



# CITY OF MORRO BAY PLANNING COMMISSION AGENDA

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*The City of Morro Bay provides essential public services and infrastructure to maintain a safe, clean and healthy place for residents and visitors to live, work and play.*

**Regular Meeting -Tuesday, July 6, 2021 - 6:00 P.M.  
Held Via Teleconference**

Chairperson Susan Stewart

Vice-Chairperson William Roschen  
Commissioner Jennifer Ford

Commissioner Joseph Ingraffia  
Commissioner Mike Rodriguez

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](mailto: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=aWZpTzdwTHlRTk9xaTlmWVNWRWFUQT09>

Password: 135692

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

A. CONSENT CALENDAR

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

B. PUBLIC HEARINGS

- B-1** **Case No.:** CDP20-020, CUP20-10 and PKG 21-02  
**Site Location:** 490 Piney Way, Morro Bay, CA  
**Request:** Request for Planning Commission approval of a Conditional Use Permit No CUP20-10, Coastal Development Permit No. CDP20-020 and Parking Exception (PKG21-02) for a 970-sf addition to the single-story existing home and a 154-sf second-story addition with a 71-sf deck (total additional area of 1124 sf). The project also includes an interior remodel of an original 736 sf circa 1952 home. The project also includes conversion of the existing non-conforming single car garage into a JADU and new construction of a 469 sf ADU in the rear yard. *In accordance with Gov. Code Section 65852.2, the approval of the JADU and ADU will be ministerial and will not be reviewed by the Planning Commission.* The site is 6000 sf and is zoned R-2 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](mailto:nhubbard@morrobayca.gov)
- B-2** **Case No.:** MAJ 21-003 (to CDP 19-008) and PKG21-06  
**Site Location:** 3200 Beachcomber Drive, Morro Bay, CA  
**Proposal:** Request for Planning Commission approval of a Major Modification to an existing Coastal Development Permit and a Parking Exception required for approval of a 700-sf addition to an existing home. The proposal also includes a major interior remodel and outdoor hardscape improvements including a walkway, a patio and decks. The existing home is non-conforming as to the garage size and the exterior side yards along Beachcomber and Mindoro Way. The non-conforming interior space in the garage triggers the need for a parking exception. The original CDP19-008 includes a bank stabilization project. The proposed additional work will not be near the previously approved bank stabilization project, which can proceed without revision. The property is located in the R-1/S.2A zoning district. The site is within the appeals jurisdiction of the California Coastal Commission.  
**CEQA Determination:** Categorically Exempt, Section 15301 Class 1e.  
**Staff Recommendation:** Conditionally Approve  
**Staff Contact:** Nancy Hubbard, Contract Planner [nhubbard@morrobayca.gov](mailto:nhubbard@morrobayca.gov)

C. NEW BUSINESS

D. UNFINISHED BUSINESS

E. PLANNING COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENTS

G. ADJOURNMENT

Adjourn to the next regular Planning Commission meeting on July 20, 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](http://www.morrobayca.gov/planningcommission) or you can subscribe to Notify Me for email notification when the Agenda is posted on the City's website. To subscribe, go to [www.morrobayca.gov/notifyme](http://www.morrobayca.gov/notifyme) and follow the instructions.

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

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

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

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

## **APPEALS**

If you are dissatisfied with an approval or denial of a project, you have the right to appeal this decision to the City Council up to 10 calendar days after the date of action. Pursuant to Government Code §65009, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Commission, at, or prior to, the public hearing. The appeal form is available at the Community Development Department and on the City's web site. If legitimate coastal resource issues related to our Local Coastal Program are raised in the appeal, there is no fee if the subject property is located within the Coastal Appeal Area. If the property is located outside the Coastal Appeal Area, the fee is a \$277 flat fee. If a fee is required, the appeal will not be considered complete if the fee is not paid. If the City decides in the appellant's favor then the fee will be refunded.

City Council decisions may also be appealed to the California Coastal Commission pursuant to the Coastal Act Section 30603 for those projects that are in their appeals jurisdiction. Exhaustion of appeals at the City is required prior to appealing the matter to the California Coastal Commission. The appeal to the City Council must be made to the City and the appeal to the California Coastal Commission must be made directly to the California Coastal Commission Office. These regulations provide the California Coastal Commission 10 working days following the expiration of the City appeal period to appeal the decision. This means that no construction permit shall be issued until both the City and Coastal Commission appeal period have expired without an appeal being filed. The Coastal Commission's Santa Cruz Office at (831) 427-4863 may be contacted for further information on appeal procedures.

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



City of Morro Bay  
 Community Development Department  
 Current & Advanced Project Tracking Sheet  
 This tracking sheet shows the status of the work being processed by the Planning & Building Divisions  
 New Planning items or items recently updated are highlighted in yellow.

Agenda No: A-1  
 Meeting Date July 6, 2021

Approved projects are deleted on next version of log.

#	Applicant/ Property Owner	Project Address	Application Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
<b>Hearing or Action Ready Projects:</b>										
1	Phelps	490 Piney Way	11/18/20	CUP20-10/ CDP20-020/PKG21-02	<b>1124 sf addition to existing 736 sf home with 518 sf decks, conversion of garage to ADU</b>	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, comment letter sent 4/27/21 with minor changes required. Resubmittal received 5/19/21, deemed complete on June 1, 2021, scheduled for PC hearing (SFR expansion) July 6, 2021. ADU approval will be administrative following the PC hearing.				nh
2	Auerbach	3200 Beachcomber	4/28/21	MAJ21-003	<b>Major Modification to CDP19-008 - 700sf addition to existing SFR, expand patio to 525sf ,expand driveway to add 3rd parking space</b>	Under review. Incomplete letter sent 5/16/21. Resubmittal received 6/2/21 and PKG 21-06 received 6/7/21. Project deemed complete and scheduled for PC hearing July 6, 2021				nh
3	Biaggini	1156 Market Ave	5/3/21	CDP21-017	<b>Construct new 576 sf ADU above existing garage, 50 sf storage closet, and 170 sf second story deck.</b>	Under review. Application deemed incomplete, comment letter sent 5-27-21. Resubmittal received June 9, 2021, minor changes required, comment letter sent 6/15/21. Resubmittal received June 16, 2021, deemed complete on June 28, 2021. Preparing for public notice July 2, through July 14, 2021.				nh
4	Guesno	220 Atascadero Road	6/7/21	MIN21-006	<b>Slight change in use for permitted use to add 2 pool tables instead of circulation area and student computer stations</b>	Project deemed complete and public notice is from June 24 through July 5, 2021				nh
5	AT&T	800 Quintana	9/23/20	MIN21-007 formerly known as MAJ20-001	<b>Minor Modification to CDP/CUP Amendment proposed to upgrade existing rooftop wireless telecommunications site on commercial building. Request includes 3-foot height-increase of corner antennas.</b>	Under review. Incomplete letter sent 10/22/20. Resubmittal received 10/28/20. Project requests a 2nd height exception for a total height of approximately 36 feet. Applicant advised on 11/30/20 to redesigne to comply with height or show why infeasible.. 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 deemed to be administrative-level approval. 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 Project noticed for administrative minor mod action on 6/23/21.				cj

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6	Verizon / OnAir LLC	1245 Little Morro Creek Rd	6/7/21	MIN21-004	<b>Minor Modification to CDP/CUP. Amendment proposed to upgrade existing wireless telecommunications site through remove and replacement of equipment infrastructure.</b>	Under review. Application deemed complete 6/25/21. Project noticing to start 6/29/21 for administrative minor amendment to existing Verizon wireless approvals.				cj
7	Van Beurden Investments	715 Embarcadero Road	11/17/20	MAJ20-004	<b>Dutchman Harborwalk public access and improvements with wharf changes. Major Modification to CUP.</b>	Under review. Incomplete letter sent 12-10-20. Resubmittal received 4-29-21. Tentatively scheduled for 7/20/21 PC hearing.				cj
<b>30 -Day Review, Incomplete or Additional Submittal Review Projects:</b>										
8	Green	1175 Scott Street	6/28/21	CDP21-025 CUP21-07	<b>New construction of 3 hotel units including one ADA unit and a residential security unit</b>	Under review				nh
9	Bernal	2620 Laurel	6/24/21	CDP21-023	<b>New 1558 sf two and a half stories with 280 sf balcony and a 728 sf garage</b>	Under review				nh
10	Lent	194 Island	6/17/21	CDP21-022	<b>New ADu and roof top deck</b>	Under review				nh
11	Montemagni	599 San Jacinto Street	6/10/21	CDP21-020	<b>Demo existing home, build new 1574 sf new home with 748 sf ADu</b>	Under review. Planning review complete, need PW review comments.				nh
12	Steiner	301-390 Seashell Cove	4/19/21	MAJ21-02	<b>General Plan / LCP Land Use &amp; Zoning Map Amendment application to change land use and zoning from R-A to R-3 designation / low density to medium density.</b>	Under review. Response letter/ incomplete letter sent 5-6-21.				cj
13	Battaglia/ Winfield	1280 Scott St	4/14/21	CDP21-015	<b>Admin CDP for upstairs ADU, storage, conversion of existing space for JADU.</b>	Response letter and incomplete comments sent 5/4/21. Resubmittal received May 27, 2021, under review. Minor review comments need to be addressed, comment letter sent 6/15/21.				nh
14	Eisemann	535 Atascadero	5/3/21	CDP21-016	<b>Add new JADU to existing SFH</b>	Comment letter sent 5/25/21. Requires resubmittal.				nh
15	SR Development	545 Atascadero Rd	Initial partial submittal on 3/31/2021. Submittal complete on 4/26/21	CDP21-013 / CUP21-04	<b>New construction of 15 unit townhomes project</b>	Under review. Comment letter sent 5/14/21, requires resubmittal with responses.				nh
16	Doubledde	929 Mesa	3/31/21	CDP21-012	<b>Admin CDP for ADU, addition of square ft &amp; relocate garage</b>	Correction letter sent 4/19/21. Awaiting resubmittal. Resubmittal received 5/3/21 and is under review. Awaiting corrections to Sheet A1. Resubmittal received June 16, 2021, planning comments sent on June 23, 2021				nh

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17	Miagany	405 Elena	12/29/20	CUP20-15 & PKG20-05	<b>Conditional Use Permit &amp; Parking Exception for addition to an existing non-conforming single family home</b>	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. Resubmittal received 5/20/21. Deemed incomplete 6-14-21, requires resubmittal.				nh
18	Perry	3202 Beachcomber	4/14/21	CDP21-014/ VAR21-001	<b>Demo existing home, build new 2063 sf home with subterranean garage and storage area of 2267 sf. Application approval is dependent on completion of LTM21-01. VAR request for height variance on roof top deck railing.</b>	Submittal received, but not complete. Balance of submittal received 4/14/21, under review. Incomplete letter comments sent for CDP on 5/4/21. Resubmittal received 6/24/21 with VAR request, under review				nh
19	Perry	3230 Beachcomber	6/24/21	CDP21-024/ VAR21-002	<b>New 1537 sf sfh with attached 380 sf garage. VAR request for roof top deck railing height. Application approval is dependent on completion of LTM21-01</b>	Under Review				
20	Perry	3202 & 3230 Beachcomber		LTM21-01	<b>Merge 3 non-conforming parcels into 2 parcels, move lot line to equalize new parcel sizes</b>	Incomplete letter comments sent for LTM on 4/30/21 and for CDP on 5/4/21.				nh
21	Tullis	404 Estero	3/17/21	CDP21-011	<b>CDP to demo existing improvements &amp; construct new SFR and site improvements.</b>	Under review. Deemed incomplete, comment letter sent to applicant April 2, 2021				nh
22	Errea	602 Ironwood Court	5/13/2021, Complete submittal on 5/19/21	CDP21-018	<b>New construction of a 2806 sf home with a 1078 sf garage</b>	Planning comments sent 6/4/21, requires resubmittal. Resubmittal received June 17, 2021, under review.				nh
23	Hauck	206 Bradley	2/24/21	CDP21-005 CUP21-06 PKG 21-07	<b>1250 sf addition, plus a 665 sf attached ADU and new garage</b>	Planning deemed incomplete, comments sent 3/11/21. Resubmittal received May 26, 2021. Planning comment letter sent 6/8/21- project elevated to discretionary review requiring a CUP and PKG. Resubmittal received June 16, 2021, under review.				nh
24	Valerie	490 Mindoro	1/20/21	CDP21-001/PKG21-03	<b>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</b>	Planning deemed incomplete and comments were sent 3/29/21				nh
25	Diaz	365 Driftwood	1/19/21	CUP20-13 & CDP21-002	<b>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.</b>	Comment letter sent 2/6/21. Requires resubmittal with changes. Resubmittal received 5/10/21. Project deemed incomplete, letter sent 5/25/21.				nh
26	Vistra	1290 Embarcadero	12/28/20	CDP20-026 & CUP20-14	<b>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.</b>	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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27	Vazquez	590 Morro Ave	10/22/20	MAJ20-002	<b>CDP/CUP Major Modification to propose equipment upgrade to an existing rooftop telecom wireless site.</b>	Under review. Incomplete letter sent 11/19/20.				cj
28	Hurless	2290 Greenwood Ave	5/7/20	CDP20-007	<b>Legalize ADU from prior construction. Was a previous Code Enforcement issue. Plans difficult to understand.</b>	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. PW disapproved, requires resubmittal - comment letter sent 4/28/21				nh
29	Bean	197 Main Street (formerly known as 199 Sandpiper Court)	12/19/19	CUP19-20, CDP19-04, VAR20-001	<b>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</b>	Project deemed incomplete, comment letter sent January 7, 2020. Resubmittal received 10/26/20 adding a variance request, under review. Incomplete, need resubmittal				nh
<b>Projects Appealed to Planning Commission or PC Continued projects</b>										
<b>Projects Appealed or Forwarded to City Council</b>										
30	Gambril	571 Embarcadero	10/14/19	MAJ19-006	<b>Major Modification to CUP Amendment for proposed public access improvements, conversion of 2nd floor to 1 vacation rental unit with deck, dock &amp; gangway replacement and realignment, and master sign program approval for businesses uses.</b>	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			<b>Plan Morro Bay: General Plan / Local Coastal Program / Zoning Code Update project</b>	Comprehensive overall update to the City's 1988 General Plan, 1984 Local Coastal Program, and 1997 Zoning Code. For more information or to get involved, visit <a href="http://www.morrobayca.gov/planmb">www.morrobayca.gov/planmb</a> . 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.				
<b>Environmental Review:</b>										
32	City of Morro Bay	N/A		UP0-423	<b>MND for Chorro Creek Stream Gauges</b>	Applicant requesting meeting for week of 9/9/13. SWCA performing the environmental review. Received completed MND from Water Systems Consulting (WSC) on 4/1/15. Routed to State Clearinghouse for required 30 day review period. Tentative hearing 8/4/15. No recent activity.	No review performed.	MND complete. Cut permit checks to RWQCB and CDFW on 2/27/15		cj

