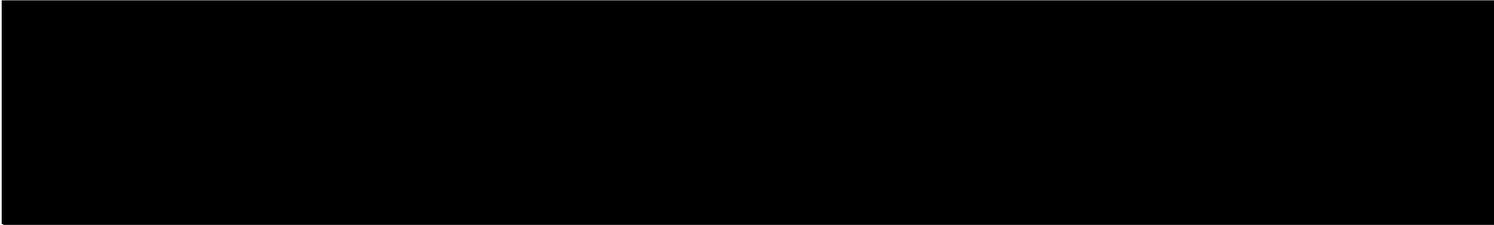
Hello Nancy,

I am in opposition to the change in business from a motel to a drug rehab facility.

The location is adjacent to a neighborhood and two schools. It has the potential to bring undesirable activity to our community.

A study and CEQA analysis should be conducted to identify the potential effects to the neighborhood, property values and safe routes to school. There is known public opposition/controversy and potential significant negative effects. A study should be made public and addressed in a planning commission hearing. Thank you for your attention to this matter.

Mitch



Dear Ms. Hubbard:

My husband, Robert, and I received a notice in the mail regarding the possibility of changing the former Best Western Motel on Main Street into a rehab facility for drug and alcohol abusers.

Our home borders this facility on Las Vegas Street and we very much object to allowing this facility in a residential neighborhood where small children and vulnerable people live. There are numerous other locations the Commission should consider for placing such a rehab facility that would not infringe on our neighborhoods way of life.

Sincerely,

Robert and Reba Perkins

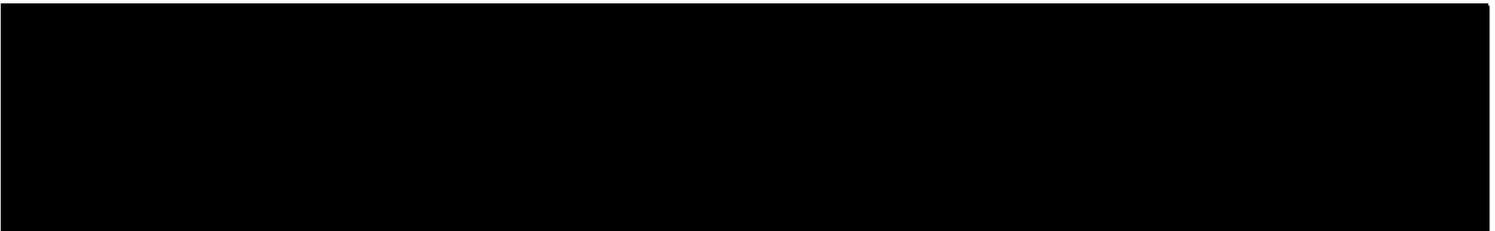


Proposed rehab facility 2460 Main Street

This is really a poor location for this with elementary school and high school nearby. Also it will adversely effect a large residential population nearby. The city did not notify all residents effected by this proposal and it looks like they are trying to ram it thru fast. These facilities toss those that cant pay out in the street and add to the homeless population and it sounds like the applicant has that remedy in mind already. Law Inforcement is already scarce in that end of town, I have not seen a cop on my street in over a year and these type facilities cause problems. The city will be causing blight if this is allowed. It will lower property values around it and our right to enjoy where we live. I heard about this yesterday on Next Door Neighborhood and it looks like the majority of my neighbors dont want this either.

Steve Sharp





Dear Ms. Hubbard:

We received notice of the Commission possibly allowing the old Best Western on Main Street to be turned into a rehab facility for drug and alcohol abusers.

We strongly object to having such a facility in a neighborhood that has young children and vulnerable people. We recommend the Planning Commission research areas that would not be located in a neighborhood.

Sincerely,

Reba and Robert Perkins

From: Sheree Sagely [REDACTED]
Sent: Thursday, February 25, 2021 10:59 AM
To: Nancy Hubbard <nhubbard@morrobayca.gov>
Subject: 2416 Main St. Morro Bay, ca. 93442/rehab facility next door

Hello Nancy,
I am writing to you today to voice my disappointment in this rehab. facility location. I feel that this is not a good idea for this many rehab. recipients to be gathered in a residential neighborhood. I understand that there is a demand for such a facility, but not here! This has been secretly planned and I feel as a tax payer and a resident of Morro Mist that we have no say so in this... No chance to voice our opinions. Please let me know how to let the city planning know none of us in the surrounding neighborhoods want this sort of facility here! We feel this is devaluing our residence and feel there has not been enough notice to fight the approval of such a facility! Please let me know when there will be a chance for us to speak up on this matter.
Thanks so much!
Sheree Sagely

Hooray! Sherée, will help you "Buy" or "Sell" your Home Today!



Sherée Sagely

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

-----Original Message-----

From: Kristen Headland [REDACTED]
Sent: Friday, February 26, 2021 10:57 AM
To: Scot Graham <sgraham@morrobayca.gov>; Nancy Hubbard <nhubbard@morrobayca.gov>
Subject: 2460 Main Street, Public Correspondence

Hi Scot,

Could you post all correspondence related to the Minor Use Permit for 2460 Main Street on the City website?

<https://www.morro-bay.ca.us/842/Current-Planning-Projects>

Have a good weekend!

Thank You,
Kristen Headland

On 2/22/21, 11:33 AM, "Scot Graham" <sgraham@morrobayca.gov> wrote:

> Hi Kristen,
>
> We will post the permit to the current projects planning page with the
> rest of the information. Intent is to issue on Wednesday. We also
> posted a brief memo on the appeal process today.
>
> Scot
>
> -----Original Message-----
> From: Kristen Headland [REDACTED]
> Sent: Monday, February 22, 2021 11:27 AM
> To: Scot Graham <sgraham@morrobayca.gov>; Nancy Hubbard
> <nhubbard@morrobayca.gov>
> Subject: Re: 2460 Main Street
>
> Hi Scot,
>
> I see there are new items noted on Hot Topics for 2460 Main Street.
>
> How will the public be informed when the Minor Use Permit Application
> has been approved or denied?
>
> Thanks,
> Kristen Headland
>
>
>

> On 2/19/21, 10:46 AM, "Scot Graham" <sgraham@morrobayca.gov> wrote:

>

>> Hi Kristen, here is the link. We some info up now, waiting on city

>> attorney review of last item. There is the application form, and

>> questions and answer sheet up now.

>>

>> <https://www.morro-bay.ca.us/842/Current-Planning-Projects>

>>

>>

>>

>> -----Original Message-----

>> From: Kristen Headland [REDACTED]

>> Sent: Friday, February 19, 2021 10:40 AM

>> To: Scot Graham <sgraham@morrobayca.gov>

>> Subject: Re: 2460 Main Street

>>

>> Hi Scot,

>> Thank you for the update on the Minor Use Permit Application for 2460

>> Main Street.

>> Please keep me in the loop so I can pass City information on to my neighbors.

>> Have a good weekend,

>> Kristen

>>

>>

>> On 2/18/21, 4:30 PM, "Scot Graham" <sgraham@morrobayca.gov> wrote:

>>

>>> Hi Kristen,

>>>

>>> We are putting together an information sheet on the proposed use

>>> including relevant city policies and state law...I should have it

>>> back from the City attorney's office tomorrow. We will be posting

>>> project information on the City website under the Current Planning

>>> Projects page. It will include the application form, notice. We

>>> will also be posting a response to questions on

>>> the page. Nancy is working on the response to questions document now. We

>>> have asked the project applicant to identify someone who can answer

>>> questions related to how these facilities operate...haven't heard

>>> back yet. City doesn't have any questions, hence the fact we sent

>>> the notice out...meaning we are ready to issue the permit.

>>> Supportive Housing facilities are allowed uses in the zoning code

>>> for this location and we are required to process them at staff level

>>> (per state law...AB 2162) and the Housing element indicates we

>>> should facilitate them as they are a needed use.

>>>

>>> Regards,

>>>

>>> Scot

>>>

>>> -----Original Message-----

>>> From: Charter [REDACTED]

>>> Sent: Thursday, February 18, 2021 9:38 AM

>>> To: Scot Graham <sgraham@morrobayca.gov>

>>> Subject: 2460 Main Street

>>>

>>> Hi Scot,

>>> May I have a copy of all documents related to this application?

>>>

>>> Does the City have any questions related to the application?

>>>

>>> There isn't a clear picture of how this property owner plan to

>>> process once they get approval?

>>>

>>> Can the residents have a meeting with the City and property owner?

>>>

>>> Thank You,

>>> Kristen Headland

>>>

>>> Sent from my iPhone

From: [REDACTED]

Sent: Sunday, March 07, 2021 6:41 PM

To: PlanningCommission <PlanningCommission@morrobayca.gov>; Council <council@morrobayca.gov>; Jody Cox <cox@morrobayca.gov>; Scott Collins <scollins@morrobayca.gov>

Subject: Motel{Twin Bay Motel} Drug Rehab/Supportive Housing Questions

Hello.

While understanding that the City is obligated to "provide supportive housing" which is now proposed to come in the form of a "detox/rehab facility" in North Morro Bay, there are multitude of issues that the City hopefully will take into consideration. I have no idea who to send this to, so I am going to send it to both Planning and the City Council. I would also hope that the Chief of Police will have some input in this too, because there is potential to significantly affect our Police Department, and Public Safety. It is hoped that the City has ability to address these issues, before the program is allowed to open its doors as a "treatment" facility.

1. Will the program be a licensed as an Alcohol and Drug Rehabilitation Facility, OR a Detox Facility, Or a Sober Living House, OR, a program for Mental Health needs, OR all of the above...OR a Hybrid of programs?

There is a significant difference in each type of program. Each requires different types of licensing, staffing, housing requirements, treatment requirements, funding sources and so forth. For example, a true Detox facility generally requires medical supervision, and medication. Alcohol detox/withdrawal is medically different than Heroin detox/withdrawal. A Medical Detox facility requires a different level of supervision of the client than a Drug/Alcohol Rehab program would. A Drug/Alcohol Rehab program requires a different level of supervision that a Sober Living House, etc.

These questions are being asked because it is so vague on actually what this program plans to be. All we, as a Community know, is that a Motel owner was financially affected by the Covid pandemic, and plans to turn the property into a Supportive Housing Drug Rehab program. The type is unclear. The staffing is unclear. The outline of treatment is basic, at best. Is there an exit plan for their clients? The list of questions goes on...

2. In the general questions and answers, there is a reference to Medication. In another statement it is referenced that there will be a Doctor on staff. Does this mean the clients will have a medical/mental health diagnosis? Is the Staff / prescribing Doctor actually through County Mental Health, Public Health, or a Private Physician employed by this proposed facility? Or is this a proposed Medical Detox facility or just a Sober Living House. Is medication to be distributed by Staff, Or maintained by the client, or ?

3. It is very unclear on exactly where the Program will be getting their clients. Is this a private funding/private insurance program?

Or is this a Medi-cal funded program? Is it funded through the Criminal Justice re-entry programs? Medi-cal, and several other collateral funding sources (while funding a number of social assistance programs), is also a funding source for Criminal Court Commitments, in an effort to provide stable living and treatment options to Criminal offenders that continue to struggle with substance abuse, and other problems. Will the program be working in conjunction with referrals from the Criminal Court System, and their collateral agencies? Is this a program that will be accepting Criminal Court Ordered commitments?

4. With the passage of AB109, and like laws that release individuals from State Prison, and/or County Jail Prison commitment/Mandatory Supervision, many are ordered to enter such "rehab" or "sober living" programs. If the parolee, or probationer, fails to comply with such programs escalations of sanctions-including being arrested-are all possibilities. If this program is going to obtain their clients from this source, are they aware of the collateral agencies interest in the clients and their participation?

5. Will this program only accept in county residents, or will it be open to offender placements from around the State? The established Sober Living Programs within our County do take out of County offenders too, from other Courts-especially if they have ties to our Communities. Those Community ties are required to be verified first if the placement is in conjunction with the Criminal Justice system. This is an important area to have answers to, as this Programs' outline states if the person dosen't comply with the program it was supposed they would just go back to where they came from, or return into the Community. This could be problematic to Community Safety, depending on the clients this program plans to service.

6. Will this proposed program, if the intent is to accept criminal offenders, is there a plan to have an established working relationship with the Courts, the Probation Department, and the Police Department? The established Sober Living Programs within our County all have established relationships with the Deputies/Officers and the Courts of the Criminal Justice system, and allow them access to the program/client whenever it is needed.

7. In that same line of questions, it should also be established what type of criminal history would be accepted into this Program? Sex offenders, arsonists, convictions for violent crimes? If these issues have not been asked, addressed, proposed, or committed to, why not? Licensing is particular about that. We should be too.

8. If this is to be a Drug Rehab facility that houses mentally ill persons, is it being run in conjunction with Transitions? County Mental Health? Or is it to be private Insurance placements only? Transitions has a number of residential programs already operating in the County. They have programs that are staff supervised, and independent living. Medication compliance is a must in those programs. The same with County Mental Health programs. It should be the same with this proposed program.

9. Since the proposed Morro Bay Drug Rehab mentions Medication in their brief outline, do they have a plan if someone is not medication compliant? This is another important Public safety issue. There can be difficulties surrounding a Non Medication Compliant person who walks out and into our Communities. We see the headlines all the time, and the tragedies that can unfold. Same with someone who may be a client of this proposed program, who returns to using drugs and has a Mental Health diagnosis.

10. The Program stated briefly that they do not intend to be a "homeless shelter". Is that true? If it does service that population what are the rules for admittance? Prado and ECHO have very strict guidelines. Those insure the safety of the client and the staff.

The Program presents that they could theoretically house up to 40 persons. That is a lot of people. This is not a program that a City such as Morro Bay should blindly accept under the "Supportive Housing guidelines", and leave it solely up to the State of California because its required, and this Program gets a license.

These are not lock down facilities. 40 people, with "staff permission" could be allowed to leave the Program. It is concerning that the proposal believes that most of their proposed clients won't have cars. Maybe they won't, but how do they know that so definitively?

