



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, May 4, 2021 - 6:00 P.M.
Held Via Teleconference**

Chairperson Susan Stewart

Vice-Chairperson William Roschen
Commissioner Jennifer Ford

Commissioner Joseph Ingraffia
Commissioner - Vacant

ESTABLISH QUORUM AND CALL TO ORDER
MOMENT OF SILENCE
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=aWZpTzcuTHlRTk9xaTlmWVNWRWFUQT09>

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.
- A-2** Approval of minutes from the Planning Commission meeting of March 2, 2021.
Staff Recommendation: Approve minutes as submitted.

B. PUBLIC HEARINGS

- B-1** **Case No.:** CUP21-02/ PKG21-01
Site Location: 939 Pacific Street, Morro Bay, CA
Applicant/Project Sponsor: Eric Westbrook
Proposed Project: Conditional Use Permit and Parking Exception to allow construction of a second story addition to an existing single-family residence. The project includes a 374 sf ground floor addition, 470 sf second story addition, and a new 255 sf second floor deck. The existing residence is nonconforming because it only has a one-car garage where a two-car garage is required. The project is located in the R-1 zoning district and outside of the Coastal Commission Appeals Jurisdiction.
CEQA Determination: Categorically Exempt, Section 15301 Class 1(e)
Staff Recommendation: Conditionally Approve
Staff Contact: Abbigail Miramontes, Planning Intern, (805) 772-6213, amiramontes@morrobayca.gov

- B-2** **Case No.:** CP0-404 / UP0-364 Extension
Site Location: 1840 Main Street, Morro Bay, CA
Request: Request for Time Extension of Coastal Development Permit #CP0-404 and Conditional Use Permit #UP0-364. The CDP/CUP was approved by Planning Commission on April 18, 2017 for new construction of an approximate 1,400 sf drive-thru, drive-up Sonic restaurant with canopied parking and associated site improvements, removal of major vegetation, and sign program approval. In addition, the project includes utility trenching of 4-6 feet across Main Street to the west of the property, trenching across Caltrans right of way, which fronts on Atascadero Road. The project site is in the MCR/R-4/SP zone district and located outside the Coastal Commission Appeals Jurisdiction.
CEQA Determination: Mitigated Negative Declaration
Staff Recommendation: Approve 2 year extension
Staff Contact: Cindy Jacinth, Senior Planner (805) 772-6577, cjacinth@morrobayca.gov

C. NEW BUSINESS

- C-1** Information session presentation: "Tree Plantings Unique and Appropriate to Morro Bay", a consideration for future planting guideline development

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 18, 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.

Planning Commission Meeting of May 4, 2021

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at (805) 772-6264. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.



City of Morro Bay
 Community Development Department
 Current & Advanced Project Tracking Sheet

This tracking sheet shows the status of the work being processed by the Planning & Building Divisions
 New Planning items or items recently updated are highlighted in yellow.

Approved projects are deleted on next version of log.

Agenda No: A-1
 Meeting Date May 4, 2021

#	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	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 scheduled for 5/4/2021 PC meeting.				am
2	MacMillan	1840 Main St	4/14/21	CP0-404 / UP0-364	Request for 2-year 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 4-18-2021. PC meeting date is to be confirmed.				cj
3	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. Tentatively scheduled for 5/18/21 PC meeting.				am
30 -Day Review, Incomplete or Additional Submittal Review Projects:										
4	Auerbach	3200 Beachcomber	4/28/21	MAJ21-03	Major Modification to CDP19-008 - 700sf addition to existing SFR, expand patio to 525sf ,expand driveway to add 3rd parking space					
5	Steiner	301-390 Seashell Cove	4/19/21	MAJ21-02	General Plan / LCP Land Use & Zoning Map Amendment application to change land use and zoning from R-A to R-3 designation / low density to medium density.	Under review				cj
6	Dominguez	1840 Main St	4/19/21	TUP21-02	Admin TUP for temporary relocation of Morro Bay Propane & U-Haul business at 1840 Main St.	Under review.				cj
7	Battaglia/ Winfield	1280 Scott St	4/14/21	CDP21-015	Admin CDP for upstairs ADU, storage, conversion of existing space for JADU.					nh
8	SR Development	545 Atascadero Rd	3/31/21	CDP21-013 / CUP21-04	New construction of 15 unit townhomes project					nh
9	Doubledee	929 Mesa	3/31/21	CDP21-012	Admin CDP for ADU, addition of square ft & relocate garage	Correction letter sent 4/19/21				am
10	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. Balance of submittal received 4/14/21, under review.				nh

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11	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
12	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
13	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
13	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
14	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
15	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
16	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
17	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
18	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
19	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. Application deemed incomplete. Second correction letter sent 4/15/21. Awaiting resubmittal.				am
20	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

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21	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. Resubmittal received April 19, 2021, under review.				nh
22	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
23	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
24	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
25	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
26	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. Planning deemed incomplete, comments sent 11/29/20. Resubmittal received 4/15/21, under review by PW.				nh
27	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. Incomplete, need resubmittal				nh
28	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

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Projects Appealed to Planning Commission or PC Continued projects										
Projects Appealed or Forwarded to City Council										
29	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 to Planning Commission on 3/1/21; appeal denied by PC on April 20, 2021. PC decision appealed to City Council on 4/28/2021.				nh
30	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. On Council agenda for 5/11/2021		PN-Conditionally Approved 10/16/2019		cj
31	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. Council review of adoption draft held on 4/27/21. Hearing continued to the 5/11 Council meeting.				
Environmental Review:										
32	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:										
33	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

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Projects going forward to Coastal Commission for review (Pending LCP Amendments) / or State Department of Housing:										
34	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:										
35	Verizon / Knight	184 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										
36	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
37	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
38	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:										
39	HASLO	405	Atascadero	12/22/20	B20-0215	35 unit affordable apartments	Planning approved 1/10/21.			nh
40	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
41	Goldstein	186	Bayshore Dr.	11/4/20	B20-0190	Remodel kitchen, dining & living area.				sg
42	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.
38	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.		Bldg. - Plancheck		am
39	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
40	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
41	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. - Disapproved 4/21/21		cj
43	Nguyen & Cung	2242	Emerald Circle	4/21/21	B21-0041	Interior Kitchen Remodel in existing SFR. No additional area is being proposed		Bldg. - Plancheck		sg
44	Cox	555	Estero	4/22/21	B21-0073	Remove existing detached single car garage. Rebuild single car garage as attached with office space above. Update kitchen.		Bldg. Plancheck		sg
45	Novick	2820	Greenwood Ave.	3/25/21	B21-0055	Addendum to B20-0151 - Downstairs bath to be removed and constructed upstairs.	Planing approved 4/22/21	Bldg. Plancheck		am

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46	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
47	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
48	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.	Under review.	Bldg. - Plancheck			am
49	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
50	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
51	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
52	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
53	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
54	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
55	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
56	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
57	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

#	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
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 - Disapproved 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. - Approved 4/20/21			nh
61	Gaffney	960-A	Napa Ave	4/2/21	B21-0058	Detached ADU above new garage (see permit B21-0057)	Planning approved 4-7-21	Bldg. - Approved 4/20/21			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
63	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
64	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.	Under review.	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	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
68	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
69	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
70	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
71	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

#	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
72	Giannini	750	Radcliff Ave.	7/22/19	B19-0156	Remove three existing panel antennas, three radio and replace with three radio intergrated antennas and assoicated 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
73	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.	Planning disapproved 3/16/21. Awaiting resubmittal.	Bldg. Disapproved 3/10/21			am
74	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
75	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
76	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
77	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
78	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:

79	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. Permit issued 4/20/21.					am
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Staff Directory:

Scot Graham - sg Chad Ouimet - co Cindy Jacinth - cj Pam Newman - pn Nancy Hubbard - nh Abby Miramontes - am

AGENDA ITEM: A-2
DATE: MAY 4, 2021
ACTION: DRAFT

ACTION MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – MARCH 2, 2021
HELD VIA TELECONFERENCE – 6:00 PM

PRESENT:	Jesse Barron Susan Stewart Jennifer Ford Joe Ingrassia Bill Roschen	Chairperson Vice-Chairperson Commissioner Commissioner Commissioner
STAFF:	Scot Graham Cindy Jacinth Nancy Hubbard	Community Development Director Senior Planner Contract Planner

ESTABLISH QUORUM AND CALL TO ORDER

MOMENT OF SILENCE

PLANNING COMMISSIONER ANNOUNCEMENTS - NONE

PUBLIC COMMENT PERIOD - NONE

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=aWZpTzcwTHlRTk9xaTlmWVNWRFUQT09>
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

PRESENTATIONS – NONE

A. CONSENT CALENDAR

<https://youtu.be/ewBE--Ohl0o?t=124>

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

A-2 Approval of minutes from the Planning Commission meeting of January 19, 2021.
Staff Recommendation: Approve minutes as submitted.

MOTION: Commissioner Stewart moved to approve the Consent Calendar. Commissioner Ford seconded, and the motion passes 5-0, with Stewart, Ford, Roschen, Ingraffia, and Barron voting yes.

<https://youtu.be/ewBE--Ohl0o?t=151>

B. PUBLIC HEARING

<https://youtu.be/ewBE--Ohl0o?t=214>

B-1 **Case No.:** CUP20-09 and CDP20-017
Site Location: 960 Napa, Morro Bay, CA
Request: Approval of a Conditional Use Permit and Coastal Development Permit for a two-story addition and full remodel of an existing 960 sf circa 1944 home. The two-story addition is in the rear of the existing home and is a total of 984 sf. The project also includes demo of the existing non-conforming garage and new construction of a 441 sf 2-car garage with a 441 sf ADU above the garage. In accordance with Gov. Code Section 65852.2, the approval of the ADU will be ministerial and will not be reviewed by the Planning Commission. The site is 5,808 sf and is zoned R-4 and is not in the appeals jurisdiction.
CEQA Determination: Categorically Exempt, Section 15303, Class 3a
Staff Recommendation: Conditionally approve
Staff Contact: Nancy Hubbard, Contract Planner nhubbard@morrobayca.gov

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS – NONE

Hubbard presented the staff report.

The Commissioners presented their questions to staff.

Chairperson Barron opened the Public Comment period.

<https://youtu.be/ewBE--Ohl0o?t=1006>

Chris Parker, architect, provided an overview for the project.

Betty Winholtz, Morro Bay, presented her questions.

Chairperson Barron closed the Public Comment period.

<https://youtu.be/ewBE--Ohl0o?t=1363>

The Commissioners presented their questions to the applicant and staff.

Comments from the Planning Commission.

MOTION: Commissioner Roschen moved to approve as recommended by staff. Commissioner Stewart seconded, and the motion passes 5-0, with Ford, Roschen, Ingraffia, Stewart, and Barron voting yes.

<https://youtu.be/ewBE--Ohl0o?t=1709>

B-2 Case No.: n/a

Site Location: 205 Harbor St, Morro Bay, CA

Request: Conceptual Review of a potential future public hearing project proposing to construct a new 6-unit 5,042sf hotel with onsite parking on a .40 acre lot including the merger of six underlying lots with associated demolition of existing structures. Property is located on Harbor Street between Market and Front Streets and is subject to bluff development standards found in MBMC 17.45. The property is located in the C-VS/PD/SP zoning district and is located in the Coastal appeals jurisdiction.

CEQA Determination: No determination is required for public conceptual review

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

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

cjacinth@morrobayca.gov

<https://youtu.be/ewBE--Ohl0o?t=1768>

Jacinth presented the staff report.

The Commissioners presented their questions to staff.

Jacinth responded to the Commissioners questions.

Chairperson Barron opened the Public Comment period.

<https://youtu.be/ewBE--Ohl0o?t=2960>

Cathy Novak, agent for applicant, provided information on the project.

Thom Jess, architect, provided an overview of the project.

Betty Winholtz, Morro Bay, presented her concerns about the project.

Chairperson Barron closed the Public Comment period.

<https://youtu.be/ewBE--Ohl0o?t=4091>

The Commissioners presented their questions to the applicant.

Novak and Jess addressed the Commissioners questions.

C. NEW BUSINESS

D. UNFINISHED BUSINESS

E. PLANNING COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS

<https://youtu.be/ewBE--Ohl0o?t=6053>

Vice-Chairperson Stewart proposed the Commission review the development for the Morro Bay Elementary property.

Commissioner Ingraffia wanted to know the status of the noise complaint regarding the restaurant on the Embarcadero.

Commissioner Roschen asked Graham if the Commission could encourage solar panels and the implementation of landscape design on future projects.

Commissioner Ford asked staff if there was an ordinance or condition for businesses on the Embarcadero to utilize their upper floors.

Chairperson Barron spoke how useful it was by going to the Planning Commission Academy and encouraged the other Commissioners to attend if they have not.

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENTS

Provided an update of what was coming up in the next Planning Commission meeting.

G. ADJOURNMENT

The meeting adjourned at 8:03 p.m. to the next scheduled Planning Commission meeting via teleconference, on March 16, 2021 at 6:00 p.m.

Jesse Barron, Chairperson

ATTEST:

Scot Graham, Secretary



AGENDA NO: B-1

MEETING DATE: May 04, 2021

Staff Report

TO: Planning Commissioners **DATE:** April 27, 2021

FROM: Abby Miramontes, Planning Intern

SUBJECT: 939 Pacific St: Conditional Use Permit (CUP21-02) and Parking Exception (PKG21-01) Request for Conditional Use Permit and Parking Exception to allow construction of a second story addition to an existing single-family residence. The project includes a 374 sf ground floor addition, 470 sf second story addition, and a new 255 sf second floor deck. The existing residence is non-conforming because it only has a one car garage where a two car garage is required. The project is located in the R-1 zoning district and outside of the Coastal Commission Appeal Jurisdiction.

RECOMMENDATION:

CONDITIONALLY APPROVE THE PROJECT by approving Planning Commission **Resolution 09-21** (Exhibit A) which includes the Findings and Conditions of Approval for the project depicted on site development plans dated March 29, 2021.

APPLICANT:

Eric Westbrook

AGENT:

Aaron Gannage

ADDRESS/APN:

939 Pacific Street/066-084-033



PROJECT DESCRIPTION:

The Applicant is requesting approval to construct a second story addition to a non-conforming primary residence.

Prepared By: AM

Department Review: SG

PROJECT SETTING:

The project is located within the Central Morro Bay Neighborhood, designated as Planning Area 7 in the Local Coastal Plan, it lies within the R-1 Single-Family Residential Zoning District and outside of the Coastal Commission Appeal Jurisdiction. This 5,000 sq. ft. lot is located to the north of Marina Street, south of Balboa Street, east of Kern Avenue, and to the west of Kings Avenue. The project cannot be seen from scenic Highway 1.

Existing Street View:



Proposed Street View:



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

Site Characteristics	
Site Area	5,000 square feet
Existing Use	Single-Family Residential
Terrain	Virtually Flat and Undeveloped
Vegetation/Wildlife	Ornamental Landscaping
Archaeological Resources	N/A
Access	Pacific Street

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

Zoning Ordinance Standards		
	Standards	Proposed
Front Setback	20'	20'
Interior Side-Yard Setback	East: 5' West: 5'	East: 5' West: 5'
Rear Setback	10'	25'-1"
Height	25'	23'-6"

Lot Coverage	Max. 45%	32%
Parking	20'x20'	11'-8" x 23'-2"

PROJECT DISCUSSION:

County Assessor records indicate the existing single-family residence was constructed in 1960 with minor repairs to the structure since then. The Applicant proposes to construct a second story addition an existing non-conforming single-story residence. The addition would include a new staircase, game room, bedroom, bathroom, and deck.

Setbacks

The existing 868 sq. ft. residence sits 20' from the front property line on Pacific Street, 5' from each interior side property line, and 25'-1" from the rear property line. The existing garage entry sits 20' from the front property line. There is an existing 120 sq. ft. shed in the rear of the property that is 4' from the interior side yard and rear property lines. The proposed second story addition will be built primarily over the existing building footprint and a first story addition at the rear of the home. The proposed second story conforms to all height and setback standards. Pursuant to Morro Bay Municipal Code (MBMC) section 17.24.040, the only non-conformity on the site is the garage. There is only a one-car garage where a two-car garage is required.

Residential Design Guidelines

1. Relationship to Homes in Immediate Neighborhood

The visual elements and aesthetic design of the home will remain unchanged. The new development is designed to blend harmoniously with the existing residence. The proposed second story will not negatively impact the view from the street, as it is limited to the back half of the lot, and there are two-story developments adjacent to the project.

2. Scale and Mass

The proposed second story addition is above the existing residence and proposed first floor addition on the back 50% of the lot and will not negatively impact the street view from Pacific Street.

3. Surface Articulation

The proposed addition uses similar colors, materials, and design elements to those

on the existing residence.

4. Building Orientation

The front entryway is visible from Pacific Street and no changes are proposed.

5. Garage and Driveway Design

No changes to the existing garage and driveway design are proposed.

6. Building Materials

The design of the proposed first floor and second story addition is consistent with the colors and materials of the existing residence.

7. Architectural Elements

The doors, windows, and other architectural features will be consistent with the design of the existing residence.

Permit Requirements

Title 17 of the MBMC establishes land use and zoning permit requirements. The project at 939 Pacific proposes a second story addition to an existing non-conforming residence. This project requires Planning Commission approval of a Conditional Use Permit (MBMC Section 17.56.160) and Parking Exception (MBMC Section 17.44.050).

Conditional Use Permit

The Zoning Ordinance, subsection 17.56.160A, requires approval of a conditional use permit for any nonconforming structure that proposes an addition over 25% of the existing square footage. The project proposes to add a 347 sf first floor addition and 470 sf second story addition with a 255 sf deck. As noted above, the existing residence is non-conforming with regards to the parking situation. The proposed addition is compliant with all pertinent development standards. Permit approval requires the following findings to be made:

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

The proposed addition is consistent with Zoning Ordinance requirements as detailed above.

2. The project meets applicable Title 14 (Building and Construction Code)

requirements for a conforming use.

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

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

The project proposes an addition associated with a single-family dwelling, which is an allowed use in the R-1 Residential Zoning District.

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

Major reconstruction would be necessary to remedy the parking situation.

Parking Exception

The existing residence does not conform to the current parking requirement of two 10' by 20' covered and enclosed parking spaces for single-family dwellings (MBMC 17.44.020 C.1.c.). The parking exception is to allow the parking requirement to be met with the existing conditions of the existing 11' 8" by 23' 2" garage and one spot in the driveway. The Applicant is not proposing any construction or changes to the existing garage or driveway.

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

Single-family residences are required to provide two covered and enclosed parking spaces. The garage and driveway design have provided adequate parking for the primary residence since it was built, and no changes are proposed.

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

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

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

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

PUBLIC NOTICE:

Notice of this item was posted at the site and published in the San Luis Obispo Tribune newspaper on April 23, 2021 and all property owners and occupants of record within 500 feet of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application.

ENVIRONMENTAL DETERMINATION:

Environmental review was performed for this project and staff determined it meets the requirements for a Categorical Exemption under CEQA Guidelines Section 15301 Class 1(e). The exemption applies to the construction of an addition to an existing structure. Additionally, none of the Categorical Exemption exceptions, noted under Section 15300.2, apply to the project.

CONCLUSION:

The project is consistent with the General Plan and Local Coastal Plan, which establish five residential land use categories to provide for a wide range of densities and to ensure residential land is developed to a density suitable to its location and physical characteristics. The project is consistent with the Zoning Ordinance because residential units are an allowed use in the Moderate Density land use designation and because the project meets the development standards set forth in the Ordinance. The proposed additions bring the residence from 868 sf to 1,685 sf. As shown in the visual simulations and project plans, the project addition of 817 sf has been designed to be consistent with the Residential Design Guidelines. Most of the project impact is at the rear of the lot with design features consistent with the surrounding neighborhood.

RECOMMENDATION:

Staff recommends the Planning Commission approve the requested Conditional Use Permit (CUP21-02) and Parking Exception (PKG21-01) for the proposed project at 939 Pacific Street, as shown on plans dated March 29, 2021 by adopting Planning Commission **Resolution 09-21** which includes the Findings and Conditions of Approval for the project.

EXHIBITS:

- Exhibit A – Planning Commission Resolution 09-21
- Exhibit B – Plan Reductions
- Exhibit C – Photosimulation
- Exhibit D – Public Correspondence Received
- Exhibit E – PowerPoint Presentation

EXHIBIT A

RESOLUTION NO. PC 09-21

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT (CUP21-02) AND PARKING EXCEPTION (PKG21-01) FOR CONSTRUCTION OF A 347 SF FIRST FLOOR AND 470 SF SECOND STORY ADDITION TO A NON-CONFORMING RESIDENCE OUTSIDE THE COASTAL COMMISSION APPEAL JURISDICTION

WHEREAS, the Planning Commission of the City of Morro Bay (the “City”) conducted a public hearing via video conference on May 4, 2021, for the purpose of considering Conditional Use Permit (CUP21-02) and Parking Exception (PKG21-01) for construction of a 347 sf ground floor and 470 sf second story addition to an existing single-family home in the R-1 zone. The project is outside the Coastal Commission appeal jurisdiction; 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 applicant, interested parties, and the evaluation and recommendations by staff, presented at said hearing.

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

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

California Environmental Quality Act (CEQA) Finding

1. Pursuant to the California Environmental Quality Act, the project is categorically exempt under section 15301 Class 1(e). The exemption applies to the construction of an addition to an existing structure. Additionally, none of the Categorical Exemption Exceptions, noted under Section 15300.2, apply to the project.

Conditional Use Permit Findings

EXHIBIT A

Planning Commission Resolution 09-21

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1. The project is consistent with the General Plan and Local Coastal Plan which establish five residential land use categories to provide for a wide range of densities and to ensure that residential land is developed to a density suitable to its location and physical characteristics.
2. The proposed additions are in conformance with all applicable provisions of the Morro Bay City Zoning Ordinance (the "Zoning Ordinance"), including building height, setbacks, and lot coverage.
3. The project meets applicable Title 14 (Building and Construction Code) requirements for a conforming use since the applicant is required to submit a complete building permit application and obtain the required building permit prior to construction.
4. The project is suitable for conforming uses and will not impair the character of the zone in which it exists because the project is a 347 sf ground floor addition and 470 sf second story addition to a single family residence, which is an allowed use in the R-1 zone.
5. It is not feasible to make the existing primary residence and garage conforming without major reconstruction/demolition to meet the required setbacks or widen the garage.
6. The Planning Commission finds the project, as conditioned, is consistent with the character of the neighborhood in which it is located. It is surrounded by compatible uses of moderate density residential development; has size and scale similar to nearby structures.

Parking Exception Findings

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

Section 2. Action. The Planning Commission does hereby approve Conditional Use Permit (CUP21-02) and Parking Exception (PKG21-01) for the property located at 939 Pacific Street subject to the following conditions:

STANDARD CONDITIONS

1. This permit is granted for the land described in the staff report dated April 26, 2021, for the project at 939 Pacific Street depicted on plans dated March 29, 2021, as part of Conditional Use Permit (CUP21-02), and Parking Exception (PKG21-01) on file with the Community Development Department, as modified by these conditions of approval, and more

EXHIBIT A

specifically described as follows: Site development and all installed structures and improvements shall be located and designed substantially as shown on plans, unless otherwise specified herein.

2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this Resolution and is diligently pursued, thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Any extension may be granted by the City's Community Development Director (the "Director"), upon finding the project complies with all applicable provisions of the Morro Bay Municipal Code (the "MBMC"), General Plan and certified Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.
3. Changes: Minor changes to the project description and/or conditions of approval shall be subject to review and approval by the Community Development Director. Any changes to this approved permit determined, by the Director, not to be minor shall require the filing of an application for a permit amendment subject to Planning Commission review.
4. Compliance with the Law: (a) All requirements of any law, ordinance or regulation of the State of California, the City, and any other governmental entity shall be complied with in the exercise of this approval, (b) This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan for the City.
5. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or 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 or as authorized by the

EXHIBIT A

Planning Commission. Failure to comply with any of these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the MBMC and is a misdemeanor.