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<b>Final Map Under Review Projects:</b>										
<b>Projects going forward to Coastal Commission for review (Pending LCP Amendments) / or State Department of Housing:</b>										
33	City of Morro Bay	Citywide	10/16/13	A00-013. A00-029: Ordinance 601	<b>Zoning Text Amendment - Second Unit</b>	Secondary Unit Ordinance Amendment. Ordinance 576 passed by City Council in 2012. 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. <b>New language for PC and Council review. Second reading going to council on April 12, 2016. PC reviewed change 5-3-16. CC second First Reading 6-28-16.. Application submitted to Coastal Commission August 2016. Coastal objected to ban on use as vacation rentals. New State legislation in effect 1-1-20 which supersedes previous adopted ordinances. To be incorporated into Plan Morro Bay.</b>	No review performed.			wm
<b>Projects Continued Indefinitely, No Response to Date on Incomplete Letter or inactive:</b>										
34	Verizon / Knight	484 Main new location, Corner of Main and Cabrillo	11/19/14	UP0-394 and CP0-512	<b>Coastal Development Permit and Conditional Use Permit for installation of new Wireless Facility/Verizon antennas on existing pole.</b>	Under Review. JG. Incomplete. Waiting on response from Tricia Knight. Wants to keep project open and figure out the parking situation or move location. 1/26. JG. Applicant looking to move location to pole across the street. resubmittal rcv'd 5/26. Deemed Complete, waiting for Applicant to confirm PC meeting date. PC hearing held on 9/6/16 and continued for further review to 11-1-16 PC hearing. Continuance requested. Continued to a date uncertain		PN- Conditionally approved 6/14/16		ig
<b>Grants</b>										
35	California Coastal Commission, California Ocean Protection Council	City-wide	4/6/16		<b>\$400,000 Grant for LCP update to address sea-level rise and climate change impacts. Round 3 Grant award of \$200,000 for Lateral Access Plan, and ESHA delineation. Round 6 funding of \$65,000 received Mar 2020.</b>	Grant agreements for both the grants are in place and grant administration has been turned over to Michael Baker International, per terms of the GP/LCP update contract. Received signed grant agreement for \$200,000 LCP Planning grant by CCC for Round 3 awards 2-27-17. Additional LCP grant funding received in 2020 under Round 6 for \$65,000 to complete LCP update.	No review performed.	N/A		sg

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36	City of Morro Bay	City-wide				<b>Community Development Block Grant/HOME Program - Urban County Consortium</b>	Staff has ongoing responsibilities for contract management in coordination with County staff administration. 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
37	City of Morro Bay	City-wide				<b>Climate Action Plan - Implementation</b>	Staff has ongoing responsibilities for implementation of Climate Action Plan as adopted by City Council January 2014. Staff coordinating activities with other Cities and County of SLO via APCD.				cj

**Projects in Building Plan Check:**

38	Castillo	1055	Allesandro St.	6/3/2021	B21-0097	250 sf addition to rear of existing SFR, addition creates two bedrooms and one full bath.		Bldg. - Disapproved 6/10/21			sg
39	HASLO	405	Atascadero	12/22/20	B20-0215	35 unit affordable apartments	Planning approved 1/10/21.	Bldg. - Disapproved 5/26/21			nh
40	Wilkie	476-A	Atascadero	3/26/20	B20-0057	ATTACHED ADU - Convert existing attached garage to 344 sf Accessory Dwelling Unit.	Correction letter sent 4/30/20.	Bldg. - Approved 4/8/20			nh
41	Goldstein	186	Bayshore Dr.	11/4/20	B20-0190	Remodel kitchen, dining & living area.		Bldg. - Approved 11/09/20			sg
42	Crisman	3029	Beachcomber Dr.	5/14/21	B21-0083	New single family residence (SFR), 278 sf living, 713 sf attached garage, and 130 sf deck on west side.	Planning disapproved with comments on 5/18/21	Bldg. - Disapproved 6/10/21			nh
43	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.	cj
44	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.	Planning disapproved 5/10/21. Awaiting resubmittal.	Bldg. - Disapproved 4/27/21			am
45	Sances	515	Bernardo Ave.	5/27/21	B21-0091	Remove existing rear 136 sf deck & replace with a new 406 sf deck, replace 2 windows & 1 patio slider with new updated window, size is same as existing, no structural changes.		Bldg. - Approved 6/1/21			sg
45	Martinez	235	Bradley Ave.	5/17/21	B21-0085	Enclose existing covered deck, adding 274 sf of unconditioned space at rear of existing SFR (no electrical or mechanical proposed in new enclosed area).		Bldg. - Plancheck			sg

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46	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
47	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
48	Kleeman	2970-A	Elm Ave/	6/17/21	B21-0103	DETACHED ADU - 748 sf accessory dwelling unit (ADU), 230 sf ground floor addition to existing detached garage and 518 sf 2nd level addition (above garage), new 120 sf upper level deck and exterior stairs to serve the ADU.		Bldg.- Plancheck			cj
49	City of Morro Bay	595	Embarcadero	6/16/21	B21-0101	Addendum to B19-0278 - Revised plans to redefine occupancy load to less than 50, eliminate one restroom, showing two uni-sex restrooms, also changes to bar counter area.		Bldg. Plancheck			cj
50	Curtis & Mulholland	630	Embarcadero	5/18/21	B21-0087	Commercial T.I. to ground floor unit (584 sf) of existing building, space is currently used for dry storage & garage space, the T.I. will create a 145 sf lobby, 185 sf drink prep area, 250 sf kitchen addition and 121 sf new dry storage area utilizing an existing parking space.		Bldg. - Disapproved 5/19/21			sg
51	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
52	Fowler	1215	Embarcadero	3/31/21	B21-0056	Tenant improvements (interior); 2nd floor restaurant	Disapproved 4-1-21. Received resubmittal 4-26-21. Under review.	Bldg. - Approved 4/28/21			cj
53	Nguyen & Cung	2242	Emerald Circle	4/21/21	B21-0074	Interior Kitchen Remodel in existing SFR. No additional area is being proposed		Bldg. - Approved 4/29/21			sg
54	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. Disapproved 4/29/21			sg
55	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. Planning disapproved 4-16-21.	Bldg. - Disapproved 4/26/21			am
56	Johnston	2781	Jniper Ave.	6/2/21	B21-0094	New 463 sf 2nd story deck at rear of existing SFR, also replace five existing windows with three new sliding glass doors.		Bldg. - Approved 6/15/21			sg

#	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
57	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. Resubmittal received, Planning approved 6/3/21.	Bldg. - Approved 3/11/21			am
58	Melen	2540	Koa Ave.	4/26/21	B21-0075	Interior renovations on mid level and upper floors, adding bathroom to existing space on upper floor, creating new conditioned space from existing attic space on upper floor.		Bldg. Approved 5/13/21			sg
59	McMillan	1840	Main St.	6/19/21	B21-0104	Temporary use of site by Morro Bay Propane and U-Haul. Installation of 504 sf office trailer, two 120 sf portable sheds and a propane filling station. Trailer to house temporary office and uhaul rental business. TUP21-002 approved May 17, 2021,		Bldg. Plancheck			cj
60	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	Disapproved on 4/15/19		sg
61	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 <b>Permit extended to 4/18/23</b>	Disapproved by jb on 11-21-17.	1-2-18 - Emailed BLDG (code ck) comments to architect. PB	cj
62	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
63	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.	Ready to issue			nh
64	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.	Planning approved 3/11/21. am	Bldg. - Approved 3/10/21			sg
65	Hecox	575 & 577	Monterey Ave.	5/18/21	B21-0086	Due to moisture intrusion, repair and replacement of the deck's waterproofing membrane system and sheathing (Two SFR's on one lot, each with two 2nd story decks, 4 decks total). Any compromised structural elements shall be repaired or replaced under a separate permit.		Bldg. - Approveed 5/19/21			sg
66	LifePoint Church	615	Monterey	1/6/20	B19-0279	Remodel/upgrade current building	Planning disapproved 1/27/20. Awaiting resubmittal.	Bldg - Diapproved 1/30/20			nh

#	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
67	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
68	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
69	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
70	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
71		2681	Nutmeg Ave	6/22/21	B21-106(SFH) B21-107 (JADU)	2585 sf sfh stair stepped down slop with 748 sf garage and 254 sf deck. JADU is on the lower level and is 500 sf.					nh
72	Paulson	2690	Nutmeg Ave	5/14/21	B21-0082	New 196 sf 2nd floor deck at rear of SFR, remove window (located in existing pantry) and add single french door, also adding exterior lights, water valve, gas valve and electrical outlet.		Ready to issue			sg
73	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. Disapproved 4/27/21. am	Bldg. - Approved 6/24/21			am
74	Pyle	418	Panay St.	6/2/21	B21-0095	Add 120 sf 2nd floor decking to existing deck at rear of existing SFR, install new Trex deck board and cable railing for for new and existing balcony.		Bldg. - Disapproved 6/3/21			sg
75	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. - Approved 6/15/21			am
76	Loeffler	233	Piney Way	5/5/21	B21-0079	1,208 sf addition to existing single level SFR (466 sf to 1st floor and 742 sf will create new 2nd floor). Existing garage will mostly become part of the new addition and a new 490 sf garage will be constructed in front of former garage. New 315 sf 2nd floor deck and 223 sf roof top deck.	Planning approved 5/10/21	Bldg. Approved 5/13/21			nh
77	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
78	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.	Ready to issue			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
79	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
80	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
81	Hart	639	San Jacinto St.	5/17/20	B21-0084	New 196 sf 2nd floor deck at rear of SFR, remove window (located in existing pantry) and add single french door, also adding exterior lights, water valve, gas valve and electrical outlet.		Bldg. - Disapproved 5/19/21			sg
82	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
83	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
84	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
<b>Planning Projects &amp; Permits with Final Action:</b>											
85	Twin Bay Inc.	2460 Main Street		12/15/20	MUP20-02	<b>Alcohol and drug rehab center (supportive housing)</b>	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. Scheduled for City Council Appeal Hearing on June 8, 2021. City Council denied the appeal and upheld the Director and the PC decision. The MUP20-02 was amended with CC conditions and is effective 6/8/21.				nh
86	Perkins/Thompson	454 Estero		3/15/21	CDP21-009	<b>CDP to create an attached Accessory Dwelling Unit, 496sf</b>	Under review. Deemed incomplete, comment letter sent to applicant March 30, 2021. Resubmittal received 5/3/21. Project deemed complete 5/24/21, public noticed from 6/4/21 to 6/14/21, permit approved and issued on June 15, 2021.				nh
87	McDonald	846 Pacific St		2/22/21	CDP21-004	<b>Create an ADU by adding 321 sf to existing garage and converting 278 sf of existing garage (599 sf total)</b>	Under review. Comment letter sent 3/11/21. Awaiting resubmittal. Resubmittal received 4-27-21 and is under review. Project deemed complete, noticing to begin 6/1/21. Permit approved and issued 6/15/21				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
88	Appel	400 Pico	8/24/20	CDP20-013	<b>Admin CDP for garage conversion to a 408sf ADU</b>	Submittal is under review. Deemed incomplete. Correction letter sent 9/14/2020, waiting for resubmittal. Resubmittal received 4-27-21 and is under review. Project deemed complete, and noticing scheduled to begin 6/3/21. Permit approved and issued 6/15/21				nh
<b>Staff Directory:</b>										
Scot Graham - sg		Chad Ouimet - co	Cindy Jacinth - cj	Pam Newman - pn	Nancy Hubbard - nh					



**AGENDA NO: B-1**

**MEETING DATE: July 6, 2021**

## Staff Report

**TO: Planning Commissioners** **DATE: July 1, 2021**

**FROM: Nancy Hubbard, Contract Planner**

**SUBJECT: Addition to existing Residential.** Conditional Use Permit No. CUP20-10 and Coastal Development Permit No. CDP20-020 for large expansion (1124 sf) of an existing (736 sf) single-family home including a two-story portion. Also includes a Parking Exception (PKG21-02) to allow 2 tandem parking spaces in the driveway.

**RECOMMENDATION:**

*CONDITIONALLY APPROVE THE PROJECT* by adopting Planning Commission Resolution 13-21 making the necessary findings for approval of CDP20-020, CUP20-10 and PKG21-02.

**APPLICANT:** Tom and Denise Phelps

**AGENT:** Paula Frojae

**ADDRESS/APN:** 490 PINEY WAY/APN 066-191-018

**PROPOSED PROJECT:** Request for Planning Commission approval of a Conditional Use Permit, Coastal Development Permit and Parking Exception for a 970-sf addition to the single-story existing home and a 154-sf two-story addition with a 71-sf deck (total additional area of 1124 sf). The project also includes an interior remodel of an original 736 sf circa 1952 home. The project also includes conversion of the existing non-conforming single car garage into a JADU and new construction of a 469 sf ADU in the rear yard. *In accordance with Gov. Code Section 65852.2, the approval of the JADU and ADU will be ministerial and will not be reviewed by the Planning Commission.* The site is 6000 sf and is zoned R-2 and is not in the appeals jurisdiction.