This is not a Anti-Drug Rehab letter. These are questions coming from several of the City Residents, who live in the area of this Motel, and have actually worked with this system of Drug Rehabs, Criminal Justice, Offender services and Community Safety. The City deserved more. Public Safety deserves more. The Tax Payers deserve more.....answers.

Loyce Tobler

[REDACTED]

Sue Foote

[REDACTED]

From: Sue Melvin [REDACTED]
Sent: Sunday, February 28, 2021 8:59 PM
To: Council <council@morrobayca.gov>
Subject: Rodeway Travel Motel

Good Day City Council Members -

I am writing to support turning Rodeway Travel Motel into a Rehab Center. This is something our county really needs and the location is very good. It appears many in our town don't really understand how a rehab center works. It won't be a hangout for druggies. It won't lower one's property value. This is a facility that would help people get their lives back together. Give them a chance to get back on their feet. I know two families who had to send their loved ones out of the area to get the help they needed. By sending their loved one out of the area it was much more challenging for them to provide emotional support. Please give your support in transforming this motel into a rehab center.

Thank you,
Sue Melvin

[REDACTED]
[REDACTED]

From: Heather Barbis [REDACTED]
Sent: Thursday, February 25, 2021 10:18 AM
To: Scott Collins <scollins@morrobayca.gov>; Council <council@morrobayca.gov>; Nancy Hubbard <nhubbard@morrobayca.gov>; Chris Neumeyer <cneumeyer@morrobayca.gov>
Subject: MUP20-02 - Criminal Activity

Hi all,

I just wanted to share some new revelations regarding MUP20-02. After a little googling, it appears the point of contact has a criminal background (as in a 15-month, undercover Homeland Security bust) and the person listed as on the NPI is trying to open a similar facility in another town right next to an elementary school. Please read on for clarification and supportive links.

Oganes Nardos is the point of contact listed for the project (on the Q&A document), and he didn't even bother using one of his known aliases! Here's a couple links to shed some light on his criminal background.

<https://www.ocweekly.com/armenian-immigration-bribery-schemer-gets-punished-6457588/>
<https://www.latimes.com/socal/glendale-news-press/news/tn-gnp-safetybrief-20100921-story.html>

When looking up "Morro Bay Recovery" in the National Provider Registry the name **Justin Frankian** is listed as the VP of the facility. Justin Frankian purchased a motel and wants to turn it into a rehab facility in the city of Gorman. The location in Gorman is right next to an elementary school! The location in Morro Bay is right next to our high school and not far from our elementary school. This seems odd. Has anyone looked into a regulation about this sort of facility and its proximity to a school? Here's a link to a story about the Gorman facility.

[Gorman residents oppose proposed rehab facility | News Break](#)

From what I can gather **Joyce Kaishar** is listed as the owner and her husband **Brian Der Vartanian** is the one who applied for the change of usage permit. (Put it in the wife's name, so she goes down if anything goes south. That's so gangster!)

A few things to consider:

- **Why is there a pattern of these folks purchasing motels next to schools, then turning them into rehab centers? Are there more than just the two listed here?**
- **What is the state's ordinance of rehab facilities and their proximity to schools? There has to be one.**
- **How many other rehab facilities are these folks affiliated with and are they on the up and up? (There was at least one more mentioned in the story about the bust!)**
- **To be clear and perhaps most importantly, will this be a sober-living facility, a detox facility or a medical detox facility? All three require different permits, protocols and staff. ???**

I'm floored and sad for our city. I appreciate what you guys are doing for our community. I just don't want to see Morro Bay go downhill.

Let me know if you have questions or if I can help in any way.

Thanks,

Heather Barbis
[REDACTED]

From: Heather Barbis [REDACTED]
Sent: Thursday, February 25, 2021 3:40 PM
To: Scott Collins <scollins@morrobayca.gov>; Council <council@morrobayca.gov>; Nancy Hubbard <nhubbard@morrobayca.gov>; Chris Neumeyer <cneumeyer@morrobayca.gov>
Subject: MUP20-02 - Criminal Activity 2.0 - Brian Der Vartanian specifically

Hi all,

Please take the time to read the account below of a woman's experience in one of Brian Der Vartanian's programs.

He is the person listed on the permit the City of Morro Bay just issued. It took me only about a half hour to find this. I'm sure there is more. This story is heart-wrenching and makes me sick to my stomach.

Brian Der Vartanian is the listed agent/representative of what is called Building Unique Youth Alternatives.

<http://www.nonprofitfacts.com/CA/Building-Unique-Youth-Alternatives.html>

And this story is a horrifying account of what the Building Unique Youth Alternatives experience was like.

[Woman recalls experience in Bassett-based youth boot camp](#)

I'm so sad for our community. If this goes through, Morro Bay might be in his next hideous and appalling headline.

Thank you for your time.

Heather Barbis
[REDACTED]

----- Forwarded Message -----

From: Heather Barbis [REDACTED]
To: Scott Collins <scollins@morrobayca.gov>; Council <council@morrobayca.gov>; Nancy Hubbard <nhubbard@morrobayca.gov>; cNeumeyer@morrobayca.gov <cneumeyer@morrobayca.gov>
Sent: Thursday, February 25, 2021, 10:18:16 AM PST
Subject: MUP20-02 - Criminal Activity

Hi all,

I just wanted to share some new revelations regarding MUP20-02. After a little googling, it appears the point of contact has a criminal background (as in a 15-month, undercover Homeland Security bust) and the person listed as on the NPI is trying to open a similar facility in another town right next to an elementary school. Please read on for clarification and supportive links.

Oganes Nardos is the point of contact listed for the project (on the Q&A document), and he didn't even bother using one of his known aliases! Here's a couple links to shed some light on his criminal background.

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When looking up "Morro Bay Recovery" in the National Provider Registry the name **Justin Frankian** is listed as the VP of the facility. Justin Frankian purchased a motel and wants to turn it into a rehab facility in the city of Gorman. The location in Gorman is right next to an elementary school! The location in Morro Bay is right next to our high school and not far from our elementary school. This seems odd. Has anyone looked into a regulation about this sort of facility and its proximity to a school? Here's a link to a story about the Gorman facility.

[Gorman residents oppose proposed rehab facility | News Break](#)

From what I can gather **Joyce Kaishar** is listed as the owner and her husband **Brian Der Vartanian** is the one who applied for the change of usage permit. (Put it in the wife's name, so she goes down if anything goes south. That's so gangster!)

A few things to consider:

- **Why is there a pattern of these folks purchasing motels next to schools, then turning them into rehab centers? Are there more than just the two listed here?**
- **What is the state's ordinance of rehab facilities and their proximity to schools? There has to be one.**
- **How many other rehab facilities are these folks affiliated with and are they on the up and up? (There was at least one more mentioned in the story about the bust!)**
- **To be clear and perhaps most importantly, will this be a sober-living facility, a detox facility or a medical detox facility? All three require different permits, protocols and staff. ???**

I'm floored and sad for our city. I appreciate what you guys are doing for our community. I just don't want to see Morro Bay go downhill.

Let me know if you have questions or if I can help in any way.

Thanks,

Heather Barbis



From: Zach Juarez [REDACTED]
Sent: Thursday, February 25, 2021 1:46 PM
To: Nancy Hubbard <nhubbard@morrobayca.gov>
Cc: baileyjuarez6@gmail.com
Subject: Questions regarding Drug/Alcohol Rehab Center at 2460 Main Street

Hi Nancy,

Hope you're doing well!

I'm emailing with respect to the planned drug and alcohol addiction recovery center in Morro Bay. As a quick introduction, my wife and I will be moving into a home that shares a fence with the planned drug and alcohol rehabilitation facility. We're not by any means opposed to folks getting help and recovering from addiction, but we just wanted to find out more factual information so we can be prepared going forward to face the reality of possibly living next to a drug and alcohol rehabilitation facility.

- Are the folks being treated at the facility from the Morro Bay community? Or are they people from other towns / counties?
- We looked up the public FAQ and noticed references to serving the local community - does the owner have any ties to the Morro Bay community (e.g., has a residence in Morro Bay, family in Morro Bay, etc.)? We figured we'd be more receptive to the planned facility if the owner were someone who was actually invested in the local community.
- Do you know the extent of the drug treatments? We've reviewed studies on how much our home will be devalued by and we found it varied by the extent of the drug addiction treatments (e.g., marijuana, cocaine, opiates such as heroin/vicodin).
- We noticed the facility is geared towards first responders - do you know how this works in practice? For example, does the facility prioritize applications from those that are first responders?
- Is the state responsible for the facility and those recovering at the facility? We don't want to assume that our property would be vandalized, stolen, or damaged, but if it were the case, we'd like to know who would be liable (e.g., the owner of the facility, the state, the city, etc.).
- Would the city of Morro Bay respond to any theft, violence, property damage, disturbances, etc. as a direct or indirect result of the facility? Again, we don't want to assume that this would occur, but we'd like to know if we could rely on the city for law enforcement assistance.
- Lastly, do you know if the facility is planning on retaining a security guard staffed on the premise 24/7? The facility planned to have "proper security" but we weren't quite sure what this would entail.

Since we're moving to the area, I don't know how the planned change will potentially impact the area given we were not familiar with the area before. However, we're just trying to prepare ourselves for the potential change in the event the facility is approved and implemented. Thanks in advance for all of your help!

Best,
Zach and Bailey

-----Original Message-----

From: Ron Johansen [REDACTED]
Sent: Tuesday, March 02, 2021 12:27 PM
To: Nancy Hubbard <nhubbard@morrobayca.gov>
Subject: Public Comment regarding Application MUP20-02

My name is Ronald Johansen I am a home owner at 2223 Emerald Circle, Morro Bay, I am writing to express my concern with the application MUP20-02 and I am submitting the following concerns as part of the Public comment period for this proposed development Permit. As a resident of Morro Bay I am very concerned as to the nature of this permit request and I am currently against any approval of this request by the City. My number 1 concern is that the nature of this request is one that could result in a number of negative consequences to the city and citizens along with businesses in Morro Bay . Once the facilities are identified as a resource for disabled, homeless drug addicts and mentally ill plaguing communities throughout San Luis Obispo County other communities and the county will be sending these difficult individuals to Morro Bay as an identified placement facility and resource. Increase crime in the area will soon follow including break into cars such as smash and grab crimes to tourist effecting the cities tourism industry including a highly visible negative picture of blight to the cities image soon to be followed for request for other services such as marijuana dispensary facilities and a possible needle exchange program and methadone clinic. I worked as a Paramedic in San Francisco for over 35 years and this is exactly how things changed over time in San Francisco. Now other cities and including from cities in other states are sending their chronic homeless drug addicted and mentally ill to San Francisco because San Francisco provides a significant amount of resources for these difficult individuals at the detriment to their own citizens and businesses. they arrive by bus, train and Bart by the dozens every day often times still wearing the identification bracelets from hospitals mental institutions, jails and prisons from all over California and other states. People were told they were fear mongering when they expressed concerns 35-40 years ago against similar moves as with this application and now San Francisco is experiencing unprecedented crime ,addiction, homelessness, mental illness on their streets today It used to be a beautiful city now you need to disenfect t your shoes from walking on the sidewalks, as the sidewalks are used as a toilet by thousands of homeless in sF, more poop from humans is on the streets and sidewalks than from animals . General health concerns also have exploded with previously eradicated disease such as tuberculosis, bed bug and lice epidemic in all hotels. According to the tourism trade industry San Francisco is now rated one of the dirtiest unhealthy cities in America to visit. I went on more accidental needle sticks to children from the sand box at area parks and to citizens from illegally discarded used heroin syringes. I know that it is not fair to compare the social ills from San Francisco with Morro Bay but the beginning of San Francisco's ills began soon after similar changes in housing and zoning laws changed in the Tenderloin District 35-40 years ago as what is being proposed in Morro Bay. My phone number is 925-783-3850 if you need more public comment from myself.

Sincerely submitted,
Ronald Johansen

[REDACTED]
[REDACTED]
[REDACTED]

-----Original Message-----

From: Linda Beardsley [REDACTED]
Sent: Thursday, February 25, 2021 4:43 PM
To: Nancy Hubbard <nhubbard@morrobayca.gov>
Subject: Rehab location

I have lived in this town since 1958

There is no place in our town for this kind of rehab facility I worked at this motel when I was in high school We used to pay the owner \$1.00for the day use of the pool Please look at our town it is not a good location

Sent from my iPhone

From: Bernie Melvin [REDACTED]
Sent: Sunday, March 14, 2021 8:45 PM
To: PlanningCommission <PlanningCommission@morrobayca.gov>
Subject: Rodeway Travel Mote.

Good Day Planning Commission Members –

I have been a homeowner and proud resident of North Morro Bay for 41 years.

Over all, I'm in support of turning Rodeway Travel Motel into a Rehab Center. This is something our county really needs and the location is very good. I do have concerns though, which I have listed below.

- Is it for medicaid or private insurance clients?
- If medicaid clients will be there, what happens to them when the money runs out? Will they become homeless and just hang around Morro Bay?
- Is the facility going to be in collaboration with the County Mental Health and/or Transitions Mental Health?
- Will a psychiatrist be on site to help with administering the appropriate medication?
- Will there be professional staff 24/7 on site?
- Does the corporation have any track record of operating a similar facility and was it successful?

I know some of my concerns are out of your control, but it is something to check out before moving forward. If it is set up well, it could be a very positive project. It would be a facility that would help people get their lives back together and give them a chance to get back on their feet. I know two families who had to send their loved ones out of the area to get the help they needed. By sending their loved ones out of the area, it was much more challenging for them to provide necessary and important emotional support.

Thank you for considering my concerns.
Sue Melvin

[REDACTED]
[REDACTED]

From: jessica bailey [REDACTED]
Sent: Monday, March 15, 2021 8:45 AM
To: PlanningCommission <PlanningCommission@morrobayca.gov>
Subject: Fw: I support the Rodeway Inn Detox facility

Morro Bay Planning Commision,

I'm writing to you to express my support for the proposed detox facility at the Rodeway Inn property.

I live a few blocks away and walk by this property frequently. I've lived in many places in California in good and bad neighborhoods.

I've lived in Morro Bay for over a year now. Based on my experiences in other places, I believe that a health care facility would not pose any more threat than the current motel. A motel caters to not only tourists but other transitory people with a variety of means and motivations. I believe this health care facility could possibly increase safety in the area due to the increased monitoring and a somewhat less transitory population. The clients, from what I understand, will be local people, not strangers.