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

PLANNING CONDITIONS

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

EXHIBIT A

6. Boundaries and Setbacks: The property owner is responsible for verification of lot boundaries. A licensed land surveyor shall verify lot boundaries and building setbacks to the satisfaction of the Community Development Director. A copy of the surveyor's *Form Certification* based on a boundary survey shall be submitted with the request for foundation inspection.
7. Building Height Verification: Prior to foundation inspection, a licensed land surveyor shall measure and inspect the forms and submit a letter to the Community Development Director certifying that the tops of the forms are in compliance with the finish floor elevations as shown on approved plans. Prior to either roof nail or framing inspection, a licensed surveyor shall submit a letter to the building inspector certifying that the height of the structures is in accordance with the approved plans and zoning ordinance standard.

BUILDING DIVISION CONDITIONS

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. The owner shall comply with the City's Structural Observation Program. The owner shall employ the engineer or architect responsible for the structural design, or another engineer or architect designated by the engineer of record or architect responsible for the structural design, to perform structural observation as defined in Section 220. Observed deficiencies shall be reported in writing to the owner's representative, special inspector, contractor and the building official. The structural observer shall submit to the building official a written statement that the site visits have been made and identify any reported deficiencies that, to the best of the structural observer's knowledge, have not been resolved.
4. The owner shall comply with the City Special Inspection Program. Special inspections will be required by Section 1704 of the California Building Code. All Special Inspectors shall first be approved by the Building Official to work in the jurisdiction. All field reports shall be provided to the City Building Inspector when requested at specified increments for the construction to proceed. All final reports from Special Inspectors shall be provided to the Building Official when they are complete and prior to final inspection.
5. A soils investigation performed by a qualified professional shall be required for this project. All cut and fill slopes shall be provided with subsurface drainage as necessary for stability; details shall be provided. Alternatively, submit a completed City of Morro Bay soils report waiver request.

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6. Mitigation measures for natural occurring asbestos require approval from San Luis Obispo County Air Pollution Control District.
7. **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.
8. 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 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.

EXHIBIT A

3. **FOUNDATION SETBACK VERIFICATION:** Prior to the placement of concrete and upon completed form installation, a licensed surveyor is required to measure and record the distance from the proposed foundation walls to the established lot lines. The contractor shall submit these findings in letter format to the building inspector upon the request for a foundation inspection. Letter shall specify the findings of front, sides and rear yard setbacks as defined in Title 17 of the MBMC. The Building Official shall have discretion on a case by case basis for some lot types.
4. **BUILDING HEIGHT VERIFICATION:** Prior to roof sheathing or shear wall inspection, a licensed surveyor is required to measure and record the height of the structure. The contractor shall submit this finding in letter format to the building inspector upon the request for roof sheathing/shear wall inspection. Letter shall specify the recorded height of structure as defined in Title 17 of the MBMC. The Building Official shall have discretion on a case by case basis for some site-specific projects.
5. **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.
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 soils summary report from the geotechnical representative indicating compliance with the required conditions set forth in the soils report.
6. Final T-24 energy reports (Certificates of Installation).

PUBLIC WORKS CONDITIONS

EXHIBIT A

1. Stormwater Management: The City has adopted Low Impact Development (LID) and Post Construction requirements. All proposed projects must complete the “SFR Performance Requirement Determination Form” to determine if any requirements should be submitted. The requirements can be found in the Stormwater management guidance manual on the City’s website www.morro-bay.ca.us/EZmanual (MBMC 14.48.140)
2. Sewer Lateral: Indicate and label if private sewer lateral pipe will be replaced or to remain in place. If the existing sewer lateral is proposed to remain in place, then perform a video inspection of the lateral (from the clean-out at structure to the connection at the sewer mainline pipe) and submit to Public Works via flash drive, prior to building permit plan approval. Requirements for the sewer video inspection can be located on the City’s website at the following location: <https://www.morro-bay.ca.us/DocumentCenter/View/13500/Private-Sewer-Line-Video-Requirements>. Lateral shall be upgraded, repaired or replaced as required to prohibit inflow/infiltration. All repairs or replacements identified from sewer video, shall be noted on approved set of plans, prior to plan approval. (MBMC 14.07.030)
3. Erosion and Sediment Control Plan: For small projects less than one acre and less than 15% slope, provide a standard erosion and sediment control plan. Show on plans the control measures to provide protection against erosion of adjacent property and prevent sediment or debris from entering the City right of way, adjacent properties, any harbor, waterway, or ecologically sensitive area.
4. Grading and Drainage: Indicate on plans the existing and updated contours, drainage patterns, spot elevations, finish floor elevation and all existing and proposed drainage pipes and structures.
5. Utilities: Show all existing and proposed locations of the sewer lateral, water service, and water and sewer mains on the building plans. Note the location of all overhead utilities and construction underground service entrances per the CBC.
6. Vertical Item within City Right-of-way: Site has existing wood poles located within the City right-of-way. Identify on plans and label if they will remain or be removed. If items are proposed to remain they will require a “Special Encroachment Permit”. For approval of a “Special Encroachment Permit”, submit fee payment and an 8.5”x11” size exhibit. See attached Special Encroachment Instructions. (MBMC 8.14.020)

EXHIBIT A

Additional Notes - Add the following notes to the Building Permit 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 permit application and requirements are available on the City's website at the following location: <https://www.morro-bay.ca.us/197/Public-Works>.
 - 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 a temporary encroachment permit within the City right-of-way.
 - Any temporarily blocked off parking space(s) or street requires an encroachment permit. A traffic control plan is also required for any temporary lane closures or street traffic adjustments.

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 from fire during such operations.
2. Automatic fire sprinklers. An automatic fire sprinkler system, in accordance with NFPA 13-D, California Fire Code (Section 903) and Morro Bay Municipal Code (Section 14.08.090). Automatic Fire sprinklers are required throughout existing structures where alterations encompass more than 50% of the existing square footage of the structure AND/OR is in excess of 300 square feet addition OR where there is a change of occupancy to a more hazardous use as determined by the Fire Chief.
3. An emergency escape window (or door which opens directly to the outside of the house) is required in every bedroom, or habitable basement. In the event of a fire, this window (or door) will allow people to escape, and/or allow firefighters to get into the house to rescue people.

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4. Carbon monoxide alarms in new dwellings and sleeping units. An approved carbon monoxide alarm shall be installed in dwellings having a fossil fuel-burning heater or appliance, fireplace or an attached garage. Carbon monoxide alarms shall be listed as complying with UL 2034 and be installed and maintained in accordance with NFPA 720 and the manufacturer's instructions. (CRC R315.2)

5. Address identification. All new and existing single family residence and ADU's shall have their own approved address numbers or building numbers placed in a position to be plainly legible from the street or road fronting the property (CFC 505). Provide approved address numbers 4 inches high with ½ inch stroke in contrasting numbers.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 4th day of May 2021 on the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Susan Stewart, Chairperson

ATTEST

Scot Graham, Community Development Director

The foregoing resolution was passed and adopted this 4th day of May 2021.

Westbrook Addition

939 Pacific Street, Morro Bay, CA 93442

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DRAWN BY: Aaron Gannage

DATE	△

PROJECT: Westbrook Addition
 939 Pacific Street
 Morro Bay, CA

DATE: 4/14/2021

SHEET: **A-1**

General Notes

- All work described in the drawings shall be verified by the contractor for dimension, grade, extent and compatibility to the existing site. Any discrepancies and unexpected conditions that affect or change the work described in the Contract Documents shall be brought to the Architect's attention immediately. Do not proceed with the work in the area of discrepancies until all such discrepancies are resolved. If the Contractor chooses to do so, he shall be proceeding at his own risk.
- Omissions from the drawings and specification or the mis-description of the work which is manifestly necessary to carry out the intent of the drawings and specifications, or which is customarily performed, shall not relieve the Contractor from performing such omitted or mis-described details of the work as if fully and completely set forth and described in the drawings and specifications.
- Dimensions shown shall take precedence over drawings scale or proportion. Larger scale drawing shall take precedence over smaller scale drawings.
- The Contractor shall coordinate with the Owner for the selection of all plumbing fixtures including toilets, tub/shower, lavatories, sinks and all appropriate faucets, trim and drains. The Owner shall select all colors, finish and options.
- Approval of plans and specifications does not permit the violation of any section of the building code or other ordinance or law. CBC 105.4

Sheet Index

A-1	Title Sheet, Building Info, & General Notes
A-2	Cal Green Code
A-3	Cal Green Code
A-4	Existing & Proposed Site Plan
A-5	Existing & Proposed Floor Plans
A-6	Proposed Floor Plans
A-7	Proposed Roof Plan
A-8	Proposed Building Elevations & Sections
A-9	Proposed Electrical Plan
A-10	Specifications
A-11	Title 24 Energy Calculations
A-12	Title 24 Energy Calculations
S1.1	Structural Notes
S1.2	Typical Details
S2.1	Foundation Plan
S2.2	Roof Framing Plan
S3.1	Structural Details
S3.2	Structural Details

Special Inspections

REFER TO SHEET S1.1 FOR ALL REQUIRED SPECIAL INSPECTIONS.

Title 24 Compliance

ENERGY COMPLIANCE FORMS CF2R AND CF3R WILL BE BE COMPLETED AND SUBMITTED TO THE BUILDING INSPECTOR AT TIME OF INSPECTION OF RELATED COMPONENT.

HERS Required Inspection

A HOME ENERGY RATING SYSTEM (HERS) RATER IS REQUIRED TO PERFORM. A HOME ENERGY RATING PRIOR TO CONSTRUCTION COMPLETION.

BMP Statement

EROSION AND SEDIMENT CONTROL BEST MANAGEMENT PRACTICES MUST BE IN PLACE AND FUNCTIONAL PRIOR TO THE FIRST INSPECTION (CONCRETE WASHOUT, EROSION CONTROL, AREA OF DISTURBANCE, MATERIAL STORAGE, STORM WATER MANAGEMENT). NO INSPECTIONS CAN BE PERFORMED IF THEY ARE NOT IN PLACE OR HAVE FAILED TO PROVIDE EROSION CONTROL. FAILURE TO MAINTAIN EROSION CONTROL WILL CAUSE INSPECTIONS TO BE DELAYED UNTIL EROSION CONTROL MEASURES ARE FUNCTIONAL.

Consultant Directory

DESIGNER
 Gannage Design
 P.O. BOX 14502
 San Luis Obispo, CA 93406
 Ph: (808) 212-3699
 Contact: Aaron Gannage

STRUCTURAL ENGINEER

ENERGY COMPLIANCE
 Carstairs Energy
 P.O. Box 4736
 San Luis Obispo, CA 93403
 Ph. 805-904-9048
 Contact: Tim Carstairs

Code Compliance

THIS PROJECT HAD BEEN DESIGNED IN ACCORDANCE WITH AND MEETS THE CITY OF MORRO BAY ADOPTED CODE AND ORDINANCE REQUIREMENTS AND I/WE WILL BE RESPONSIBLE FOR ALL CLARIFICATIONS DEEMED NECESSARY DURING THE CONSTRUCTION PHASES.

This project shall comply with the following model codes:
 Morro Bay Municipal Code
 2019 California Building Code
 2019 California Residential Code
 2019 California Mechanical Code
 2019 California Electrical Code
 2019 California Plumbing Code
 2019 California Energy Code
 2019 California Fire Code
 2019 California Green Building Standards Code



Property Owner

Eric Westbrook
 939 Pacific Street
 Morro Bay, CA 93442
 Ph: (951) 440-3062

Lot Description

APN: 066-084-033
 Address: 939 Pacific Street
 Zoning: R-1
 Lot Number: 33
 Lot Area: 5,000 S.F.

Occupancy & Construction Type

Residence: R-3 Fire Sprinklers: NO
 Garage: U Fire Sprinklers: NO
 Construction Type: V-B
 Stories: Existing 1 Story

Scope of Work

Second story addition to existing single story residence

Building Height

Lowest Point of Natural Grade:	65.30'
Highest Point of Natural Grade:	67.30'
Average Natural Grade:	66.30'
Top of FF:	65.50'
Maximum Building Height:	89.8'

Existing Maximum Proposed Building Height Above Grade: 15'-0"
 Proposed Maximum Proposed Building Height Above Grade: 23'-6"

Building Area

Existing 1st Floor Living Area:	868 SQ. FT.
Proposed 1st Floor Living Area:	347 SQ. FT.
Proposed 2nd Floor Living Area:	470 SQ. FT.

TOTAL PROPOSED LIVING AREA: 1,685 SQ. FT.

Existing Garage Area:	294 SQ. FT.
Existing 1st Floor Deck Area:	175 SQ. FT.
Proposed 1st Floor Deck Area:	100 SQ. FT.
Proposed 2nd Floor Deck Area:	255 SQ. FT.
Existing Concrete Patio/Walkway/Driveway Area:	788 SQ. FT.
Proposed Concrete Patio/Walkway/Driveway Area:	260 SQ. FT.

Lot Coverage

Total Existing Building Coverage:	1,162 SQ. FT. (23%)
Total Proposed Building Coverage:	1,609 SQ. FT. (32%)

Impervious Area

Existing Impervious Area:	1,950 SQ. FT.
Proposed Impervious Area:	2,657 SQ. FT.

Cut & Fill

Total Cut:	0 SQ. YD.
Total Fill:	0 SQ. YD.

SITE PLAN KEY NOTES

- 1 PROPERTY LINE
- 2 BUILDING FOOTPRINT
- 3 EXISTING OVERHEAD ELECTRIC, PHONE, & CABLE LINE
- 4 EXISTING POWER POLE
- 5 EXISTING 100amp ELECTRICAL PANEL TO STAY WITH UPGRADE TO 200amp PANEL
- 6 EXISTING GAS METER
- 7 EXISTING UNDERGROUND GAS LINE
- 8 EXISTING WATER METER
- 9 EXISTING WATER LINE
- 10 EXISTING SEWER LINE
- 11 EXISTING CONTOUR LINES
- 12 EXISTING CONCRETE DRIVEWAY
- 13 EXISTING CONCRETE WALKWAY
- 14 EXISTING CONCRETE PATIO
- 15 EXISTING 6'-0" WOOD FENCE
- 16 EXISTING 8' LEMON TREE
- 17 LANDSCAPE AREA
- 18 FINISH GRADE SHALL SLOPE AWAY FROM STRUCTURE 5% FOR 10'-0" MINIMUM
- 19 NEW CONCRETE 4'-0" x 6'-0" LANDINGS, SLOPE 2% MIN. AWAY FROM STRUCTURE
- 20 HATCHED AREA IS NEW COVERED ENTRY PORCH
- 21 HATCHED AREA IS NEW DECK WITH 2nd FLOOR LIVING AREA ABOVE
- 22 OUTLINE OF NEW 2nd FLOOR DECK
- 23 EROSION CONTROL FIBER ROLL SEE DETAIL BELOW
- 24 18" HIGH GARDEN BLOCK RETAINING WALL
- 25 NEW 3" DOWN SPOUT CONNECTED TO NEW 3" DRAIN LINE
- 26 NEW STEPPING STONES
- 27 NEW DRAINAGE BASIN
- 28 NEW CONCRETE STEPS - 11" RUN & 7" RISE
- 29 NEW CONCRETE PATIO AREA
- 30 PROPOSED UNCOVERED 10' x 20' PARKING SPACE IN DRIVEWAY

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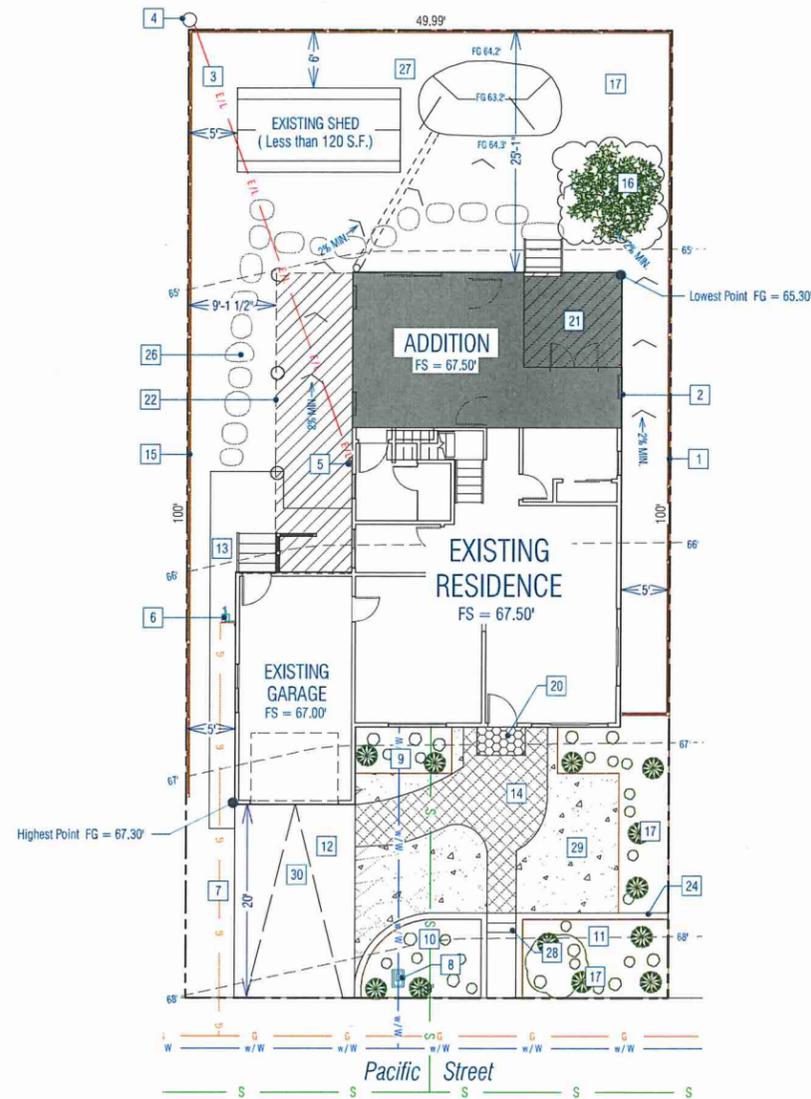
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Aaron Gannage

DATE	BY

PROJECT:
Westbrook Addition
939 Pacific Street
Morro Bay, CA

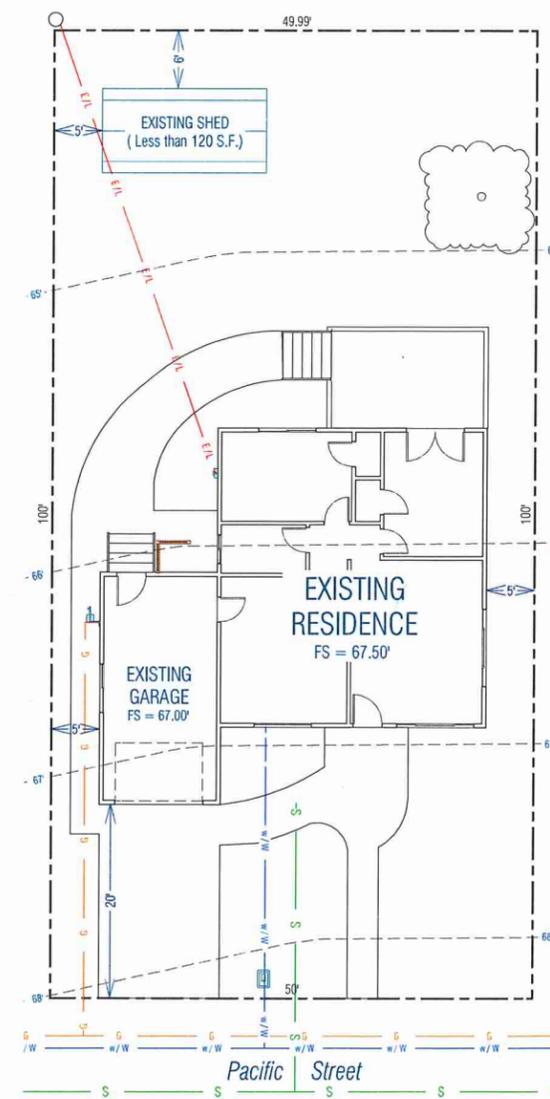
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4/14/2021

SHEET:
A-4



PROPOSED SITE PLAN

Scale: 1/8" = 1'-0"



EXISTING SITE PLAN

Scale: 1/8" = 1'-0"