## **REVIEW PROCESS REQUIREMENTS:**

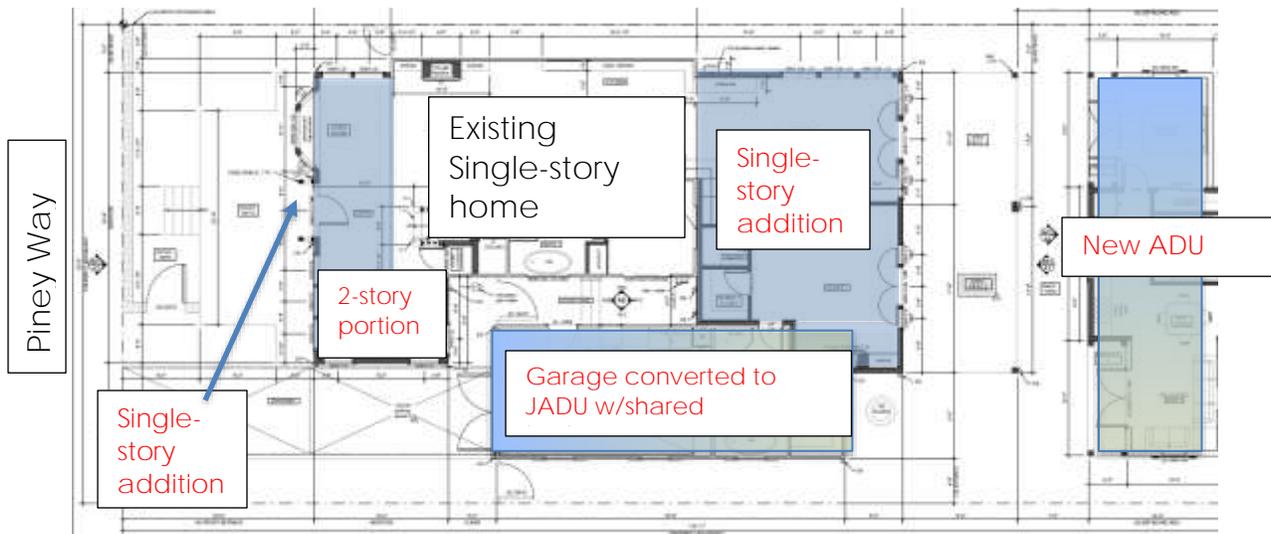
Conditional Use Permit: The project requires a conditional use permit because the existing home is non-conforming as to the single car garage and the side yard setbacks. The proposed addition is greater than 25% of the size of the original home (1124 sf addition to an existing 736 sf home), which requires a discretionary review and approval. *The JADU and the ADU require administrative approval of a coastal development permit and are not part of this planning commission review process.*

Parking Exception: The project requires a parking exception because the existing single car garage is non-conforming as to size (single car) and the zoning requires parking for 2 cars in a garage (covered and enclosed space). The existing garage appears to have been previously converted into a living space and includes a large bathroom and closet. The proposed development will legalize this space as an attached JADU connected to the primary dwelling through the new addition to the existing home. The 309 sf JADU will share an existing bathroom located in a portion of the single car garage (126 sf) with one of the bedrooms added to the primary dwelling. *The State requirements (Gov Code Section 65852.22) provides that JADU's created in the garage space are not subject to the same parking protections as ADU's and can be required to provide replacement parking.*

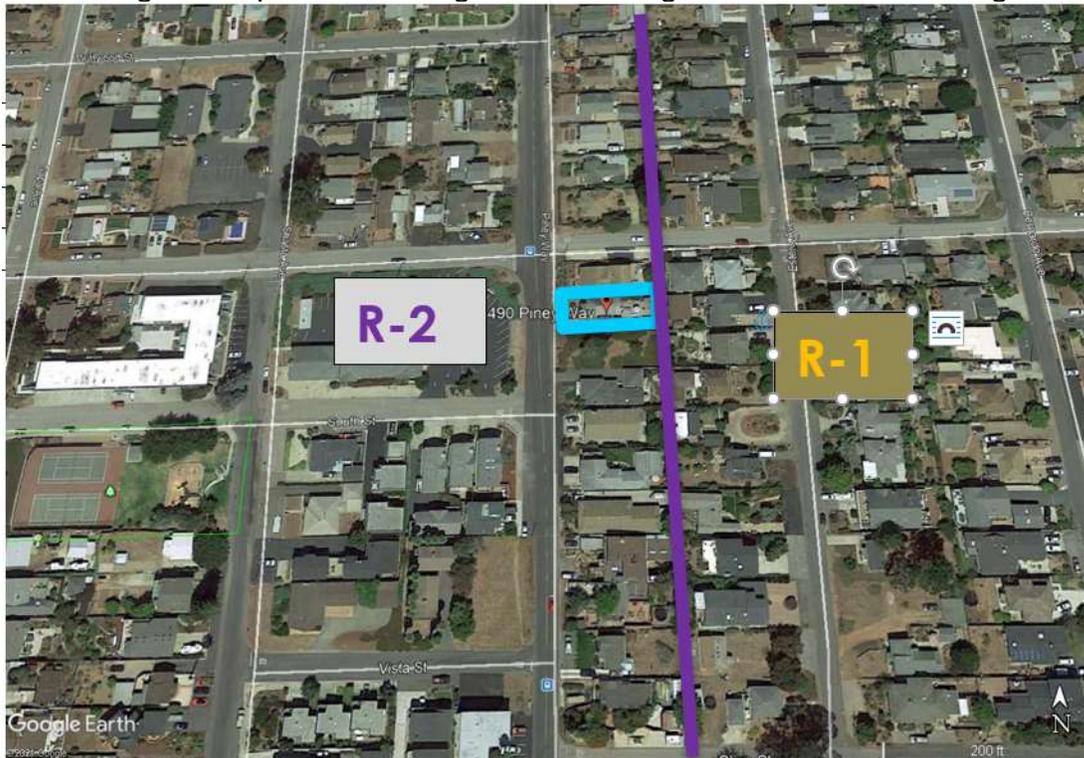
### Concurrent Administrative Review:

Concurrently, staff is processing an administrative review for approval of the proposed JADU and ADU that are part of the overall development on the site. In accordance with Gov. Code 65852.22 (c) *if a permit application to create an accessory dwelling unit (ADU) or a junior ADU is submitted with a permit application to create a new single family dwelling on the same parcel, the permitting agency may delay acting on the permit application for the ADU and/or JADU until the permitting agency acts on the permit application for the single family dwelling, but the application for the ADU and/or JADU shall be considered without discretionary review or hearing.*

The plans and photo simulation include the JADU and ADU, but the Planning Commission review and discussion is only for the proposed addition to the single-family home and the parking exception resulting from the conversion of the garage to an JADU. Below is the site plan that shows all proposed new development on the site.



**ZONING:** The site is zoned R-2 (medium density residential). This zoning district encourages duplex density residential with a land area requirement of 2900 sf per unit. The subject parcel meets the square footage requirements to allow two dwelling units. However, because of the placement of the existing home, there is not adequate space to add a second dwelling with associated garage parking. The current proposal is for a large addition (1124 sf) to an existing (736 sf) single-family home (discretionary review) with concurrent processing of a garage conversion to an JADU and a new detached ADU under review administratively. The proposal is resulting in 3 separate dwelling units, meeting the intent of the zoning district.



Adjacent Zoning			
North	R-2	East	R-1
South	R-2	West	R-2

**GENERAL PLAN/COASTAL LAND USE PLAN:** Area 7– Central Morro Bay Planning Area a mix of commercial and residential. Encourages medium density development with a mix of commercial/residential when possible.

Site Characteristics	
Site Area	6,000 square feet
Existing Use	Older existing residential with detached garage
Terrain	Slight slope from east to west
Vegetation/Wildlife	Residential landscaping
Archaeological Resources	N/A
Access	Existing access to Piney Way



General Plan, Zoning Ordinance, & Local Coastal Plan Designations	
General Plan/Coastal Plan Land Use Designation	Area 7 – Central Morro Bay
Base Zone District	R-2 (Adjacent to R-1 on the east side)
Zoning Overlay District	none
Special Treatment Area	n/a
Combining District	n/a
Specific Plan Area	none
Coastal Zone	Not within the Coastal Commission Appeal Jurisdiction



**SITE HISTORY:**

- The home was built in 1952 with a detached single car garage.
- Existing home and garage do not meet the criteria as a historic resource for the purpose of CEQA (Bertrando & Bertrando report dated April 2021 – See Exhibit C).

**NEIGHBORHOOD COMPATIBILITY:**

The project site is a long narrow (50 ft wide) parcel with an existing home and detached garage. The majority of the homes on the block are primary older single-family homes, there is a church across the street to the west and a cluster of three newer two-story homes ½ a block away. The parcel immediately to the south of the subject property was completed in December 2020 with a 1646 sf single story home and a 739-sf garage on a similarly sized site. The subject property proposed parking will two tandem spaces in the driveway, also a similar condition in neighborhoods with older homes. The project meets all applicable development standards for the zoning district, as noted in the table below other than parking which is addressed in the Parking Exception.

**Residential Design Guidelines:**

The Morro Bay Residential Design Guidelines are meant to implement the neighborhood compatibility policies found in the General Plan and Local Coastal Plan and as such service as a basis to provide consistent design review by staff and Planning Commission. The proposed project meets the design standards by

having the second story addition set back away from the street with an emphasis on the front entryway, which is inviting and visible from the street. The project also includes complimentary landscaping and a front porch. The architectural style is unique to the street, but the character of the street includes a wide variety of architectural styles.



	<b>R-2 Standards</b>	<b>Addition to Project (SFH)</b>
<b>Front Setback</b>	20 feet	20 feet
<b>Side yard Setback</b>	5 feet	5 feet ((e) home is 3 ½')
<b>Rear Setback</b>	5 feet	38.5 feet
<b>Height (from ANG)</b>	25 Feet	22.5 feet
<b>Lot Coverage</b>	50%	37%
<b>Parking</b>	2 spaces covered/enclosed	2 spaces covered/enclosed

**PARKING EXCEPTION:**

The applicant is requesting a parking exception to allow 2 tandem parking spaces in the driveway. The requirement for tandem spaces is 9x20 and the proposed spaces provided are 9 x 19.5 feet. Because of the placement of the single car garage (original), there is not adequate length in the driveway to allow the standard size tandem spaces.

Pursuant to Section 17.44.050, the Planning Commission can grant a parking exception upon the following 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.*

Staff response: This project’s design for on-site parking is similar to other existing properties and although the conversion of their existing non-conforming garage into a JADU does not automatically forgive the parking lost to the JADU, the benefits of having greater density on the site support a

decision to approve a parking exception. Staff does not believe a parking exception would be a grant of special privilege.

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

Staff Response: Parking in the driveway is an existing condition and due to the placement of the garage building/converted into a junior accessory dwelling unit, approval of the parking exception is not a change, but authorization of an existing condition.

- 3. The exception is reasonably necessary for the applicant's full enjoyment of uses like those upon the adjoining real property.*

Staff Response: The proposed project is providing much needed additional dwelling units and parking in the driveway is an existing condition for this property and a common practice in the area.

**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 1a and 15403, Class 3a for the creation of new residential units. This exemption applies to alterations to existing residential development in a residential zone. Additionally, none of the Categorical Exemption exceptions, noted under Section 15300.2, apply to the project.

**CONCLUSION:**

The project is consistent with the Morro Bay Municipal Code, the General Plan and the Local Coastal Program, as conditioned.

**PUBLIC HEARING NOTICE:**

Notice of a public hearing on this item was published in the San Luis Obispo Tribune newspaper on June 25, 2021, and all property owners and occupants of record within 500 feet of the project site were notified of the scheduled public hearing and invited to voice any concerns on this application. The project site was also posted with a public notice sign.

**RECOMMENDATION:**

Staff recommends that the Planning Commission **CONDITIONALLY APPROVE THE PROJECT** by adopting Planning Commission Resolution 13-21 which includes findings for CDP20-020, CUP20-10, and PKG 21-02 to allow the proposed use as reflected on the plans submitted to the City of Morro Bay on May 19, 2021.

**ATTACHMENTS:**

Exhibit A – Resolution 13-21 – Findings and Conditions of Approval

Exhibit B – Plans

Exhibit C – Architectural Historic Report

# EXHIBIT A

Planning Commission Resolution 13-21  
CUP20-10/CDP20-020, PKG21-02, 490 Piney Way  
Page 1

## RESOLUTION NO. PC 13-21

### A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION FOR APPROVAL OF A CONDITIONAL USE PERMIT CUP20-10, COASTAL DEVELOPMENT PERMIT CDP20-020 AND PARKING EXCEPTION PKG21-02 FOR THE PROPOSED ADDITION TO AN EXISTING RESIDENTIAL DWELLING AT 490 PINEY WAY

**WHEREAS**, the Planning Commission of the City of Morro Bay (the “City”) conducted a public hearing via video conference on July 6, 2021, for the purpose of considering approval of a Coastal Development Permit CDP20-020, Conditional Use Permit CUP20-10 and Parking Exception PKG21-02 for new construction of a one and two-story addition to an existing single-family home (“Project”); and

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

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

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

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

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

#### California Environmental Quality Act (CEQA)

Pursuant to the California Environmental Quality Act, the project meets the requirements for a Categorical Exemption under CEQA Guidelines Section 15301 Class 1e (additions to existing structures) and Section 15303 Class 3a (new construction in a residential zone, including a new dwelling unit). Additionally, none of the Categorical Exemption exceptions, noted under Section 15300.2, apply to the project.

#### Conditional Use Permit and Coastal Development Permit findings<sup>[SG1]</sup>

1. The project is consistent with the General Plan and Local Coastal Program (LCP) that specifically identifies this area for duplex residential uses.
2. The project is in compliance with the zoning code and related overlay areas,

# EXHIBIT A

- which encourages medium density residential projects.
3. The project is in compliance with the General Plan and certified Local Coastal Program and will not be detrimental to the health, safety, and general welfare of persons residing or working in the surrounding neighborhood.

## Findings for Expansions of an existing non-conforming structure

The project proposes additions in excess of 25% of the existing floor area of the original home. As required in MBMC 17.56.160, Additions and structural alterations to non-conforming structures occupied by conforming uses require a conditional use permit and must meet the following findings:

1. The expansion is in conformance with this title meeting all the required development standards and not worsening the non-conforming aspects (side yard setback)
2. The proposed project satisfies all other provisions of this section, including meeting Title 14 requirements for a conforming use.
3. The project is suitable for conforming uses, in fact has been occupied as a conforming use since its construction in 1952.
4. It is not feasible to fix the non-conforming structure without major construction greater than what is proposed.

## Residential Design Guideline Compliance

The proposed project is consistent with the neighborhood compatibility and design guidelines in the following design elements:

1. Designed to set the second story addition set back away from the street.
2. The front door/porch/entryway is at the front of the parcel and is inviting and visible from the street.

## 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 alternative parking design standards of this chapter will be adequate to accommodate the 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. The exception is reasonably necessary for the Applicant's full enjoyment of the proposed use and is reflective of an existing condition.

**Section 2: Action.** The Planning Commission does hereby approve Conditional Use Permit (CUP20-10), Coastal Development Permit (CDP20-020) and Parking Exception (PKG21-02) with the following conditions of approval supported by the above findings.