Two things I'd like to see come out of this new use. First, would be a sidewalk in front of the property. The lack of sidewalks is unsafe and discourages walking. The other thing, which is not under the Council's control though, would be an emphasis on a health care, science-based approach to addiction recovery. Data has shown that the "willpower" models such as AA are not effective for the vast majority of people.

I think our entire community would benefit from a health care facility that can provide effective care for people struggling with addiction. Bringing someone out of addiction can possibly reduce associated crime, abuse, homelessness, and death. I believe if the community understands that this facility will be serving the community and possibly people they know, it can help them overcome fears.

Thank you for taking the time to read this email.

Jessica Bailey
[REDACTED]

From: Zinn, Eric @ Fresno [REDACTED]
Sent: Sunday, March 14, 2021 6:19 PM
To: Council <council@morrobayca.gov>
Subject: Proposed Drug Rehab in Morro Bay Roadway Inn

You all better fight this tooth and nail.
This is Ridiculous.

It's a RESIDENTIAL neighborhood with a lot of children and elderly.
CONDEM THE BUILDING AND TEAR IT DOWN!
THE OWNER COULD MAKE MORE SELLING TO A DEVELOPER.

STOP THIS!!!!!!!!!!!!!! Or enjoy an over-extended police and ambulance, a drop in property values, and buddy you better bet that this will draw a lot of illegal crap into the town.

Eric Zinn
Resident

From: Eric Dudley [REDACTED]
Sent: Thursday, March 11, 2021 6:36 AM
To: Council <council@morrobayca.gov>; Diane Walling Roberts [REDACTED]
Subject: Rehab center, information request

Good morning, I am requesting some specific information regarding the approved rehab facility on N. Main St.

This project has been approved without public being informed or involved, we are now forced to use the appeal process in attempt to preserve this neighborhood

I understand that there is a state law requiring local governments to accept this type of facility under certain conditions. And I believe zoning definition of the property may be a key factor.

I am asking the city of Morro Bay to provide the following information to me

- 1) copy of the state law pertaining to the communities responsibility to allow this type of facility
- 2) The actual zoning classification of this property BEFORE project proposal
- 3) has the zoning been changed? Or will it be changed? As a part of this process
- 4) have the applicants been subject to a rigorous background check? I have been told at least one of them has been convicted of a felony fraud, forging immigration documentation

If I recall the state rule correctly, a property that is zoned group residential was to be made available for this type of project, very limited opportunity to block or deny project. Doing a Google search, regarding zoning for motels, the information found stated that motels are zoned commercial, not residential

As a long time a a resident I would like to get answers to the four questions above as soon as possible, as the process provides who is very little time and information for the citizens to understand and appeal

This project seems to be the right idea at the wrong place. Would be much better suited somewhere like E. Quintana Rd. near the veterinarian hospital, or near the church at the corner of Quintana and Southbay Blvd

Thank you for your consideration, I will be checking my email frequently to look for the answers to my questions

Thank you again, Eric Dudley

From: Scott Collins <scollins@morrobayca.gov>
Sent: Monday, March 15, 2021 7:09 AM
To: Eric Dudley [REDACTED] Council <council@morrobayca.gov>; Diane Walling Roberts [REDACTED]
Subject: Re: Waiting for response

Good morning Mr. Dudley,

Thank you for reaching out to share your concerns about the project and providing questions. We forwarded questions to the applicant, along with other questions we received from community members. We hope to update the project webpage later this week once we receive answers from the applicant. You can find latest information on the project here: <https://www.morro-bay.ca.us/842/Current-Planning-Projects>

Please note that the appeal period closed last Monday. We did receive an appeal on the project, however, no new appeal issues can be raised outside of what is in the existing appeal. The appeal will be heard on April 20 by the Planning Commission at 6pm. You are welcome to provide input via email and/or by speaking (via zoom or phone) at that public hearing.

Sincerely,

Scott Collins
City Manager
City of Morro Bay
805-772-6206

From: Eric Dudley [REDACTED]
Sent: Saturday, March 13, 2021 8:31 AM
To: Council <council@morrobayca.gov>; Diane Walling Roberts [REDACTED]
Subject: Waiting for response

Hello, this is Eric Dudley again, and I emailed several questions to you on March 11, and I have not got any response?

Appealing this project is very important to me and can only be accomplished with the facts of the situation

Hopefully some of you will find a time on Monday to read my previous emails and send me some answers to my questions

Thank you, Eric Dudley

From: Eric Dudley [REDACTED]
Sent: Wednesday, March 10, 2021 3:45 PM
To: Diane Walling Roberts [REDACTED] Nancy Hubbard
<nhubbard@morrobayca.gov>
Subject: Rehabilitation center project on N. Main St.

I have been told the patient's will be considered as handicapped, therefore eligible for all handicap privileges and protections

If that is indeed the case, I would assume that the entire motel complex will need to be re-fitted and remodeled to accommodate handicap access and meet all handicapped guidelines

Could you please confirm if these are actual truths or not?

Please advise

Thank you, Eric Dudley

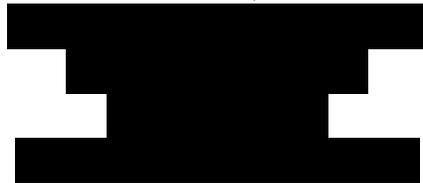
Select California Laws Relating to Residential Recovery Facilities and Group Homes

State Bar of California
Real Property Law Section
Fair Housing and Public Accommodations Section

Third Annual Fair Housing and Public Accommodations Symposium
Golden Gate University
April 22, 2011

Presented by:

Barbara Kautz
Goldfarb & Lipman LLP



I. Introduction

This paper summarizes California statutes and case law regarding planning and zoning requirements applicable to group homes and supportive housing that impose limitations on local governments beyond those imposed by the federal Fair Housing Act and state Fair Employment and Housing Act. The paper first reviews state statutes that protect certain *licensed* group homes and describes provisions of State Planning and Zoning Law that are applicable more generally to both licensed and unlicensed homes. It then explains California case law relating to the right of privacy, which prevents local governments from discriminating between households containing related persons and those comprised of unrelated individuals. It concludes by discussing local regulations that appear to be permissible under State law and fair housing law.

II. Statutes Protecting Licensed Facilities

A complex set of statutes requires that cities and counties treat small, licensed group homes like single-family homes. Inpatient and outpatient psychiatric facilities, including residential facilities for the mentally ill, must also be allowed in certain zoning districts.

A. California Licensing Laws

California has adopted a complicated licensing scheme in which group homes providing certain kinds of care and supervision must be licensed. Some licensed homes cannot be closer than 300 feet to each other, while other licensed homes have no separation requirements. All licensed facilities serving six or fewer persons must be treated like single-family homes for zoning purposes.

While this section discusses some of the most common licensed facilities, it does not include every type of license or facility regulated in this complex area of law.

1. Community Care Facilities

Community care facilities must be licensed by the California Department of Social Services (CDSS).¹ A "community care facility" is a facility where non-medical care and supervision are provided for children or adults in need of personal services.² Facilities serving adults typically provide care and supervision for persons between 18-59 years of age who need a supportive living environment. Residents are usually mentally or developmentally disabled. The services provided may include assistance in dressing and bathing; supervision of client activities; monitoring of food intake; or oversight of the client's property.³

CDSS separately licenses residential care facilities for the elderly and residential care facilities for the chronically ill. Residential care facilities for the elderly provide varying levels of non-

¹ Cal. Health & Safety Code 1500 *et seq.*

² Cal. Health & Safety Code 1502(a).

³ 22 Cal. Code of Regulations 80001(c)(2).

medical care and supervision for persons 60 years of age or older.⁴ Residential care facilities for the chronically ill provide treatment for persons with AIDS or HIV disease.⁵

2. Drug and Alcohol Treatment Facilities

The State Department of Drug and Alcohol Programs ("ADP") licenses facilities serving six or fewer persons that provide residential non-medical services to adults who are recovering from problems related to alcohol or drugs and need treatment or detoxification services.⁶ Individuals in recovery from drug and alcohol addiction are defined as disabled under the Fair Housing Act.⁷ This category of disability includes both individuals recovering in licensed detoxification facilities and recovering alcoholics or drug users who may live in "clean and sober" living facilities.

3. Health Facilities

The State Department of Health Services and State Department of Mental Health license a variety of residential health care facilities serving six or fewer persons.⁸ These include "congregate living health facilities" which provide in-patient care to no more than six persons who may be terminally ill, ventilator dependent, or catastrophically and severely disabled⁹ and intermediate care facilities for persons who need intermittent nursing care.¹⁰ Pediatric day health and respite care facilities with six or fewer beds are separately licensed.¹¹

B. Protection from Land Use Regulations for Certain Licensed Facilities

Small facilities licensed under these sections of California law and serving six or fewer residents must be treated by local governments identically to single-family homes. Additional protection from discrimination is provided to certain psychiatric facilities. However, some group homes may be subject to spacing requirements.

1. Limitations on Zoning Control of Small Group Homes Serving Six or Fewer Residents

Licensed group homes serving six or fewer residents must be treated like single-family homes or single dwelling units for zoning purposes.¹² In other words, a licensed group home serving six or fewer residents must be a permitted use in all residential zones in which a single-family home is

⁴ Cal. Health & Safety Code 1569.2(k).

⁵ 22 Cal. Code of Regulations 87801(a)(5).

⁶ Cal. Health & Safety Code 11834.02.

⁷ 24 C.F.R. 100.201.

⁸ Cal. Health & Safety Code 1265 – 1271.1.

⁹ Cal. Health & Safety Code 1250(i).

¹⁰ Cal. Health & Safety Code 1250(e) and 1250(h).

¹¹ Cal. Health & Safety Code 1760 – 1761.8.

¹² This rule appears to apply to virtually all licensed group homes. Included are facilities for persons with disabilities and other facilities (Welfare & Inst. Code 5116), residential health care facilities (Health & Safety Code 1267.8, 1267.9, & 1267.16), residential care facilities for the elderly (Health & Safety Code 1568.083 - 1568.0831, 1569.82 – 1569.87), community care facilities (Health & Safety Code 1518, 1520.5, 1566 - 1566.8, 1567.1, pediatric day health facilities (Health & Safety Code 1267.9; 1760 – 1761.8), and facilities for alcohol and drug treatment (Health & Safety Code 11834.23).

permitted, with the same parking requirements, setbacks, design standards, and the like. No conditional use permit, variance, or special permit can be required for these small group homes unless the same permit is required for single-family homes, nor can parking standards be higher, nor can special design standards be imposed. The statutes specifically state that these facilities cannot be considered to be boarding houses or rest homes or regulated as such.¹³ Staff members and operators of the facility may reside in the home in addition to those served.

Homeowners' associations and other residents also cannot enforce restrictive covenants limiting uses of homes to "private residences" to exclude group homes for the disabled serving six or fewer persons.¹⁴

The Legislature in 2006 adopted AB 2184 (Bogh) to clarify that communities may fully enforce local ordinances against these facilities, including fines and other penalties, so long as the ordinances do not distinguish residential facilities from other single-family homes.¹⁵

Because there are no separation requirements for drug and alcohol treatment facilities, ADP has in practice been willing to issue separate licenses for 'small' drug and alcohol treatment facilities whenever a dwelling unit or structure has a separate address. For instance, ADP has issued a separate license for each apartment in one multifamily building, for each single-family home in a six-home compound, and for each cottage in a hotel, in each case creating facilities that in fact serve many more than six residents. No local effort to regulate these facilities as 'large' residential care facilities has been successful in a published case; in other contexts, the courts have determined that the State has completely preempted local regulation of small residential care facilities.¹⁶

2. Facilities Serving More Than Six Residents

Because California law only protects licensed facilities serving six or fewer residents, many cities and counties restrict the location of facilities housing seven or more clients. They may do this by requiring use permits, adopting special parking and other standards for these homes, or prohibiting these large facilities outright in certain zoning districts. While this practice may raise fair housing issues, no published California decision prohibits the practice. Some cases in other federal circuits have found that requiring a conditional use permit for large group homes violates the federal Fair Housing Act.¹⁷ However, the federal Ninth Circuit, whose decisions are binding in California, found that requiring a conditional use permit for a building atypical in size and bulk for a single-family residence does not violate the Fair Housing Act.¹⁸

¹³ For example, *see* Health & Safety Code 1566.3 & 11834.23.

¹⁴ Government Code 12955; Hall v. Butte Home Health Inc., 60 Cal. App. 4th 308 (1997); Broadmoor San Clemente Homeowners Assoc. v. Nelson, 25 Cal. App. 4th 1 (1994).

¹⁵ Health & Safety Code 1566.3; Chapter 746, Statutes of 2006.

¹⁶ City of Los Angeles v. Department of Health, 63 Cal. App. 3d 473, 479 (1976).

¹⁷ ARC of New Jersey v. New Jersey, 950 F. Supp. 637 (D. N.J. 1996); Assoc. for Advancement of the Mentally Handicapped v. City of Elizabeth, 876 F. Supp. 614 (D. N.J. 1994).

¹⁸ Gamble v. City of Escondido, 104 F.3d 300, 304 (9th Cir. 1997); *see also* United States v. Village of Palatine, 104 F.3d 300, 304 (9th Cir. 1997).

A city or county cannot require an annual review of a group home's operations as a condition of a use permit. The Ninth Circuit has held that an annual review provision adopted as a condition of a special use permit was not consistent with the Fair Housing Act.¹⁹

In 2006, the Legislature passed a bill (SB 1322) sponsored by State Senator Cedillo that would have required all communities to designate sites where licensed facilities with seven or more residents could locate either as a permitted use or with a use permit. It was motivated by newspaper reports of suburban communities' "dumping" the mentally ill and homeless in big cities. Although SB 1322 was vetoed by the Governor, changes were later made in Housing Element law to protect certain transitional and supportive housing, as discussed further below.

3. Siting of Inpatient and Outpatient Psychiatric Facilities

Cities must allow health facilities for both inpatient and outpatient psychiatric care and treatment in any area zoned for hospitals or nursing homes, or in which hospitals and nursing homes are permitted with a conditional use permit.²⁰ "Health facilities" include residential care facilities for mentally ill persons. This means that if a zoning ordinance permits hospitals or nursing homes in an area, it must also permit all types of mental health facilities, regardless of the number of patients or residents. This is important because most cities are supportive of hospitals and nursing zones and may allow them in areas where they would normally not wish to allow large facilities for the mentally ill.