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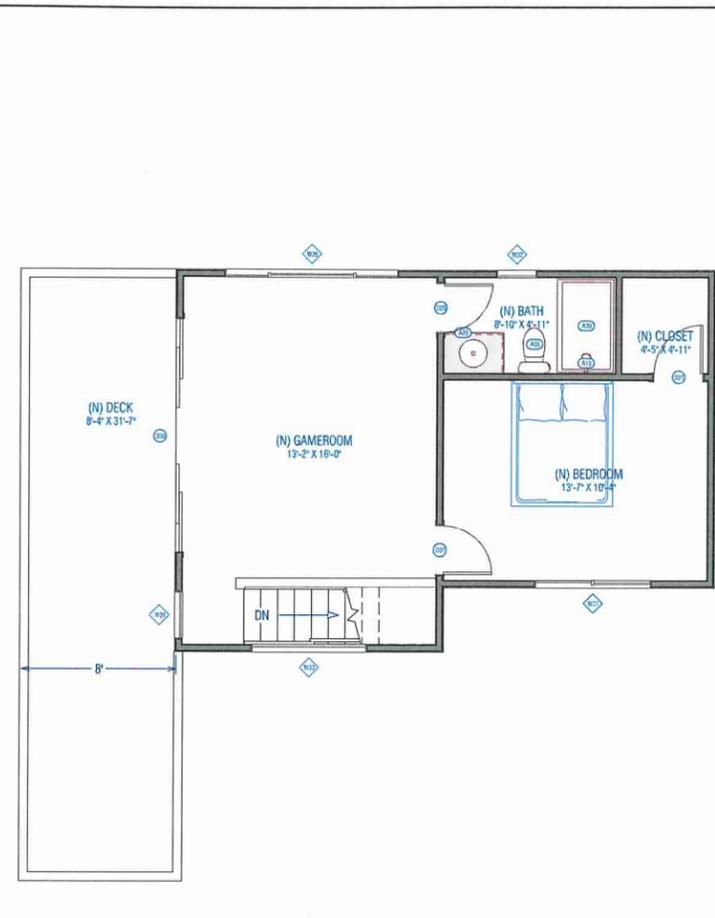
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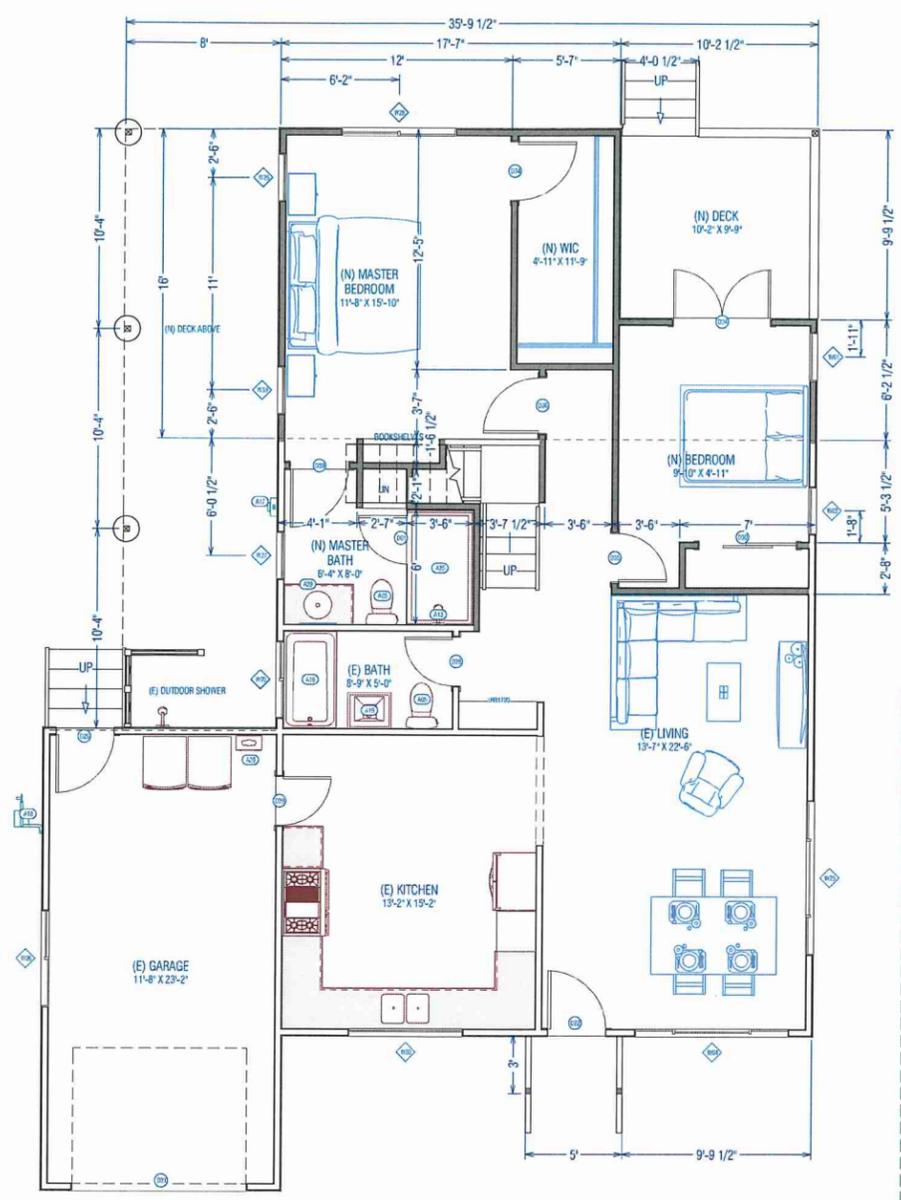
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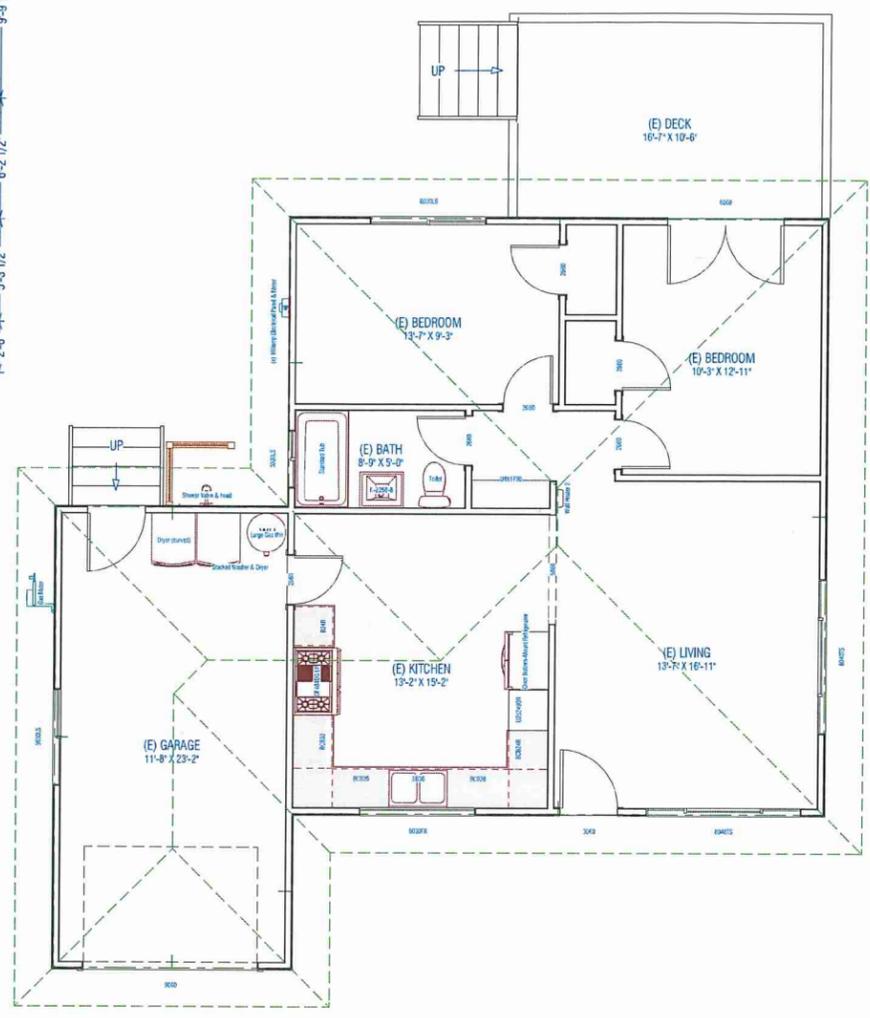
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PROPOSED 2nd FLOOR PLAN
 Scale: 1/4" = 1'-0"



PROPOSED 1st FLOOR PLAN
 Scale: 1/4" = 1'-0"



EXISTING FLOOR PLAN
 Scale: 1/4" = 1'-0"



SOUTH ELEVATION

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



EAST ELEVATION

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



NORTH ELEVATION

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



WEST ELEVATION

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

ELEVATION MATERIALS

1. NEW SMOOTH SAND STUCCO EXTERIOR FINISH TO MATCH EXISTING RESIDENCE
2. NEW CLASS 'A' COMPOSITION ROOFING OVER 2-LAYERS OF #30 FELT TO MATCH EXISTING
3. NEW VINYL WINDOWS TO MATCH EXISTING RESIDENCE
4. NEW 2x6 FASCIA BOARD WITH 4" METAL GUTTERS TO MATCH EXISTING
5. NEW EXTERIOR DECK FRAMING
6. NEW 42" HIGH DECK 'FORTRESS' CABLE RAILING

ELEVATION COLORS

- A. TAN TO MATCH EXISTING
- B. WHITE TO MATCH EXISTING
- C. CHARCOAL TO MATCH EXISTING
- D. BLACK

ALL DESIGN, IDEAS, SPECIFICATIONS AND OTHER INFORMATION CONTAINED HEREIN ARE FOR USE ON THE SPECIFIED PROJECT AND ARE NOT TO BE REPRODUCED, CHANGED OR OTHERWISE USED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF GANNAGE DESIGN. THEIR USE ON ANY OTHER PROJECT OR ORIGINAL SITE FOR WHICH THEY WERE PREPARED.



P.O. Box 14602, San Luis Obispo, CA 93406
PH: (805) 758-3453 Email: aaron@gannagedesign.com
www.gannagedesign.com

DRAWN BY:
Aaron Gannage

DATE	BY

SHEET TITLE:

PROJECT:
Westbrook Addition
939 Pacific Street
Morro Bay, CA

DATE:
4/14/2021

SHEET:

A-6



Street View Rendering

ALL DESIGN, IDEAS, SPECIFICATIONS AND OTHER DRAWINGS ARE THE PROPERTY OF GANNAGE DESIGN AND ARE NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF GANNAGE DESIGN. THEIR USE SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED.

GANNAGE
D | E | S | I | G | N
P.O. Box 14502, San Luis Obispo, CA 93406
PH: (805) 758-3453 Email: aaron@gannagedesign.com
www.gannagedesign.com

DRAWN BY:
Aaron Gannage
Aaron Gannage

DATE	DATE

SHEET TITLE:

PROJECT:
Westbrook Addition
939 Pacific Street
Morro Bay, CA

DATE:
4/14/2021

SHEET:
A-7

EXHIBIT C



EXHIBIT D

Abbigail Miramontes

From: Mike Wilson [REDACTED]
Sent: Saturday, April 24, 2021 10:18 AM
To: Abbigail Miramontes
Subject: Case No: CUP21-02 and PKG21-01

I wish my objection to this construction noted at any public hearing. I particularly object to PKG21-01.

For my expansion plans to even be considered for a proposed remodel the City of Morro Bay Community Development Department demand I include a two-car enclosed garage.

I did not object to the proposed project at 953 Pacific Street as they included adequate on-site parking as well as an enclosed garage.

The proposed project here will apparently offer neither adequate on-site parking or enclosed garage space.

I can condone no further expansion projects on the 900 block of Pacific Street without adequate parking because so much of the block's possible on-street parking is unavailable due to private use by homeowners.

When the city demands their easement be freed up for the parking it was intended I will once again wish all homeowners well with their planned improvements.

Mike Wilson
[REDACTED]



EXHIBIT E

City of Morro Bay Planning Commission

939 PACIFIC STREET

CUP21-02/PKG21-01

**CONDITIONAL USE PERMIT/PARKING
EXCEPTION**

**FIRST AND SECOND STORY ADDITION
TO EXISTING RESIDENCE**

APPLICANT:

ERIC WESTBROOK

AGENT:

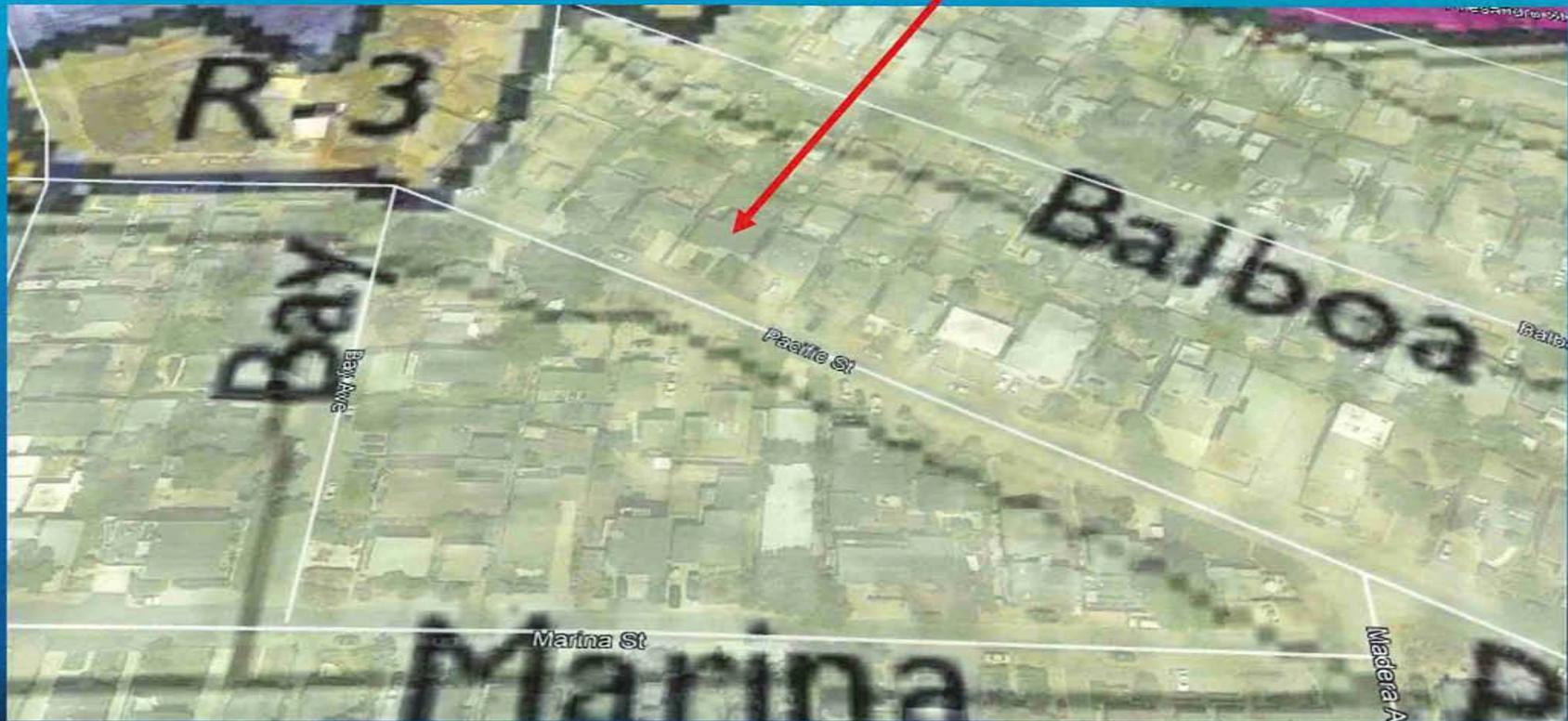
AARON GANNAGE

MAY 4, 2021



MORRO BAY
PUT LIFE ON COAST

Zoning: R-1



Existing Site



Pacific St.



MORRO BAY
PUT LIFE ON COAST

Description of Project

Existing home:

- 868 square feet
- 294 square foot attached garage

Proposed remodel/addition:

- 347 square feet addition on first floor in rear of property
- 470 square feet second story addition
- 100 square feet first floor deck and 255 square feet of decking on second floor



MORRO BAY
PUT LIFE ON COAST

Zoning Ordinance Standards

Zoning Ordinance Standards		
	Standards	Proposed
Front Setback	20'	20'
Interior Side-Yard Setback	East: 5' West: 5'	East: 5' West: 5'
Rear Setback	10'	25'-1"
Height	25'	23'-6"
Lot Coverage	Max. 45%	32%
Parking	20'x20'	11'-8" x 23'-2"



MORRO BAY
PUT LIFE ON COAST

Non-Conforming items addressed by project

- I. Non-conforming garage size:** The parking requirement is a two-car garage that is 20' by 20' measured from interior walls. Existing attached garage is currently nonconforming with an interior width of 11'-8" by 23'-2" with an additional uncovered and unenclosed parking space in the driveway.



MORRO BAY
PUT LIFE ON COAST

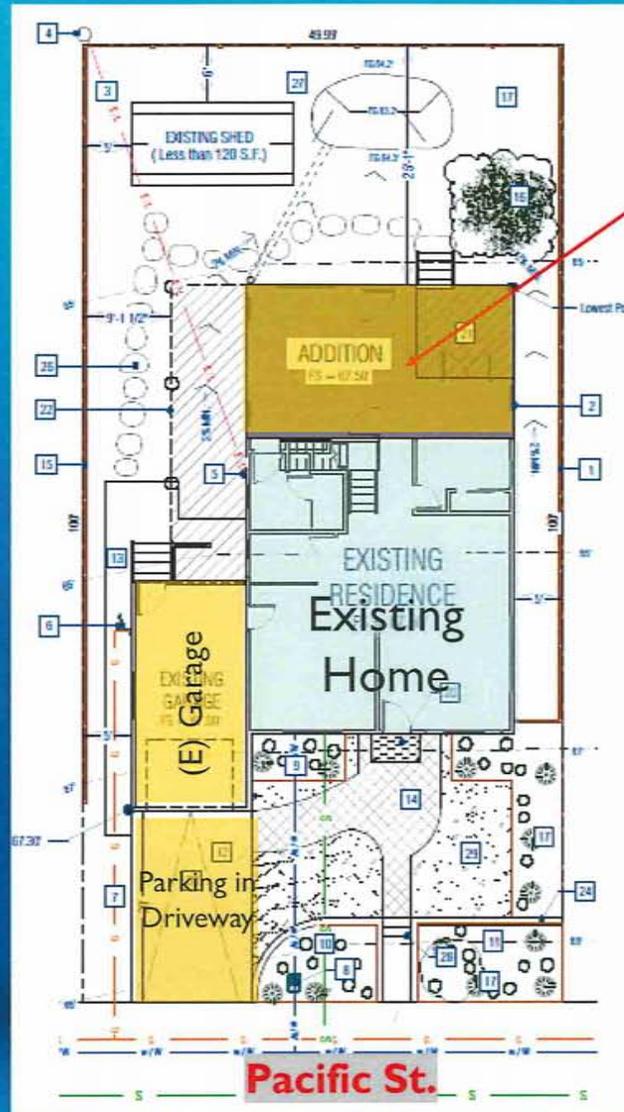
Parking Exception

1. The exception will not constitute a grant of special privilege, be dissimilar to parking limitations on other sites in the area, and the proposed parking will be able to accommodate all parking needs on site.
2. The exception will not adversely affect the health, safety, or general welfare of person working or residing in the vicinity and no traffic safety problems will result from the proposed modification of parking standards.
3. The exception is reasonably necessary for the Applicant's full enjoyment of uses similar to those upon the adjoining real property.



MORRO BAY
PUT LIFE ON COAST

Proposed Home Site Plan



Proposed addition



MORRO BAY
PUT LIFE ON COAST

Proposed Home Elevations



MORRO BAY
PUT LIFE ON COAST

Photo Simulation after addition



Residential Design Guidelines

Proposed project meets the following design guidelines:

- Relationship to existing homes
- Scale and Mass
- Surface Articulation
- Building Orientation
- Garage Driveway and Design
- Building Materials
- Architectural Elements



MORRO BAY
PUT LIFE ON COAST

Recommendation

**Adopt
Planning Commission Resolution 09-21
which includes the Findings and Conditions
of Approval
for
CUP21-02/PKG21-01
for the proposed development at
939 Pacific St.**



MORRO BAY
PUT LIFE ON COAST



AGENDA NO: B-2

MEETING DATE: May 4, 2021

Staff Report

TO: Planning Commission

DATE: April 28, 2021

FROM: Cindy Jacinth, Senior Planner

SUBJECT: 1840 Main St.: Time Extension Request for Coastal Development Permit & Conditional Use Permit (CP0-404/UP0-364) for new construction of an approx. 1,400sf drive-u Sonic restaurant with canopied parking & associated site improvements located in the MC-R/R-4/SP zoning district and outside of the Coastal Commission Appeals Jurisdiction

RECOMMENDATION:

Approve Time Extension Request for Coastal Development Permit No. CP0-404/ UP0-364 by adopting Planning Commission Resolution 10-21.

PERMITTEE/OWNER: Scott McMillan

ENVIRONMENTAL DETERMINATION:

A Mitigated Negative Declaration were prepared for the project as described in the permit and adopted on April 18, 2017. No project changes are proposed that would affect the environmental determination.

PROJECT DISCUSSION:

Coastal Development Permit #CP0-404 and Conditional Use Permit #UP0-364 was approved by Planning Commission on April 18, 2017 for new construction of an approximate 1,400 sf drive-thru, drive-up Sonic fast-food restaurant with canopied parking, associated site improvements, removal of major vegetation, and sign program approval. In addition, project approval included utility trenching of 4-6 feet across Main Street to the west of the property, trenching across Caltrans right of way, which fronts on Atascadero Road.

The 2017 approval was valid for two years or until April 2019. Requests for a one-year administrative extension were approved in 2019 and 2020 per MBMC 17.60.140. Municipal Code requirements only allow for two administrative extensions of a planning

Prepared By: ___CJ___

Department Review: ___SG___

permit. After that, planning permit extensions are only allowed with Planning Commission approval.

The permittee representative, Derrill Whitten of Cornerstone Engineering submitted a request for permit extension on April 14, 2021 on behalf of Scott McMillan the owner. He is requesting a two-year extension due to delays related to the coronavirus pandemic.

After the planning permit was approved in 2017, the project applied for a building permit in October 2017. The project went through two rounds of plan check corrections and last staff corrections were sent to the applicant in August 2018. At that time, the project was also coordinating with PG&E for utility work and the building application has had no activity since other than the Director approved extensions of the planning permit. Since the coronavirus pandemic started, staff has been flexible with assisting applicants who have experienced hardships related to the pandemic. Therefore, staff supports the request and recommends that the Planning Commission authorize a two-year extension. All conditions of approval would remain on the project.

RECOMMENDATION:

Staff recommends that the Planning Commission approve a 2-year extension.

EXHIBITS:

- Exhibit A – Planning Commission Resolution #10-21
- Exhibit B – Request for Time Extension letter dated April 14, 2021 by Owner's Representative, Cornerstone Engineering.
- Exhibit C – Approved Permit with Plans
- Exhibit D - Public Correspondence Received
- Exhibit E - Powerpoint presentation

RESOLUTION NO. PC 10-21

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION APPROVING A TWO-YEAR TIME EXTENSION FOR COASTAL DEVELOPMENT PERMIT AND CONDITIONAL USE PERMIT (#CP0-404/UP0-364) FOR NEW CONSTRUCTION OF A NEW APPROXIMATE 1,400SF DRIVE-UP SONIC RESTAURANT WITH CANOPIED PARKING, ASSOCIATED SITE IMPROVEMENTS, REMOVAL OF MAJOR VEGETATION, SIGN PROGRAM APPROVAL, AND RELATED UTILITY TRENCHING WORK ON A VACANT LOT LOCATED IN THE MC-R/R-4/SP ZONING DISTRICT AND OUTSIDE THE COASTAL COMMISSION APPEAL JURISDICTION AT 1840 MAIN STREET

WHEREAS, the Planning Commission of the City of Morro Bay (the “City”) conducted a public hearing via video conference on May 4, 2021 for the purpose of considering a time extension of Coastal Development Permit CP0-404 and Conditional Use Permit UP0-364 which was approved on April 18, 2017 for new construction of an approximate 1,400 sf drive-thru, drive-up restaurant with canopied parking, associated site improvements, removal of major vegetation, and sign program approval. In addition, project approval included utility trenching of 4-6 feet across Main Street to the west of the property, trenching across Caltrans right of way, which fronts on Atascadero Road (“Project”); and

WHEREAS, pursuant to Morro Bay Municipal Code section 17.60.140, the Community Development Director authorized two one-year extensions in 2019 and 2020 and no further extensions may be approved without Planning Commission approval; 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, notices of the public hearings were provided at the time and in the manner required by law; and

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

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

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

California Environmental Quality Act (CEQA) Finding

1. That for purposes of the California Environmental Quality Act, Case No. CP0-404 and UP0-364 is subject to a Mitigated Negative Declaration based upon potentially significant impacts to Aesthetics, Cultural Resources, Noise, and Traffic/Circulation Impacts. Any impacts associated with the proposed development will be brought to a less than significant level through the Mitigated Negative Declaration (MND) and Mitigation and Monitoring Program.
2. That the Mitigation and Monitoring program attached to the Mitigated Negative Declaration has been reviewed and determined to be adequate in mitigating or avoiding potentially significant environmental effects.
3. That for purposes of the California Environmental Quality Act, the Planning Commission adopted the Mitigated Negative Declaration with its approval of Coastal Development Permit #CP0-404/UP0-364 when the project was approved on April 18, 2017. No additional impacts will occur beyond those which have already been studied with approval of this time extension.

Coastal Development Permit Finding

1. The project as proposed is consistent with the applicable provisions of the certified Local Coastal Plan. The Local Coastal Plan is consistent with the General Plan and the project is an allowable use in its zoning district.

Conditional Use Permit Finding

1. The project will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood in that the proposed new construction of a commercial restaurant with drive-up service are permitted uses within the zoning district applicable to the project site and the project complies with all applicable project conditions, City regulations.
2. The project will not be injurious or detrimental to property and improvements in the neighborhood because the use is designed to be consistent with the City regulations applicable to this development.
3. The project will not be injurious or detrimental to the general welfare of the City because the new construction of a commercial restaurant is a permitted use within the zone district and plan designation applicable to the site and said use is designed to be accordance with all applicable

project conditions and City regulations.

North Main Specific Plan Findings

1. As required by Ordinance Section 17.40.110, the Planning Commission finds that the project is consistent with the goals of the North Main Specific Plan and development standards have been met as evaluated in the staff report dated May 11, 2016 and April 12, 2017 and with the adoption of the conditions of approval set forth in Planning Commission Resolution #13-17.

Section 2. Action. The Planning Commission does hereby approve a time extension of 2 years for Coastal Development Permit CP0-364 and Conditional Use Permit UP0-404 for property located at 1840 Main Street subject to the following conditions:

STANDARD CONDITIONS

1. This permit extension is granted for the land described in the staff report dated April 28, 2021, for the project at 1840 Main Street as part of Coastal Development Permit CP0-364 and Conditional Use Permit UP0-404, on file with the Community Development Department, as modified by these conditions of approval, and more specifically described as follows: Site development, including all buildings and other features, shall be located and designed substantially as shown on plans, unless otherwise specified herein.
2. Changes: Minor changes to the project description and/or conditions of approval shall be subject to review and approval by the Community Development Manager. Any changes to this approved permit determined, by the Manager, not to be minor shall require the filing of an application for a permit amendment subject to Planning Commission review.
3. 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.
4. 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.