## STANDARD CONDITIONS

1. This permit is granted for a Conditional Use Permit, Coastal Development Permit and Parking Exception for a 970-sf addition to the single-story existing home and a 154-sf two-story addition with a 71-sf deck (total

# EXHIBIT A

additional area of 1124 sf). The project also includes an interior remodel of an original 736 sf circa 1952 home. The project also includes conversion of the existing non-conforming single car garage into a JADU and new construction of a 469 sf ADU in the rear yard. *In accordance with Gov. Code Section 65852.2, the approval of the JADU and ADU will be ministerial and will not be reviewed by the Planning Commission.* The site is 6000 sf and is zoned R-2 and is not in the appeals jurisdiction.

2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this Resolution and is diligently pursued, thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Any extension may be granted by the City's Community Development Director (the "Director"), upon finding the project complies with all applicable provisions of the Morro Bay Municipal Code (the "MBMC"), General Plan and certified Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.
3. Changes: Minor changes to the project description and/or conditions of approval shall be subject to review and approval by the 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

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

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

## **PLANNING CONDITIONS**

1. Archaeology: In the event of the unforeseen encounter of subsurface materials suspected to be of an archaeological or paleontological nature, all grading or excavation shall immediately cease in the immediate area, and the find should be left untouched until a qualified professional archaeologist or paleontologist, whichever is appropriate, is contacted and called in to evaluate and make recommendations as to disposition, mitigation and/or salvage. The developer shall be liable for costs associated with the professional investigation.
2. Construction Hours: Pursuant to MBMC subsection 9.28.030.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 Director.

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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 Director. A copy of the surveyor's Form Certification based on a boundary survey shall be submitted with the request for foundation inspection.
7. After the fact building inspection: The application for building permit for the addition and other work on the site shall include review and inspection of the single car garage that was converted into a living unit without permits.
8. Nonconforming north side wall: The applicant shall be prohibited from demolishing and reconstructing the nonconforming wall (3' setback) along the north side yard. Any demolition of said wall shall require a redesign of the project to conform with the required five-foot side yard setback. Additionally, the applicant shall be prohibited from constructing any changes to the foundation supporting the nonconforming wall. If foundation changes are necessary to maintain the nonconforming wall the project shall be redesigned to comply with the required five-foot side yard setback.

## **BUILDING DIVISION CONDITIONS**

### **SUMMARY OF FINDINGS:**

- 1.) Relocation of existing sheds for ADU conversion will require a licensed design professional to certify current code compliance and provide a feasibility statement for conversion to habitable space.
- 2.) Gas appliances installed in sleeping rooms must be in an enclosure with access sealed by a solid weather-stripped door and equipped with an approved self-closing device. Combustion air must be obtained directly from the outdoors.

### **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,

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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.
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

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storm water management measures such as fiber rolls, silt fencing, etc. will be enforced by City staff by random site visits.

- 2.) **ARCHAEOLOGICAL MATERIALS:** In the event unforeseen archaeological resources are unearthed during any construction activities, all grading and or excavation shall cease in the immediate area and the find left untouched. The Building Official shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, Native American, or paleontologist, whichever is appropriate. The qualified professional shall evaluate the find and make reservations related to the preservation or disposition of artifacts in accordance with applicable laws and ordinances. If discovered archaeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the Building Official shall notify to county coroner. If human remains are found to be of ancient age and of archaeological and spiritual significance, the Building Official shall notify the Native American Heritage Commission. The developer shall be liable for costs associated with the professional investigation.
- 3.) **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

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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, CF2R forms).

## **PUBLIC WORKS CONDITIONS:**

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](http://www.morro-bay.ca.us/EZmanual) (MBMC 14.48.140)
2. Frontage Improvements: The installation of frontage improvements is required. Show the installation of the Collector Road from the street centerline, the city standard driveway approach per City Detail B-6, concrete sidewalk per City detail B-5, concrete curb & gutter per City Detail B-1 and one street tree. An encroachment permit is required for any work within the Right of Way. (MBMC 14.44.020)
3. 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 or DVD, 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)

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4. Sewer Backwater Valve: Indicate and label sewer backwater valve on plan. A backwater valve, extended to and accessible from grade for maintenance, shall be installed on every Building sewer. Exception: Installation of backwater valve shall not be required when, to the satisfaction of Building Official, it is determined that the intent and purpose of this section is otherwise met.
5. Erosion and Sediment Control Plan: For small projects less than one acre and less than 15% slope, provide a standard erosion and sediment control plan. Show on plans the control measures to provide protection against erosion of adjacent property and prevent sediment or debris from entering the City right of way, adjacent properties, any harbor, waterway, or ecologically sensitive area.
6. Water Meter: Indicate and label new or existing water meter on plans and include size of meter(s). Per MBMC 31.04.140(c), separate residential, commercial or industrial occupancies, if situated on the same premises and not under a common roof, shall have separate service connections and meters.
7. Grading and Drainage: Indicate on plans the existing and updated contours, drainage patterns, spot elevations, finish floor elevation and all existing and proposed drainage pipes and structures.
8. Utilities: Show all existing and proposed locations of the sewer lateral, water service, and water and sewer mains on the building plans. Include sizes where appropriate. Note the location of all overhead utilities and construction underground service entrances per the CBC.

Add the following Notes to the Plans:

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

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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). Applicant shall submit sprinkler plans to Morro Bay Community Development Department for review.
3. Carbon monoxide alarms in new dwellings and sleeping units. An approved carbon monoxide alarm shall be installed in dwellings having a fossil fuel-burning heater or appliance, fireplace, or an attached garage. Carbon monoxide alarms shall be listed as complying with UL 2034 and be installed and maintained in accordance with NFPA720 and the manufacturer's instructions (CRC R315.2)

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 6th day of July 2021 on the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Chairperson Stewart

ATTEST

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

The foregoing resolution was passed and adopted on this 6th day of July 2021.

2019 CA GREEN CODE

1. A PLAN IS DEVELOPED & IMPLEMENTED TO MANAGE STORMWATER DRAINAGE DURING CONSTRUCTION. THE SITE SHALL BE PLANNED AND DEVELOPED TO KEEP SURFACE WATER AWAY FROM BUILDINGS. CONSTRUCTION PLANS SHALL INDICATE HOW SITE GRADING OR A DRAINAGE SYSTEM WILL MANAGE ALL SURFACE WATER FLOWS.

2. INDOOR WATER USAGE SHALL BE REDUCED BY AT LEAST 20% PER THE FOLLOWING (BASED ON TABLE 4.303.2 OF THE CAL-GREEN CODE):

a. SHOWERHEADS

a.1. SINGLE HEADS SHALL BE RATED AT A MAX. 2.0 GAL. PER MINUTE @ 80 PSI.

a.2. MULTIPLE HEADS: ALL HEADS UNLESS CONTROLLED BY A SINGLE VALVE SHALL HAVE A COMBINED FLOW RATE OF 2.0 GAL. PER MINUTE @ 80 PSI.

b. LAVATORY FAUCETS SHALL BE RATED AT A MAX. 1.5 GPM @ 60 PSI.

c. LAVATORY FAUCETS IN COMMON USE AREAS SHALL BE RATED AT A MAX. 0.5 GPM @ 60 PSI.

d. KITCHEN FAUCETS SHALL BE RATED AT A MAX. 1.8 GPM @ 60 PSI.

e. TOILETS SHALL BE RATED AT A MAX. 1.28 GAL. PER FLUSH.

3. AUTOMATIC IRRIGATION SYSTEMS CONTROLLERS INSTALLED AT THE TIME OF FINAL INSPECTION SHALL BE WEATHER BASED.

4. ANNULAR SPACES AROUND PIPES, ELECTRICAL CABLES, CONDUITS, OR OTHER OPENINGS IN PLATES @ EXTERIOR WALLS SHALL BE PROTECTED AGAINST THE PASSAGE OF RODENTS BY CLOSING SUCH OPENINGS WITH CEMENT MORTAR, CONCRETE MASONRY, OR SIMILAR METHODS ACCEPTABLE TO THE ENFORCING AGENCY.

5. A MINIMUM OF 50% OF THE CONSTRUCTION WASTE GENERATED AT THE SITE SHALL BE DIVERTED TO RECYCLE OR SALVAGE. WHERE THE LOCAL JURISDICTION DOES NOT HAVE A CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT ORDINANCE, A CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT PLAN SHALL BE SUBMITTED FOR APPROVAL TO THE ENFORCING AGENCY.

6. AN OPERATION AND MAINTENANCE MANUAL SHALL BE PROVIDED BY THE CONTRACTOR TO THE OCCUPANT OWNER PRIOR TO FINAL INSPECTION.

7. V.O.C.'S:

a. AT TIME OF ROUGH MECHANICAL INSPECTION, ALL DUCT AND OTHER RELATED AIR DISTRIBUTION COMPONENTS SHALL BE COVERED WITH TAPE, PLASTIC, SHEET METAL, OR OTHER ACCEPTABLE METHOD TO REDUCE THE AMOUNT OF DUST OR DEBRIS THAT MAY COLLECT IN THE SYSTEM AS REQUIRED PER CGBC 4.504.1

b. ADHESIVES, SEALANTS AND CAULKS SHALL BE COMPLIANT WITH VOC AND OTHER TOXIC COMPOUND LIMITS AS REQUIRED PER CGBC 4.504.2.1

c. PAINTS, STAINS, AND OTHER COATINGS SHALL BE COMPLIANT WITH PRODUCT-WEIGHTED MIR LIMITS FOR VOC AND OTHER TOXIC COMPOUNDS AS REQUIRED PER CGBC 4.504.2.2

d. AEROSOL PAINTS AND COATINGS SHALL BE COMPLIANT WITH PRODUCT-WEIGHTED MIR LIMITS FOR VOC AND OTHER TOXIC COMPOUNDS AS REQUIRED PER CGBC 4.504.2.3

e. DOCUMENTATION SHALL BE PROVIDED TO VERIFY THAT COMPLIANT VOC LIMIT FINISH MATERIALS HAVE BEEN USED AS REQUIRED PER CGBC 4.504.2.4

f. CARPET & CARPET SYSTEMS SHALL BE COMPLIANT WITH VOC LIMITS AS REQUIRED PER CGBC 4.504.3

g. 50% OF FLOOR AREA RECEIVING RESILIENT FLOORING SHALL COMPLY WITH THE VOC-EMISSION LIMITS REFINED IN THE COLLABORATIVE FOR HIGH PERFORMANCE SCHOOLS (CHPS) LOW-EMISSION MATERIALS LIST OR BE CERTIFIED UNDER RESILIENT FLOOR COVERING INSTITUTE (RFCI) FLOORSCORE PROGRAM AS REQUIRED PER CGBC 4.504.4

8. PARTICLEBOARD, MEDIUM DENSITY FIBERBOARD (MDF), AND HARDWOOD PLYWOOD USED IN INTERIOR FINISH SYSTEMS SHALL COMPLY WITH LOW FORMALDEHYDE EMISSION STANDARDS AS REQUIRED PER CGBC 4.504.5. VERIFICATION OF THESE SPECS SHALL MEET THE REQUIREMENTS CGBC 4.504.5.1

9. INTERIOR MOISTURE CONTROL:

a. VAPOR RETARDER AND CAPILLARY BREAK IS INSTALLED AT SLAB ON GRADE FOUNDATIONS.

b. EXHAUST FANS WHICH TERMINATE OUTSIDE THE BUILDING ARE PROVIDED IN EVERY BATHROOM.

c. WHOLE-HOUSE FANS SHALL HAVE INSULATED LOUVERS OR COVERS WHICH CLOSE WHEN THE FAN IS OFF. COVERS OR LOUVERS SHALL HAVE A MINIMUM INSULATION VALUE OF R-4.

d. DUCT SYSTEMS ARE SIZED, DESIGNED, AND EQUIPMENT IS SELECTED USING THE FOLLOWING METHODS:

i. ESTABLISH HEAD LOSS AND HEAT GAIN VALUES ACCORDING TO ACCA MANUAL J OR EQUIVALENT.

ii. SIZE DUCT SYSTEMS ACCORDING TO ACCA 29-0 (MANUAL D) OR EQUIVALENT.

iii. SELECT HEATING & COOLING EQUIP. ACCORDING TO ACCA 36-S (MANUAL S) OR EQUIVALENT.

9. HVAC INSTALLER SHALL BE TRAINED AND CERTIFIED IN THE PROPER INSTALLATION OF HVAC SYSTEMS. SPECIAL INSPECTORS EMPLOYED BY THE ENFORCING AGENCY MUST BE QUALIFIED AND ABLE TO DEMONSTRATE COMPETENCE IN THE DISCIPLINE THEY ARE INSPECTING. (SEC. 702.1 & 702.2)

10. ANY INSTALLED GAS FIREPLACE SHALL BE DIRECT-VENT SEALED-COMBUSTION TYPE. ANY INSTALLED WOODSTOVE OR PELLET STOVE SHALL COMPLY WITH US EPA PHASE II EMISSION LIMITS WHERE APPLICABLE. WOOD STOVES, PELLET STOVES, AND FIREPLACES SHALL ALSO COMPLY WITH APPLICABLE LOCAL ORDINANCES.

11. VERIFICATION OF COMPLIANCE WITH THIS CODE MAY INCLUDE CONSTRUCTION DOCUMENTS, PLANS, SPECIFICATIONS BUILDER OR INSTALLER CERTIFICATION, INSPECTION REPORTS, OR OTHER METHODS ACCEPTABLE TO THE ENFORCING AGENCY WHICH SHOW SUBSTANTIAL CONFORMANCE.

12. HVAC EQUIPMENT SHALL BE SIZED PER 2019 CGC 4.507.2

13. PROVIDE BUILDING OPERATION & MAINTENANCE MANUAL PRIOR TO FINAL INSPECTION PER CALGREEN 4.410.

14. PER CIVIL CODE SEC. 1101.1, ALL EXISTING NON-COMPLIANT PLUMBING FIXTURES SHALL BE REPLACED WITH PLUMBING FIXTURES THAT MEET THE REQUIREMENTS OF NOT 12 THIS SECTION. NON-COMPLIANT FIXTURES MEAN ANY FIXTURES THAT MEET THE FOLLOWING DEFINITIONS:

14.1. ANY TOILET MANUFACTURED TO USE MORE THAN 1.5 GALLONS OF WATER PER FLUSH

14.2. ANY URINAL MANUFACTURED TO USE MORE THAN 1.0 GALLONS OF WATER PER FLUSH.

14.3. ANY SHOWER HEAD MANUFACTURED TO HAVE A FLOW CAPACITY OF MORE THAN 2.5 GALLONS OF WATER PER MINUTE.

14.4. ANY INTERIOR FAUCET THAT EMITS MORE THAN 2.2 GALLONS PER MINUTE.

15. ENERGY COMPLIANCE FORMS CF-2R & CF-3R WILL BE COMPLETED AND SUBMITTED TO THE BUILDING INSPECTOR AT THE TIME OF FINAL INSPECTION.