In one case, a residential care facility for 16 mentally ill persons was refused a permit in an R-2 zoning district where "rest homes" and "convalescent homes" were permitted, but not "nursing homes." Since the zoning district did not permit "nursing homes" or hospitals, the City believed that it was able to forbid the use in that zoning district. However, the court found that the City's definitions of "rest homes" and "convalescent homes" were very similar to its definition of "nursing homes"—rest homes and convalescent homes were, in effect, nursing homes—and so held that the City must allow the residential facility for mentally ill persons within that zoning district.²¹

4. Separation Requirements for Certain Licensed Facilities

CDSS must deny an application for certain group homes if the new facility would result in "overconcentration." For community care facilities,²² intermediate care facilities, and pediatric day health and respite care facilities,²³ "overconcentration" is defined as a separation of less than 300 feet from another licensed "residential care facility," measured from the outside walls of the structure housing the facility. Congregate living health facilities must be separated by 1,000 feet.²⁴

¹⁹ Turning Point, Inc. v. City of Caldwell, 74 F.3d 941 (9th Cir. 1996).

²⁰ Cal. Wel. & Inst. Code 5120.

²¹ City of Torrance v. Transitional Living Centers, 30 Cal. 3d 516 (1982).

²² Cal. Health & Safety Code 1520.5.

²³ Cal. Health & Safety Code 1267.9.

²⁴ Cal. Health & Safety Code 1267.9(b)(2).

These separation requirements do *not* apply to residential care facilities for the elderly, drug and alcohol treatment facilities, foster family homes, or "transitional shelter care facilities," which provide immediate shelter for children removed from their homes. None of the separation requirements have been challenged under the federal Fair Housing Act, although separation requirements have been challenged in other states.²⁵

CDSS must submit any application for a facility covered by the law to the city where the facility will be located. The city may request that the license be denied based on overconcentration or may ask that the license be approved. CDSS cannot approve a facility located within 300 feet of an existing facility (or within 1,000 feet of a congregate living health facility) unless the city approves the application. Even if there is adequate separation between the facilities, a city or county may ask that the license be denied based on overconcentration.²⁶

These separation requirements apply only to facilities with the same type of license. For instance, a community care facility would not violate the separation requirements even if located next to a drug and alcohol treatment facility.

C. Facilities That Do Not Need a License

Housing in which some services are provided to persons with disabilities may not require licensing. In housing financed under certain federal housing programs, including Sections 202, 221(d)(3), 236, and 811, if residents obtain care and supervision independently from a third party that is not the housing provider, then the housing provider need not obtain a license.²⁷ "Supportive housing" and independent living facilities with "community living support services," both of which provide some services to disabled people, generally do not need to be licensed.²⁸ Recovery homes providing group living arrangements for people who have *graduated* from drug and alcohol programs, but which do not provide care or supervision, also do not need to be licensed.²⁹

The result is that many situations exist where persons with disabilities will live together and receive some services in unlicensed facilities. Because State law does not require that these facilities be treated as single-family homes, some communities have attempted to classify them as lodging houses or other commercial uses and require special permits. Distinguishing a "lodging house" from a "residence" is discussed in more detail in the next section. However, courts in other jurisdictions have found that when the state does not provide a license for a type of facility, cities cannot discriminate against facilities merely because they are unlicensed.³⁰ Although there is no case on point in California or the Ninth Circuit, ordinances requiring greater regulation for *unlicensed* homes with fewer services than *licensed* homes providing more services could raise fair housing issues, although an argument can also be made that unlicensed facilities are completely unregulated and hence require more local supervision. Some

²⁵ Based on cases from other states, the 1,000-foot limit for congregate living health facilities is unlikely to be upheld. Spacing requirements that have been challenged have required 500-foot separations or more.

²⁶ See, e.g., Cal. Health & Safety Code 1520.5(d).

²⁷ Cal. Health & Safety Code 1505(p).

²⁸ Cal. Health & Safety Code 1504.5.

²⁹ Cal. Health & Safety Code 1505(i).

³⁰ North-Shore Chicago Rehabilitation Inc. v. Village of Skokie, 827 F. Supp. 497 (1993).

communities have explicitly adopted ordinances stating that unlicensed group homes serving six or fewer clients are permitted in residential zones.³¹

Legislation was introduced in California in 2006 to make clear that communities *could* regulate *unlicensed* facilities with six or fewer residents. This provision was ultimately removed after receiving fierce opposition from advocates for the disabled and State agencies responsible for finding placements for foster children and recovering drug and alcohol abusers.

III. California Planning and Zoning Laws

California Planning and Zoning Law has long contained provisions prohibiting discrimination in land use decisions based on disability. Effective January 1, 2002, state housing element law was amended to require an analysis of constraints on persons with disabilities and to require programs providing reasonable accommodation. Additional protections for supportive and transitional housing became effective on January 1, 2008.

A. Protection from Discrimination in Land Use Decisions

California's Planning and Zoning Law prohibits discrimination in local governments' zoning and land use actions based on (among other categories) race, sex, lawful occupation, familial status, disability, source of income, method of financing, or occupancy by low to middle income persons.³² It also prevents agencies from imposing different requirements on single-family or multifamily homes because of the familial status, disability, or income of the intended residents.³³

In general, the statute serves the same purposes and requires the same proof as a violation of the federal Fair Housing Act.³⁴ However, federal fair housing law does not specifically limit discrimination based on *income level*,³⁵ and Section 65008 makes clear that discrimination based on disability is prohibited in local planning and zoning decisions.

B. Housing Elements

California requires that each city and county adopt a 'housing element' as part of its general plan for the growth of the community.³⁶ The housing element governs the development of housing in the community. It must identify sites for all types of housing, including transitional housing, supportive housing, and emergency shelters. Beginning in 2002, local housing elements were required to analyze constraints on housing for persons with disabilities and to include programs

³¹ For instance, one community adopted zoning provisions stating that “residential service facilities” serving 6 or fewer clients could be permitted in any residential zone, defining such uses as: “A residential facility, other than a residential care facility or single housekeeping unit, designed for the provision of personal services in addition to housing, or where the operator receives compensation for the provision of personal services in addition to housing. Personal services may include, but are not limited to, protection, care, supervision, counseling, guidance, training, education, therapy, or other nonmedical care.”

³² Cal. Gov't Code 65008(a) and (b).

³³ Cal. Gov't Code 65008(d)(2).

³⁴ Keith v. Volpe, 858 F.2d 467, 485 (9th Cir. 1987).

³⁵ Affordable Housing Development Corp. v. City of Fresno, 433 F.3d 1182 (2006).

³⁶ Cal. Gov't Code 65580 *et seq.*

to remove constraints or to provide reasonable accommodations for housing designed for persons with disabilities.³⁷ The California Attorney General also sent a letter to local planning agencies in May 2001 urging them to adopt reasonable accommodation ordinances. As a consequence, many cities and counties in the State now have a separate reasonable accommodation ordinance that may be applicable to group homes serving disabled persons, whether licensed or unlicensed.

Amendments to housing element law effective January 1, 2008³⁸ specifically require cities and counties to include in their housing elements a program to remove constraints so that 'supportive housing,' as defined in the bill, is treated like other residences of the same type. This means that communities must revise their zoning so that the only restrictions that may be applied to supportive housing, as defined in the statute, are those that apply to other residences of the same type (single-family homes, duplexes, triplexes, or fourplexes) in the same zoning district; no conditional use permit or other permit is required unless other residences of that type in the same zone also must obtain the same permit.

However, to qualify for this protection, the supportive housing must meet the definition of "supportive housing" contained in Health & Safety Code Section 50675.14, which is housing that:

- Has no limit on the length of stay.
- Is linked to onsite or offsite services that assist residents in improving their health status, retaining the housing, and living and working in the community.
- Is occupied by the "target population," defined as adults *with low incomes* having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health problems; and persons eligible for services under the Lanterman Development Disabilities Act, which provides services to persons with developmental disabilities that originated before the person turned 18.

Should a group home meeting this definition of "supportive housing" require a permit of any type, California's "Housing Accountability Act" will allow it to be denied only under very limited circumstances.³⁹

³⁷ Cal. Gov't Code 65583(a)(4); 65583(c)(3).

³⁸ Cal. Gov't Code 65583(a)(5).

³⁹ Cal. Gov't Code 65589.5(d). Local governments cannot deny supportive housing, or add conditions that make the housing infeasible, unless they can make one of five findings:

- The jurisdiction has met its low income housing needs.
- The housing would have a specific, adverse impact on public health or safety, and there is no feasible way to mitigate the impact.
- Denial is required to comply with state or federal law, and there is no way to comply without making the housing unaffordable.
- The housing is proposed on land zoned for agriculture and is surrounded on two sides by land being used for agriculture, or there is inadequate water or sewer service.
- The housing is inconsistent with both the zoning and the land use designation of the site and is not shown in the housing element as an affordable housing site.

Many privately operated group homes have limitations on the length of stay and are not occupied by adults with low incomes and so do not qualify as "supportive housing" under this definition; but many group homes funded under California's Mental Health Services Act do so qualify.

IV. Protections Provided by the California Right to Privacy

Unlike the federal Constitution, California's Constitution contains an *express* right to privacy, adopted by the voters in 1972. The California Supreme Court has found that this right includes "the right to be left alone in our own homes" and has explained that "the right to choose with whom to live is fundamental."⁴⁰ Consequently, the California courts have struck down local ordinances that attempt to control *who* lives in a household—whether families or unrelated persons, whether healthy or disabled, whether renters or owners. On the other hand, the courts will support ordinances that regulate the *use* of a residence for commercial purposes.

Consequently, communities that desire to regulate group homes have attempted to define them as commercial *uses* similar to boarding houses rather than restricting *who* lives there.

A. Families v. Unrelated Persons in a Household

In many states, local communities can control the number of unrelated people permitted to live in a household. However, based on the privacy clause in the State Constitution, California case law requires cities to treat groups of related and unrelated people identically when they function as one household.⁴¹ Local ordinances that define a "family" in terms of blood, marriage, or adoption, and that treat unrelated groups differently from "families," violate California law. California cities cannot limit the number of unrelated people who live together while allowing an unlimited number of family members to live in a dwelling.

In the lead case of *City of Santa Barbara v. Adamson*, Mrs. Adamson owned a very large 6,200 sq. ft., 10-bedroom single-family home that she rented to twelve "congenial people." They became "a close group with social, economic, and psychological commitments to each other. They shared expenses, rotated chores, ate evening meals together" and considered themselves a family.

However, Santa Barbara defined a family as either "two (2) or more persons related by blood, marriage or legal adoption living together as a single housekeeping unit in a dwelling unit," or a maximum of five unrelated adults. The court considered the twelve residents to be an "alternate family" that achieved many of the personal and practical needs served by traditional families. The twelve met half the definition of "family," because they lived as a single housekeeping unit. However, they were not related by blood. The court found that the right of privacy guaranteed them the right to choose whom to live with. The purposes put forth by Santa Barbara to justify the ordinance—such as a concern about parking—could be handled by neutral ordinances applicable to all households, not just unrelated individuals, such as applying limits on the number of cars to *all* households. "*In general, zoning ordinances are much less suspect when they focus on the use than when they command inquiry into who are the users.*"⁴²

⁴⁰ *Coalition Advocating Legal Housing Options v. City of Santa Monica*, 88 Cal. App. 4th 451, 459-60 (2001).

⁴¹ *City of Santa Barbara v. Adamson*, 27 Cal. 3d 123, 134 (1980).

⁴² *Adamson*, 27 Cal. 3d at 133.

Despite this long-standing rule, a 2002 study found that *one-third* of local zoning ordinances, including that of the City of Los Angeles, still contained illegal definitions of "family" that included limits on the number of unrelated people in a household.⁴³ While most cities were aware that these limits were illegal and did not enforce them, interviews with staff members in the City of Los Angeles, for example, found that many did attempt to enforce the limits on the number of unrelated persons.⁴⁴

If a group of people living together can meet the definition of a "household" or "family," there is no limit on the number of people who are permitted to live together, except for Housing Code limits discussed in the next section. By comparison, many ordinances regulate licensed group homes more strictly if they have seven or more residents, by defining such licensed facilities as a separate *use*.

Since *Adamson*, the California courts have struggled to determine when zoning ordinances are focusing on the *occupants* of the home and when they are focusing on the *use* of the home. In particular, courts have struck down ordinances that:

- Limited the residents of a second dwelling unit to the property owner, his/her dependent, or a caregiver for the owner or dependent.⁴⁵
- Allowed owner-occupied properties to have more residents than renter-occupied properties.⁴⁶
- Imposed regulations on tenancies-in-common that had the effect of requiring unrelated persons to share occupancy of their units with each other.⁴⁷

On the other hand, the courts have upheld regulations when they were convinced that the city's primary purpose was to prevent non-residential or commercial *use* in a residential area. In particular, the courts have upheld ordinances that:

- Regulated businesses in single-family residences ("home occupations") and limited employees to residents of the home.⁴⁸
- Prohibited short-term transient rentals of properties for less than thirty days.⁴⁹

B. Occupancy Limits

The Uniform Housing Code (the "UHC") establishes occupancy limits—the number of people who may live in a house of a certain size—and in almost all circumstances municipalities may

⁴³ Housing Rights, Inc., *California Land Use and Zoning Campaign Report 27-28* (2002). Los Angeles is now considering amendments to its ordinance.

⁴⁴ Kim Savage, *Fair Housing Impediments Study 37* (prepared for Los Angeles Housing Department) (2002).

⁴⁵ *Coalition Advocating Legal Housing Options v. City of Santa Monica*, 88 Cal. App. 4th 451 (2001).

⁴⁶ *College Area Renters and Landlords Assn. v. City of San Diego*, 43 Cal. App. 4th 677 (1996). However, this case was decided primarily on equal protection grounds, rather than on the right of privacy.

⁴⁷ *Tom v. City & County of San Francisco*, 120 Cal. App. 4th 674 (2004).

⁴⁸ *City of Los Altos v. Barnes*, 3 Cal. App. 4th 1193 (1992).

⁴⁹ *Ewing v. City of Carmel*, 234 Cal. App. 3^d 1579 (1991).

not adopt more restrictive limits. The UHC provides that at least one room in a dwelling unit must have 120 square feet. Other rooms must have at least 70 square feet (except kitchens). If more than two persons are using a room for sleeping purposes, there must be an additional 50 square feet for each additional person.⁵⁰ Using this standard, the occupancy limit would be seven persons for a 400-sq. ft. studio apartment (the size of a standard two-car garage). Locally adopted occupancy limits cannot be more restrictive than the UHC unless justified based on local climatic, geological, or topographical conditions. Efforts by cities to adopt more restrictive standards based on other impacts (such as parking and noise) have been overturned in California.⁵¹

Similarly, the Ninth Circuit found that a local ordinance that limited the number of persons in a homeless shelter to 15, when the building code would allow 25 persons, was unreasonable, and found that allowing 25 persons in the shelter would constitute a reasonable accommodation.⁵²

Based on these federal and state precedents, localities may not limit the number of people living in a dwelling below that permitted by the UHC.