- 5. Compliance with Conditions: The applicant’s establishment of the use or development of the subject property constitutes acknowledgement and acceptance of all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Manager or as authorized by the Planning Commission. Failure to comply with any of these conditions shall render this entitlement, at the discretion of the Manager, null and void. Continuation of the use without a valid entitlement will constitute a violation of the MBMC and is a misdemeanor.
- 6. 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. All conditions approved with Coastal Development Permit #CP0-364 and Conditional Use Permit #UP0-404 via Planning Commission Resolution 13-17 shall remain in full force and effect.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 4th day of May, 2021 on the following vote:

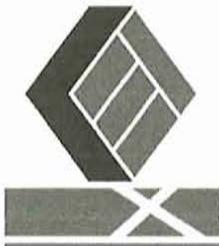
AYES:
NOES:
ABSENT:
ABSTAIN:

Chairperson Susan Stewart

ATTEST

Scot Graham, Community Development Director

The foregoing resolution was passed and adopted this 4th day of May, 2021.



CORNERSTONE
ENGINEERING
CONSULTANTS • ENGINEERS • LAND SURVEYORS

*CPO-404/
WPO-364*

April 14, 2021

File: 385-01-00

Cindy Jacinth, Senior Planner
City of Morro Bay
Community Development Department
955 Shasta Avenue
Morro Bay, CA 93442
805-772-6577

RECEIVED

APR 19 2021

City of Morro Bay
Community Development Dept.

Engineering: **RE: 1840 Main Street Permit Extension**

Civil

Electrical

Mechanical

Process

Structural

Surveying

Project

Management

Staff

Augmentatic

Drone

Services

Dear Cindy,

On behalf of Scott McMillan, owner of the Sonic Drive-in Restaurant located at 1840 Main Street, we request that the Coastal Development Permit and Conditional Use Permit associated with the above referenced project be extended for another years.

2

The check in the amount of \$1,506.00 is attached to this letter.

If any additional information is needed, please contact Melissa Snyder by phone at (661)325-9474 ext. 118 or by email at mas@cornerstoneeng.com.

Sincerely,

Derrill G. Whitten, Jr.
Cornerstone Engineering, Inc.
PLS 7816, RCE 1930



Exhibit C

CITY OF MORRO BAY

COMMUNITY DEVELOPMENT DEPARTMENT

955 Shasta Avenue
Morro Bay, CA 93442

April 21, 2017

Scott McMillan
28596 Prospect Ave
Wasco, CA 93280

Subject : #CP0-404 Coastal Development Permit & #UP0-364 Conditional Use Permit for 1840 Main Street, Morro Bay (068-324-019)

Description: Coastal Development Permit (#CP0-404) and Conditional Use Permit (#UP0-364) at 1840 Main Street for new construction of an approximate 1,400 sf drive-thru, drive-up restaurant with canopied parking and associated site improvements and removal of major vegetation. The project also includes a master sign program including total signage area exceeding City standards. In addition, the project will include utility trenching of 4-6 feet across Main Street to the west of the property as well as trenching across Caltrans right of way, which fronts on Atascadero Road. This project is located outside the Coastal Commission appeals jurisdiction.

Dear Mr. McMillan:

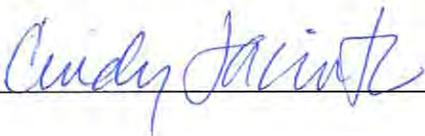
The City of Morro Bay Planning Commission conditionally approved your project and adopted the Mitigated Negative Declaration (MND) at a regularly scheduled meeting held on April 18, 2017. This action does not constitute a building permit. Any further processing of this project must be initiated by the 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.***

The Morro Bay Municipal Code provides for an appeal of the action by the Planning Commission within ten (10) days of adoption and anyone wishing to appeal may do so in writing by delivering such letter to the office of the City Clerk. There is a fee for processing appeals except for those coastal permits located in the coastal appeals jurisdiction.

Please also find enclosed the Notice of Determination for the MND associated with your project. Pursuant to the California Department of Fish and Wildlife Code Section 711.4, a required fee of \$2216.25 shall be paid to the County Clerk. The County Clerk filing fee is \$50 for posting of the Notice of Determination. The NOD was filed on April 21, 2017.

Sincerely,
Scot Graham
Community Development Director

By:





CITY OF MORRO BAY
COMMUNITY DEVELOPMENT DEPARTMENT

Coastal Development Permit and Conditional Use Permit

This approval is based upon the attached findings and is valid only if the attached conditions are met and 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: CP0-404 and UP0-364

THIS PERMIT IS HEREBY APPROVED AND ISSUED FOR:

SITE ADDRESS: 1840 Main Street

APPLICANT: Scott McMillan

APN/LEGAL: 068-324-019

DATE APPROVED: April 18, 2017

APPROVED BY: Planning Commission

CEQA DETERMINATION: Mitigated Negative Declaration

DESCRIPTION OF APPROVAL:

Coastal Development Permit (#CP0-404) and Conditional Use Permit (#UP0-364) at 1840 Main Street for new construction of an approximate 1,400 sf drive-thru, drive-up restaurant with canopied parking and associated site improvements and removal of major vegetation. The project also includes a master sign program including total signage area exceeding City standards. In addition, the project will include utility trenching of 4-6 feet across Main Street to the west of the property as well as trenching across Caltrans right of way, which fronts on Atascadero Road. This project is located outside the Coastal Commission appeals jurisdiction..

YOUR PROPERTY IS LOCATED IN THE CITY of morro bay JURISDICTION, THERE IS AN APPEAL PERIOD OF TEN (10) Calendar days, WITHIN WHICH TIME YOUR PERMIT IS APPEALABLE TO THE CITY COUNCIL/PLANNING COMMISSION.

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: 415-427-4863. 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: May 1, 2017.

ATTEST: *Cristy J...* DATE: 4/21/2017

THIS IS A DISCRETIONARY APPROVAL AND DOES NOT CONSTITUTE A BUILDING PERMIT



CITY OF MORRO BAY
COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF FINAL ACTION ON COASTAL DEVELOPMENT PERMIT

DATE OF NOTICE: 4-21-17

NOTICE SENT TO (VIA CERTIFIED MAIL): CALIFORNIA COASTAL COMMISSION, CENTRAL COAST DISTRICT OFFICE

NOTICE OF FINAL CITY ACTION on Coastal Development Permit No. CP0-404 & UP0-364

THE FOLLOWING PROJECT IS LOCATED IN THE MORRO BAY COASTAL ZONE AND A COASTAL PERMIT APPLICATION HAS BEEN ACTED ON BY THE CITY.

Applicant: Scott McMillan

Address: 28596 Prospect Avenue, Wasco, CA 93280

Project Description: Coastal Development Permit (#CP0-404) and Conditional Use Permit (#UP0-364) at 1840 Main Street for new construction of an approximate 1,400 sf drive-thru, drive-up restaurant with canopied parking and associated site improvements and removal of major vegetation. The project also includes a master sign program including total signage area exceeding City standards. In addition, the project will include utility trenching of 4-6 feet across Main Street to the west of the property as well as trenching across Caltrans right of way, which fronts on Atascadero Road. This project is located outside the Coastal Commission appeals jurisdiction.

Project Location: 1840 Main St.

APN: 068-324-019

Zoning: MCR/R-4/SP

Land Use Plan/General Plan: Mixed Use Area F

Lot Area: 2/3 acre

Filing Date: 3/23/2017

Approval Body: Planning Commission

Action Taken: Approve with conditions

Action Date: 4/18/2017

This Site Is Outside of The Coastal Commission Appeal Jurisdiction

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. Appeals must be in writing and should be addressed to: California Coastal Commission, 725 Front Street, #300, Santa Cruz, CA 95060, 831-427-4863.

Copies of this notice have also been sent via first-class mail to:

- Applicant
- Interested parties who arranged for mailing of notice

Exhibit C

APPLICANT'S ACCEPTANCE
OF
CONDITIONS OF APPROVAL

CASE NO. CP0-404 and UP0-364
SITE LOCATION: 1840 Main Street, MORRO BAY
APPLICANT NAME: SCOTT MCMILLAN
APPROVAL BODY: Planning Commission
DATE OF ACTION: 4/18/2017

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: CP0-404 & UP0-364

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


APPLICANT'S SIGNATURE

4/24/17
DATE

Notice of Determination

Appendix D

To:
[] Office of Planning and Research
U.S. Mail: Street Address:
P.O. Box 3044 1400 Tenth St., Rm 113
Sacramento, CA 95812-3044 Sacramento, CA 95814

From:
Public Agency: City of Morro Bay
Address: 955 Shasta Ave
Morro Bay, CA 93442
Contact: Cindy Jacinth
Phone: 805-772-6577

[X] County Clerk
County of: San Luis Obispo
Address: 1055 Monterey St
San Luis Obispo, CA 93401

Lead Agency (if different from above):
Address:
Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2016031064

Project Title: 1840 Main Street, Sonic Drive-In Restaurant

Project Applicant: Scott McMillan SonicScott@onemain.com 661-325-9474

Project Location (include county): 1840 Main Street, Morro Bay, (County of San Luis Obispo) 93442

Project Description:
Coastal Development Permit (#CP0-404) and Conditional Use Permit (#UP0-364) at 1840 Main Street for new construction of an approximate 1,400 sf drive-thru, drive-up restaurant with canopied parking and associated site improvements and removal of major vegetation. The project also includes a master sign program with approx. 200sf of total signage area. In addition, the project will include utility trenching of 4-6 feet across Main Street to the west of the property as well as trenching across Caltrans right of way, which fronts on Atascadero Road.

This is to advise that the City of Morro Bay has approved the above
[X] Lead Agency or [] Responsible Agency

described project on 4-18-2017 and has made the following determinations regarding the above
(date)
described project.

- 1. The project [] will [X] will not have a significant effect on the environment.
2. [] An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
[X] A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [X] were [] were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [X] was [] was not adopted for this project.
5. A statement of Overriding Considerations [] was [X] was not adopted for this project.
6. Findings [X] were [] were not made pursuant to the provisions of CEQA.

(ENDORSED)
FILED

APR 21 2017

TOMMY GONG, COUNTY CLERK
[Signature]

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

City of Morro Bay Community Development Department, 955 Shasta Ave, Morro Bay, CA 93442

Signature (Public Agency): Cindy Jacinth Title: Associate Planner cjacinth@morrobay.ca.gov

Date: 4-18-2017 Date Received for filing at OPR:

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

Revised 2011



Exhibit C

State of California - Department of Fish and Wildlife

2017 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (Rev. 01/01/17) Previously DFG 753.5a

RECEIPT NUMBER: 40-04212017-089
STATE CLEARINGHOUSE NUMBER (if applicable) 2016031064

SEE INSTRUCTIONS ON REVERSE, TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF MORRO BAY	LEAD AGENCY EMAIL cjacinth@morrobay.gov	DATE 04/21/2017
----------------------------------	--	--------------------

COUNTY/STATE AGENCY OF FILING SAN LUIS OBISPO	DOCUMENT NUMBER
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PROJECT TITLE
1840 MAIN STREET, SONIC DRIVE-IN RESTAURANT

PROJECT APPLICANT NAME SCOTT MCMILLAN	PROJECT APPLICANT EMAIL sonicscott@onemaln.com	PHONE NUMBER (661) 325-9474
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PROJECT APPLICANT ADDRESS 1840 MAIN ST	CITY MORRO BAY	STATE CA	ZIP CODE 93442
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PROJECT APPLICANT (Check appropriate box)

Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,078.25	\$	_____
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,216.25	\$	\$2,216.25
<input type="checkbox"/> Certified Regulatory Program document (CRP)	\$1,046.50	\$	_____

Exempt from fee

Notice of Exemption (attach)

CDFW No Effect Determination (attach)

Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	_____
<input checked="" type="checkbox"/> County documentary handling fee		\$	\$50.00
<input type="checkbox"/> Other		\$	_____

PAYMENT METHOD:

Cash Credit Check Other

TOTAL RECEIVED \$ 2,266.25

SIGNATURE X <i>Daniela Chavez</i>	AGENCY OF FILING PRINTED NAME AND TITLE Daniela Chavez, Deputy County Clerk-Recorder
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Filed in County Clerk's Office
Tommy Gong
San Luis Obispo - County Clerk-Recorder
40-04212017-089
04/21/2017
FISH
Pages: 2
Fee: \$ 2266.25

By dchavez, Deputy



Exhibit C

RESOLUTION NO. PC 13-17

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION ADOPTING A MITIGATED NEGATIVE DECLARATION (SCH #2016031064) WITH MITIGATION AND MONITORING PROGRAM (MMP) AND APPROVING COASTAL DEVELOPMENT PERMIT (CP0-404) AND CONDITIONAL USE PERMIT (UP0-364) FOR NEW CONSTRUCTION OF AN APPROXIMATE 1,400 SQUARE FOOT DRIVE UP RESTAURANT WITH CANOPIED PARKING AND ASSOCIATE SITE IMPROVEMENTS AND REMOVAL OF MAJOR VEGETATION. THE PROJECT ALSO INCLUDES A MASTER SIGN PROGRAM AND UTILITY TRENCHING ACROSS MAIN STREET TO THE WEST OF THE PROPERTY AS WELL AS TRENCHING ACROSS CALTRANS RIGHT OF WAY WHICH FRONTS ON ATASCADERO ROAD. THE PROPERTY IS LOCATED OUTSIDE THE COASTAL COMMISSION APPEALS JURISDICTION, AT 1840 MAIN STREET.

WHEREAS, the Planning Commission of the City of Morro Bay (the “City”) conducted a public hearing at the Morro Bay Veteran’s Hall, 209 Surf Street, Morro Bay, California, on May 17, 2016, for the purpose of considering Coastal Development Permit (CP0-404) and Conditional Use Permit (UP0-364) for a new commercial drive-up restaurant with master sign program and removal of major vegetation located at 1840 Main Street, in an area located outside the Coastal Commission appeals jurisdiction and continued the project to a date uncertain; and

WHEREAS, the Planning Commission of the City of Morro Bay (the “City”) conducted a public hearing at the Morro Bay Veteran’s Hall, 209 Surf Street, Morro Bay, California, on April 18, 2017, for the purpose of considering Coastal Development Permit (CP0-404) and Conditional Use Permit (UP0-364) for a new commercial drive-up restaurant with master sign program and removal of major vegetation located at 1840 Main Street, in an area located outside the Coastal Commission appeals jurisdiction; and

WHEREAS, notices of the public hearings were provided at the time and in the manner required by law; and

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

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

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

- A. That for purposes of the California Environmental Quality Act, Case No. CP0-404 and UP0-364 is subject to a Mitigated Negative Declaration based upon potentially significant impacts to Aesthetics, Cultural Resources, Noise, and Traffic/Circulation Impacts. Any impacts associated with the proposed development will be brought to a less than significant level through the Mitigated Negative Declaration (MND) and Mitigation and Monitoring Program.
- B. That the Mitigation and Monitoring program attached to the Mitigated Negative Declaration has been reviewed and determined to be adequate in mitigating or avoiding potentially significant environmental effects.

COASTAL DEVELOPMENT PERMIT FINDINGS

- A. The project as proposed is consistent with the applicable provisions of the certified Local Coastal Plan. The Local Coastal Plan is consistent with the General Plan and the project is an allowable use in its zoning district.

MAJOR VEGETATION FINDINGS

- A. That the major vegetation removal, of 11 trees to be removed, as mitigated, will not significantly impact any threatened or endangered plant or animal habitat areas, because the removal will be consistent with the City's replacement policy for tree removal, and will avoid vegetation removal and site disturbance during bird nesting season.
- B. That reasonably calculated mitigation measures are in place to avoid dangerous soil erosion or instability resulting from the removal;
- C. That the Major Vegetation removal will not adversely affect the character of the surrounding neighborhood because the project is conditioned to provide for tree replacement consistent with the City's major vegetation guidelines.

CONDITIONAL USE PERMIT FINDINGS

- A. The project will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood in that the proposed new construction of a commercial restaurant with drive-up service are permitted uses within the zoning district applicable to the project site and the project complies with all applicable project conditions, City regulations.
- B. The project will not be injurious or detrimental to property and improvements in the neighborhood because the use is designed to be consistent with the City regulations applicable to this development.

Exhibit C

- C. The project will not be injurious or detrimental to the general welfare of the City because the new construction of a commercial restaurant is a permitted use within the zone district and plan designation applicable to the site and said use is designed to be accordance with all applicable project conditions and City regulations.

North Main Specific Plan Findings

- A. As required by Ordinance Section 17.40.110, the Planning Commission finds that the project is consistent with the goals of the North Main Specific Plan and development standards have been met as evaluated in the staff report dated May 11, 2016 and April 12, 2017 and with the adoption of the conditions of approval.

Architectural Consideration

- A. As required by Ordinance Section 17.48.200 the Planning Commission find that the architectural treatment and general appearance of all proposed buildings, structures and open areas are in keeping with the character of the surrounding areas, are compatible with any design themes adopted by the city, and are not detrimental to the orderly and harmonious development;of the city or to the desirability of investment of occupation in the area.

SIGN PROGRAM FINDINGS

- A. Due to the size and colors of the signs and the necessity of the signs for the business model of the drive-in, carhop service which requires menuboard at each parking stall, it is has been determined that they will not be distracting to motorists because the majority of signs are intended for direct customer viewing and not viewable from the public right of way. The signs are of comparable color, shape, and size as those of other nearby fast food restaurant, and, therefore the sign will not negatively affect the safety of traveling motorists.
- B. The signs are not excessive or poorly designed, and do not have a negative impact on residents and visitors.
- C. The signs clearly represent the type of business and services being offered by Sonic, and provides important information to the public regarding the business.
- D. The signs are consistent with both the City's General Plan and certified Local Coastal program. The visual environment is important to the property values and pleasant, enjoyable quality of life for residents. The sign maintains aesthetics comparable to commercial signs in the area while balancing the need for appropriate publicity for the business, therefore, the proposed signs will not degrade the environment or affect the welfare of the public.

Exhibit C

Section 2. Action. The Planning Commission does hereby approve Coastal Development Permit CP0-404 and Conditional Use Permit UP0-364 and adopt the Mitigated Negative Declaration for property located at 1840 Main Street subject to the following conditions:

STANDARD CONDITIONS

1. This permit is granted for the land described in the staff reports dated May 11, 2016 and April 12, 2017 for the project at 1840 Main Street depicted on plans dated March 23, 2017, on file with the Community Development Department, as modified by these conditions of approval, and more specifically described as follows: Site development, including all buildings and other features, shall be located and designed substantially as shown on plans, unless otherwise specified herein.
2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this Resolution and is diligently pursued, thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Any extension may be granted by the City's Community Development Director (the "CDD"), upon finding the project complies with all applicable provisions of the Morro Bay Municipal Code (the "MBMC"), General Plan and certified Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.
3. Changes: Minor changes to the project description and/or conditions of approval shall be subject to review and approval by the Community Development Director. Any changes to this approved permit determined, by the CDD, not to be minor shall require the filing of an application for a permit amendment subject to Planning Commission review.
4. Compliance with the Law: (a) All requirements of any law, ordinance or regulation of the State of California, the City, and any other governmental entity shall be complied with in the exercise of this approval, (b) This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan for the City.
5. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicants failure to comply with conditions of approval. Applicant understands and acknowledges the City is under no obligation to defend any legal actions challenging the City's actions with respect to the project. This condition and agreement shall be binding on all successors and assigns.

Exhibit C

6. Compliance with Conditions: The applicant's establishment of the use or development of the subject property constitutes acknowledgement and acceptance of all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Director or as authorized by the Planning Commission. Failure to comply with any of these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the MBMC and is a misdemeanor.
7. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan of the City.

BUILDING DIVISION CONDITIONS:

1. Prior to construction, the applicant shall submit a complete application to the building department and obtain the required building permit.

FIRE DEPARTMENT CONDITIONS:

1. Fire sprinklers. An approved automatic fire sprinkler system shall be installed throughout in all new buildings exceeding 1000 square feet of floor area. (Morro Bay Municipal Code, Section 14.08.090 (L) (1))

Applicant shall install an automatic fire sprinkler system, in accordance with MBMC 14.08.090(L) (1) and NFPA 13.

2. Fire alarm system. Waterflow alarm devices shall be listed for the service and so constructed and installed that any flow of water from a sprinkler system equal to or greater than that from a single automatic sprinkler of the smallest K-factor installed on the system will result in an audible alarm. (NFPA 13-6.9)

Applicant shall provide a supervised fire alarm system, in accordance with NFPA 13, 72, and CFC 907).

3. Hood fire suppression system alarm. The extinguishing system shall be connected to the fire alarm system, if provided, in accordance with the requirements of NFPA 72, so that the actuation of the extinguishing system will sound the fire alarm as well as provide the function of the extinguishing system. (NFPA 17-A, 5.2.1.9)

Applicant shall provide connection to the supervised fire alarm connection, by way of a micro switch, to hood fire suppression system. (CFC 904.3.5, NFPA 17-A, and NFPA 72).

PUBLIC WORKS DEPARTMENT CONDITIONS:

1. Caltrans: Since the proposed project will increase the queue lengths at the western approach to the Main Street / State Route 41 intersection, the City requires as a condition of approval a refresh of the "Keep Clear" zone striping and stencil. This work should be completed prior to occupancy of the project and through an encroachment permit from Caltrans.
2. Traffic Improvements: A prorated fair share Traffic Impact Fee will be assessed for future improvements at the three impacted intersections which are further degraded based on the results of the Traffic Study noted above.
3. Right of Way Dedication: A small right of way dedication will be required along the southwest corner of your parcel prior to beneficial occupancy in order to allow for smoother flow of future traffic at this intersection. The applicant shall work closely with the City to determine the actual extent of the easement as the design of the SR1/SR41 Interchange Improvement project progresses’.
4. Water Assessment: The “Water System Study for Sonic Restaurant, Morro Bay” (dated April 28, 2014) determined that the developer shall install an 8” PVC water main along the south side of the project site, connecting the 8” Sunset Main with the 8” Main Street Main as recommended by the 1997 Water Master Plan Update. In addition, the developer will install a PRV connection to the Lower King Zone on the south side of Highway 41/ The developer will install these improvements and bear 1/8th of the final project cost. The City will reimburse the developer for 7/8th of the cost for the other commercial properties which will benefit from this improvement. These improvements must be completed prior to beneficial occupancy.
5. Water Main Extension: In order to ensure adequate fire flow (1500 gpm at 20 psi) for the proposed development the applicant will need to extend the existing 8” water main approximately 100’ from the Upper Kings Zone across Highway 41 and tie into the Elena Zone at Sunset Avenue. An atmospherically controlled pressure reducing value set at 208’ above mean sea level will also need to be installed at the point of tie-in on Sunset Avenue.
6. Sewer Assessment: The Cornerstone Engineering letter report (dated December 9, 2104) addressing impacts to the sewage collection line from point of lateral tie-in to the Waste Water Treatment Plant found a negligible impact. A \$166.36 impact fee will be assessed upon project approval by the Planning Commission and concurrent with issuance of the building permit.
7. Sewer Lateral: If an existing lateral is to be used, perform a video inspection of the lateral and submit to Public Works. Lateral shall be repaired if necessary. A sewer backwater valve and downstream cleanout, extended to grade, shall be installed on the sewer lateral to prevent a blockage or maintenance of the municipal sewer main from causing damage to the proposed project.
8. Sewer Backwater Valve: A sewer backwater valve shall be installed on site to prevent a

Exhibit C

blockage or maintenance of the municipal sewer main from causing damage to the proposed project. Please indicate location on the plans.