# THE PHELPS HOUSE

## 490 PINEY WAY, MORRO BAY, CA 93442

PERSPECTIVE RENDERINGS



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- A2 PROPOSED 1ST FLOOR SITE PLAN
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- A5 PROPOSED ROOF PLAN
- A6 REFLECTED CEILING PLAN
- A7 ELEVATIONS
- A8 COURTYARD ELEVATIONS

GENERAL NOTES

1. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING SURE THAT THE REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS APPROVED BY THE PERMITTING AUTHORITY.
2. PRIOR TO THE START OF CONSTRUCTION, THE GENERAL CONTRACTOR SHALL SCHEDULE A PRE-CONSTRUCTION CONFERENCE WITH ALL PARTIES INVOLVED AT THE PROJECT SITE TO REVIEW THE SPECIAL INSPECTION REQUIREMENTS, PROCEDURES, AND INDIVIDUAL SPECIAL INSPECTORS THAT WILL BE ASSIGNED TO THE PROJECT AS WELL AS REQUIREMENTS FOR STRUCTURAL OBSERVATION. THE CONTRACTOR SHALL CONTACT THE CITY OF MORRO BAY BUILDING DIVISION TO CONFIRM AN ACCEPTABLE MEETING DATE & TIME.
3. THIS PROJECT SHALL COMPLY WITH THE 2019 CRC CODES, THE 2019 CMC, 2019 CPC, THE 2019 CALIFORNIA ELECTRICAL CODE, THE 2019 CALIFORNIA RESIDENTIAL ENERGY STANDARDS, AND THE 2019 CALIFORNIA GREEN BUILDING CODE.
4. DIMENSIONS TAKE PRECEDENCE OVER SCALE. IF DIMENSIONAL ERRORS OCCUR, CONTRACTOR SHALL NOTIFY THE DESIGNER PRIOR TO COMMENCING THAT PORTION OF THE WORK.
5. THE CONTRACTOR SHALL EXAMINE THE CONDITION OF THE PROJECT AREA PRIOR TO COMMENCING THE WORK AND SHALL BE RESPONSIBLE FOR ALL THE TRADES.
6. SUB-CONTRACTORS SHALL BE RESPONSIBLE FOR AND OBTAIN ALL PERMITS, LICENSES AND PAY REQUIRED FEES.
7. DO NOT CHANGE STORM AND WATER DRAINAGE.
8. ANY OMISSIONS OR CONFLICTS BETWEEN VARIOUS ELEMENTS ON THE DRAWINGS AND SPECIFICATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGNER PRIOR TO PROCEEDING WITH ANY WORK.
9. SUB-CONTRACTORS SHALL, IN THE WORK OF THEIR TRADES, PERFORM ANY AND ALL CUTTING, PATCHING, REPAIRING, RESTORING AND THE LIKE AS NECESSARY TO COMPLETE THE WORK AND TO RESTORE ANY DAMAGED OR AFFECTED SURFACES RESULTING FROM THE WORK OF THIS CONTRACT TO THEIR ORIGINAL CONDITION TO THE SATISFACTION OF THE DESIGNER.
10. THERE SHALL BE NO EXPOSED PIPE, CONDUITS, DUCTS, VENTS, ETC., ALL SUCH LINES SHALL BE CONCEALED OR FURRED AND FINISHED TO MATCH ADJACENT SURFACES.
11. TYPICAL DETAILS SHALL APPLY WHERE NO SPECIFIC DETAIL IS SHOWN.
12. ALL MATERIAL SHALL BE NEW AND QUALITY ACCEPTABLE TO THE DESIGNER. ALL MATERIALS SHALL MEET ASTM STANDARDS AND ALL APPLICABLE ORDINANCES. CONDEMNED MATERIALS SHALL BE PROMPTLY REMOVED AND ANY DAMAGE CAUSED BY SUCH REMOVAL SHALL BE MADE GOOD AT NO COST OF THE OWNER.
13. GLASS AND GLAZING SHALL CONFORM TO CRC 715.4.7.A & 2406.
14. STRUCTURAL OBSERVATION BY THE RESPONSIBLE ENGINEER WILL BE REQUIRED FOR THIS PROJECT. A REPORT SHALL BE GIVEN TO THE BUILDING INSPECTOR AT FRAMING INSPECTION.
15. ALL VENTILATING FANS EXHAUSTING AIR FROM CONDITIONED SPACE TO THE OUTSIDE OF THE BUILDING SHALL BE PROVIDED WITH BACKDRAFT DAMPERS.
16. HOSE BIBS AND LAWN SPRINKLER SYSTEM SHALL HAVE APPROVED BACKFLOW PREVENTION DEVICES.
17. WATER PRESSURE SHALL BE LIMITED TO 80 PSI OR LESS. A PRESSURE REGULATOR IS REQUIRED.
18. EACH ROOM WITH A SHOWER OR BATH TUB MUST HAVE A HIGH EFFICACY LAMP (40 LUMENS PER WATT OR LESS.)
19. GLAZING IN ALL AREAS SUBJECT TO HUMAN IMPACT OR HAZARDOUS LOCATIONS SHALL BE OF SAFETY TEMPERED GLASS.
20. ALL NAILING SHALL BE IN COMPLIANCE WITH CRC, 2304.9.
21. SHOWERS AND SHOWER TUB COMBS SHALL BE PROVIDED WITH INDIV. CONTROL VALVES OF THE PRESSURE BALANCE OR THERMOSTATIC MIXING VALVE TYPE, OR COMBINATION PRESSURE BALANCE/ THERMOSTATIC MIXING VALVE TYPES.
22. A SEPARATE ENCROACHMENT PERMIT IS REQUIRED FOR ANY WORK IN THE PUBLIC RIGHT-OF-WAY.
23. DRAWINGS AND CALCULATIONS FOR ROOF TRUSSES SHALL BE SUBMITTED TO AND APPROVED BY BGD. DEPT. PRIOR TO INSTALLATION

CITY NOTES

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/1877/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.
3. The ADU and JADU shall not be rented on a short-term basis.

FIRE SAFETY NOTES

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). Fire Sprinklers under separate permit.
3. Carbon monoxide alarms in new dwellings and sleeping units. An approved carbon monoxide alarm shall be installed in dwellings having a fossil fuel-burning heater or appliance, fireplace or an attached garage. Carbon monoxide alarms shall be listed as complying with UL 2034 and be installed and maintained in accordance with NFPA 720 and the manufacturer's instructions. (CRC R315.2)
4. 10. Single- or multiple-station smoke alarms (detectors with built-in battery) shall be installed in the following locations: (CBC 907.2.11.2, R314)
  - a) In each story within a sleeping/dwelling unit including basement.
  - b) In enclosed common stairwells of multiple dwelling complexes.
  - c) In sleeping areas in Group R-1 and rooms used for sleeping in Groups R-2, R-3, R-3.1, R-4 and I-1 occupancies.
  - d) In every room in path of egress from the sleeping area to the door leading from the sleeping unit that are in primary transient occupancies (Group R-1 occupancy).
  - e) In the immediate vicinity outside of separate sleeping areas of Groups R-2, R-3, R-3.1, R-4 and I-1 occupancies.

PROJECT DATA

SITE INFO:

APPLICATION NUMBERS: CUP20-10 & CDP20-020

A.P.N. # 066-191-018

ADDRESS: 490 PINEY WAY, MORRO BAY, CA 93442

BUILDING CODE DATA:  
OCCUPANCY: R-2  
TYPE OF CONSTRUCTION: Type V  
ZONING: R-2

PROJECT DESCRIPTION:  
1124 SF ADDITION TO EXISTING 736 SF RESIDENCE WITH 518 SF DECKS.  
CONVERSION OF EXISTING 308 SF GARAGE TO JADU.  
ADDITION OF A 469 SF DETACHED ADU.

AREAS:  
LOT AREA: 6000 SF

BUILDING AREAS:  
1. PRIMARY DWELLING: (E) 736 SF + (N) 1124 SF = 1860 SF  
a. 1ST FLOOR: (E) 736 SF + 970 SF = 1706 SF  
b. 2ND FLOOR: (E) 0SF + 154 SF = 154 SF  
c. 2ND FLOOR DECK: (E) 0 SF + 71 SF = 71 SF  
2. JADU: (E) 434 SF GARAGE + 0 SF = 434 SF  
3. ADU: (E) 240 SF SHEDS + 229 SF = 469 SF

TOTAL STRUCTURAL FOOTPRINT: 2604 SF (43% LOT COVERAGE)

PRIMARY DWELLING HEIGHT CALCULATIONS:  
HIGH POINT: 139.10' + LOW POINT: 136.80' = 275.90' / 2 = 137.95' (AVERAGE NATURAL GRADE) + 25' MAXIMUM BUILDING HEIGHT = 162.95'. PROPOSED BUILDING HEIGHT: 22.43' + 137.95' = 160.38'.

ADU HEIGHT CALCULATIONS:  
HIGH POINT: 139.40' + LOW POINT: 138.70' = 278.10' / 2 = 139.05' (AVERAGE NATURAL GRADE) + 25' MAXIMUM BUILDING HEIGHT = 164.05'. PROPOSED BUILDING HEIGHT: 12.24' + 139.05' = 151.29'.

MINIMUM SETBACKS: FRONT YARD: 20'. INTERIOR SIDE YARDS: 5'. REAR: 10'.

DETACHED ADU SETBACKS: 4'  
DETACHED ADU HEIGHT: 12'

DIRECTORY

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(805) 732-9854  
[DENISE@2PHELPS.COM](mailto:DENISE@2PHELPS.COM)

BUILDING DESIGNER:  
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SAN LUIS OBISPO, CA 93401  
(805) 704-5775  
[TRIANGLEH@GMAIL.COM](mailto:TRIANGLEH@GMAIL.COM)

STRUCTURAL ENGINEER:  
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MKSE  
PO BOX 486  
MORRO BAY, CA 93443  
(805) 540-8494  
[MK@MK-SE.com](mailto:MK@MK-SE.com)

PROJECT COORDINATOR:  
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ALWAYS MEASURE TWICE  
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(805) 440-2440  
[PEAJ2020@GMAIL.COM](mailto:PEAJ2020@GMAIL.COM)

VICINITY MAP



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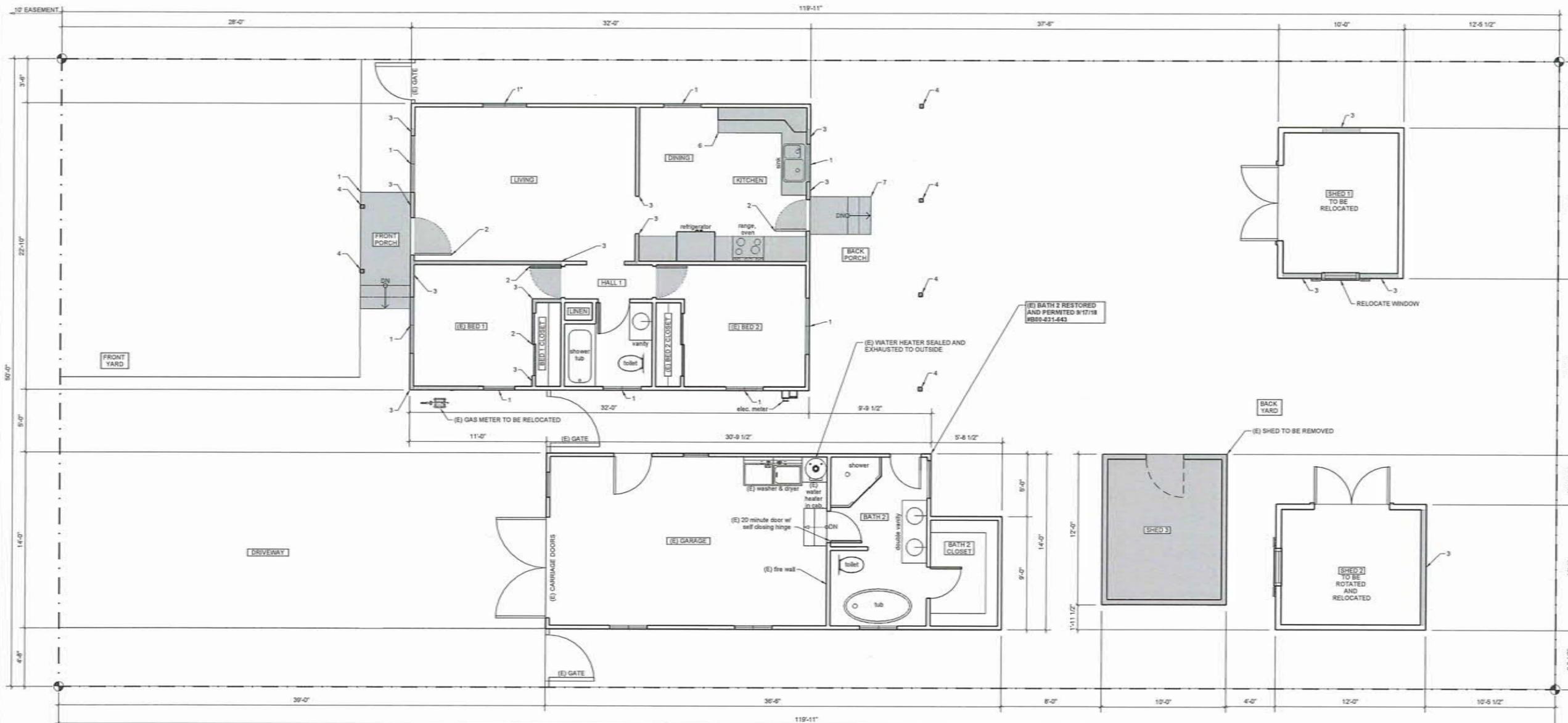
PROJECT  
Phelps Piney  
PROJECT NO.  
091 020 20A

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Title Sheet

T1

PINEY WAY



EXISTING 1ST FLOOR DEMO SITE PLAN  
1/4" = 1'-0"

- FLOOR DEMO KEYNOTES**
1. (E) WINDOW TO BE REMOVED OR RELOCATED
  2. (E) DOOR TO BE REMOVED
  3. (E) WALL TO BE REMOVED
  4. (E) POSTS TO BE REMOVED
  6. (E) CABINETS, APPLIANCES AND UTILITIES TO BE REMOVED OR RELOCATED
  7. (E) STAIRS TO BE REMOVED