V. Local Regulation of Group Homes

In the past decade, much local concern has been directed at sober living homes, which are typically unlicensed facilities designed to provide support to recovering substance abusers. Because privately operated sober living homes often desire to attract middle- and upper middle-income residents, and there is a high demand for such facilities, they have often been located in middle- and upper-class areas, and in some cases have experienced local opposition. The League of California Cities has sponsored legislation designed to require licensing or allow more local control, but those efforts have failed. Communities often view such facilities as businesses exploiting a loophole rather than as residences and so seek to be able to distinguish them from residences, often defining them as "lodging houses" or "boarding houses." Lodging houses typically require a conditional use permit and are not permitted in single-family residential zones. Conversely, sober living homes seek to be classified as "households" or "single housekeeping units" so they may locate in any residential neighborhood without requiring any public notice or needing any use permit.

A. Defining Unlicensed Facilities as Lodging Houses or Single Housekeeping Units

A 2003 opinion of the State Attorney General found that communities may prohibit or regulate the operation of a lodging house in a single family zone in order to preserve the residential character of the neighborhood.⁵³ The City of Lompoc defined a lodging house as "a residence or dwelling . . . wherein three or more rooms, with or without individual or group cooking facilities, are rented to individuals under separate rental agreements or leases, either written or oral, whether or not an owner, agent or rental manager is in residence." The Attorney General agreed

⁵⁰ Cal. Health and Safety Code 17922(a)(1). See Briseno v. City of Santa Ana, 6 Cal. App. 4th 1378, 1381-82 (1992) (holding that the state Uniform Housing Code preempts local regulation of occupancy limits).

⁵¹ Briseno, 6 Cal. App. 4th at 1383.

⁵² Turning Point, Inc. v. City of Caldwell, 74 F.3d 941 (9th Cir. 1996).

⁵³ 86 Ops. Cal. Att'y Gen'l 30 (2003).

that a lodging house, while providing a 'residence' to paying customers, could be considered a *commercial* use and so could be prohibited in residential areas. ("There is no question but that municipalities are entitled to confine commercial activities to certain districts [citations], and that they may further limit activities within those districts by requiring use permits."⁵⁴)

The Attorney General further concluded that the ordinance was consistent with *Adamson* because it would allow any owner of property to rent to any member of the public and any member of the public to apply for lodging. The proposed ordinance would be directed at a commercial *use* of property inconsistent with the residential character of the neighborhood regardless of the identity of the users.

Based on the Attorney General's opinion and *Adamson*, then, cities have increasingly defined a "household" or "single housekeeping unit" to have these characteristics:

- One joint lease signed by all residents;
- Access by all to all common areas of the home; and
- Shared housekeeping and shared household expenses.
- No limits on length of residence.
- New residents selected by existing residents, not a manager or landlord.

For instance, the City of Los Angeles proposed an ordinance defining a "single housekeeping unit" as:

One household where all the members have common access to and common use of all living, kitchen, and eating areas within the dwelling unit, and household activities and responsibilities such as meals, chores, expenses, and maintenance of the premises are shared or carried out according to a household plan or other customary method. If all or part of the dwelling unit is rented, the lessees must jointly occupy the unit under a single lease, either written or oral, whether for monetary or non-monetary consideration.

The same ordinance proposed to define a boarding or rooming house as:

A one-family dwelling, or a dwelling with five or fewer guest rooms or suites of rooms, where lodging is provided to individuals with or without meals, for monetary or non-monetary consideration under two or more separate agreements or leases, either written or oral.

Under these and similar ordinance definitions, many sober living homes operated by private organizations, whether for-profit or nonprofit, are classified as boarding or lodging houses because residents do not sign a joint lease; new residents are selected by a manager; household expenses may not be shared (i.e., residents pay a set fee to the manager); and there may be limits

⁵⁴ *Id.*

on length of residence. In contrast, persons who desire to live together to support each other during recovery and rent a home together would be classified as a “single housekeeping unit.”

Enforcement Issues. If a group home is challenged as not constituting a single housekeeping unit, the operator will likely assert that it is indeed operating as a single unit. Unless there is public information available showing that a residence is operated as a lodging house (e.g., web advertising), an investigation would be required to demonstrate otherwise. If complaints were based primarily on the disability of the occupants (which could include their status as recovering drug and alcohol abusers), then California privacy rights and fair housing laws might be implicated. In one Washington, D.C., case, a federal district court found a violation of the federal Fair Housing Act where the Zoning Administrator carried out a detailed investigation of a residence for five mentally ill men in response to neighbors' concerns, finding that the Zoning Administrator's actions were motivated in part by the neighbors' fears about the residents' mental illness.⁵⁵ In California, a similar challenge might be additionally based on rights of privacy and equal protection concerns.

B. Best Practices - Service Providers

We advise our nonprofit sponsors that if a facility can be considered a single housekeeping unit, the facility must be treated as a residence with one family residing in it. The most defensible structure for such a facility would be to:

- Have one rental agreement or lease signed by all *occupants*. If, instead, the provider signs the lease and each resident has a verbal or written agreement with the provider, then the facility could be considered a "lodging house" under the definition upheld by the Attorney General.
- Give all residents equal access to all living and eating areas and food preparation and service areas.
- Keep track of, and share, household expenses.
- Do not require occupants to move after a certain period of time, except for time limits imposed by the rental agreement or lease with the owner.
- Allow all existing residents to select new members of the household.

VI. Conclusion

In my own experience as a former city official, many group homes were invisible in the community and caused few problems. Most complaints about overcrowding and excessive vehicles did not involve a group home, but rather the poorest areas where space was rented out to the limits of the Housing Code.

The group homes that caused the most concern were sober living facilities which tended to concentrate in certain inexpensive single-family neighborhoods. In one case, all five homes on

⁵⁵ Community Housing Trust v. Dep't of Consumer & Regulatory Affairs, 257 F. Supp. 2d 208 (D.D.C. 2003).

one block face were purchased by a single owner. He was knowledgeable about his rights but unconcerned about his obligations, and sneered at the City's and neighborhood's concerns. Since the facilities were unlicensed, there was no regulatory oversight. When the occupant of one home was arrested for drug dealing, it caused an uproar.

Many providers are conscious of their position in neighborhoods and make an effort to accommodate community concerns. Others may be perceived as arrogant and dismissive of local concerns, viewing all neighbors as "NIMBYs." Providers who view themselves as part of the community and set house rules that encourage community involvement, restrict noise, control parking, and establish smoking locations not visible from the street can go a long way toward abating perceived problems.

Cities should modify their zoning ordinances to address unlicensed group homes and decide on a strategy for dealing with group homes with seven or more persons (use permit and reasonable accommodation). State legislation requiring some minimal licensing for sober living facilities would also be beneficial to set standards for minimal levels of care. Cities need also to avoid the kind of incidents that result in the Legislature's willingness to further constrain local control of these homes.

SUMMARY: GROUP HOME ANALYSIS UNDER CALIFORNIA LAW

IF LICENSED:

6 or fewer clients:

Must be treated like a single-family home for all zoning purposes, except for spacing requirements for certain licensed facilities (e.g., community care facilities). Community care facilities for the elderly and drug and alcohol treatment centers do not have spacing requirements.

7 or more clients:

Psychiatric facilities—both inpatient and outpatient—must be permitted in any zone that permits nursing homes or hospitals as conditional or permitted uses. (City of Torrance v. Transitional Living Centers)

Other licensed facilities are often subject to a use permit and may not be permitted in certain zones. Advocates may request a reasonable accommodation to avoid use permit requirements or to obtain modifications to traditional zoning requirements. But the Ninth Circuit has not found a use permit *per se* to violate the Fair Housing Act. (Gamble v. City of Escondido)

IF UNLICENSED:

Is it operated as a single housekeeping unit (household, family)?

If so, must be treated like a single dwelling unit.

Unlicensed homes are more likely to be considered as a single housekeeping unit if they meet the following tests:

- Physical access: all have access to common areas: kitchen, laundry, living & family rooms is free.
- No limits on term of occupancy
- All residents on lease or rental agreement [AG's opinion]
- Makeup of the household is determined by the residents rather than a landlord or property manager
- Normal household activities (meals, chores) and household expenses shared (*Adamson*)

There are different *local* definitions of "family" or a single housekeeping unit. (For instance, some localities do not use the existence of separate rental agreements as a test for a single housekeeping unit.) Advocates oppose some of the above characteristics.

Does it qualify as "supportive housing" under housing element law?

If so, must be treated like other residences of the same physical type [depending on date of adoption of housing element].

6 or fewer clients:

Fair housing argument if treated more strictly than licensed facilities; but no case in California holds this specifically.

Defined as a boarding house or another use?

Only the *use* can be regulated, not the *user*.
Group homes for the disabled cannot be treated in a discriminatory fashion from other group homes (boarding houses, dormitories, etc.).

From: Eileen Stanley [REDACTED]
Sent: Saturday, April 17, 2021 11:53:00 AM
To: John Heading <jheading@morrobayca.gov>; PlanningCommission <PlanningCommission@morrobayca.gov>; Dawn Addis <daddis@morrobayca.gov>
Subject: Your Legacy

Five more men have been charged in connection with a scheme that lured vulnerable drug users to Southern California with promises of free addiction treatment, fraudulently signed them up for private insurance, and then generated \$60 million in billings that resulted in insurance payouts of \$11.7 million.

Charged with multiple felonies, including insurance fraud, money laundering and conspiracy, were [Jeremy Ryan](#), 42, of Orange; [Daniel Reaman](#), 41, of Mount Rainier, Maryland; [Richard Roberts](#), 61, of Stockton; [Reiner Nusbaum](#), 54, of San Clemente; and [Michael Castanon](#), 56, of San Juan Capistrano.

“With no regard for the substance abuse patients who wanted and needed treatment, this ring trafficked and used them to steal from insurance companies to line their own pockets,” state Insurance Commissioner Ricardo Lara said in a prepared statement.

The scheme involved 441 patients from all over the country who were trafficked into 19 different treatment centers, according to the joint investigation by the California Department of Insurance and the Orange County District Attorney’s Office.

“These schemes target and exploit vulnerable people at a time when they need help the most,” said Orange County District Attorney Todd Spitzer in a prepared statement, vowing to “continue to send a strong message against fraudsters and the deceptive tactics that exploit treatment services by prosecuting these cases to the fullest extent of the law.”

Castanon owned and operated Luminance Recovery Center, a San Juan Capistrano-based treatment facility, and now is CEO of Dana Point Rehab Campus. Roberts and Nusbaum were among those who owned and operated RNR Recovery and Diamond Recovery in Orange and Riverside counties, and Reaman was director of True Recovery Centers, according to the complaint.

Most of the accused did not return calls or emails seeking comment.

This is what you’re bringing to Morro Bay.

From: tawnyfawn [REDACTED]
Date: April 17, 2021 at 6:48:10 PM PDT
To: Nancy Hubbard <nhubbard@morrobayca.gov>
Subject: No to proposed drug detox facility

I'm a resident that lives less than 1 mile to this proposed facility. I am absolutely against this facility in THIS CITY!!!

I'm saying NO to your drug haven!!!!!!!!!!!!!!!!!!!!

From: Heather Barbis [REDACTED]
Sent: Friday, April 16, 2021 6:09:52 PM
To: PlanningCommission <PlanningCommission@morrobayca.gov>; Council <council@morrobayca.gov>; Scott Collins <scollins@morrobayca.gov>; Chris Neumeyer <cneumeyer@morrobayca.gov>; Ashley Smith [REDACTED]
Subject: Appeal for MUP 20-02

To the Planning Commission, Morro Bay City Officials and Decision Makers,

Please take a pause to consider the MUP 20-02 Appeal carefully. Though the project might merely fall within a Miner Use Permit's scope, there is a much bigger picture to take in to account here. I don't think our City has properly laid out a plan on this front and should stop and take the time to do so now before moving this project forward.

Current Residents and City's Future

I have an issue with the location of the purposed Rehab Facility being located on our City's Main Street. I have a hard time thinking that fits into Morro Bay's General Plan and/or Strategic Plan when considering the look, feel and function of our community. Not only is this location on Main Street, it is also located close to two schools and sits on the only main path for all high school students in north Morro Bay on the east side of the highway to walk to and from school.

Does the City of Morro Bay have a firm understanding of exactly what sort of facility is going in at this site and what oversight is required? Will this be a sober-living facility, a detox facility or a medical detox facility? All three require different permits, protocols and staff. If there will be direct regulatory oversight, that might sit better with residents.

Criminals at the Helm

Location aside, the people involved with this facility are criminals. I've sent an earlier email with simple Google search results that demonstrate the character of the names affiliated with this permit. I'm certain they are knowledgeable about their rights but unconcerned about obligations and neighborhood concerns. I'm sure they will collect all the money they can from insurance and state-funded programs, and when the money runs out, they will turn the residents out on our city's streets to become our city's problem.

While I recognize, it is not necessary to do a background check for a MUP, it's probably not best practices to usher this element into our town either. Here's a look at the people involved:

Person 1:

Brian Der Vartanian, the person listed on the Minor Use Permit Morro Bay issued, is the listed agent/representative of what is called Building Unique Youth Alternatives (source here: <http://www.nonprofitfacts.com/CA/Building-Unique-Youth-Alternatives.html>). The following link is a horrifying account of what the Building Unique Youth Alternatives experience was like.

[Woman recalls experience in Bassett-based youth boot camp](#)

Person 2:

Oganes Nardos is the point of contact listed for the project (on the Q&A document), and he has criminal background, as in undercover Homeland Security type of criminal background.

<https://www.ocweekly.com/armenian-immigration-bribery-schemer-gets-punished-6457588/>

<https://www.latimes.com/socal/glendale-news-press/news/tn-gnp-safetybrief-20100921-story.html>

Person 3:

Justin Frankian, listed as the VP of Morro Bay Recovery per the National Provider Registry is also trying to convert a motel into a rehab facility in the city of Gorman that is also right next to an elementary school. ([Gorman residents oppose proposed rehab facility | News Break](#))

How to Move Forward

I'm attaching a very interesting document that summarizes California Land-Use Requirement Laws in relation to Recovery Facilities. It spells a few things out quite well. I would hope our City Attorney has done his due diligence and has put together a similar document based on current law as this is a few years old. If not, I would request we take a pause, so he can do so to help guide a clear path forward.