9. Frontage Improvements: The installation of frontage improvement with sidewalks is required. Show the installation of a City standard driveway approach (B-6), curb and street tree and installation of City standard sidewalk (B-5). An encroachment permit is required for any work within the Right of Way.
10. Erosion and Sediment Control Plan: Provide a Detailed Erosion and Sediment Control Plan: The Plan shall show control measures to provide protection against erosion of adjacent property and prevent sediment or debris from entering the City right of way, adjacent properties, any harbor, waterway, or ecologically sensitive area.
11. Stormwater Management: Site design shall comply with planning permit requirements set forth in the Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements (Main Manual). We have reviewed the Preliminary Stormwater Control Plan for Sonic Drive-in Restaurant (dated 12/12/14). The final Stormwater Control Plan along with the following issues need to be addressed and submitted prior to issuance of a Building Permit:
 - a. Submit a stamped and signed copy of the PR.2 Certification.
 - b. To comply with Performance Requirement No.3, identify WMZ and treatment requirements, complete and submit the LID Site Assessment Check List.
 - c. The request to utilize the Ten Percent Adjustment to the Retention Requirements based on "Technical Infeasibility" was not sufficiently demonstrated. Excavation on site is already purposed and the Archaeological study (Cogstone: "Mitigation and Monitoring Strategy for Proposed Sonic Restaurant at 1840 Main Street, Morro Bay, CA") states "All grading and other open excavation deeper than 40 centimeters (16 inches) requires an Archaeological monitor and a Native American monitor". Since the purposed excavation is already over 16 inches, no technical infeasibilities would occur due to the installation of an underground storage facility. Additionally, the Archaeological study site description states "The project was previously a gas station and more extensive disturbance is known as it included installation and later removal of the underground gas storage tanks." We strongly recommend the Stormwater control plan and design be updated prior to the building permit submittal phase.
 - d. Submit a stamped and signed Final Stormwater Control Plan.
 - e. Complete both sheets of Appendix K "Preliminary SWCP for Planning Permit application" and "Final SWCP for Building Permit application".
12. Encroachment Permits: A standard encroachment permit shall be required for the proposed driveway; the driveway shall comply with B-6 (Driveway Ramps: Size & Location). A sewer encroachment permit shall be required for the installation of the sewer lateral. When utility connections require pavement cuts a traffic control plan indicating appropriate signing, marking, barricades and flaggers must be submitted with the Encroachment Permit application.

Exhibit C

Planning conditions 13-20 and listed in bold and italics font were added by the Planning Commission on 4-18-2017

PLANNING CONDITIONS:

1. **Archaeology:** In the event of the unforeseen encounter of subsurface materials suspected to be of an archaeological or paleontological nature, all grading or excavation shall immediately cease in the immediate area, and the find should be left untouched until a qualified professional archaeologist or paleontologist, whichever is appropriate, is contacted and called in to evaluate and make recommendations as to disposition, mitigation and/or salvage. The developer shall be liable for costs associated with the professional investigation and monitoring. The monitoring, reporting, discovery and treatment program outlined in the February 2016 Cogstone Mitigation and Monitoring Strategy Report shall be followed during all work on site and within the Caltrans right-of-way.
2. **Construction Hours:** Pursuant to MBMC subsection 9.28.030.I, Construction or Repairing of Buildings, the erection (including excavating), demolition, alteration or repair of any building or general land grading and contour activity using equipment in such a manner as to be plainly audible at a distance of fifty feet from the building other than between the hours of seven a.m. and seven p.m. on weekdays and eight a.m. and seven p.m. on weekends except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Community Development Department, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for a period of three days or less while the emergency continues.
3. **Dust Control:** That prior to issuance of a grading permit, a method of control to prevent dust and wind blow earth problems shall be submitted for review and approval by the Building Official.
4. **Architecture:** Building color and materials shall be as shown on plans approved by the Planning Commission and specifically called out on the plans submitted for a Building Permit to the satisfaction of the Community Development Director.
5. **Boundaries and Setbacks:** The property owner is responsible for verification of lot boundaries. Prior to requesting foundation inspection, a licensed land surveyor shall verify lot boundaries and building setbacks to the satisfaction of the Community Development Director. A copy of the surveyor's *Form Certification* based on a boundary survey shall be submitted with the request for foundation inspection.
6. **Building Height Verification:** Prior to foundation inspection, a licensed land surveyor shall measure and inspect the forms and submit a letter to the Community Development Director certifying that the tops of the forms are in compliance with the finish floor elevations as shown on approved plans. Prior to either roof nail or framing inspection, a licensed surveyor shall submit a letter to the building inspector certifying that the height of the structures is in accordance with the approved plans and complies with the maximum height requirements allowed for this zone district.

Exhibit C

7. Inspection: The applicant shall comply with all Planning conditions listed above and obtain a final inspection from the Planning Division at the necessary time in order to ensure all conditions have been met.
8. Tree removal shall be conducted outside of bird nesting season as specified in the City's Major Vegetation Guidelines via City Council Resolution 39-07.
9. Upon application for grading and building permits, the applicant shall submit plans including the following notes, and shall comply with the following standard mitigation measures for reducing fugitive dust emissions such that they do not exceed the APCD's 20 percent opacity limit (APCD Rule 401) and do not impact off-site areas prompting nuisance violations (APCD Rule 402) as follows:
 - a. Reduce the amount of the disturbed area where possible;
 - b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook;
 - c. All dirt stock-pile areas should be sprayed daily as needed;
 - d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
 - d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
 - e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
 - f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
 - g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;

Exhibit C

- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
 - i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
 - j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
 - k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;
 - l. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
 - m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.
10. Upon application for grading and building permits, the applicant shall submit plans including the following notes, and shall comply with the following standard mitigation measures to help reduce sensitive receptor emissions impact of diesel vehicles and equipment used to construct the project:
- a. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
 - i. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
 - ii. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.
 - b. Off-road diesel equipment shall comply with the 5 minute idling restriction identified in Section 2449(d)(2) of the California Air Resources Board's In-Use off-Road Diesel regulation; and
 - c. Signs must be posted in the designated queuing areas and job sites to remind

Exhibit C

drivers and operators of the state's 5 minute idling limit.

- d. In addition to the State required diesel idling requirements, during construction phase of the project diesel idling within 1,000 feet of sensitive receptors shall not be permitted; use of alternative fueled equipment is recommended; and signs that specify the no idling areas must be posted and enforced at the site.

11. Applicant shall underground utilities subject to PG&E approval.
12. The Mitigation and Monitoring Program included in the Mitigated Negative Declaration and attached to this Resolution 13-17 as Attachment A are hereby incorporated as conditions of approval.
- 13. Exterior color palette shall be revised and submitted for review and approval by the Community Development Department prior to issuance of a building permit.**
- 14. The retaining wall located on the northwest property line shall have a total height of 8 foot in the area that abuts the neighboring residential property on Sunset Ave, with retaining wall on bottom and solid wall or fence on top half.**
- 15. The pedestrian walkway at the southwest corner of the property shall be widened to 8 feet and the pedestrian walkway on the west side of the property shall be removed and replaced with additional landscaping on Main Street.**
- 16. The monument sign shall be no taller than 5 feet.**
- 17. Applicant shall work with Caltrans to remove the existing driveway on the south side of the property that is within Caltrans right-of-way. The existing driveway shall be removed prior to certificate of occupancy, unless otherwise deemed infeasible by the Community Development Director.**
- 18. Applicant shall include on building permit submittal the addition of visual screening on south side of property that is a minimum of five feet in height to be reviewed and approved by the Community Development Director prior to issuance of a building permit. The Applicant shall also work with Caltrans to obtain an encroachment permit for landscaping of the unimproved right of way area abutting the south property line and Highway 41.**
- 19. Applicant shall increase the amount of permeable paving on site and include with the building permit submittal. All permeable paving material shall be of a different texture or color from that of the main paving material to help break up the surface material.**

Exhibit C

20. The project shall be reviewed by staff at a Planning Commission new business item within 2 years of certificate of occupancy for project impacts to the surrounding neighborhood.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 18th day of April, 2017 on a motion by Commissioner Lucas, seconded by Commissioner Ingraffia, on the following vote:

AYES: Lucas, Sadowski, Luhr, Ingraffia

NOES: None

ABSENT: Tefft

ABSTAIN: None



Vice-Chairperson Gerald Luhr

ATTEST:



Scot Graham, Community Development Director

The foregoing resolution was passed and adopted this 18th day of April, 2017.

SONIC DRIVE-IN



VIEW LOOKING NORTH
1



VIEW FROM SUNSET AVE LOOKING WEST
2

DESIGN PROFESSIONALS

OWNER

SONIC CORP.
300 JOHNNY BENCH DR.
OKLAHOMA CITY, OK 73104
(405) 225-5000

LANDSCAPING

SIERRA DESIGNS, INC.
115 N. CHURCH STREET, SUITE 310
VISALIA, CA 93291
(559) 739-3640

ARCHITECT

SCOTT & ASSOCIATES
1001 N. DEMAREE
VISALIA, CA 93291
(559) 621-1851
ARCHINFO@SCOTTASSOCIATES.COM

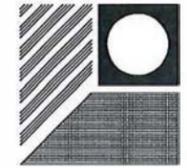
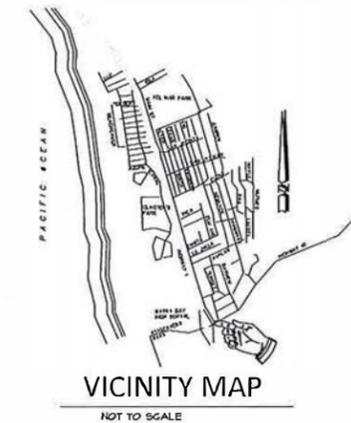
SURVEYOR

MBS LAND SURVEYS
3563 SUELDO ST. UNIT G
SAN LUIS OBISPO, CA 93401
(805) 544-1860

SHEET INDEX

- CUP-0.6.....COVER SHEET
- CUP-1.6.....VISUAL SIMULATIONS
- CUP-2.6.....SITE PLAN
- CUP-3.6.....SITE UTILITY PLAN
- CUP-4.6.....FLOOR PLAN
- CUP-5.6.....ROOF PLAN
- CUP-6.6.....EXTERIOR ELEVATIONS
- CUP-7.6.....PARKING CANOPY & SITE SECTION
- CUP-8.6.....KITCHEN EQUIPMENT PLAN
- CUP-9.6.....SIGNAGE
- CUP-10.6.....SIGNAGE & DETAILS
- CUP-11.6.....SITE PLAN IV SIGNAGE
- CUP-12.6.....RETAINING WALL & TRASH ENCLOSURE
- L-1.6.....CONCEPTUAL LANDSCAPE PLAN
- ES-1.6.....PHOTOMETRIC PLAN
- SURVEY.....TOPOGRAPHIC MAP

City of Morro Bay
Planning Commission Approval
Project #(s) CPO-404 + LRP-364
Approved as Submitted
 Approved with Changes Reso 13-17
Approval Date: 4-18-17
Planner: Cjaents



SCOTT & ASSOCIATES
ARCHITECT

1009 North Demaree
Visalia - California - 93291
Tel: 559/627-1851



- △ C.U.P. REVISIONS 1/20/2017
- △ C.U.P. REVISIONS 11/28/2018
- △ C.U.P. REVISIONS 04/20/2018
- △ REVISED 1-8-2015
- △ 3/13/17 12-CANOPY DOC-SPACING

SONIC DRIVE-IN

1840 MAIN STREET
MORRO BAY
CALIFORNIA

DEVELOPED BY
CONSUMER SCIENCE, INC.
28596 PROSPECT AVE.
MASCOCALIFORNIA

PROJECT No: 1304
DATE: 3/23/17

COVER SHEET

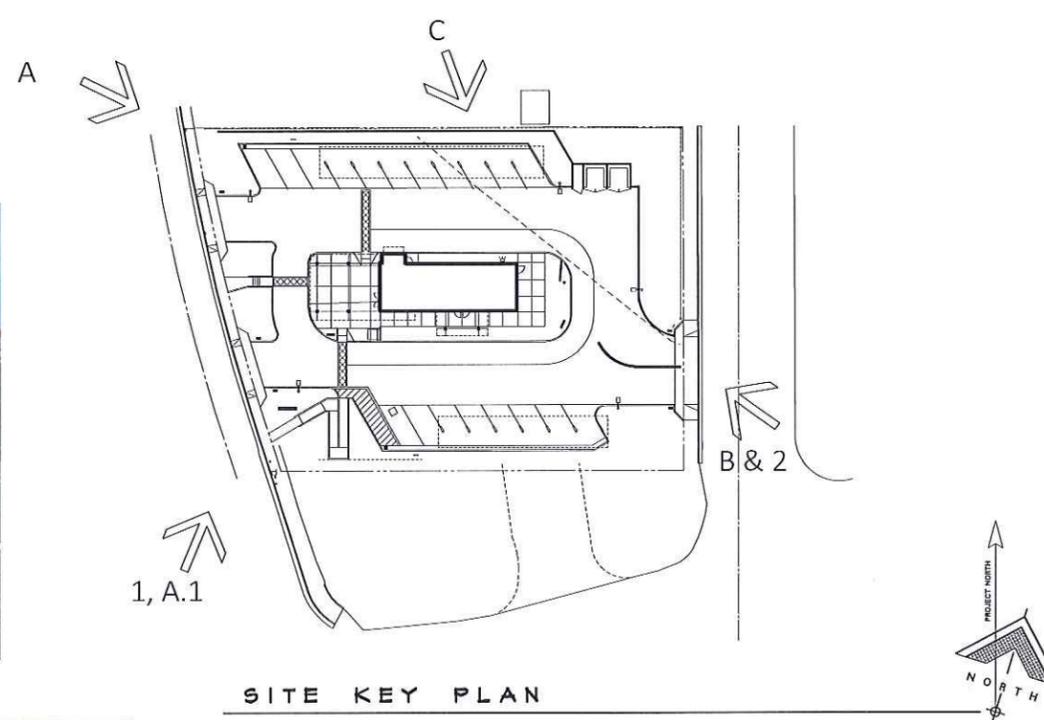
SHEET No:

CUP-0.6



ROOFSCAPE VIEW FROM NORTH PROPERTY

VIEW C



SITE KEY PLAN



VIEW FROM MAIN ST LOOKING EAST

VIEW A



CONCEPT NIGHT IMAGE

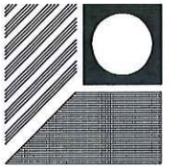
VIEW A.1



VIEW FROM SUNSET AVE LOOKING WEST

VIEW B

City of Morro Bay
 Planning Commission Approval
 Project #(s) CPD 404 + UPD 364
 Approved as Submitted
 Approved with Changes Reso 13-17
 Approval Date: 4-18-17
 Planner: Chavira



SCOTT & ASSOCIATES
 ARCHITECT

1000 North Damarae
 Visalia - California - 93201
 Tel: 559/427-1851



SONIC DRIVE-IN

1840 MAIN STREET
 MORRO BAY
 CALIFORNIA

DEVELOPED BY
 CONSUMER
 SCIENCE, INC.
 28546 PROSPECT AVE.
 NASCO
 CALIFORNIA

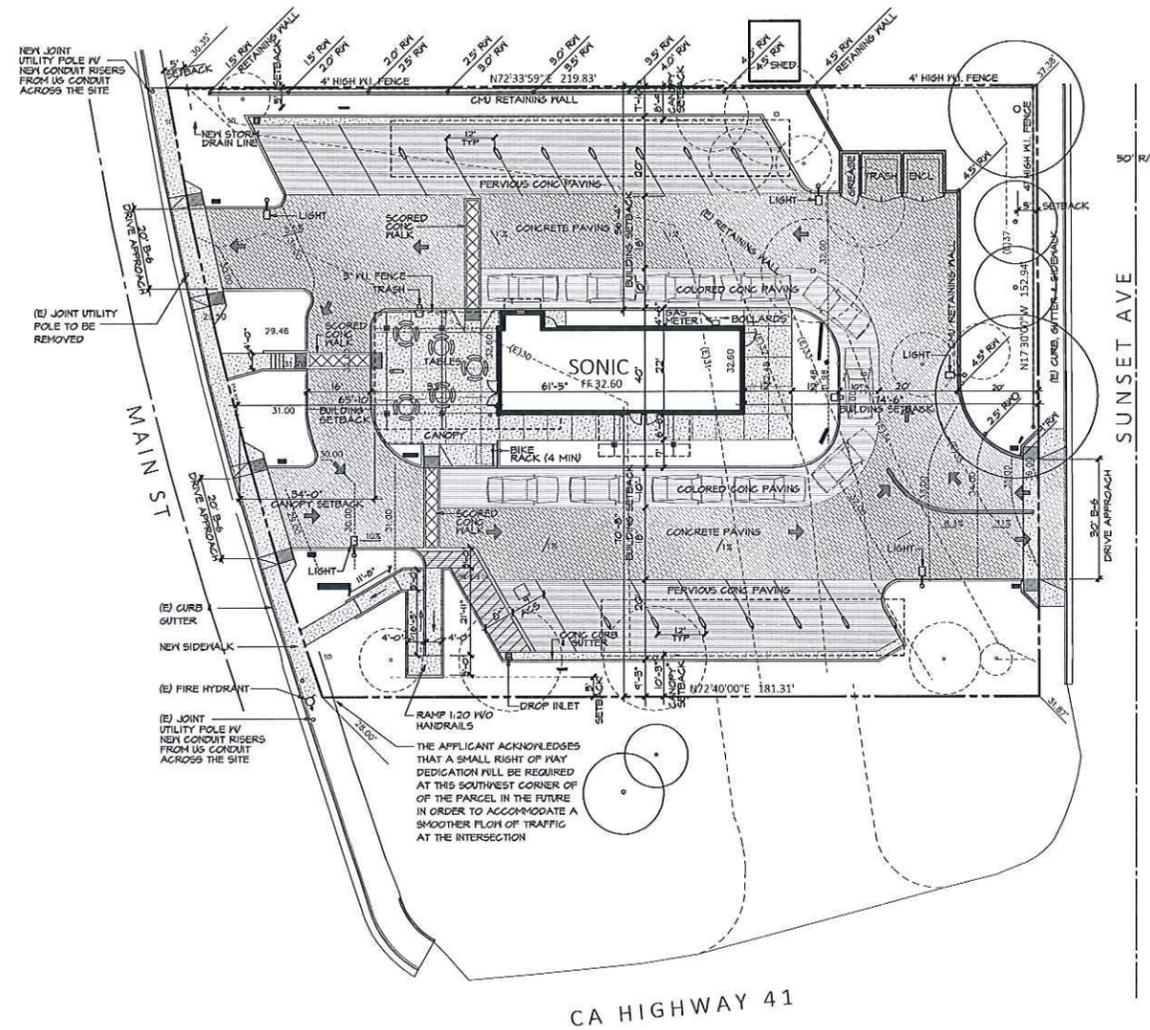
PROJECT No: 1304

DATE: 3/23/17

VISUAL SIMULATIONS

SHEET No:

CUP-1.6



SITE PLAN

SCALE: 1" = 20'-0"

LEGEND

- CONCRETE MALK
- CONCRETE PAVING
- PERVIOUS CONCRETE PAVING
- COLORED CONCRETE PAVING @ DRIVE THRU LANE
- SCORED CONCRETE MALK @ PATH OF TRAVEL
- (E) TREE TO REMAIN
- (E) TREE TO BE REMOVED

PROJECT INFORMATION

ADDRESS: 1840 MAIN ST, MORRO BAY CA 93442
 ASSESSOR'S PARCEL NUMBER: APN 068-324-014
 A PORTION OF LOT 15 AND 16 OF THE SUBDIVISION OF THE RANCHO MORO Y CATUCOS
 ZONE: MCR / R-4 / SP
 CITY OF MORRO BAY ZONING ORDINANCE SECTION 17.24.10

MAXIMUM HEIGHT (17.24.10) 25 FEET
 EXPOSED PARAPET HEIGHT 17'-6"
 PROPOSED FEATURE TOWER 23'-6"

MINIMUM FRONT YARD SETBACK 5 FEET
 PROPOSED MINIMUM 5'-0"

MINIMUM SIDE YARD SETBACK 5 FEET
 PROPOSED AT NORTH 7'-10"
 PROPOSED AT SOUTH 6'-0"

MINIMUM REAR YARD SETBACK 5 FEET
 PROPOSED AT EAST 20'-0"

MAXIMUM LOT COVERAGE 60%
 ACTUAL BUILDING AREA 1345 SF 4.6%
 COVERED PATIO 1020 SF 3.3%
 COVERED PARKING 2646 SF 8.1%
 TOTAL LOT COVERED BY STRUCTURES 16.6%

MINIMUM SIDE YARD BUILDING SETBACK 5 FEET (LESS THAN 15' HEIGHT)
 SONIC BUILDING 36'-4" x 61'-4"
 PARKING CANOPY 6'-10" x 8'-4"

PARKING REQUIRED (17.44.020-C.4.B) OUTDOOR 1020-125=845/60=14.1/2= 7.4 STALLS
 PARKING PROVIDED 20 STALLS

PARKING LOT LANDSCAPE AREA (17.44.20-D.5) 5% PAVED SURFACE
 TOTAL PAVED AREA 17,435 SF.
 LANDSCAPE AREA 8,211 SF (8211/17435 = 47%)

ADDITIONAL INFORMATION
 PARKING PROVIDED 15 COVERED STALLS
 5 UNCOVERED STALLS
 DRIVE UP STACK SPACE 11 CARS

SITE AREA 30,448 SQ. FT.
 BUILDING AREA 1345 SQ. FT. - 4.6% COVERAGE
 COVERED PATIO 1020 SQ. FT. - 3.3% COVERAGE
 TOTAL PAVED AREA 17,435 SQ. FT. - 56% COVERAGE
 PERVIOUS CONCRETE 4,430 SQ. FT. - 14.4%
 IMPERVIOUS CONCRETE 13,005 SQ. FT. - 42.7%
 LANDSCAPE AREA 8,211 SQ. FT. - 27.2% COVERAGE
 OTHER HARD SURFACES (WALKS, TRASH, ETC.) 1.1% COVERAGE
 HOURS OF OPERATIONS 8AM - 10PM DAILY

CODE ANALYSIS

OCCUPANCY CLASSIFICATION (CBC 602.1)
 SONIC BUILDING A-2
 DINING CANOPY A-2
 PARKING CANOPY S-2

CONSTRUCTION TYPE (CBC 602.1)
 SONIC BUILDING VB
 DINING CANOPY VB
 PARKING CANOPY IB

BUILDING HEIGHT (CBC 503.1)
 SONIC BUILDING 17'-6" 40' ALLOWABLE
 DINING CANOPY 17'-0" 40' ALLOWABLE
 PARKING CANOPY 11'-0" 55' ALLOWABLE

OCCUPANT LOAD (CBC 1004)
 SONIC BUILDING (KITCHEN) @ 1:200 1345/200 = 7 OCCUPANTS
 DINING CANOPY @ 1:15 1020/15 = 68 OCCUPANTS
 PARKING CANOPIES @ 1:200 2646/200 = 14 OCCUPANTS

FIRE SFRINKLERS
 SONIC BUILDING & DINING CANOPY REQUIRED PER CITY ORDINANCE
 PARKING CANOPIES NOT REQUIRED

FIRE ALARM (NOT 2)
 SONIC BUILDING & DINING CANOPY LESS THAN 800 OCCUPANTS NOT REQUIRED
 PARKING CANOPY NOT REQUIRED

City of Morro Bay
 Planning Commission Approval
 Project #(s) CPD-404 + WPD-304
 Approved as Submitted
 Approved with Changes RESO 13-17
 Approval Date: 4-18-17
 Planner: [Signature]



1009 North Demaree
 Visalia - California - 93291
 Tel: 559/827-1851



- ▲ C.U.P. REVISIONS 1/20/2017
- ▲ C.U.P. REVISIONS 11/28/2018
- ▲ C.U.P. REVISIONS 04/20/2018
- ▲ REVISED 1-8-2015
- ▲ 5-19-14 12' CANOPY COL SPACING