- FEATURE LEGEND**
- EXISTING
  - DEMO
  - NEW
  - PARTIAL WALL

PINEY WAY



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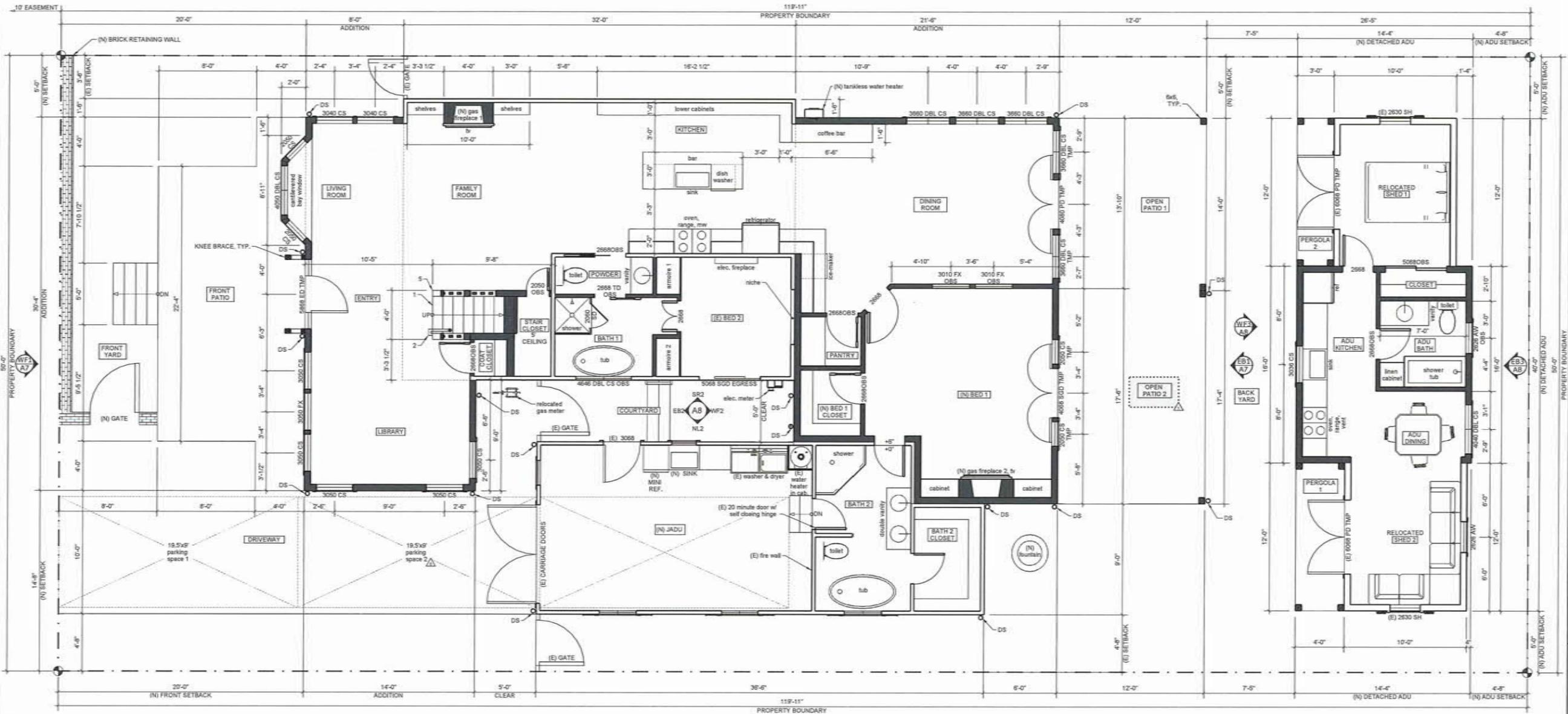
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 Phelps Piney  
**PROJECT NO.**  
 091 020 20A

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**Existing 1st Floor  
 Demo Site Plan**

**A1**

PINEY WAY



- FLOOR PLAN KEYNOTES**
1. STAIR RISE: 7 3/4", RUN: 10", TYP. The stair treads shall have a run of at least 10" and the risers shall have a maximum rise of 7.75" per CRC R311.7.5.
  2. HANDRAILS ARE TO BE INSTALLED PER CRC R311.7.8. - BETWEEN 34 AND 38 INCHES ABOVE THE NOSING OF THE TREAD AND LANDINGS. - CIRCULAR HANDGRIPS SHALL BE BETWEEN 1-1/4" TO 2". - THERE SHALL BE A MINIMUM 1-1/2" CLEARANCE FROM THE WALL.
  3. WATERPROOF DECKING: Decks & balconies that are sealed underneath are to be waterproofed and have a minimum 2% slope for drainage.
  4. Shower walls shall have non-absorbent walls to a minimum height of 72 inches and no green board or other paper faced material shall be used as tile backer. - Showers shall have pressure/temperature control valves. - Showers shall have a minimum 22-inch clear opening with doors opening out. - Any glazing in the shower compartment shall be tempered.
  5. All guardrails will be a minimum of 42" in height, R312.1.2



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**PROJECT**  
 Phelps Pinney

**PROJECT NO.**  
 091 020 20A

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**Proposed 1st Floor Site Plan**

**A2**

PINEY WAY

**PROPOSED 1ST FLOOR PLAN**  
 1/4" = 1'-0"  
 SEE 2ND STORY PLAN FOR CLERESTORY WINDOWS ABOVE

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

**LANDSCAPE NOTES**  
 ALL EXISTING LANDSCAPING TO REMAIN UNDISTURBED, TYP.

- PROPOSED GENERAL NOTES**
- A. GLAZING TO BE TEMPERED WHERE THE NEAREST EXPOSED EDGE OF THE GLASS IS WITHIN A 24" ARC OF EITHER VERTICAL EDGE OF THE DOOR IN A CLOSED POSITION AND THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 60" ABOVE WALKING SURFACE. GLAZING TO BE TEMPERED WHERE THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 18" ABOVE THE WALKING SURFACE.
- B. DECKS AND BALCONIES THAT ARE SEALED UNDERNEATH ARE TO BE WATERPROOFED AND HAVE A MINIMUM 2% SLOPE FOR DRAINAGE.

**ABBREVIATIONS**

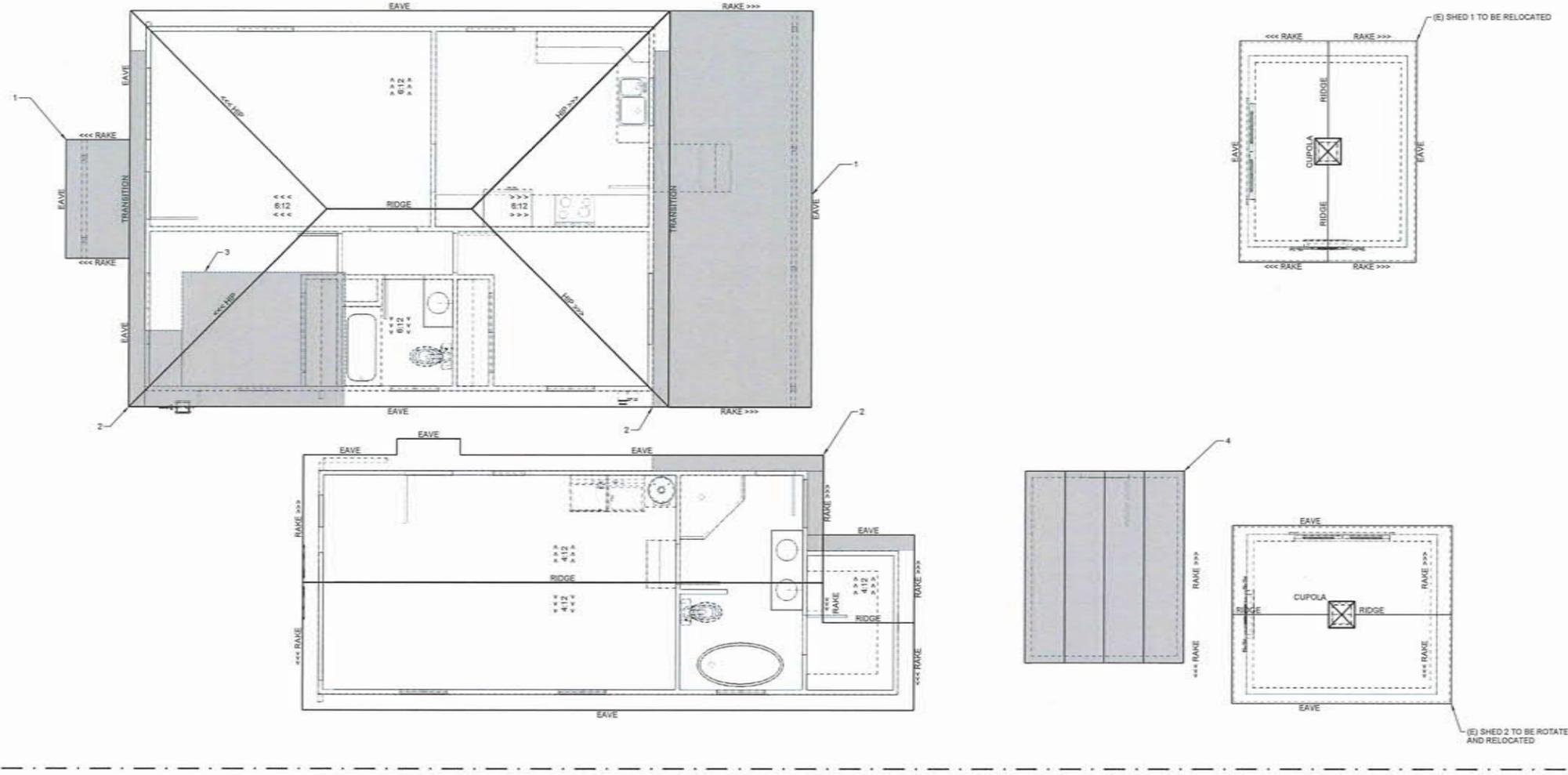
FX	FIXED PICTURE WINDOW
CS	CASEMENT WINDOW
AW	AWNING WINDOW
SH	SINGLE HUNG WINDOW
OBS	OBSCURE GLASS
X	ACTIVE WINDOW SASH
P	INACTIVE WINDOW SASH
TMP	TEMPERED GLASS
TD	TRACK DOOR
GD	GARAGE DOOR
PD	GLASS PATIO DOOR
SD	GLASS SHOWER DOOR
DN	STAIRS LEADING DOWN
UP	STAIRS LEADING UP
DS	DOWN SPOUT
RG	RAIN GUTTER

**FEATURE LEGEND**

[Line Style]	EXISTING
[Line Style]	DEMO
[Line Style]	NEW
[Line Style]	PARTIAL WALL

PINEY WAY

PINEY WAY



 **EXISTING ROOF DEMO PLAN**  
1/4" = 1'-0"

**ROOF DEMO KEYNOTES**

- 1. (E) PORCH COVER TO BE REMOVED
- 2. (E) EAVES TO BE REMOVED
- 3. (E) ROOF FRAMING TO BE REMOVED
- 4. (E) SHED TO BE REMOVED

**FEATURE LEGEND**

-  EXISTING
-  DEMO
-  NEW
-  PARTIAL WALL



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**PROJECT**  
Phelps Piney  
**PROJECT NO.**  
091 020 20A

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**Existing Roof  
Demo Plan**

**A3**

PINEY WAY

PINEY WAY

FLOOR PLAN KEYNOTES

1. STAIR RISE 7'-3 3/4", RUN: 10", TYP.  
The stair treads shall have a run of at least 10" and the risers shall have a maximum rise of 7.75" per CRC R311.7.5.
2. HANDRAILS ARE TO BE INSTALLED PER CRC R311.7.2:  
- BETWEEN 34 AND 38 INCHES ABOVE THE NOSING OF THE TREAD AND LANDINGS.  
- CIRCULAR HANDGRIPS SHALL BE BETWEEN 1-1/4" TO 2".  
- THERE SHALL BE A MINIMUM 1-1/2" CLEARANCE FROM THE WALL.
3. WATERPROOF DECKING:  
Decks & balconies that are sealed underneath are to be waterproofed and have a minimum 2% slope for drainage.
4. Shower walls shall have non-absorbent walls to a minimum height of 72 inches and no green board or other paper faced material shall be used as tile backer.  
- Showers shall have pressure/temperature control valves.  
- Showers shall have a minimum 22-inch clear opening with doors opening out.  
- Any glazing in the shower compartment shall be tempered.
5. All guards/rails will be a minimum of 42" in height, R312.1.2.