In the document's conclusion, it states, which I completely agree with exploring:

"Cities should modify their zoning ordinances to address unlicensed group homes and decide on a strategy for dealing with group homes with seven or more persons (use permit and reasonable accommodation). State legislation requiring some minimal licensing for sober living facilities would also be beneficial to set standards for minimal levels of care. Cities need also to avoid the kind of incidents that result in the Legislature's willingness to further constrain local control of these homes.

Now is the time to take a pause and allow the City to put into place a structured plan on location, quantity and proximity of this sort of facility before we merely open this Pandora's box. We have numerous homes and hotels that could easily follow suit if the City doesn't come up with a clear plan now.

Thank you all for your time, careful consideration and the hard work you do. I appreciate it and so does our community.

Thanks again,

Heather Barbis


From: Lynda Merrill [REDACTED]
Sent: Sunday, April 18, 2021 6:42 AM
To: PlanningCommission <PlanningCommission@morrobayca.gov>
Subject: B2 Morro Bay Recovery Center

Dear Chairperson and Commissioners,

Regarding the Recovery Center planned for North Main Street, I do not have any experience living next door to a facility of this kind, so was interested in hearing from the woman who appealed the administrative approval. She has knowledge we need to listen to. I don't know what the clients do when they are not inside the facility and in treatment. I think that is a good question to ask the people running the program. Because the clients want to be there, have asked for help and the State has provided this facility I think that has value.

I will be watching the discussion on this appeal on TV and am interested in your decision.

Thank you for volunteering for this important Commission.

Sincerely, Lynda Merrill

-----Original Message-----

From: Johnee Gange [REDACTED]
Sent: Thursday, April 15, 2021 2:42 PM
To: Nancy Hubbard <nhubbard@morrobayca.gov>
Subject: No drug treatment center !

I feel for anyone who has to go to rehab but not the solution is not to let the Rodeway Inn to become one. It will change the feel of our town and also there are children nearby . Do not approve please. I'm a MB home and business owner who pays a lot of tax. I say no thanks to this project

John Gange

RECEIVED

APR 19 2021

City of Morro Bay
Community Development Dept.

Robert and Reba Perkins

Community Development Department
C/O City Hall
595 Harbor Street
Morro Bay, CA 93442

Nancy Hubbard, Contact Planner or Whom It May Concern:

As owners of the home at [REDACTED], Morro Bay we are adamantly opposed to the "change in use" proposal at 2460 Main Street from a nice quiet motel to a Recovery Center. Why you would approve this in the middle of a quiet residential neighborhood is beyond us. We feel this is a short-sighted decision made without taking into account the adverse effects it will have on the surrounding neighborhood. There are many young children that routinely play outside plus many older adults that may be vulnerable and a target for abuse.

If part of this approval is being made to increase city funding, we feel this is inappropriate and not a solid basis for your decision.

We fully support the appeal and request the city reconsider and approve the appeal.

Thank you for your consideration.

Sincerely,



Robert and Reba Perkins

-----Original Message-----

From: Rebecca Running [REDACTED]
Sent: Monday, April 19, 2021 9:08 PM
To: PlanningCommission <PlanningCommission@morrobayca.gov>
Subject: Proposed Rehabilitation Center for Rodeway Inn

Planning Commission:

I believe that any permit issued to the owners of the Rodeway Inn for the purpose of a drug addiction rehabilitation center come with the same restrictions placed upon any other local company which operates next to or within a residential zone and that measures are taken to make sure the surrounding community is adequately protected. Vacation rentals have parking and occupancy restrictions. Cannabis stores are required to have cameras and armed guards. Insightful thought and care should be taken in issuing the rehabilitation permit to make sure the surrounding neighborhood's concerns are addressed.

Sincerely,

Rebecca Running
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: Monday, April 19, 2021 4:06 PM
To: Nancy Hubbard <nhubbard@morrobayca.gov>
Subject: Detox/Drug Facility

Nancy Hubbard,

I am concerned about the proposed Drug/Detox Center to be located at 2460 Main St.

As many of my neighbors have expressed I also don't think it is not the proper location or size to be a facility in this area. There will be impact on local business, too close to schools, too large for our area and Fire and Police Department. I would assume they would build a wall around the facility and if not why not?

Helping people addicted to drugs and alcohol should be a priority but I would think it should be in a quiet peaceful setting not on a main road.

Thank You

Pat Mangione

Morro Bay

From: Eileen Stanley [REDACTED]
Sent: Saturday, April 17, 2021 11:34 AM
To: Scot Graham <sgraham@morrobayca.gov>
Subject: The Best Article

<https://www.eastbaytimes.com/2020/06/20/5-arrested-in-11-7-million-southern-california-addiction-treatment-fraud-scheme/>

From: Alissa Bright [REDACTED]
Sent: Tuesday, April 20, 2021 8:31 AM
To: Nancy Hubbard <nhubbard@morrobayca.gov>
Subject: Please Choose a Rural Location for Detox Center

Hello Nancy Hubbard,

I am a Cayucos resident with children who will be soon be attending MBHS, just across the freeway from the proposed site of the Detox Center.

I am in full support of creating availability for a Drug Detox Program. HOWEVER, the proposed location is incredibly irresponsible. Please move the Detox Center to a rural location, outside of city limits, off the beaten path of hundreds of children walking to & from school & playing safely in their own neighborhoods.

As a parent, as the Cayucos School PTA president, and as a longtime Central Coast resident, I am concerned about the reckless choice to place unstable individuals right in the heart of family neighborhoods. Don't rob the nearby residents of their feelings of safety to allow their children to play outside and/or walk to school without fear.

Again, the same benefits of a detox facility can be achieved in a location safely away from young children.

Please make the responsible choice for families and move the location away from family neighborhoods.

Thank you, Alissa Bright, Cayucos resident

--

Alissa Bright

[REDACTED]

From: Max Crigger [REDACTED]
Sent: Tuesday, April 20, 2021 8:49 AM
To: Nancy Hubbard <nhubbard@morrobayca.gov>
Subject: Drug Detox Center in Morro Bay

Nancy Hubbard
Contract Planner - Drug Detox Center Morro Bay

Dear Ms. Hubbard,

Please submit my short sequential question concerns for the proposed Detox Center:

1. Who, or what, agency will be responsible for any adverse events emanating from the plan?
2. How will the liability be addressed?
3. What adverse events have been reported for similar contracts elsewhere?
4. Were prior adverse events impacted by the proximity of the center to school location?

These questions need to be openly addressed to protect our children and neighborhoods.

Sincerely,
Max Crigger
Morro Bay owner since 1996

From: Terri Minetti [REDACTED]
Sent: Tuesday, April 20, 2021 8:50 AM
To: Nancy Hubbard <nhubbard@morrobayca.gov>
Subject: Detox Center

Hello Nancy Hubbard,

I am a Cayucos resident with children who attend MBHS, just across the freeway from the proposed site of the Detox Center. As the President of the Morro Bay Aggie Backers and a parent of a student athlete, I am concerned about the safety of the youth who participate in activities after school hours. These children are going to, from and on campus early in the morning and late into the evening. Their safety is of the utmost importance.

I am in full support of creating availability for a Drug Detox Program. HOWEVER, the proposed location is incredibly irresponsible. Please move the Detox Center to a rural location, outside of city limits, off the beaten path of hundreds of children walking to & from school & playing safely in their own neighborhoods.

As a longtime Central Coast resident, I am concerned about the reckless choice to place unstable individuals right in the heart of family neighborhoods. Don't rob the nearby residents of their feelings of safety to allow their children to play outside and/or walk to school without fear.

Again, the same benefits of a detox facility can be achieved in a location safely away from young children.

Please make the responsible choice for families and move the location away from family neighborhoods.

Thank you.

Terri Minetti
MBHS Parent
President of the Morro Bay Aggie Backer

From: Robert Micheletti [REDACTED]
Sent: Tuesday, April 20, 2021 10:29 AM
To: Nancy Hubbard <nhubbard@morrobayca.gov>
Subject: Rodeway Inn

I want to express my deepest regrets that the MB planning commission is still considering a Drug Detox center on Main Street. This facility would be located so close to the high school property, the busiest park in Morro bay and the major walking access to the beach. Where will these residents walk, shop, recreate but in a stable community where residents have significant investments in real estate and their homes. Most of the residents in the Cloister are retired, quite vulnerable to theft, and physical harassment. I will be forced to reevaluate selling my home here. This is something that the city council should have nipped at the bud. This is unacceptable to a family, and a tourist community.

Robert Micheletti
[REDACTED]
[REDACTED]

From: Emily Macri [REDACTED]
Sent: Tuesday, April 20, 2021 11:37 AM
To: PlanningCommission <PlanningCommission@morrobayca.gov>
Subject: Public Comment for Meeting 4/20/21

Hello,

I have attached a document that I would like included in the meeting tonight as a public comment. I am hoping to make the actual meeting via zoom, but may not get there on time. I want to make sure those who attend will be able to see this comment, however. Do public comments get read aloud by someone, or is it just included in the meeting minutes? Again, I want to make sure my comment is heard, so if I need to attend and read it, I will work to make sure I can get appear on time.

Thank you so much for your time!

Appeal MUP20-02 at 2460 Main Street Morro Bay

My name is Emily Macri and I am a life long resident of the central coast and I am writing this in support of the City of Morro Bay Planning Commission to uphold the administrative approval of Minor Use Permit (MUP20-02) at 2460 Main Street in Morro Bay and to deny the appeal filed on March 1, 2021.

From a logistics stand point, there is no basis for the appeal. The location is appropriately zoned and a thorough review was conducted by necessary government agencies. To deny this conditional permit or any other regulatory tactics are unlawful and even discriminatory under federal and state laws, including the Fair Housing Act and the Americans with Disabilities Act.

While I am sensitive towards the residents who have concerns about the proposed project, I must say, it feels like a clear cut case of “Not in my Backyard” mentality.

This ideology isn't new. Not in my Backyard (“NIMBY”) is a phenomenon that began in 1970's in which residents of certain communities opposed the development of something they deemed “undesirable” and argued such developments would increase crime, litter, thefts, violence and that property values would decrease. In most recent years, NIMBY's main target has been on substance abuse treatment facilities. Because of the near constant opposition to these projects, many impartial researchers have studied and looked for the correlation that would support such beliefs. Time and time again, no evidence has been documented to support such fears.

I would like to take this opportunity to discuss what this is really about: the stigmatization of substance use disorders and the preconceived judgements of those who struggle with it.

People think they know what addiction looks like, but the truth is there are many faces to addiction. It is the face of the nurse who takes care of you in the ER. It is the teacher who hides a water bottle full of vodka in her desk. It's the firefighter who bravely runs towards danger in order to save your family. It is the mother who stands next to you at your child's soccer game, cheering along with you. It's your best friend's son, who had so much potential before he got injured and prescribed opiates. Substance use disorders do not discriminate, and its infliction does not automatically make a person morally corrupt, as is suggested by comments like “I am worried about the safety of my children” and “this will increase the crime rate in our community”. The biases in which these comments stem from, subconscious or

otherwise, do nothing but perpetuate the pervasive attitude that addiction is shameful and lowly. Is it any wonder so few people ever seek out treatment?

It should be no secret that substance abuse is a glaring problem in the US.

- In 2019, approximately 70,000 people in the United States died from drug/alcohol overdoses
- The data for 2020 is already showing a 31% increase in overdose related deaths
- 46% of people reported having a close friend or family member who struggled with substance use disorders
- It is estimated that 1 in 10 people have a drug or alcohol problem (that is 20 million people in the US alone)
- Only 10% of those people will ever seek treatment
 - The top two barriers of treatment are SHAME/STIGMA and LACK OF ACCESSIBILITY TO QUALITY TREATMENT (the two things this appeal is trying to do)

The residents who oppose the project seem to be unaware of the details involved with opening and operating a substance abuse facility, especially one that has to receive licensing from the California Department of Health Care Services (as is required by this conditional permit). I have spent the last nearly 10 years working within substance use treatment facilities and am well versed and familiar with the processes and requirements involved in obtaining licensure. I would like to, hopefully, put peoples minds at ease.

- DHCS (Department of Health Care Services) requires a thorough, detailed application, whereas the facility must clearly document all staffing, programming, and policies & procedures
- DHCS now requires all facilities must obtain a LOC (level of care) Designation based on the ASAM (American Society of Addiction Medicine) criteria. This is yet another process where a thorough review of the facility is done to ensure it meets the criteria necessary to provide specific levels of care.
- In order to obtain licensure and LOC designation for a detox/residential facility, the facility must:
 - Provide 24 hour care, overnight *awake* staffing
 - Comply with staff/client ratios that ensure safety for everyone
 - Employ appropriate, licensed medical staff onsite when medical withdrawal management (“detox”) is required and must perform and document 30 min checks during withdrawal period.

- These facilities maintain a highly structured and closely monitored schedule that includes:
 - Clinical services, such as individual, group and family therapy
 - Arrangements for pharmacotherapy
 - Perform consistent drug screenings
 - Case management
 - AA and NA attendance, supervised
- Facilities are typically fenced around the outside parameters (which initial application states this owner intends to do) and clients are not able to come and go as they please. All activities done outside the facility are done so with a trained staff member.
- Most importantly, this facility is a VOLUNTARY treatment center. People are there to get help. The owner has stated he hopes to cater to working professionals. These are every day people, who need help.

Again, I really do appreciate the concerns voiced by the residents in our community, but I don't agree with them. I have, personally, known countless locals whose lives ended too soon because of drugs and alcohol. Alcohol and drug abuse is happening in all our neighborhoods. It's already here. The idea that our community is more safe when these people are in active addiction is baffling.

In closing, I again ask that the Planning Commission uphold the original minor use permit, and I also ask the residents of this amazing community to open your hearts and your minds. Recognize your inherent biases and help stop the stigmatization of addiction. I believe that if we do, our community will be healthier and stronger for it.

From: Scot Graham [REDACTED]
Sent: Tuesday, April 20, 2021 11:54 AM
To: Emily Macri [REDACTED]; PlanningCommission
<PlanningCommission@morrobayca.gov>
Subject: RE: Public Comment for Meeting 4/20/21

Hi Emily,

Submitting the correspondence makes it part of the public record for the project, but we do not read them aloud.