SONIC DRIVE-IN

1840 MAIN STREET
 MORRO BAY
 CALIFORNIA

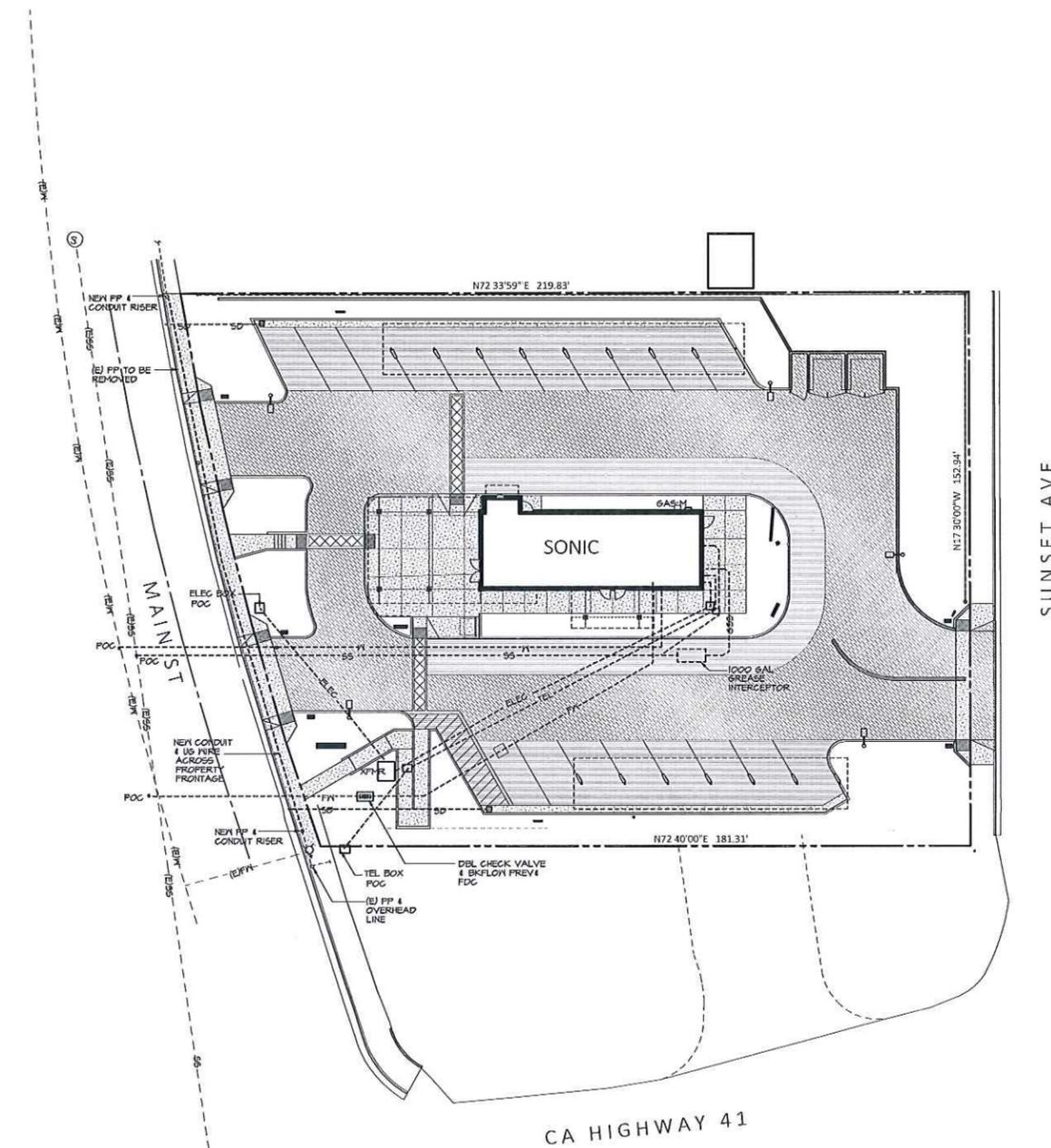
DEVELOPED BY
CONSUMER SCIENCE, INC.
 28546 PROSPECT AVE.
 MASCOCALIFORNIA

PROJECT No: 1304
 DATE: 3/23/17

SITE PLAN
 FOR CONVENTIONAL USE PERMIT
 &
 COASTAL DEVELOPMENT PERMIT

SHEET No:

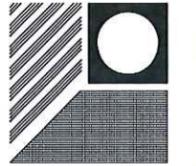
CUP-2.6



SITE UTILITY PLAN

SCALE: 1" = 20'-0"

City of Morro Bay
 Planning Commission Approval
 Project #(s) CPD-404 + UPD-364
 Approved as Submitted
 Approved with Changes Reso 13-17
 Approval Date: 4-18-17
 Planner: [Signature]



SCOTT & ASSOCIATES
 ARCHITECT

1008 North Damaras
 Visalia - California - 93291
 Tel: 559/627-1851



- ▲ C.U.P. REVISIONS 1/20/2017
- ▲ C.U.P. REVISIONS 11/28/2016
- ▲ C.U.P. REVISIONS 04/20/2016
- ▲ REVISED 1-8-2015
- ▲ 5'-8" H. 12' GANTRY COL SPACING

SONIC DRIVE-IN

1840 MAIN STREET
 MORRO BAY
 CALIFORNIA

DEVELOPED BY
CONSUMER SCIENCE, INC.
 28546 PROSPECT AVE.
 MASCO CALIFORNIA

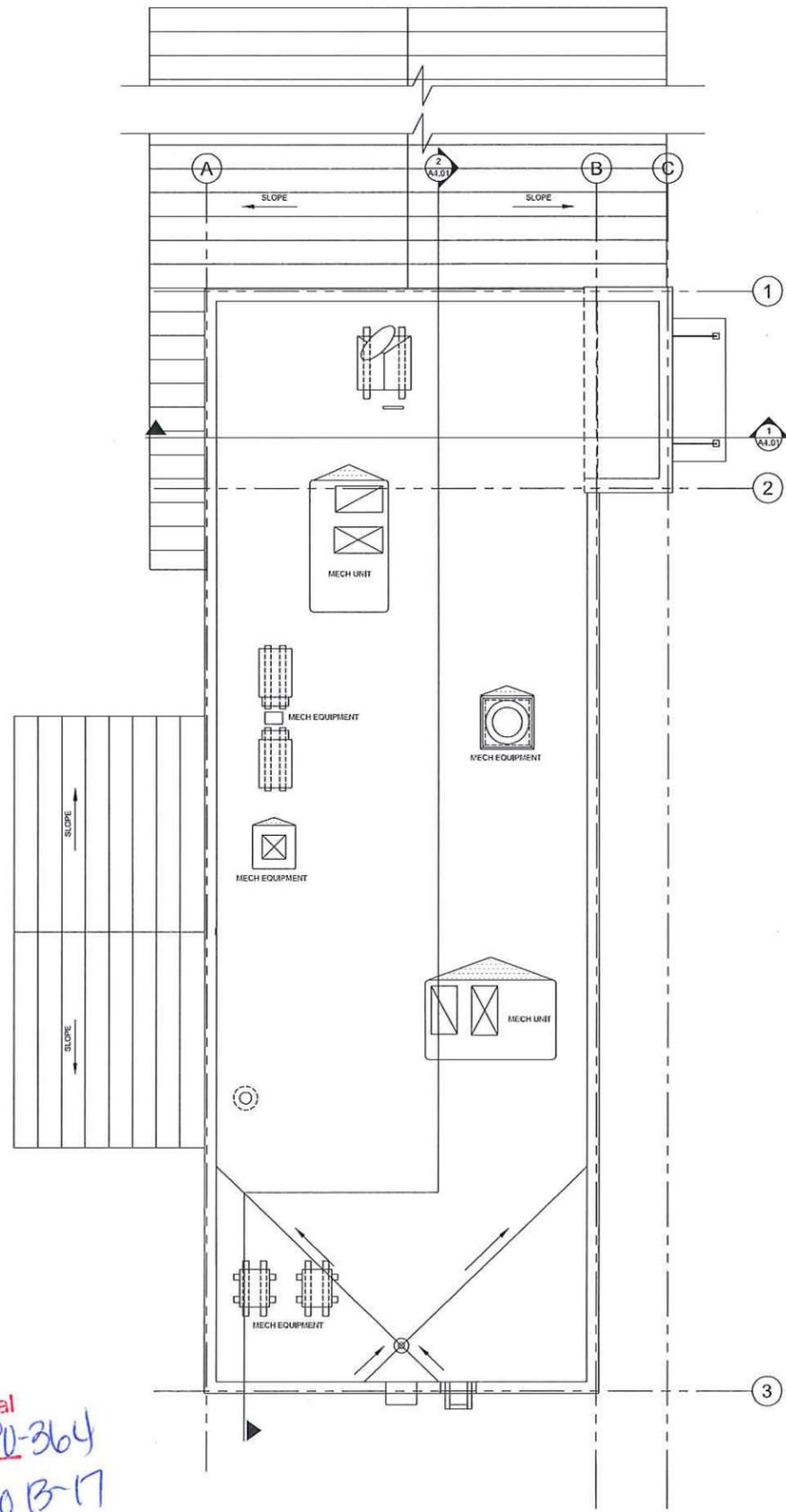
PROJECT No: 1904

DATE: 3/23/17

SITE UTILITY PLAN

SHEET No:

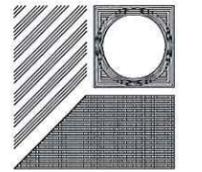
CUP-3.6



City of Morro Bay
 Planning Commission Approval
 Project #(s) CPD-404 + UPD-364
 Approved as Submitted
 Approved with Changes Reso B-17
 Approval Date: 4-18-17
 Planner: [Signature]



ROOF PLAN



SCOTT & ASSOCIATES
 ARCHITECT

1009 North Domenech
 Visalia - California 93291
 Tel: 559/627-1851
 Fax: 559/627-1876



SONIC DRIVE-IN

1840 Main Street
 Morro Bay
 California

DEVELOPED BY
CONSUMER SCIENCE, INC.
 28596 Prospect Ave.
 WASCO, CA

PROJECT No.: 1301
 DATE: 3/23/17

ROOF PLAN
 SHEET No.:

CUP-5.6



SCOTT & ASSOCIATES
ARCHITECT

1009 North Damarae
Visalia - California - 93291
Tel: 550/827-1851
Fax: 550/827-1876



SONIC DRIVE-IN

1840 MAIN STREET
MORRO BAY
CALIFORNIA

DEVELOPED BY
CONSUMER SCIENCE, INC.
28546 PROSPECT AVE.
MASCOT
CALIFORNIA

PROJECT No: 1804
DATE: 3/23/17

EXTERIOR ELEVATIONS

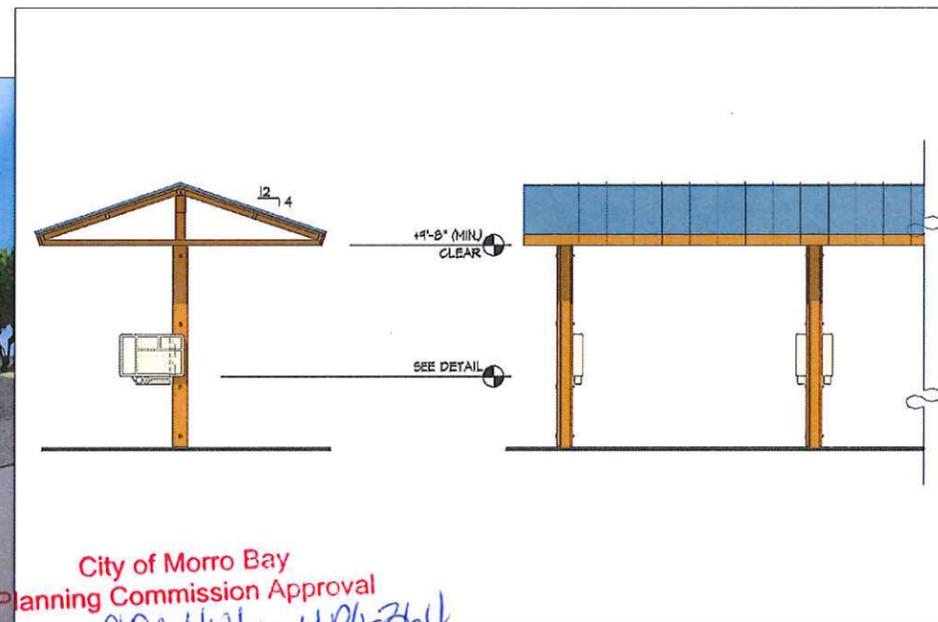
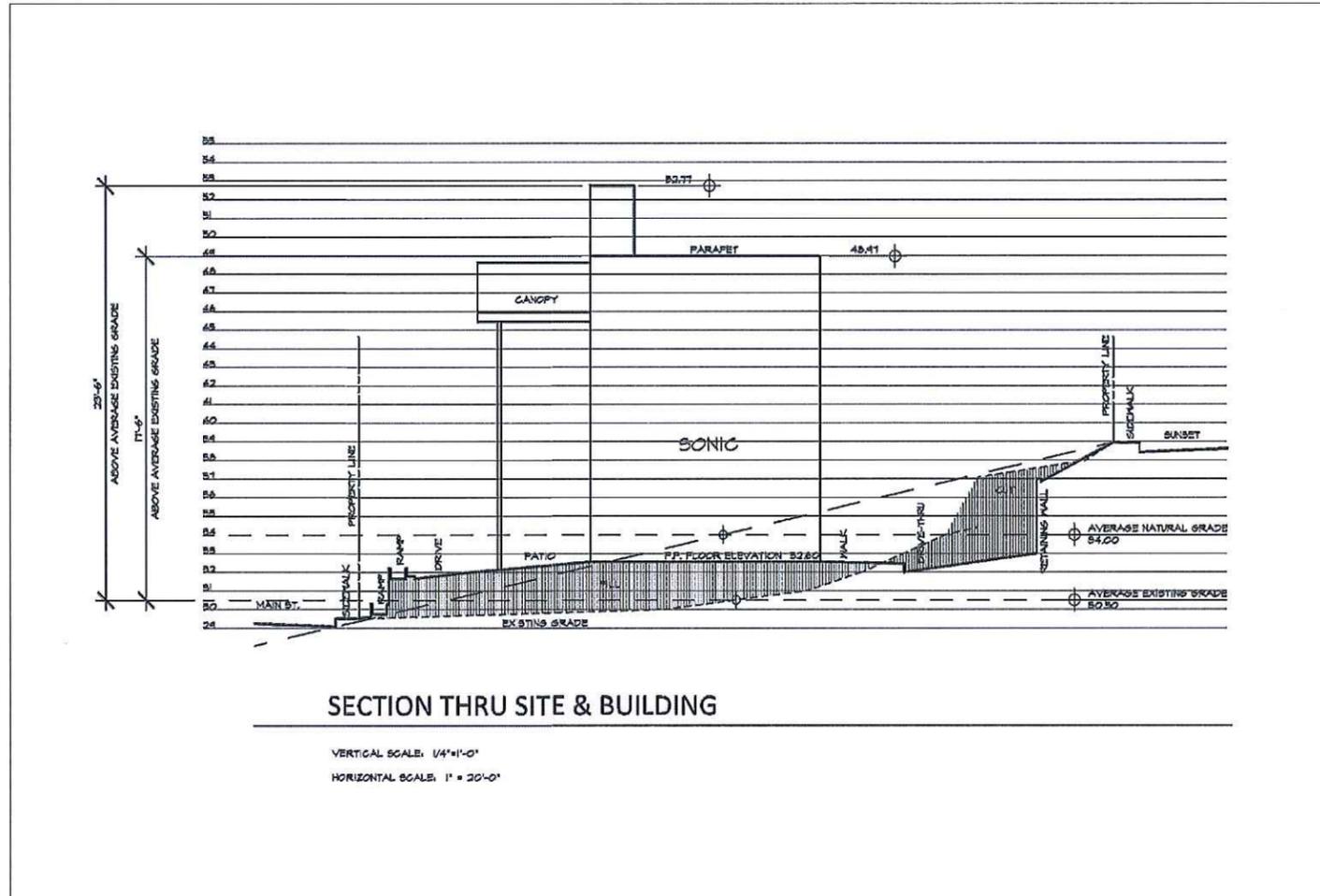
SHEET No:

CUP-6.6

EXTERIOR ELEVATIONS

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

City of Morro Bay
Planning Commission Approval
Project #(s) CUP-404 + CUP-364
 Approved as Submitted
 Approved with Changes Reso 13-17
Approval Date: 4-18-17
Planner: [Signature]

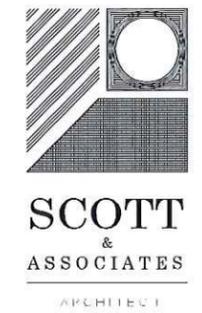


NOTE: RENDERING IS INTENDED TO SHOW RELATIONSHIP OF INDIVIDUAL PARKING CANOPIES TO ONE ANOTHER AND THE MAIN BUILDING. THE BUILDING IN IMAGE IS DIFFERENT FROM THE ONE IN THIS PROJECT.

City of Morro Bay
 Planning Commission Approval
 Project #(s) CPO-404 + WPO-364
 Approved as Submitted
 Approved with Changes Reso B-17
 Approval Date: 4-18-17
 Planner: [Signature]



PARKING CANOPY



1000 North DeMarino
 Visalia, California 93291
 Tel: 559/627-1851
 Fax: 559/627-1876



SONIC DRIVE-IN

1840 Main Street
 Morro Bay
 California

DEVELOPED BY
CONSUMER SCIENCE, INC.
 28596 Prospect Ave.
 WASCO, CA

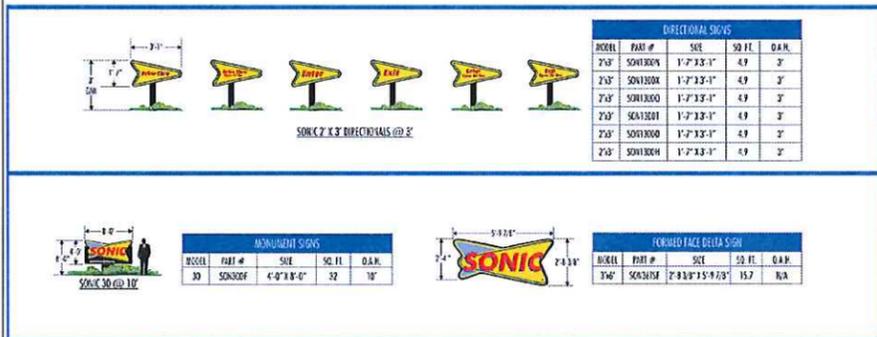
PROJECT No: 1301

DATE: 3/23/17

PARKING CANOPY, SITE SECTION

SHEET No:

CUP-7.6

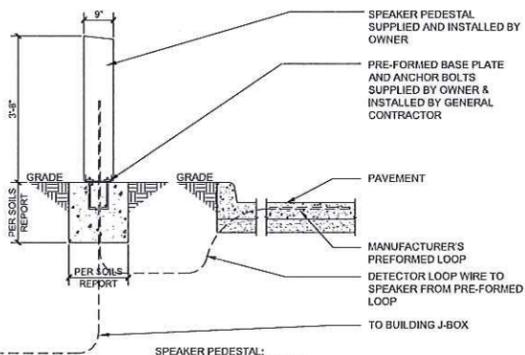


SITE SIGNAGE

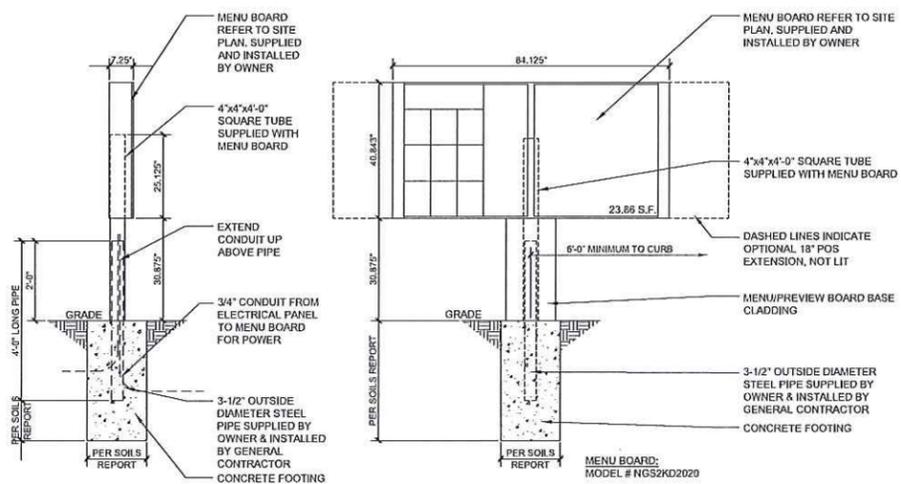
INSTRUCTIONS:

1. POSITION PREFORMED LOOP APPROXIMATELY 1'-6" TO 2'-0" FROM CURB CENTERED IN FRONT OF MENUBOARD OR SPEAKER POST
2. LOOP SHOULD BE INSTALLED 2" TO 3" BELOW THE SURFACE OF THE PAVEMENT (5" MAX. DEPTH) DO NOT USE METALLIC HARDWARE AS SUPPORT IF INSTALLED IN ASPHALT, COVER LOOP WITH A MIN. OF 1" SOIL OR SAND TO PROTECT FROM HOT ASPHALT
3. CONNECT LOOP TO 1/2" CONDUIT STUBBING UP IN SPEAKER POST
4. WIRE MESH OR REINFORCEMENT IN CONCRETE SHOULD BE CUT AWAY FROM PERIMETER OF LOOP A MIN. OF 6"
5. ALL CONNECTIONS AND SPICES TO LOOP WIRES MUST BE SOLDERED.
6. SEE ELECTRICAL PLANS FOR CONDUIT AND WIRING LAYOUT AND DETAILS.