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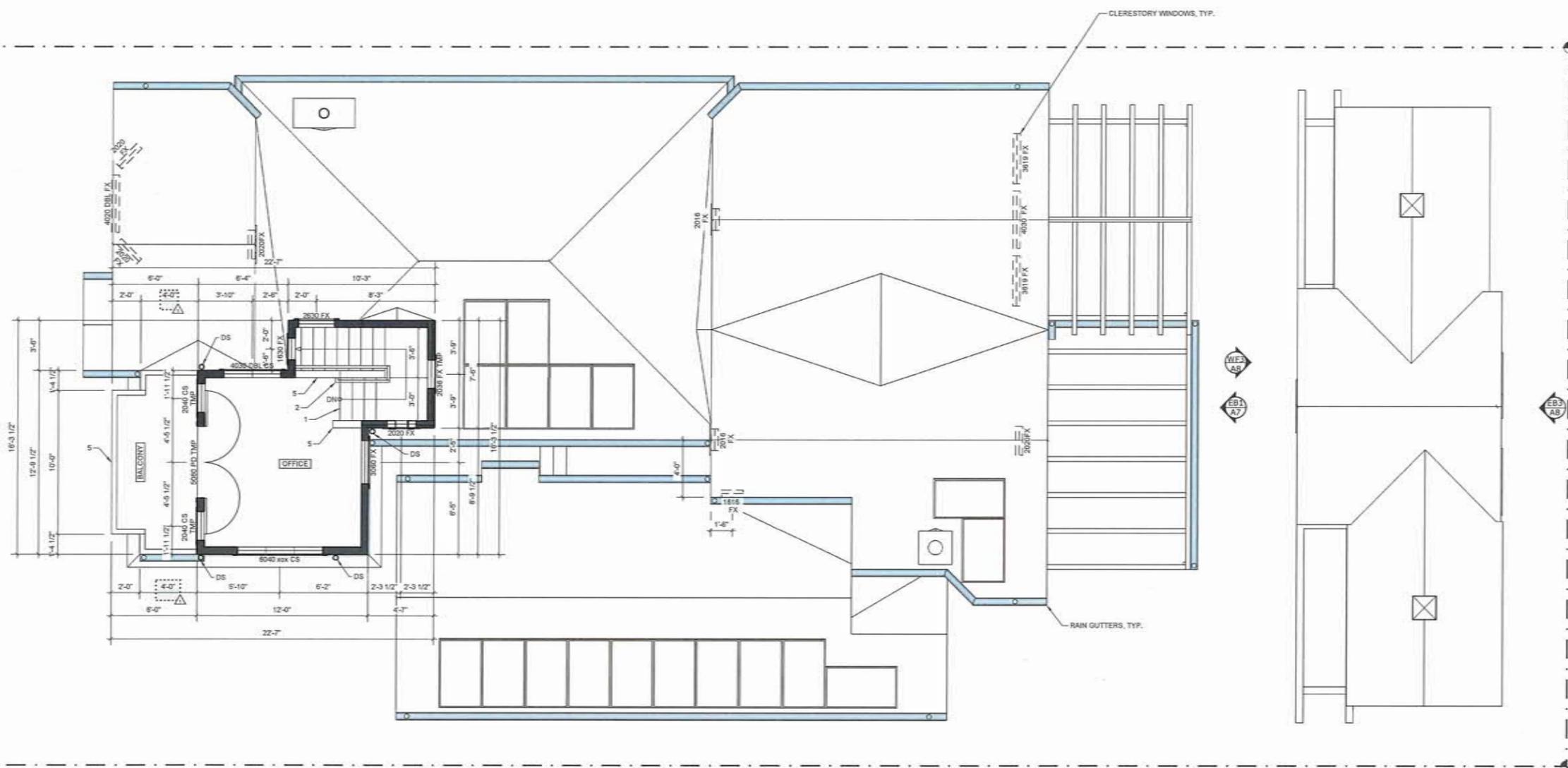
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**PROJECT NO.**  
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Proposed  
2nd Floor Plan

A4



PROPOSED 2ND FLOOR PLAN  
1/4" = 1'-0"

**PROPOSED GENERAL NOTES**

A. GLAZING TO BE TEMPERED WHERE THE NEAREST EXPOSED EDGE OF THE GLASS IS WITHIN A 24" ARC OF EITHER VERTICAL EDGE OF THE DOOR IN A CLOSED POSITION AND THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 60" ABOVE WALKING SURFACE. GLAZING TO BE TEMPERED WHERE THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 18" ABOVE THE WALKING SURFACE.

B. DECKS AND BALCONIES THAT ARE SEALED UNDERNEATH ARE TO BE WATERPROOFED AND HAVE A MINIMUM 2% SLOPE FOR DRAINAGE.

**ABBREVIATIONS**

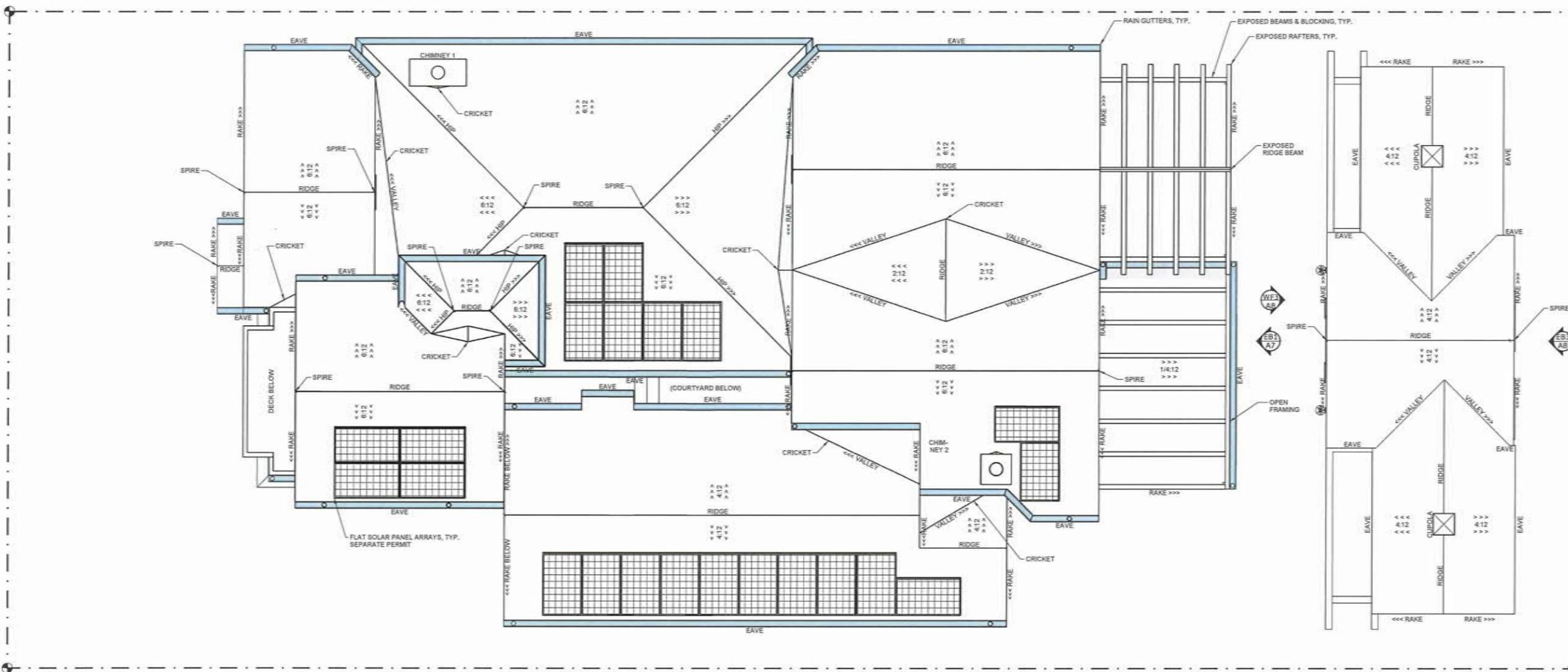
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I	INACTIVE WINDOW SASH
TMP	TEMPERED GLASS
TD	TRACK DOOR
GD	GARAGE DOOR
PD	GLASS PATIO DOOR
SD	GLASS SHOWER DOOR
DN	STAIRS LEADING DOWN
UP	STAIRS LEADING UP
DS	DOWN SPOUT
RG	RAIN GUTTER

**FEATURE LEGEND**

	EXISTING
	DEMO
	NEW
	PARTIAL WALL

PINEY WAY

PINEY WAY



**PROPOSED ROOF PLAN**  
 1/4" = 1'-0"  
 SEE 2ND STORY PLAN FOR FEATURES NOT SHOWN

**FEATURE LEGEND**

	EXISTING
	DEMO
	NEW
	PARTIAL WALL



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 Phelps Piney  
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**Proposed  
 Roof Plan**

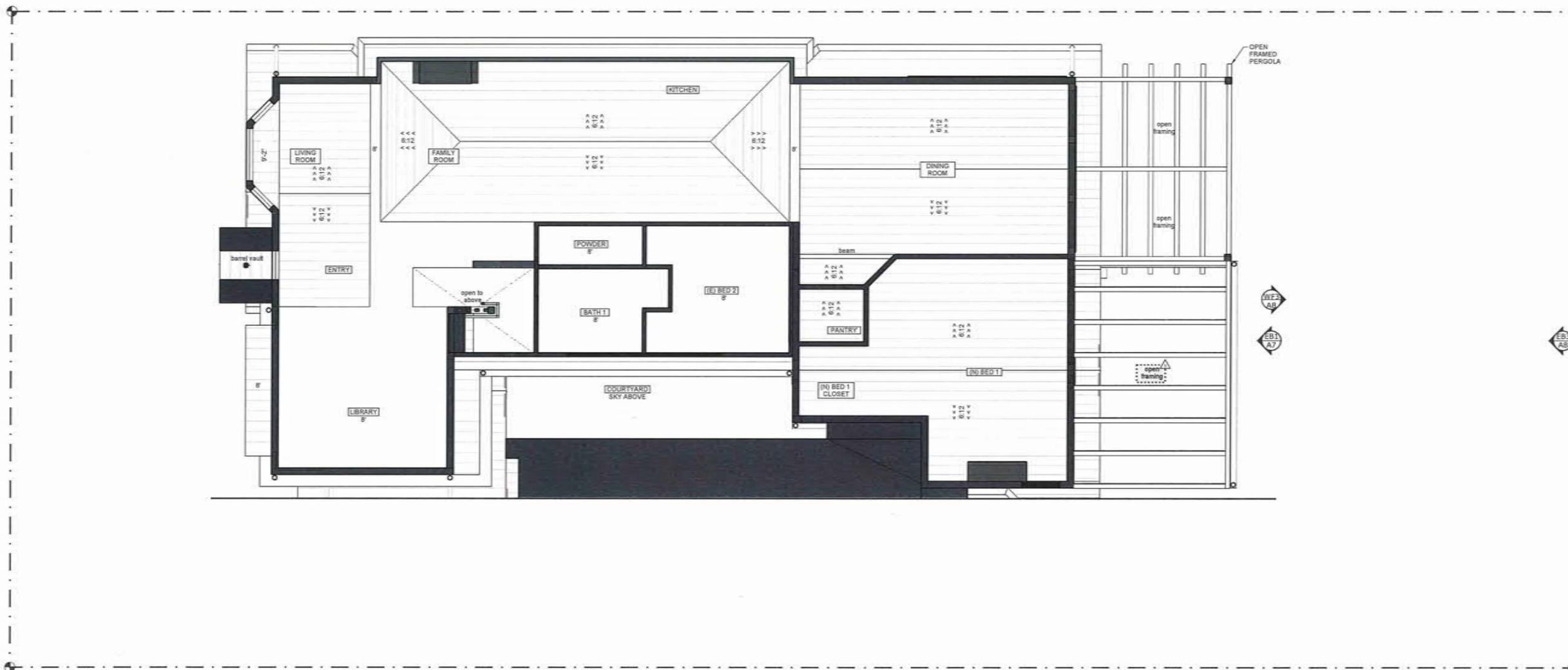
**A5**



PINEY WAY



PINEY WAY



REFLECTED CEILING PLAN  
1/4" = 1'-0"



FEATURE LEGEND

- EXISTING
- DEMO
- NEW
- PARTIAL WALL



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Reflected  
Ceiling Plan

**A6**

PINEY WAY



SR1 SOUTH RIGHT ELEVATION 1  
1/4" = 1'-0"



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**PROJECT**  
 Phelps Piney

**PROJECT NO.**  
 091 020 20A

**ISSUE**  
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 6/17/21

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EB1 EAST BACK ELEVATION 1  
1/4" = 1'-0"



WF1 WEST FRONT ELEVATION 1  
1/4" = 1'-0"

- ELEVATION KEYNOTES**
1. "BLACK" ROOF SPIRES TO MATCH (E), TYP.
  2. "DARK GRAY" COMPOSITION SHINGLE ROOFING TO MATCH (E), TYP.
  3. "MEDIUM GRAY" METAL CHIMNEY CAPS WITH SPARK ARRESTORS, TYP.
  4. "REDDISH BROWN" BRICK CHIMNEYS, TYP.
  5. "WHITE" EXPOSED POSTS, BEAMS & RAFTERS, TYP.
  6. "WHITE" METAL, HALF-ROUND RAINGUTTERS WITH ROUND DOWNSPOUTS, TYP.
  7. NOT USED
  8. "WHITE" FASCIAS & SOFFITS, TYP.
  9. "PASTEL BLUE" ALUMINUM WOOD CLAD WINDOWS WITH "WHITE" TRIM, TYP.
  10. "WHITE" OPEN GUARD RAIL
  11. "WHITE" PARAPET
  12. "WHITE" DECORATIVE SCROLLS TO MATCH (E), TYP.
  13. "BLACK" WALL LIGHTS TO MATCH (E), TYP.
  14. "PASTEL BLUE" DOORS TO MATCH (E), TYP.
  15. "WHITE" STUCCO AT (E) RESIDENCE AND NEW STAIRWELL
  16. "PASTEL YELLOW" HORIZONTAL SIDING TO MATCH (E)
  17. "WHITE" BOARD & BATTEN SIDING AT GABLE WALL
  18. "WHITE" SCALLOPED SIDING AT MANSARD
  19. "DARK GRAY" FLAT SOLAR PANELS, TYP.



NL1 NORTH LEFT ELEVATION 1  
1/4" = 1'-0"

PINEY WAY

Elevations

A7



SR2 SOUTH RIGHT ELEVATION 2  
1/4" = 1'-0"



WF3 WEST FRONT ELEVATION 3  
1/4" = 1'-0"



EB2 EAST BACK ELEVATION 2  
1/4" = 1'-0"



WF2 WEST FRONT ELEVATION 2  
1/4" = 1'-0"

**ELEVATION KEYNOTES**

1. "BLACK" ROOF SPIRES TO MATCH (E), TYP.
2. "DARK GRAY" COMPOSITION SHINGLE ROOFING TO MATCH (E), TYP.
3. "MEDIUM GRAY" METAL CHIMNEY CAPS WITH SPARK ARRESTORS, TYP.
4. "REDDISH BROWN" BRICK CHIMNEYS, TYP.
5. "WHITE" EXPOSED POSTS, BEAMS & RAFTERS, TYP.
6. "WHITE" METAL, HALF-ROUND RAINGUTTERS WITH ROUND DOWNSPOUTS, TYP.
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8. "WHITE" FASCIAS & SOFFITS, TYP.
9. "PASTEL BLUE" ALUMINUM WOOD CLAO WINDOWS WITH "WHITE" TRIM, TYP.
10. "WHITE" OPEN GUARD RAIL
11. "WHITE" PARAPET
12. "WHITE" DECORATIVE SCROLLS TO MATCH (E), TYP.
13. "BLACK" WALL LIGHTS TO MATCH (E), TYP.
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15. "WHITE" STUCCO AT (E) RESIDENCE AND NEW STAIRWELL
16. "PASTEL YELLOW" HORIZONTAL SIDING TO MATCH (E)
17. "WHITE" BOARD & BATTEN SIDING AT GABLE WALL
18. "WHITE" SCALLOPED SIDING AT MANSARD
19. "DARK GRAY" FLAT SOLAR PANELS, TYP.