Regards,

Scot Graham
Community Development Director
City of Morro Bay
(805) 772-6291

From: Emily Macri <emacri@lionrockrecovery.com>
Sent: Tuesday, April 20, 2021 11:37 AM
To: PlanningCommission <PlanningCommission@morrobayca.gov>
Subject: Public Comment for Meeting 4/20/21

Hello,

I have attached a document that I would like included in the meeting tonight as a public comment. I am hoping to make the actual meeting via zoom, but may not get there on time. I want to make sure those who attend will be able to see this comment, however. Do public comments get read aloud by someone, or is it just included in the meeting minutes? Again, I want to make sure my comment is heard, so if I need to attend and read it, I will work to make sure I can get appear on time.
Thank you so much for your time!

From: Robin Korman [REDACTED]
Sent: Tuesday, April 20, 2021 9:29 AM
To: Nancy Hubbard <nhubbard@morrobayca.gov>
Subject: Detox Center

Hello Nancy Hubbard,

I am a Cayucos resident with children who will soon be attending MBHS, just across the freeway from the proposed site of the Detox Center.

I am in full support of creating availability for a Drug Detox Program. HOWEVER, the proposed location is incredibly irresponsible. Please move the Detox Center to a rural location, outside of city limits, off the beaten path of hundreds of children walking to & from school & playing safely in their own neighborhoods.

As a parent I am concerned about the reckless choice to place unstable individuals right in the heart of family neighborhoods. Don't rob the nearby residents of their feelings of safety to allow their children to play outside and/or walk to school without fear.

Again, the same benefits of a detox facility can be achieved in a location safely away from young children.

Please make the responsible choice for families and move the location away from family neighborhoods.

Thank you,
Robin Korman, Cayucos resident



AGENDA NO: B-2

MEETING DATE: April 20, 2021

Staff Report

TO: Planning Commissioners

DATE: April 14, 2021

FROM: Scot Graham, Community Development Director

SUBJECT: Review of Special Use Permit UPO-024, 1130 Napa Avenue, allowing alternate uses to be established at the former Morro Bay Elementary School site.

RECOMMENDATION:

Review Special Use Permit UPO-024 and provide comment.

APPLICANTS: San Luis Coastal Unified School District

SITE LOCATION: 1130 NAPA, APN: 066-280-045



SUMMARY:

In 2004 San Luis Coastal Unified School District approached the City with a request to allow alternate uses of the Morro Bay Elementary School facility. Those uses included the following:

Prepared By: ___SG___

Department Review: ___SG___

- a. Parochial and private schools and colleges,
- b. Activities or religious organization including regular church services,
- c. Private day or residential schools and colleges,
- d. Library and library extension services,
- e. Activities and administration offices of community/charitable organization including senior citizen services,
- f. Activities and administration office of civic and service organizations (e.g. Rotary, Lions, Kiwanis, YMCA, etc.),
- g. Nursery schools and day care centers,
- h. Tutorial related services for elementary/secondary age students,
- i. Uses by other school districts, federal government or its agencies, the state, county, city and county,
- j. Private business enterprises that do not engage in direct retail sales on the school site;
- k. County Office of Education, Alternative School for children on probation or custody of the court.

Morro Bay Municipal Code (MBMC) section 17.30.030.S. requires the issuance of Special Use Permit prior to establishing alternate uses for school facilities. This section applies to certain buildings and structures pursuant to provisions of the California Education Code (Section 39500 and its Successors or The Civic Center Act Sections 38130-38139) which permits joint occupancy of building for certain uses and users which are of a scale and intensity compatible with the public school and its neighborhoods. It is further the purpose of the permit to maintain the continued operation of neighborhood schools, including public recreation uses at the schools, while allowing for the joint occupancy of vacant school property and buildings during periods of less than capacity enrollment. The section lists those uses which are permitted and requires that the Planning Commission consider the permit and forward their report and recommendation to the City Council where a final approval is given. Use allowed under section 17.30.030.S(1) include the following:

- a. Parochial and private schools and colleges;
- b. Activities of religious organizations including regular church services;
- c. Private day or residential schools and colleges;
- d. Library and library extension services;
- e. Activities and administrative offices of community/charitable organizations, including senior citizens services;
- f. Activities and administrative offices of civic and service organizations (e.g. Rotary, Lions, Kiwanis, YMCA, etc.);
- g. Nursery schools and day care centers;

- h. Tutorial related services for elementary/secondary age students;
- i. Uses by other school districts, federal government or its agencies, the state, county, city and county, city or special districts as permitted and regulated by the State Education Code as it may be amended.
- j. Private business enterprises (as specified in a listing in the permit approval) which do not engage in direct retail sales on the school site.

The Planning Commission reviewed the Special Use Permit request on October 18, 2004 and recommended approval to City Council. Council reviewed and approved the Special Use Permit on November 22, 2004. Both actions were approved by voice vote (No Resolution). See Exhibit B for Planning Commission October 18, 2004 staff report. See Exhibit C for the City Council November 22, 2004 Minutes.

The use cannot establish until the school district submits a school utilization plan including site plan outlining the uses and showing their location. City files do not include the approved school utilization site plan, but the applicant has submitted a site plan that identifies the current uses and shows their location. Current uses at the site include: Copper Dragon Books, Calvary Shoreline Church, Adult School, Family Partnership, Terry Brown Art Studio and Outside Now. See Exhibit A for the current site plan.

The Morro Bay Elementary School facility is not currently used by the school district as a school as enrollment in this portion of the district is insufficient support its use.

MBMC section 17.30.030.S.3(e) requires the planning commission to review the school utilization plan biannually through a fully noticed public hearing to ensure the plan and joint occupancy continue to meet the objectives of the section. It does not appear that the Planning Commission has reviewed the school utilization plan since 2004, and that may be because this section of the municipal code assumes a joint use of the facility, which is not occurring.

ENVIRONMENTAL DETERMINATION

Review by the Planning Commission of the Special Use Permit is not subject to CEQA, however, the project was approved pursuant to the California Environmental Quality Act and was found to meet the requirements for a categorical exemption under CEQA Guidelines Section 15301, Class 1a (minor improvements to an existing facility necessary for the change in use).

CONCLUSION/RECOMMENDATION:

The current uses on site appear consistent with the uses originally approved by the Planning Commission and City Council in 2004. The Morro Bay Elementary School facility is not being used for school purposes by the District and it is unlikely that school will be used by the District in the future for its intended function. Allowing alternate uses for the site, while the District determines the future of the facility, serves to

provide maintenance and occupancy of the existing structures, which avoids the nuisance issues that would typically arise with a shuttered facility of this size.

Staff recommendation is for the Planning Commission to review the original approval and the current list of uses and provide comment.

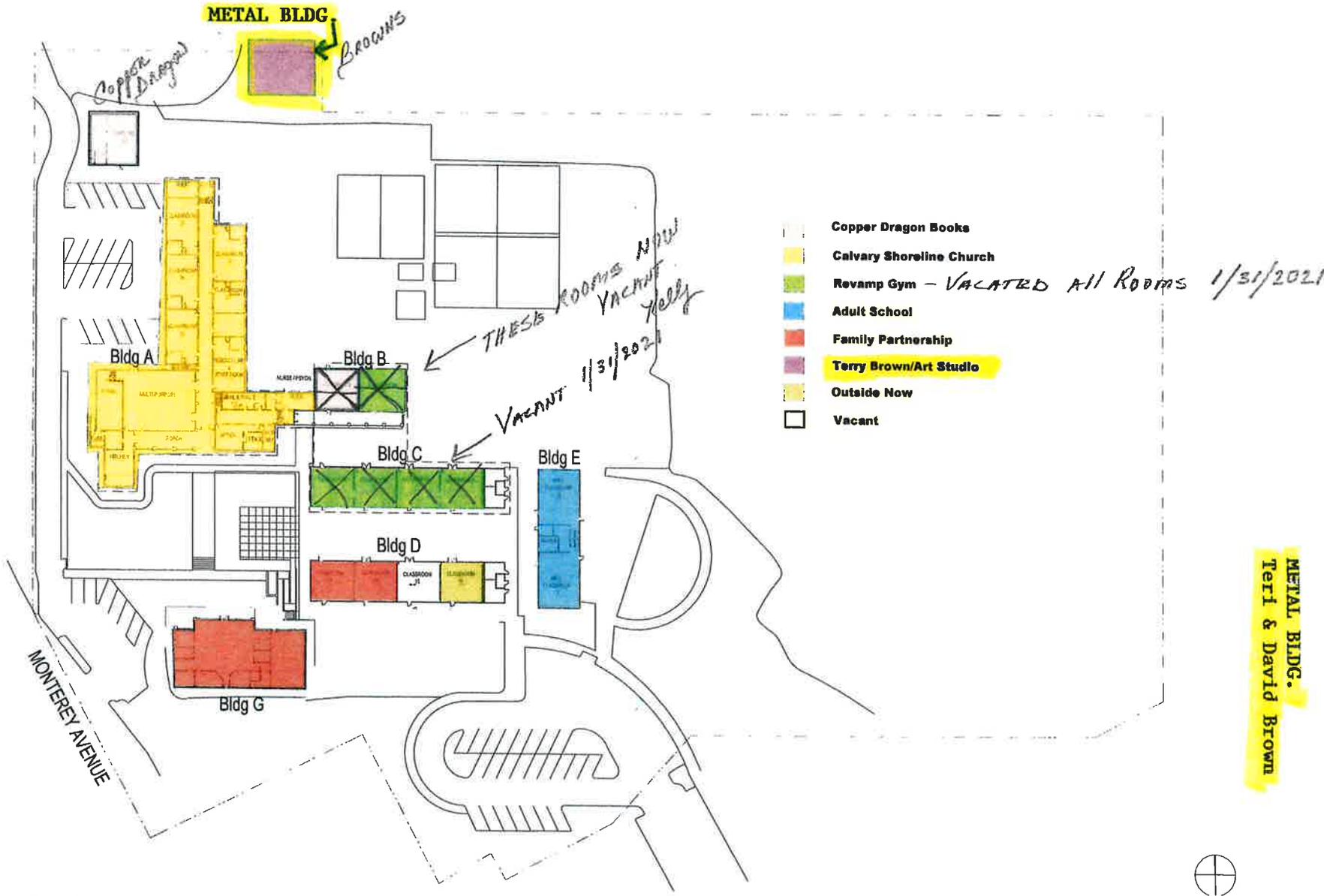
EXHIBITS:

Exhibit A – Site plan with current uses

Exhibit B – October 18, 2004 Planning Commission Staff Report

Exhibit C – November 22, 2004, City Council meeting minutes

EXHIBIT A



METAL BLDG. - ART STUDIO

EXHIBIT B



AGENDA ITEM: _____
ACTION: _____

CITY OF MORRO BAY PLANNING COMMISSION

October 18, 2004

PROJECT SUMMARY

FILE NUMBERS

UPO-024

SITE ADDRESS

1130 Napa Avenue

LEGAL DESCRIPTION(S)

Portion Lot 10, Rancho San Bernardo

APN(S)

066-280-036

APPLICANT:

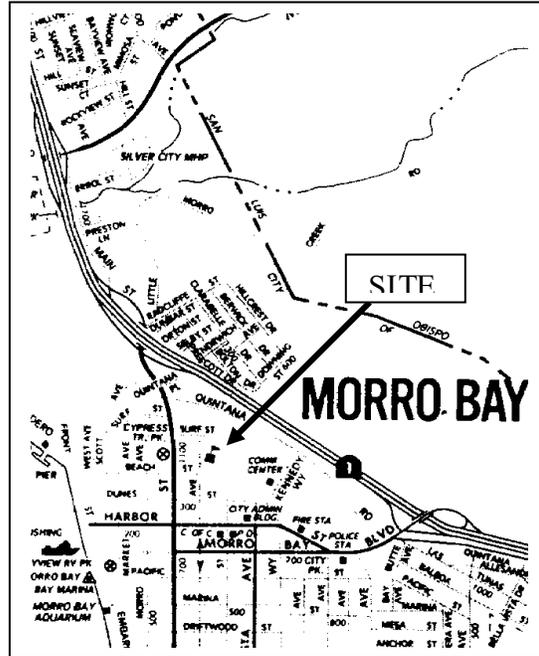
San Luis Coastal Unified School District

AGENT:

Brad Parker

ATTACHMENTS:

1. Findings, Exhibit A
2. Conditions, Exhibit B
3. Graphics/Plan reductions (applicant's packet also) Exhibit C



Vicinity Map

ISSUE SUMMARY

The applicant is proposing to use the existing elementary school facility for a variety of uses. Staff has compared the applicant's request with the list of permitted uses contained in Section 17.30.030 S and found them to be consistent. The uses requested are:

- a. Parochial and private schools and colleges,
- b. Activities or religious organization including regular church services,
- c. Private day or residential schools and colleges,
- d. Library and library extension services,
- e. Activities and administration offices of community/charitable organization including senior citizen services,
- f. Activities and administration office of civic and service organizations (e.g. Rotary, Lions, Kiwanis, YMCA, etc.),
- g. Nursery schools and day care centers,
- h. Tutorial related services for elementary/secondary age students,
- i. Uses by other school districts, federal government or its agencies, the state, county, city and county,
- j. Private business enterprises that do not engage in direct retail sales on the school site;
- k. County Office of Education, Alternative School for children on probation or custody of the court.

EXHIBIT B

STAFF RECOMMENDATION

CONDITIONALLY APPROVE THE PROJECT by adopting a motion including the following action(s):

- A. Adopt the Findings included as Exhibit "A";
- B. Approve UPO-024, subject to the Conditions included as Exhibit "B" and the site development plans dated June 3, 2004.

ENVIRONMENTAL DETERMINATION:

The project qualifies for a CEQA exemption Class 1, under CEQA Guidelines Section 15301 because it is an existing facility and the permit is for the operation leasing and minor alteration of a public facility and will not expand the intensity of area of the existing structure and use.

PROJECT DESCRIPTION AND SETTING:

Adjacent Zoning/Land Use

North:	C-1/C-2 Commercial	South	R-4 Residential
East:	R-4/Community Center	West:	R-4 Residential

Site Characteristics

Site Area	36,841 square feet
Existing Use	Church, County Social Services
Terrain:	Level
Vegetation/Wildlife	Ornamental and grasses/no wildlife
Archaeological Resources	None
Access	Napa Avenue

General Plan, Zoning Ordinance & Local Coastal Plan Designations

General Plan/Coastal Plan Land Use Designation	High Density Residential
Base Zone District	R-4
Zoning Overlay District	None
Special Treatment Area	None
Combining District	None
Specific Plan Area	None
Coastal Zone	Yes, non appealable area

GENERAL PLAN AND LOCAL COASTAL PLAN CONSISTENCY

No applicable Objective, Policies or Programs were found as a result of a review of the General Plan and Local Coastal Plan that are applicable to this project.