NOTE: LOOP AND CABLE FURNISHED BY OWNER AND INSTALLED BY GENERAL CONTRACTOR, FINAL HOOK UP BY P.O.S. VENDOR

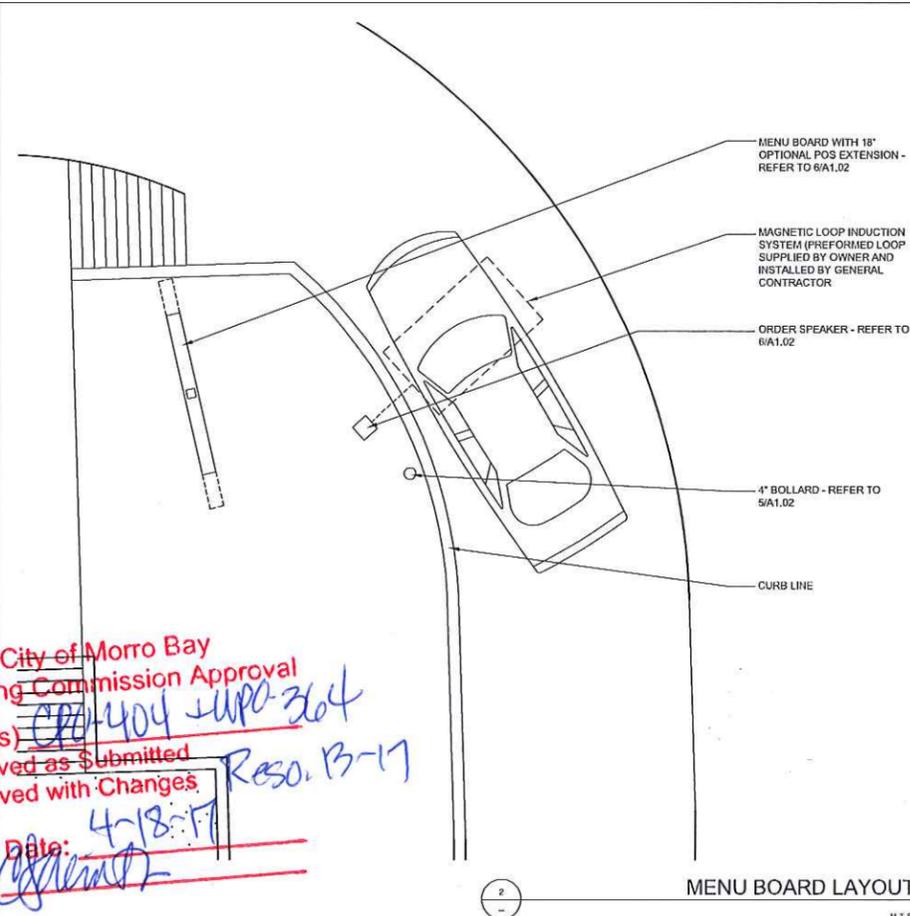
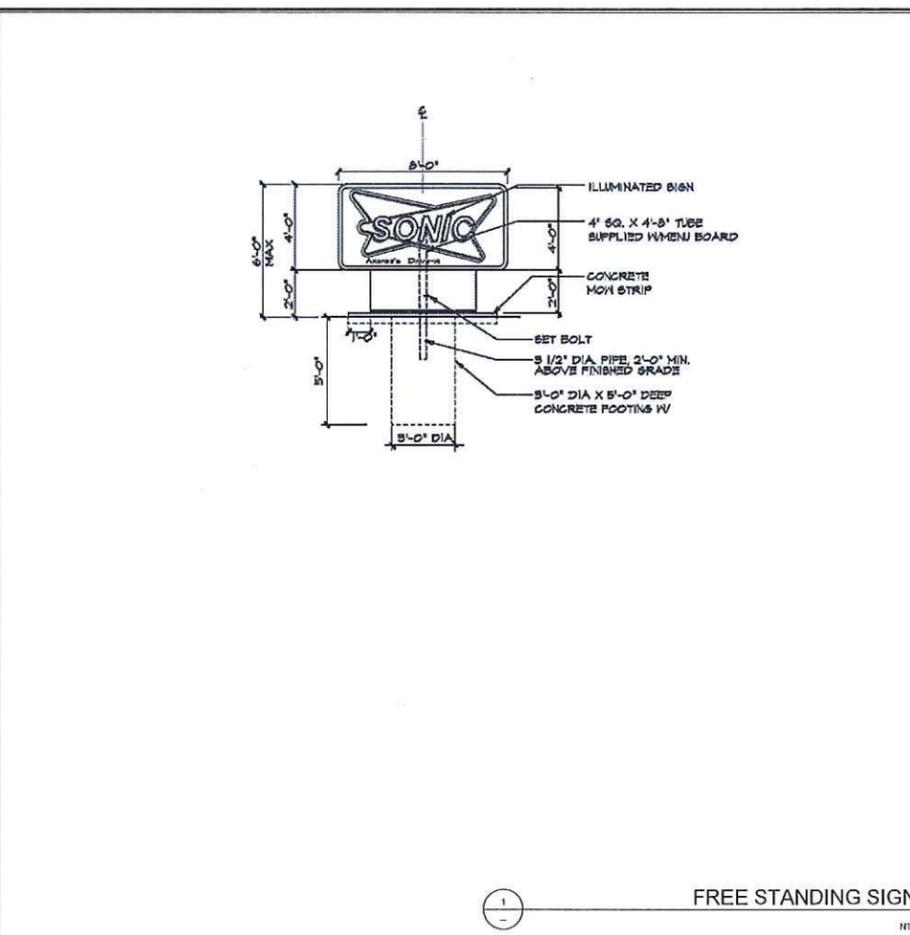
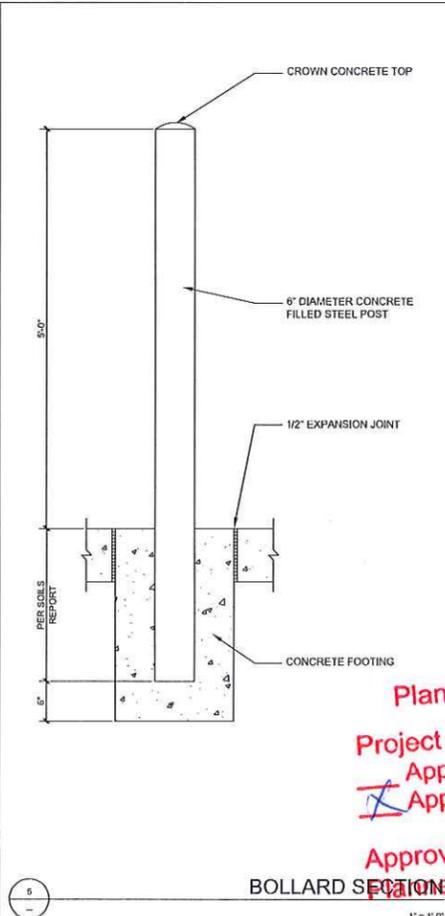
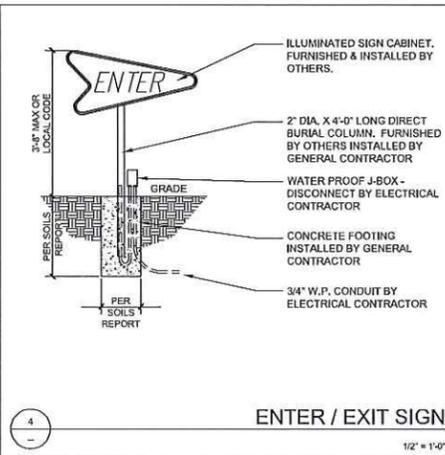
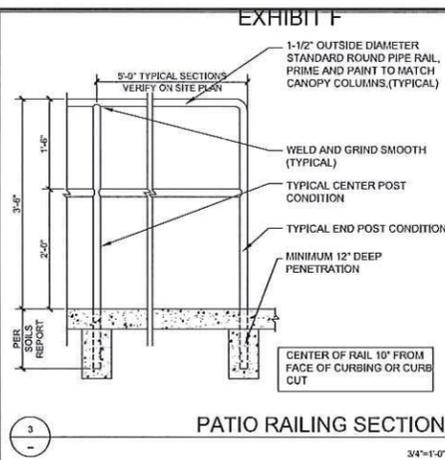


SPEAKER PEDESTAL

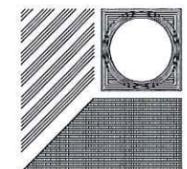


DRIVE-THRU MENU BOARD

DRIVE-THRU ACCESSORIES



City of Morro Bay
 Planning Commission Approval
 Project #(s) CPA-404 + WPA-364
 Approved as Submitted
 Approved with Changes Reso. B-17
 Approval Date: 4-18-17



SCOTT & ASSOCIATES
 ARCHITECT

1820 North Debrae
 Visalia, California 93291
 Tel: 550-527-1851
 Fax: 550-527-1825



SONIC DRIVE-IN
 1840 Main Street
 Morro Bay California

DEVELOPED BY
CONSUMER SCIENCE, INC.
 28596 Prospect Ave.
 WASCO, CA

PROJECT No: 1801
 DATE: 3-23-17

SHEET No:

CUP-9.6



G



H



DIRECTIONAL J



DRIVE-THRU MENU BOARD K



WALL B



MONUMENT A

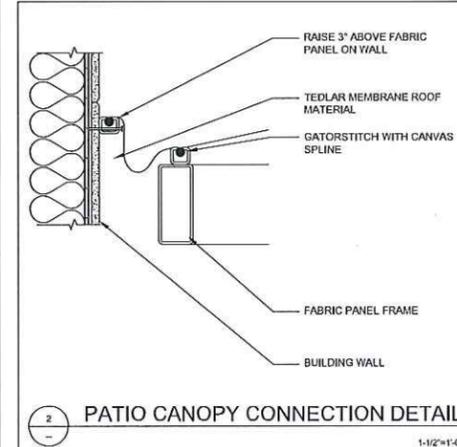
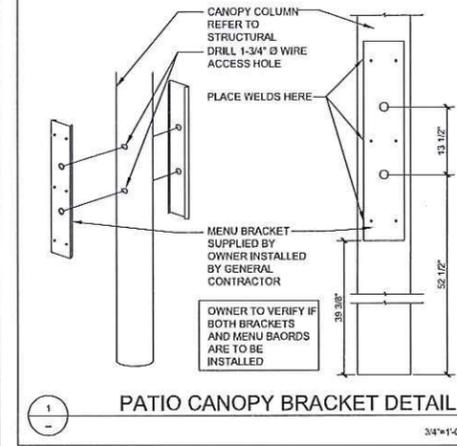


MENU BOARD M



MENU BOARD L

SIGNAGE



1009 North DeMaree
Visalia - California 93291
Tel: 559/627-1851
Fax: 559/627-1876



SONIC DRIVE-IN

1840 Main Street
Morro Bay
California

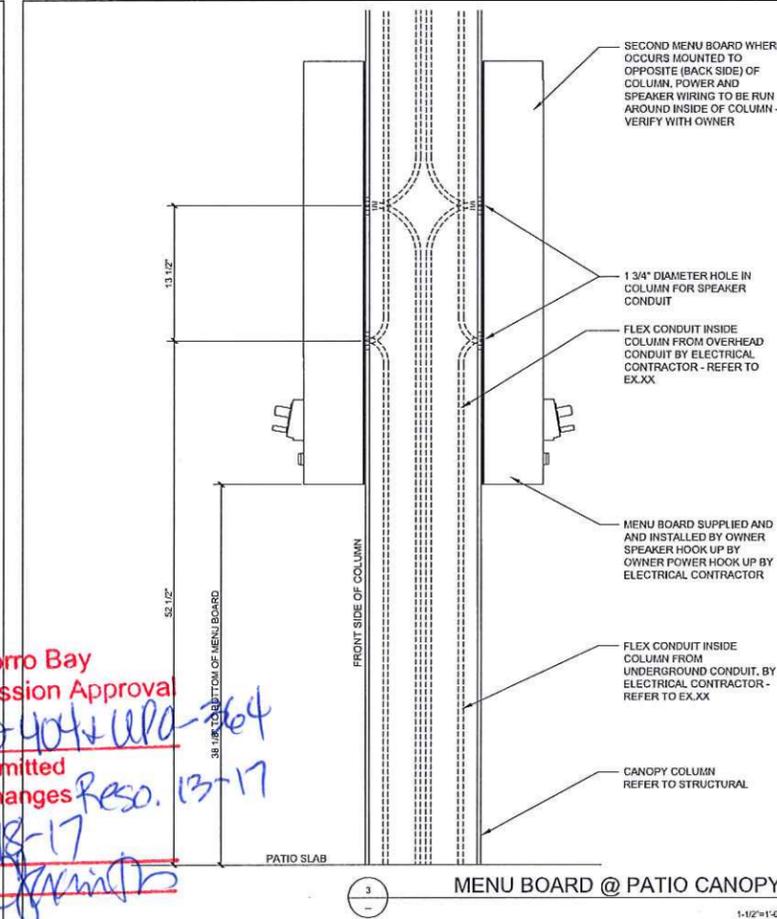
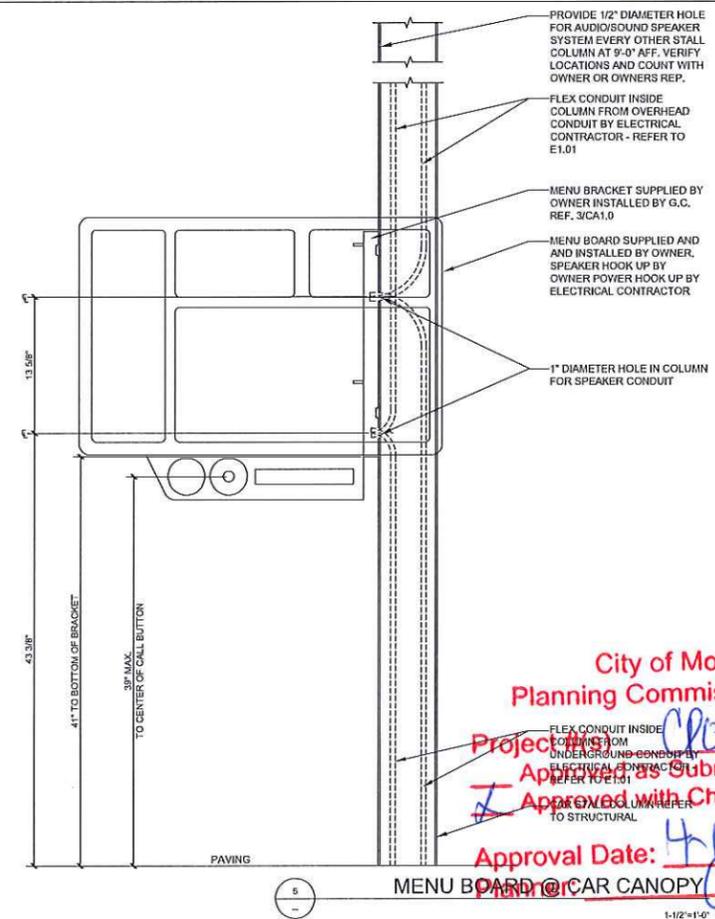
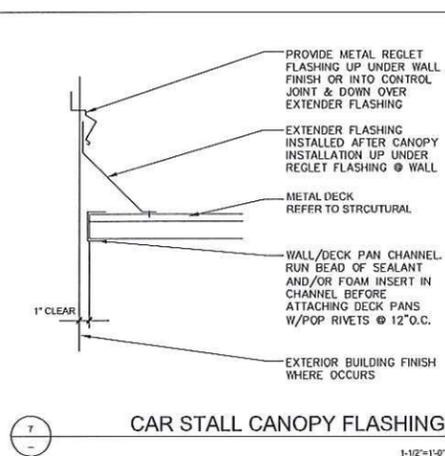
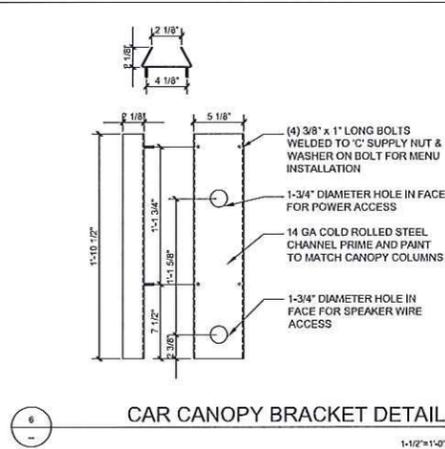
DEVELOPED BY
CONSUMER
SCIENCE, INC.
28596 Prospect Ave.
WASCO, CA

PROJECT No: 1304
DATE: 3/23/17

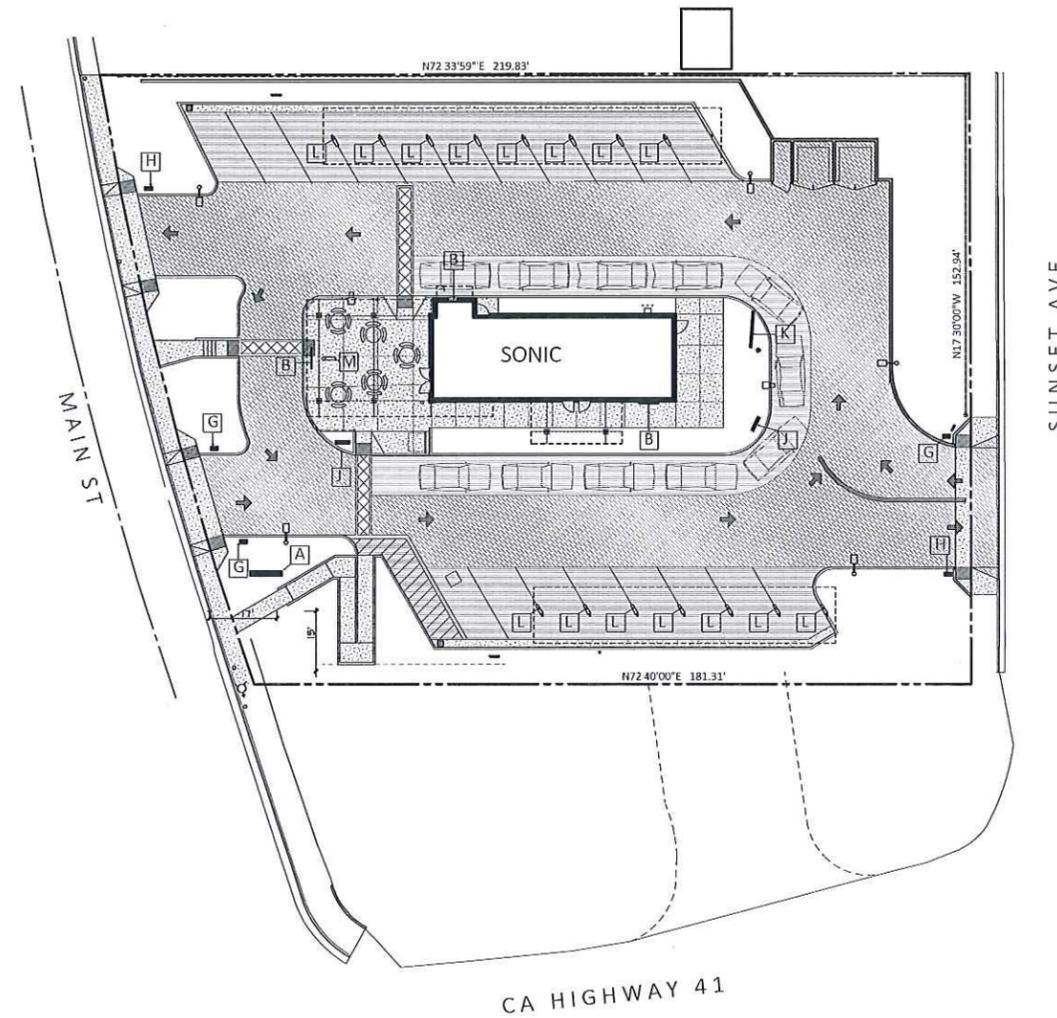
SIGNAGE & DETAILS

SHEET No:

CUP-10.6

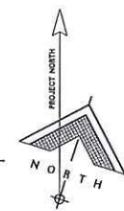


City of Morro Bay
Planning Commission Approval
Project # 404-164-364
Application Submitted
Approved with Changes Reso. 13-17
Approval Date: 4-8-17



SITE PLAN W/ SIGNS

SCALE: 1" = 20'-0"



SITE SIGNS

MAIN STREET FRONTAGE = 154.84' (1.6B.110.C.1.B ALLOWABLE AREA) = 154.84'X1' = 155 S.F.

MONUMENT SIGN (1.6B.110.C.2 ALLOWED)

- A** 1 - "SONIC" MONUMENT SIGN (4'X8') 32 S.F.

MALL SIGNS (SEE EXTERIOR ELEVATIONS ON CUP-3) (1.6B.110.C.1.B)

- B** 3 - "SONIC" MALL SIGN (2.7'X5.9') 47.4 S.F.

DIRECTIONAL SIGNS (1.6B.070.5 EXCEPTION - UNREGULATED AREA)

- G** 3 - "ENTER" SIGN (1.6'X3.1')
- H** 2 - "EXIT" SIGN (1.6'X3.1')
- J** 2 - "DRIVE THRU" SIGN (1.6'X3.1')

MENU BOARD SIGNS (1.6B.110.C.6)

- K** 1 - DRIVE THRU MENU BOARD (3.4'X7') 24 S.F.
- L** 15 - COVERED PARKING MENU BOARD, PROJECTED FROM CANOPY POLE (2'X3') 40 S.F.
- M** 1 - PATIO MENU BOARD, POLE MOUNTED (2'X3') 6 S.F.

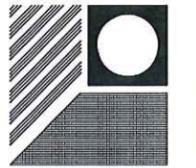
TOTAL AREA 120 S.F.

THE MENU BOARDS AT THE DRIVE THRU ARE AN INTEGRAL PART OF A RESTAURANT IN A DRIVE THRU WINDOW. THE MENU BOARDS AT THE COVERED PARKING AREAS AND AT THE DINING PATIO ARE AN INTEGRAL PART OF THE SONIC CONCEPT AND ARE NECESSARY FOR THE FUNCTION OF THE SONIC DRIVE-IN. THE GRAPHICS AND TEXT ON THE MENU BOARDS ARE NOT LARGE AND ARE NOT INTENDED TO BE SEEN FROM THE PUBLIC RIGHT-OF-WAY. THE MENU BOARDS @ THE SOUTH PARKING CANOPY ARE SCREENED FROM HWY 41 BY LANDSCAPE.

WE REQUEST THAT THESE SIGNS BE PERMITTED AS A PART OF THE CONDITIONAL USE PERMIT PURSUANT TO THE CITY OF MORRO BAY ZONING ORDINANCE, SECTION 11.6B.100.

SEE EXTERIOR ELEVATIONS FOR SIGNS ON THE BUILDING ON SHEET CUP-10.5

ALL SIGNS ARE INTERNALLY ILLUMINATED.



SCOTT & ASSOCIATES
ARCHITECT

1009 North Damaras
Visalia, California - 93291
Tel: 559/227-1851



- ▲ C.U.P. REVISIONS 12/20/2017
- ▲ C.U.P. REVISIONS 11/28/2016
- ▲ C.U.P. REVISIONS 04/20/2016
- ▲ REVISED 1-8-2015
- ▲ 5-18-14 12' CANOPY COL SPACING

SONIC DRIVE-IN

1840 MAIN STREET
MORRO BAY
CALIFORNIA

DEVELOPED BY
CONSUMER SCIENCE, INC.
28546 PROSPECT AVE.
MASCOCALIFORNIA

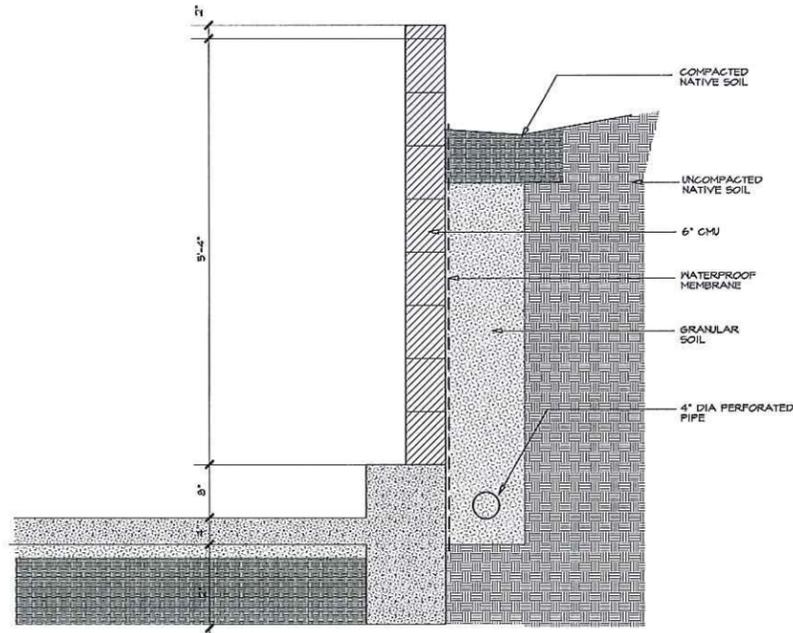
PROJECT No: 1304
DATE: 3/23/17

SIGNAGE
SITE PLAN

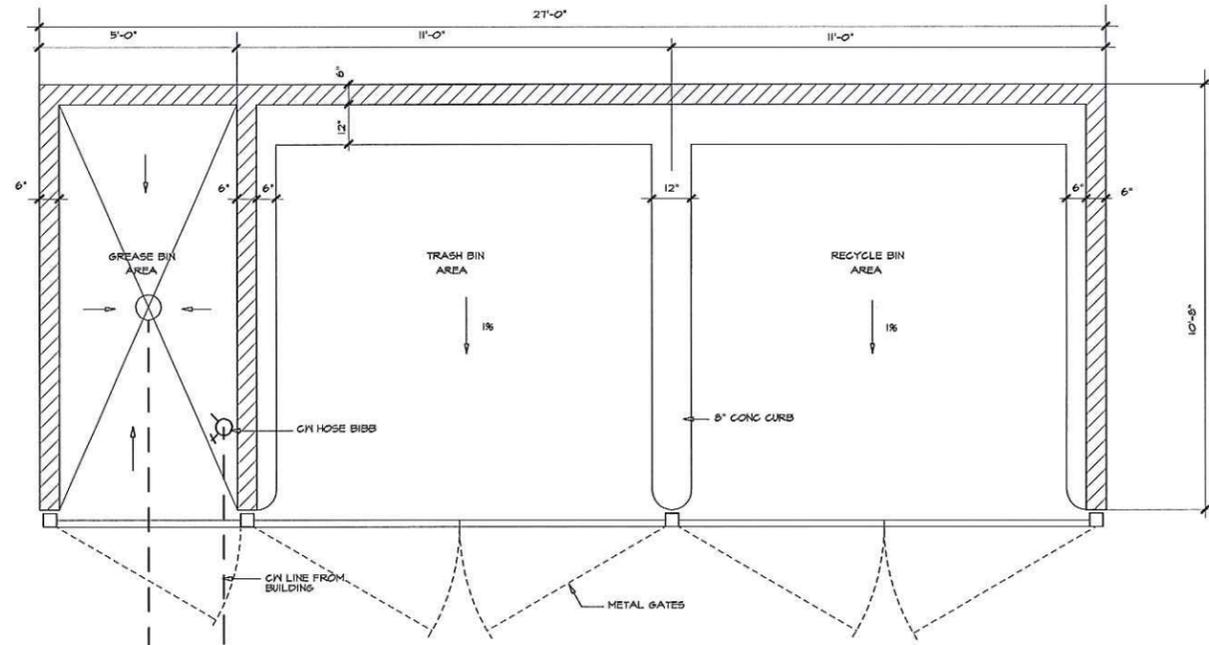
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CUP-11.6