EXHIBIT B

San Luis Coastal Unified School District
UPO-024

Planning Commission
October 18, 2004

ZONING ORDINANCE COMPLIANCE

Section 17.30.030 S. Compatible Multiple Use of Public School Sites and Facilities, requires a Special Use Permit. This section applies to certain buildings and structures pursuant to provisions of the California Education Code (Section 39500 and its Successors or The Civic Center Act Sections 38130-38139) which permits joint occupancy of building for certain uses and users which are of a scale and intensity compatible with the public school and its neighborhoods. It is further the purpose of the permit to maintain the continued operation of neighborhood schools, including public recreation uses at the schools, while allowing for the joint occupancy of vacant school property and buildings during periods of less than capacity enrollment. The section lists those uses which are permitted and requires that the Planning Commission consider the permit and forward their report and recommendation to the City Council where a final approval is given.

The school district is also providing additional parking spaces to comply with the parking requirements of the zoning ordinance.

ENVIRONMENTAL

A review of the traffic report provided by the school district (Exhibit C) indicates that there will be fewer trips generated by the new use of the site than the past use. With few trips than the prior use there is no environmental impact that will result from traffic. Since the facility is existing there is no new disturbance of the site and no other impacts anticipated.

Because this is an existing facility and the permit is for the operation leasing and minor alteration of a public facility and will not expand the intensity of area of the existing structure and there are no likely impacts the proposal complies with CEQA Guidelines Section 15301 and is exempt from CEQA..

PUBLIC NOTICE

Notice of this item was published in the San Luis Obispo Telegram-Tribune newspaper on October 8, 2004, and all property owners of record within 300 feet of the subject site and occupants within 100 feet of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application.

CONCLUSION

The proposed project is consistent with the development standards of the zoning ordinance and all applicable provisions of the General Plan and Local Coastal Plan with incorporation of recommended conditions. The project has also been determined to be exempt from CEQA.

EXHIBIT B

San Luis Coastal Unified School District
UPO-024

Planning Commission
October 18, 2004

EXHIBIT A

FINDINGS FOR APPROVAL UPO-024

Special Use Permit Findings

- A. The project is an allowable use in the R-4 (PD) zoning district and is consistent with the certified Local Coastal Program and General Plan for the City of Morro Bay, based on the analysis and discussion in the staff report; and
- B. The establishment, maintenance, or operation of the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of persons residing or working in the neighborhood of the proposed use, as evidenced by public testimony received during the public hearing; and
- C. The use will not be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the City because the project, as conditioned, will be constructed and will operate in accordance with all applicable City standards and regulations intended to protect persons and property, as indicated in the staff report.

EXHIBIT B

EXHIBIT B

CONDITIONS OF APPROVAL UPO-024

STANDARD CONDITIONS

1. This permit is granted for the uses as described in the staff report for the October 18, 2004 Planning Commission hearing and as depicted on plans received by the Public Services Department on June 3, 2004 ("Exhibit C" of the staff report). The approved uses are:
 - a. Parochial and private schools and colleges,
 - b. Activities or religious organization including regular church services,
 - c. Private day or residential schools and colleges,
 - d. Library and library extension services,
 - e. Activities and administration offices of community/charitable organization including senior citizen services,
 - f. Activities and administration office of civic and service organizations (e.g. Rotary, Lions, Kiwanis, YMCA, etc.),
 - g. Nursery schools and day care centers,
 - h. Tutorial related services for elementary/secondary age students,
 - i. Uses by other school districts, federal government or its agencies, the state, county, city and county,
 - j. Private business enterprises which do not engage in direct retail sales on the school site;
 - k. County Office of Education, Alternative School for children on probation or custody of the court.
 - L This approval does not include Fire Department facilities.
2. Inaugurate Within Two Years: If the approved use is not commenced within two (2) years of the effective date of this approval, this approval will automatically become null and void. However, upon written request by the applicant prior to the expiration date of this approval, up to two (2) one-year time extensions may be granted. Said extensions may be granted by the Public Services Director, upon finding that the project complies with all applicable provisions of the Morro Bay Municipal Code, General Plan and 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 Public Services Director. Any changes to this approved permit determined not to be minor by the Director shall require the filing of an amendment subject to Planning Commission review.
4. Compliance with the Law: All requirements of any law, ordinance or regulation of the State of California, City of Morro Bay, and any other governmental entity shall be complied with in the exercise of this approval. This project shall meet all applicable requirements under the Morro Bay Municipal Code, and shall be consistent with all programs and policies contained in the certified Coastal Land Use Plan and General Plan for the City of Morro Bay.
5. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicants failure to comply with conditions of approval. This condition and agreement shall be binding on all successors and assigns.

EXHIBIT B

San Luis Coastal Unified School District
UPO-024

Planning Commission
October 18, 2004

6. Compliance with Conditions: The applicant's establishment of the use and/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 Public Services Director and/or as authorized by the Planning Commission. Failure to comply with these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the Morro Bay Municipal Code and is a misdemeanor.
7. Acceptance of Conditions: The applicant accepts the conditions upon recordation of the Parcel Map and/or having a building permit issued.
8. Commercial Uses: Consistent with Section 17.30.030 S, no more than fifty percent of the total floor area of the school facilities shall be used for commercial uses.

Report prepared by: Greig S. Cummings, Planning Manager

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EXHIBIT B

Please refer to the Council Read File for the the applicant's request with background information.

The information is on file with the City Clerk.

**Planning Commission
Planning Commission
San Luis Coastal Unified School
District**



**EXHIBIT C
SITE PLAN**

EXHIBIT C

MINUTES - MORRO BAY CITY COUNCIL REGULAR MEETING – NOVEMBER 22, 2004

MOTION: Mayor Yates moved the City Council continue this public hearing to the Special City Council meeting on November 30, 2004 at 5:00 p.m. The motion was seconded by Councilmember Peirce and carried unanimously. (5-0)

B-2 SPECIAL USE PERMIT FOR MORRO ELEMENTARY SCHOOL BUILDING FOR COMPATIBLE MULTIPLE USE OF SCHOOL SITE; (PUBLIC SERVICES)

Senior Planner Greig Cummings stated Section 17.030.030(S) of the Morro Bay Municipal Code; Compatible Multiple Uses of Public School Sites and Facilities, requires approval from the Planning Commission and the City Council for uses proposed at a school site where the facility is being used to less than its capacity enrollment. The intent of this ordinance section is to maintain the continued operation of the school facilities while allowing for the joint occupancy of the school. The applicant has submitted information on the area of each use and a number count of the parking spaces on the site. Also, a traffic engineer has reviewed the traffic demands for the uses and determined that the proposed uses generate less traffic than the use of the site as a school.

Mayor Yates opened the hearing for public comment.

David Nelson asked what the proposed uses are for this school site.

Mayor Yates closed the public comment hearing.

Councilmember Elliott stated if it is a government facility, the uses should be rented on a temporary basis.

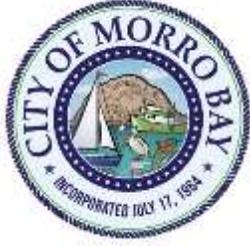
Councilmember Peters stated the proposed uses are compatible with the zoning of this property.

Councilmember Peirce expressed support because the uses are temporary, and the facilities are being used and maintained.

Councilmember Winholtz asked about the length of the rental terms.

Mayor Yates stated the proposed uses would benefit the children in this community.

MOTION: Mayor Yates moved the City Council approve the Special Use Permit UPO-024 to allow the uses requested by the San Luis Coastal Unified School District at the Morro Elementary School site. The motion was seconded by Councilmember Peirce and carried unanimously. (5-0)



AGENDA NO: B-2

MEETING DATE: April 20, 2021

**AGENDA CORRESPONDENCE RECEIVED BY THE
PLANNING COMMISSION FOLLOWING POSTING OF
THE AGENDA IS ATTACHED FOR PUBLIC REVIEW
PRIOR TO THE MEETING**

-----Original Message-----

From: Angelina McKee [REDACTED]
Sent: Tuesday, April 20, 2021 6:51 AM
To: PlanningCommission <PlanningCommission@morrobayca.gov>
Subject: Public Comment for Case No. UPO-024

Honorable City of Morro Bay Planning Commission:

I am writing to you today in regards to the future of Morro Elementary school. We moved away from the area for many years, but in raising our children, willingly made sacrifices to come home to raise our children in this wonderful community that we love and cherish. I am a Morro Elementary school alumni and now have two children that would have been attending Morro Elementary, if it were open.

San Luis Coastal believes we are a town that is drying up, that we have no children, yet they have reduced the grades we have in our community by taking our 6th graders to LOMS, and reduced our children attending school in Morro Bay by offering bi-lingual and "challenging" programs at Pacheco, Teach, and now Baywood Elementary, with children who commute to these schools from our City, and additionally allowed a charter school with approximately 80 children on the campus. I am so glad that the site is still being used as a school, as it should be. We as a community are out of sight, out of mind, and we need to protect ourselves and our resources fiercely. Morro Elementary has been and always should be an open community space.

We as a City and a Community are the first line of defense against these Surplus plans for this school. Historic building moratoriums in Morro Bay did not allow us to grow. Ideally in increasing our developable area and housing, we will naturally have more children in the community- they will need a school to attend and a place to play. Please continue to protect them.

Thank you for being proactive about reviewing this document. Please fortify it so that we may protect our heritage, our historic and architecturally important buildings, our community, and our remaining open spaces in the core of our City.

We appreciate you, all your hard work, and diligence. Thank you for your time and for all that you do for our community.

Respectfully submitted,
Angelina McKee

From: KeAloha Hendey-McKee [REDACTED]
Sent: Monday, April 19, 2021 9:31 PM
To: PlanningCommission <PlanningCommission@morrobayca.gov>
Subject: Morro Bay Elementary School 1130 Napa Morro Bay, CA 93442 Case # UPO-024 APN: 066-280-036

Dear Morro Bay City Planning Commission Members,

The official published strategic long-term goals for the City of Morro Bay community is to provide essential public services and infrastructure to maintain a safe, clean and healthy place for residents and visitors to live, work and play.

As a third generation citizen of Morro Bay, I wish to express my opinion regarding the future usage of the historic Morro Elementary School, playground area, sports fields and open space. This property along with others, were a gift provided to our community by the Quintana Family to memorialize this space for our community as open space, playing fields, and what is now a historic architectural structure and continued as a school. The reason the City Recreation Department was allowed to purchase and develop the portion of the fields, was that it was supposed to be of similar use- for the children and their physical education. Five generations of my family have enjoyed time on Morro Elementary school's property, and continue to do so. My children and grandchildren sought refuge on the large green fields during the quarantine, a safe open space to run and play. My children and grandchildren have enjoyed the adjacent City Recreation Department classes and facility for years and hope to start again soon, when safe to do so.

There are few safe places for the children and citizens of Morro Bay to openly play, especially in the heart of downtown Morro Bay. We have postage stamp sized open space and green areas. Morro Elementary is a large park for the neighborhoods on the south side of Morro Bay. What would New York City be without Central Park? It is a very short-sighted proposal for San Luis Coastal Unified School District to try and sell or demolish or develop this irreplaceable property. If the project was approved for small manufactured homes to be littered across this landmark in our town, the land will no longer be available for our children and younger generations or any recreational usage. This beloved property is in the heart of our downtown, our original settlement, and is historically and culturally significant and we wish to keep it that way. S.O.S. Please help us Save Our School. SLCUSD does not value 'coastal' communities. They were successful in removing the school in Avila Beach and redeveloping it into manufactured homes. They wish to do that here too. Please don't allow them to pave the way to pave paradise and put up a parking lot.

Thank you for proactively reviewing the site's special use permit. We would appreciate it if you keep the needs of the current taxpayers and citizenry of Morro Bay, and the original intent of the Quintana family gift in mind as you contemplate this document regarding the future of Morro Elementary School and grounds.

Thank you for your time and consideration,
Kealoha Hendey

From: betty winholtz [REDACTED]
Sent: Monday, April 19, 2021 4:11 AM
To: Susan Stewart <stewart@morrobayca.gov>; Joseph Ingraffia <jingraffia@morrobayca.gov>; Bill Roschen <broschen@morrobayca.gov>; Jennifer Ford <jford@morrobayca.gov>
Cc: Scot Graham <sgraham@morrobayca.gov>
Subject: agenda item b-2

Dear Planning Commission:

Would you please discuss whether it is a slippery slope from school district requested uses, particularly those listed under "i" and "j" (page 2) and those listed in the MBMC, particularly "i" and "j" to allowing housing on the school grounds " by right"?

Thank you.

Sincerely,
Betty Winholtz

-----Original Message-----

From: Glenn Silloway [REDACTED]
Sent: Tuesday, April 20, 2021 11:49 AM
To: PlanningCommission <PlanningCommission@morrobayca.gov>
Cc: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject: UPO-024: old Morro Bay Elementary School

To the Planning Commission of Morro Bay:

I am writing to you as President of the Historical Society of Morro Bay, and on behalf of our Board. I will be brief.

Our Society aims to preserve the historic buildings on the old Morro elementary school campus. We believe that three, and possibly four, of the buildings would likely qualify as historically significant under the draft historic preservation ordinance we submitted to the City some time ago, as a public service. (We hope that draft ordinance will be put into a regular work plan for adoption soon.)

Preserving the historic buildings implies that there would be facilities that could be used for various purposes. In fact, they are being used for various functions today. With appropriate investment and promotion, they could be used much more intensely.

Your focus today is on the legal compliance of the current, non-public functions on the old campus with a Special Use Permit issued in 2004. The evidence that you are considering in this review proves that the facilities on the campus are useful, and in fact, are being used in appropriate ways.

You are probably aware that the San Luis Coastal Unified School District considers the site "surplus property" because it is no longer used as a public school site, and according to the district will not be. SLCUSD is exploring options for using most of the approximately nine-acre parcel for new housing to generate revenue, and it is properly zoned for high density housing.

However, in at least one concept of this development, the district would demolish 3 of the four historic buildings, and tear down more than half of the fourth. To us, this would be an unfortunate outcome in a City with so few historic properties. These old buildings live in the memories of hundreds of locals who are alumni and ex-teachers at the school. And as I note above, they can be used for other purposes.

We hope the Planning Commission will keep the historic value of the facilities on the campus in mind in its deliberations today and in the future.

Thank you for your service.

Glenn Silloway
President, Historical Society of Morro Bay