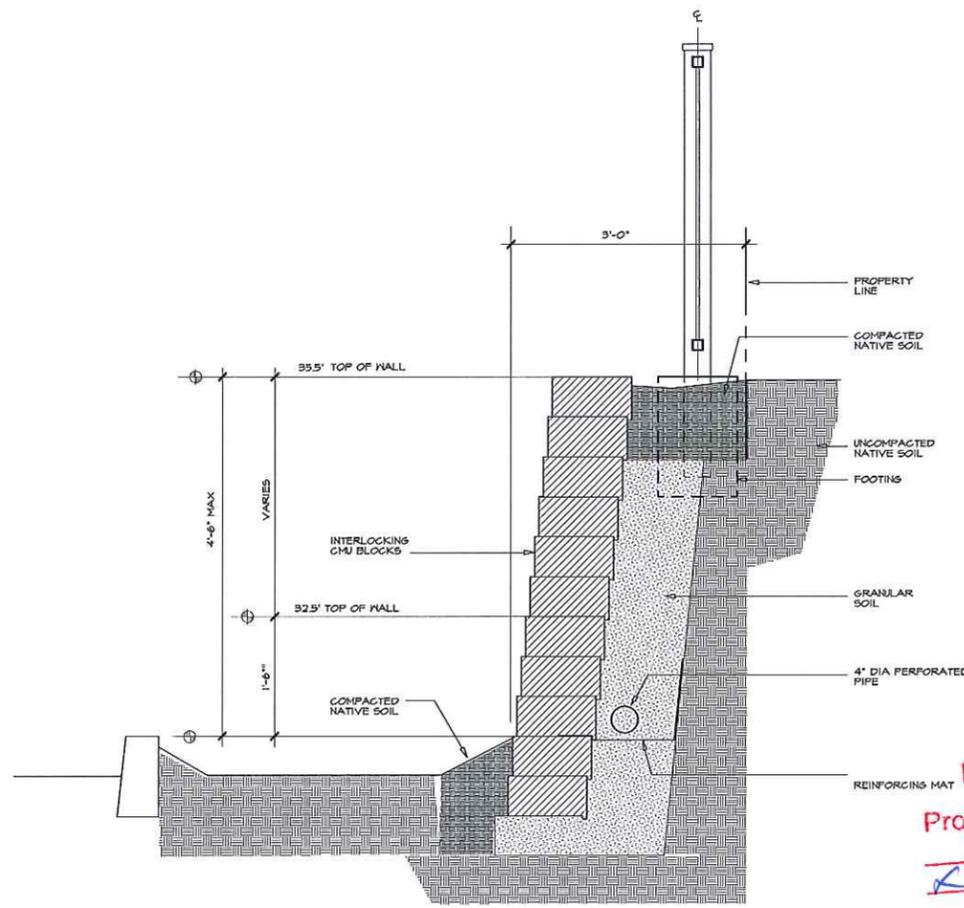
City of Morro Bay
Planning Commission Approval
Project #(s) CPO-404, WPO-364
Approved as Submitted
 Approved with Changes Reso. B-17
Approval Date: 4-18-17
Planner: [Signature]



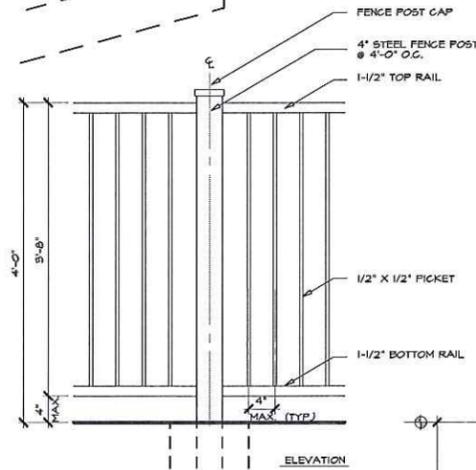
TRASH BIN ENCLOSURE WALL
1" = 1'-0"



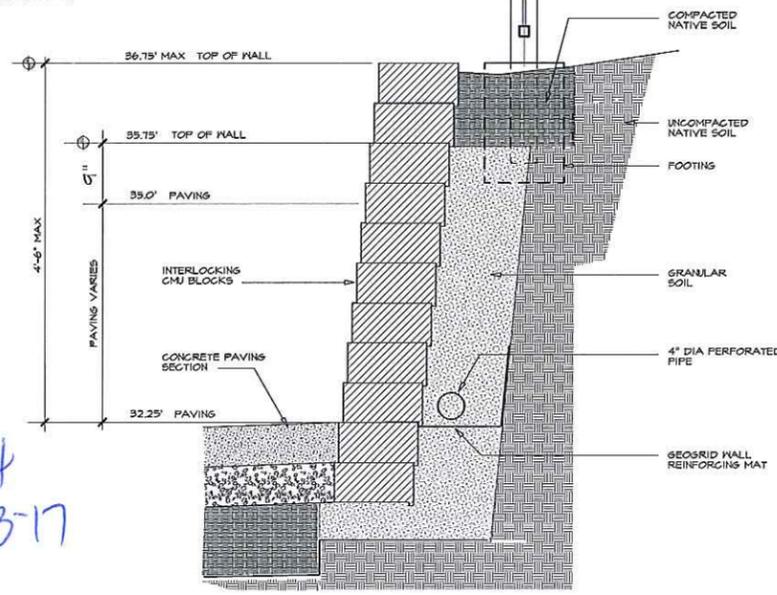
TRASH BIN ENCLOSURE
1/2" = 1'-0"



RETAINING WALL ALONG NORTH PROPERTY LINE
1" = 1'-0"

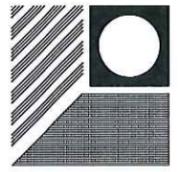


WROUGHT IRON FENCE/GUARDRAIL DETAIL
1/2" = 1'-0"



RETAINING WALL ALONG EAST END OF SITE
1" = 1'-0"

City of Morro Bay
 Planning Commission Approval
 Project #(s) CPD 404 & WPD 304
 Approved as Submitted
 Approved with Changes RESO. 13-17
 Approval Date: 4-18-17
 Planner: [Signature]



SCOTT & ASSOCIATES
ARCHITECT

1009 North Demaree
 Visalia - California - 93291
 Tel: 559/827-1851
 Fax: 559/827-1878



SONIC DRIVE-IN

1840 MAIN STREET
 MORRO BAY
 CALIFORNIA

DEVELOPED BY
CONSUMER SCIENCE, INC.
 28546 PROSPECT AVE.
 MASCO CALIFORNIA

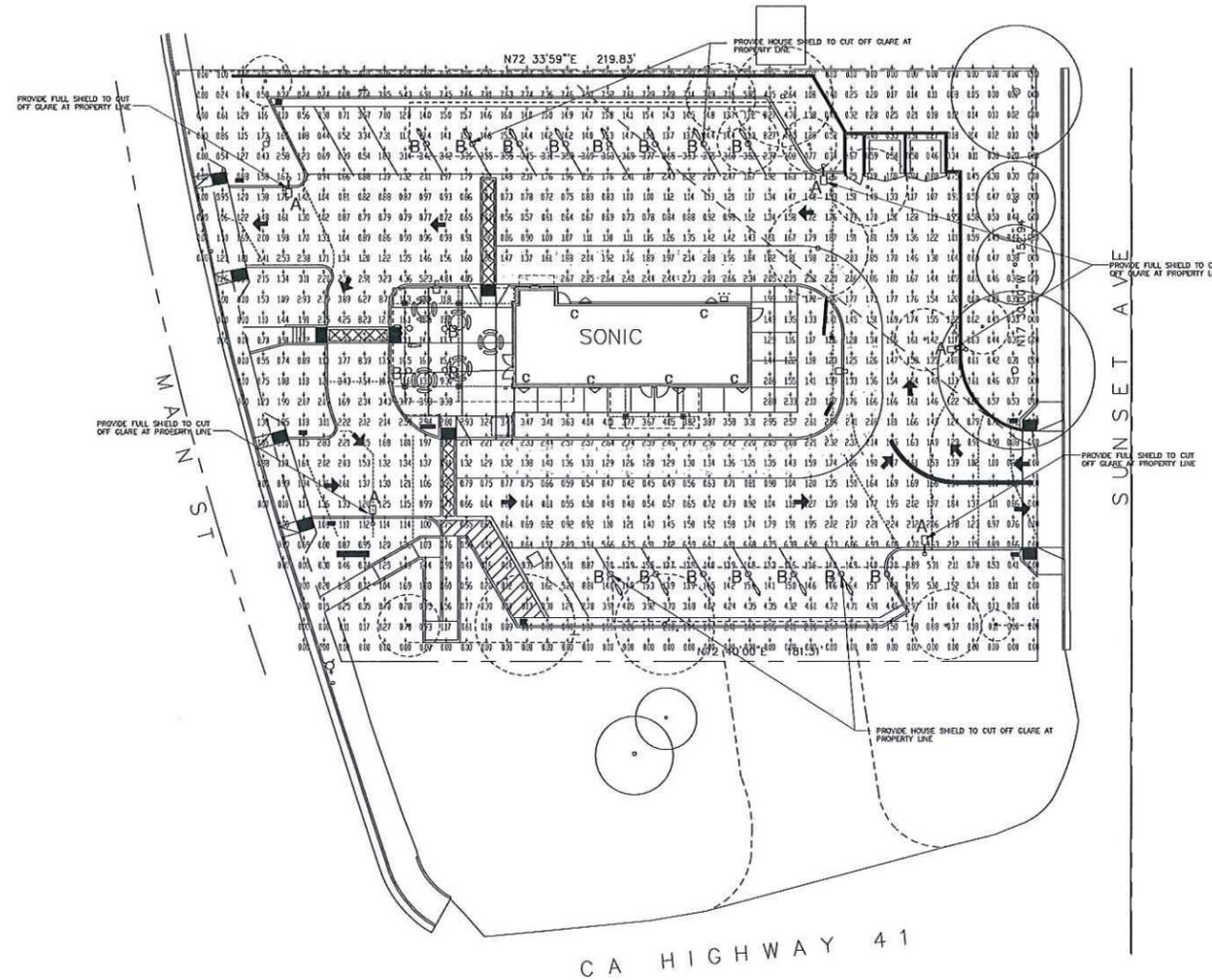
PROJECT No: 1904

DATE: 3/23/17

RETAINING WALL / TRASH ENCLOSURE

SHEET No:

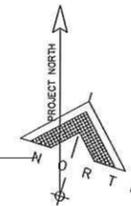
CUP-12.6



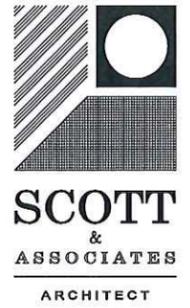
LIGHTING FIXTURE SCHEDULE							
TYPE	SYMBOL	DESCRIPTION	LAMP	MTD	VOLT	WATTS	REMARK
A	⊙	LED 18 FT POLE LIGHT WITH FULL SHIELD CUT OFF AT PROPERTY LINE	1-68W LED	POLE BASE	120	68	LITHONIA LIGHTING D-SERIES SIZE 1 DSX1 LED 300 630 40K 13M
B	○	CANOPY DOWN LIGHT WITH HOSE SHIELD TO CUT OFF GLARE AT PROPERTY LINE	1-25W LED	SURF	120	17	LITHONIA LIGHTING DS5C LED
C	△	WALL LED LIGHT CUT OFF AT PROPERTY LINE	1-24W LED	WALL	120	16	LITHONIA LIGHTING W02 LED
	■	DRIVE THRU SIGN					
	■	SONIC SIGN					

PHOTOMETRIC PLAN

SCALE: 1" = 20'-0"



City of Morro Bay
 Planning Commission Approval
 Project #(s) CPD-404 + WPD-264
 Approved as Submitted
~~Approved with Changes~~ Reso. 13-17
 Approval Date: 4-18-17
 Planner: [Signature]



1009 North Demoree
 Visalia - California - 93291
 Tel: 559/627-1851
 Fax: 559/627-1826



SONIC DRIVE-IN

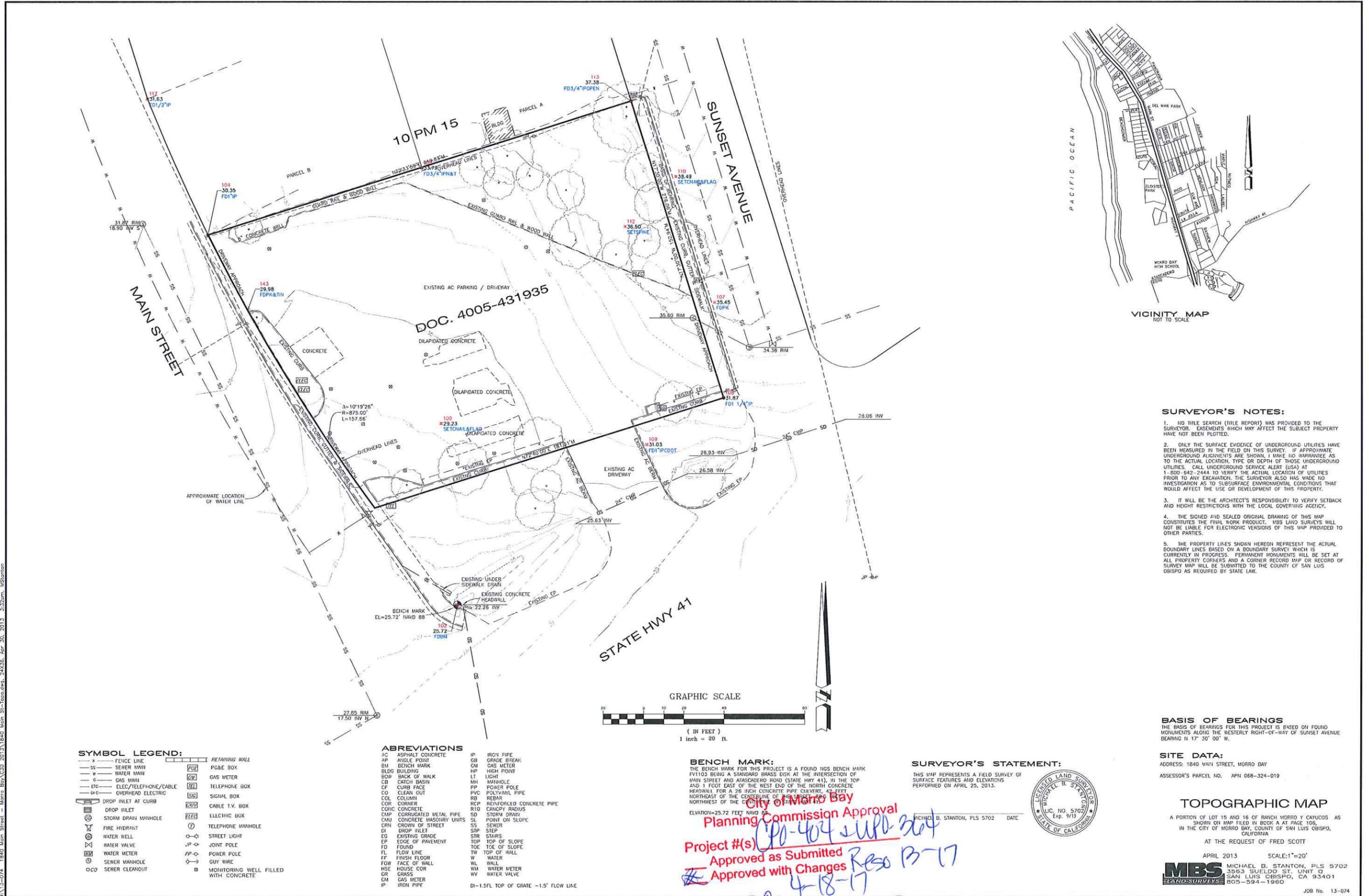
1840 Main street
 morro bay
 california

DEVELOPED BY
 CONSUMER
 SCIENCE, INC.
 28596 Prospect ave.
 WASCO
 CALIFORNIA

PROJECT No. 1304
 DATE 1/11/2017
 SHEET TITLE:
 PHOTOMETRIC PLAN

SHEET No.:

ES-1.6



MA: 13-074 - 1840 High Street - Morro Bay, CA 94031 - 2013-11-18-40 Main St - 10:00:00 - 24X36 - Apr 30, 2013 3:22pm - MStanton

SURVEYOR'S NOTES:

- NO TITLE SEARCH (TITLE REPORT) WAS PROVIDED TO THE SURVEYOR. EASEMENTS WHICH MAY AFFECT THE SUBJECT PROPERTY HAVE NOT BEEN PLOTTED.
- ONLY THE SURFACE EVIDENCE OF UNDERGROUND UTILITIES HAVE BEEN MEASURED IN THE FIELD ON THIS SURVEY. IF APPROXIMATE UNDERGROUND ALIGNMENTS ARE SHOWN, I MAKE NO WARRANTY AS TO THE ACTUAL LOCATION, TYPE OR DEPTH OF THOSE UNDERGROUND UTILITIES. CALL UNDERGROUND SERVICE ALERT (USA) AT 1-800-642-2444 TO VERIFY THE ACTUAL LOCATION OF UTILITIES PRIOR TO ANY EXCAVATION. THE SURVEYOR ALSO HAS MADE NO INVESTIGATION AS TO SUBSURFACE ENVIRONMENTAL CONDITIONS THAT WOULD AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.
- IT WILL BE THE ARCHITECT'S RESPONSIBILITY TO VERIFY SETBACK AND HEIGHT RESTRICTIONS WITH THE LOCAL GOVERNING AGENCY.
- THE SIGNED AND SEALED ORIGINAL DRAWING OF THIS MAP CONSTITUTES THE FINAL WORK PRODUCT. MBS LAND SURVEYS WILL NOT BE LIABLE FOR ELECTRONIC VERSIONS OF THIS MAP PROVIDED TO OTHER PARTIES.
- THE PROPERTY LINES SHOWN HEREON REPRESENT THE ACTUAL BOUNDARY LINES BASED ON A BOUNDARY SURVEY WHICH IS CURRENTLY IN PROGRESS. PERMANENT MONUMENTS WILL BE SET AT ALL PROPERTY CORNERS AND A CORNER RECORD MAP OR RECORD OF SURVEY MAP WILL BE SUBMITTED TO THE COUNTY OF SAN LUIS OBISPO AS REQUIRED BY STATE LAW.

BASIS OF BEARINGS
 THE BASIS OF BEARINGS FOR THIS PROJECT IS BASED ON FOUND MONUMENTS ALONG THE WESTERLY RIGHT-OF-WAY OF SUNSET AVENUE BEARING N 17° 30' 00" W.

SITE DATA:
 ADDRESS: 1840 MAIN STREET, MORRO BAY
 ASSESSOR'S PARCEL NO. APN 068-324-019

TOPOGRAPHIC MAP
 A PORTION OF LOT 15 AND 16 OF RANCH MORRO Y CAJUCOS AS SHOWN ON MAP FILED IN BOOK A AT PAGE 106, IN THE CITY OF MORRO BAY, COUNTY OF SAN LUIS OBISPO, CALIFORNIA.
 AT THE REQUEST OF FRED SCOTT
 APRIL 2013 SCALE: 1"=20'
MBS LAND SURVEYS
 MICHAEL B. STANTON, PLS 5702
 3563 SUELDO ST. UNIT 0
 SAN LUIS OBISPO, CA 93401
 805-594-1960
 JOB No. 13-074

Exhibit D

From: [Kevin and Kristi Stiffler](#)
To: [Cindy Jacinth](#)
Subject: CPO-404/UPO-364 Extension
Date: Friday, April 23, 2021 4:12:50 PM

Dear Ms. Jacinth:

I am writing to express my approval for the recommended two-year extension of this project.

As a Morro Bay resident who lives in close proximity to the site, I believe the development of the proposed restaurant would be a positive step, contributing to the local economy and eliminating the overgrown vegetation and trash that currently create an eyesore there. I support the extension of the permit so that the plans for building the restaurant remain intact and can move forward.

Sincerely,

Kevin Stiffler

[Redacted signature block]

CITY OF MORRO BAY PLANNING COMMISSION

CP0-404 & UP0-364 Permit
Extension Request for Sonic
Restaurant

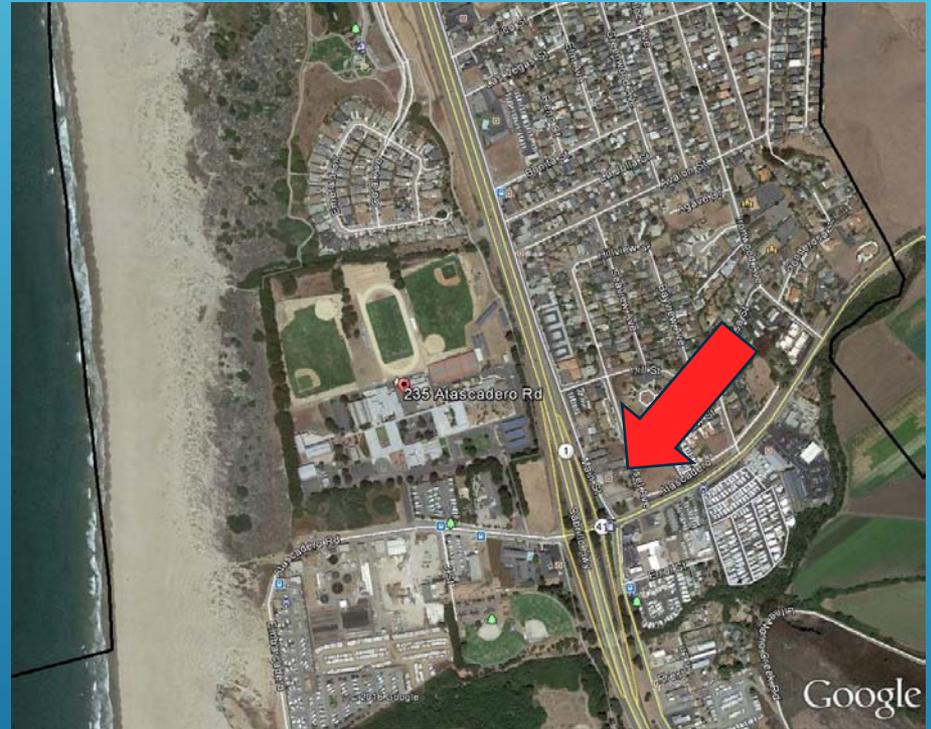
1840 Main Street

Owner/ Permittee :

Scott McMillan

Agent:

Derrill Whitten, Cornerstone
Engineering



2017 APPROVED DEVELOPMENT

- New construction on vacant lot of a 1,400sf drive-thru, drive-up style restaurant with canopied parking, associated site improvements, removal of major vegetation, and master sign program approval.
- Request for 2 year permit extension requires Planning Commission approval after Director-authorized extensions in 2019 and 2020.

SITE –
1840
MAIN
STREET



Main Street

Caltrans right of way

Atascadero Road/ Hwy 41

2017 VISUAL SIMULATION



VIEW LOOKING NORTH

STAFF RECOMMENDATION:

Approve 2-year extension of Coastal
Development Permit/Conditional Use Permit
#CP0-404/ UP0-364
by adopting Planning Commission
Resolution 10-21



AGENDA NO: C-1

MEETING DATE: May 4, 2021

Memo

TO: Planning Commission

DATE: April 29, 2021

FROM: Scot Graham, Community Development Director

SUBJECT: Information Session: “Tree Plantings unique and appropriate to Morro Bay”, a consideration for future planting guideline development.

This item is to hear a presentation on tree plantings unique and appropriate to Morro Bay, with a consideration for future planting guideline development. The presentation will include a 55 minute session, with four local horticultural experts, with two 20 minute presentations by the invited experts followed by 15 minutes of questions from the Planning Commission.

Hope Merkle, the manager of Los Osos Valley Nursery is the coordinator of the experts and information session. Hope has been serving the central coast community of home gardeners and horticultural professionals for over 40+ years. Her years of experience put her in the unique position to continue to serve the community by providing guidance in plant selection, soil amendments, and watering requirements. Hope is “looking forward to hearing from this wonderful group of horticultural experts”.

Prepared By: CJ

Department Review: SG