NL2 NORTH LEFT ELEVATION 2  
1/4" = 1'-0"



EB3 EAST BACK ELEVATION 3  
1/4" = 1'-0"



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PROJECT  
Phelps Piney  
PROJECT NO.  
091 020 20A

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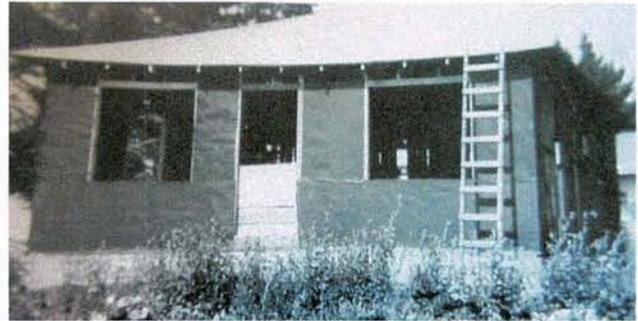
Courtyard  
Elevations

A8

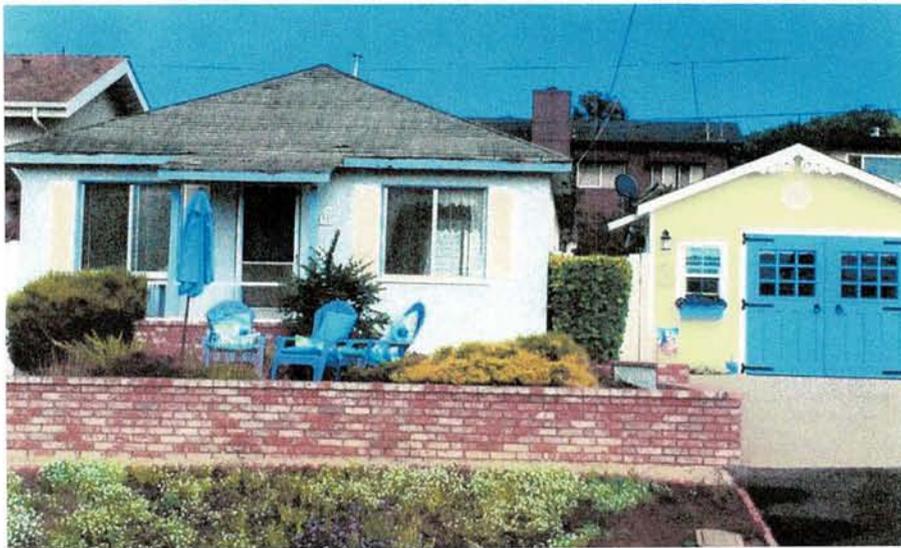
# EXHIBIT C

## HISTORIC RESOURCE EVALUATION

**THE THOMAS HOUSE  
490 PINEY WAY  
MORRO BAY, CA  
APN 066.191.018**



**1952**



**2021**

**Prepared for: Tom and Denise Phelps  
490 Piney Way  
Morro Bay, CA**

**Prepared by: Betsy Bertrando  
Bertrando & Bertrando Research Consultants  
267 East Foothill Boulevard  
San Luis Obispo, CA**

**April 2021**

# EXHIBIT C

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# EXHIBIT C

## ABSTRACT

A request was made by the owner, Denise Phelps, for an historical significance evaluation of a residence located at 490 Piney Way in Morro Bay, California. The owner is proposing additions to the house that was originally constructed over fifty years ago. This study finds that the property does not meet the criteria for significance as defined by the California Environmental Quality Act (CEQA). No further study of the potential significance of the built environment is necessary for the proposed project to proceed.

## INTRODUCTION

The work carried out as a part of this study was conducted by Betsy Bertrando, of Bertrando & Bertrando Research Consultants, who was assisted in the field by Luther Bertrando. The project property (APN 066.191.018) is depicted on the Morro Bay South 7.5 quadrangle topographic map as existing in Morro Bay at 490 Piney Way and on the Assessors parcel map (Appendix A).

## PROJECT DESCRIPTION

Betsy Bertrando, was contacted by the owner, Denise Phelps, to undertake an historic significance evaluation of a house located at 490 Piney Way in Morro Bay. The evaluation has focused on a thorough search of all available records that pertain to the architecture and ownership history of the parcel and house up to the present.

The current owner of the property has proposed plans to add additions to the house and elsewhere on the property. The existing 736 square foot residence was constructed in 1952. The owner plans to add a second story room and balcony of 154 square feet on the southwest side of the house. Additions to the front and rear of the house will add an additional 970 square feet. The roof line on the front addition will change to a medium gable running west to east. Two small structures at the back of the lot would be joined with a 229 square foot addition that is also being proposed (Appendix B). The building design for the project was prepared by Nicolas Huston.

## METHODS

Historic background for the property was gathered to establish the structure's architectural history, background, historic use and people associated with the property. On site assessment was a part of the investigation.

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## Archival Research

Archival information was taken from historic literature, maps, directories, newspapers, documents and online sources. In addition the owner, Denise Phelps, generously shared information regarding the property. Listed below are the resources used in the preparation of this report. Resources used to produce this report came from the following:

*The private archive of Bertrando & Bertrando Research Consultants* - publications, maps and documents essential to the project.

*On line sources* included San Luis Obispo County Clerk/Recorder Deed indices, San Luis Obispo County Assessor, [genealogybank.com](http://genealogybank.com) and [ancestry.com](http://ancestry.com)

*The owner* shared property information, deeds and photographs pertinent to the history of the property.

## Field Investigation

The field investigation took place on March 25, 2021. The purpose of the investigation was to record and photograph the setting and exterior of the residence. Survey assistance was provided by Luther Bertrando. Notes were written focusing on the original features of the house and property. Important information collected included:

- Architectural features within the context of the “Historical Period of Significance”
- Type of construction and material used
- Modification through time
- Grounds, setting and landscaping

## SIGNIFICANCE CRITERIA

Effective in February 1999, changes made to the California Environmental Quality Act of 1970 (CEQA) removed thresholds of significance from the main document and relied upon criteria set forth in Public Resources Code, Section 5024.1 Title 14 CCR Section 4852. To qualify as a historic property, it must meet at least one of the four eligibility criteria listed in 36 CFR Section 60.4, retain sufficient integrity and be at least fifty years old. These qualifying criteria for determining the significance of a resource include the following;

1. That are associated with events that have made a significant contribution to the broad patterns of our history; or

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2. Is associated with the lives of persons important in our past.
3. Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic value.
4. Has yielded, or may be likely to yield, information important in prehistory or history.

Cultural resources displaying one or more of these criteria, may be considered significant and thereby subject to special measures of avoidance or evaluation prior to any potential impacts. If impacts cannot be avoided then a mitigation plan is normally developed. CEQA directives regarding mitigation of cultural resources are also addressed in the Public Resources Code.

## HISTORICAL CONTEXT

### **Morro Bay Prior to 1847**

A scattering of native villages clustered around the fresh water sources from the creeks that entered Morro Bay. The estuary, marine terraces and bay provided an abundance of food for the native population. The first European explorer to see Morro Rock was Juan Cabrillo as he sailed past in 1542. Cabrillo named the edifice *El Moro*, but it wasn't until 1769, that the first land expedition led by Gaspar de Portolà passed by heading north to find Monterey Bay. After leaving camp by the estuary in Los Osos, one of the diarist for the group, Juan Crespí, noted that Morro Rock was separated from the land during high tide. The field draft, written September 9, 1769, by Crespí is the first description of Morro Bay.

“The small valley of the village of San Adriano, Saint Adrian, belonging to La Navidad de María Santísima. This spot lies very close to the shore, the harbor that I spoke of being in sight from here, with the harbor mouth in front of this place; but we have been able to see clearly that there is no passage into it, for it is breakers everywhere. In front of us we have a quite high, round island rock; and a very high mountain range is in view a long way off, now that the weather has cleared a little this afternoon. Impossible to make an observation, as nearly the whole day it was very overcast.” (Brown 2001:491).

Three years later, Mission San Luis Obispo de Tolosa was established in 1772. The back valleys surrounding Morro Bay were used as grazing land by the mission. After Mexico won its independence from Spain, the lands formerly under the control of the mission were granted to citizens of Mexico. Three large tracts of land were granted that surrounded Morro Bay from the north to south; the Ranchos Moro y Cayucos, San Bernardo and Canada de Los Osos.

### **The American Period**

In 1847, the Treaty of Hidalgo ceded California to the United States. The ranchos began to change ownership and settlers began to trickle into the county. Franklin Riley and his wife

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Hannah filed for 160 acres of bay front property in 1861 (Homestead Declaration Book A:24). Morro Township was established and Riley built the Embarcadero and the first house in 1870. Starting a small nursery, it was Riley who introduced the eucalyptus and cedar into the area to help control damage from the blowing sands (Hammond 2010). In 1872, Carolan Mathers surveyed and filed the first map of the township. Lots were still available over ten years later (The Library Associates 1993). Population estimates ranged between 100 to an optimistic 250 during the 1870s. Becoming a hub for the growing dairy industry, the area also engaged in the cultivation of flax, potatoes and hay. Another early settler was Ezra Stocking who kept a store and ran the first post office.

A partnership between Captain Williams and Franklin Riley in the early 1870s was formed to construct a new wharf and warehouse to provide regular service for transporting goods and merchandise between San Francisco and Morro Bay. A small shipping business was established, but the harbor was never really successful until 1878. At that time lumber dealers Jones and Shepard, acting as agents for a Santa Cruz lumber company, began shipping lumber down from the mills in Santa Cruz unloading at the two wharves in Morro Bay. The Morro Lumber Company supplied redwood and pine to the local community (Angel 1883). The same year crops were successful and the outlook brightened for the harbor.

After 1900, the population grew as land speculators began to carve up the large tracts into small lots. E. G. Lewis developed the Atascadero Beach, constructing an hotel, beach cottages and a golf course on his 3,000 acres that were subdivided to enhance his Atascadero Colony (Lewis 1974). The Morro Heights Addition was developed in 1922. It's success soon brought Los Angeles developers who subdivided the land surrounding Morro Heights. The Los Angeles firm of Miller and Murphy developed three large parcels totaling 1600 acres called Morro Bay Vista that included the Cabrillo Country Club. The promotional efforts focused on appealing to people living in the interior valleys as a way of escaping the hot summers. Camping, clamming, boating, duck hunting and fishing were features that brought visitors to Morro Bay.

Spearheading the sales was Robert Baker and William Roy for developer T. J. Lawrence. Roy, originally from Scotland became a major booster for Morro Bay. Later when Lawrence had financial difficulties Roy became the agent for Miller and Murphy when they took over Morro Vista development in as a part of their other holdings including the Cabrillo Country Club and Cabrillo Country Club Estates.

The depression ended the dreams of the developers and they were looking for a buyer. The State of California picked up the Cabrillo Country Club in 1934. It became one of the first State Parks in California. The Civilian Conservation Corps began planted eucalyptus windbreaks and established a work camp (Gates and Bailey 1982). The Morro Bay State Park included an extensive bay frontage. The final park was due to cost \$132,00 and included about 1500 acres, golf course, tennis courts and camping ground (House of Representatives Document 283 - 1941). Improvements to the harbor by the government became based on Morro Bay being a potential recreational area for pleasure craft and developing commercial fishing.

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Things soon changed as the great Depression effectively brought an end to the real estate transactions. Developers went broke. Harbor work was being done by the Works Progress Administration (WPA) during the 1930s and early 1940s. They filled in the north entrance channel and built the north breakwater resulting in the causeway that tied Morro Rock to the land in 1936. WPA was also responsible for the revisions to the golf course and adjacent Morro Bay State Park and Campground. Quarrying Morro Rock, that began during the 1890s, continued until 1963. Morro Rock became State Historical Landmark #821 in 1968. That effectively ended the quarrying activities.

World War II brought other changes to Morro Bay. Starting in 1940 with 100 acres of waterfront land that grew to 250 acres, an amphibious training base was established by the navy coast-patrol (Castle and Ream 2006). The facility included two “T” piers, rows of Quonset huts and large administrative buildings. Much of the navy base was in and around the land that was later taken over by P G & E for its power plant (now decommissioned).

The fishing industry that began shipping to the San Francisco Market in the 1890s continues to catch fish today, albeit in a smaller scope. In 1953 there were 75 fishing boats using Morro Harbor (Gates and Bailey 1982). A strong abalone industry formed and peaked between 1930 and 1960. It resulted in piles of abalone shells near the processing plants (Castle and Ream 2006).

After many attempts during the 1950s, finally in 1964 Morro Bay was incorporated. The process started by the Chamber of Commerce President Vernon D. Crass was not an easy one (Gates and Bailey 1982). The growth that began in the early 1900s slowly began again. Vacation cottages and small retirement homes became the face of Morro Bay.

## **FINDINGS**

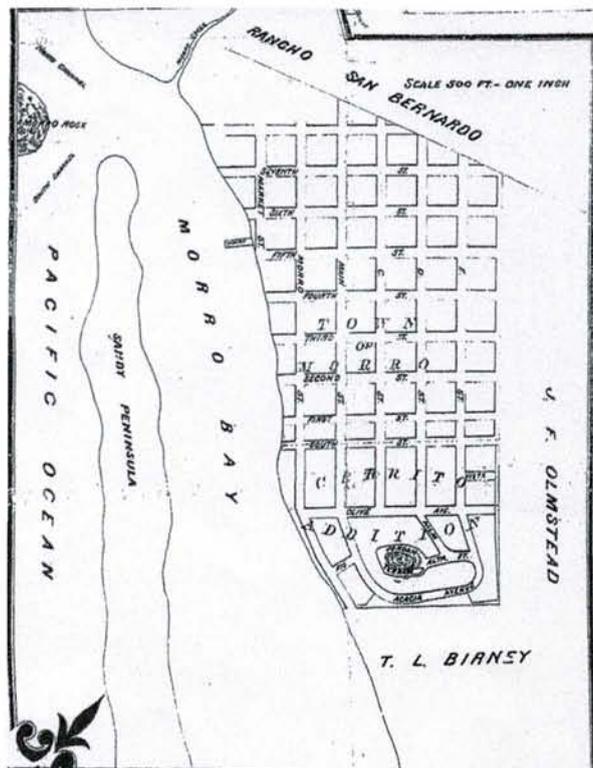
### **Archival Research**

The legal deed description places lot 18 facing west within block 191. At 490 Piney Way it is located at the west end of the Morro Heights Subdivision formed in 1922 on land formerly owned by John Olmstead.

#### **John Franklin Olmstead Ranch**

Morro Bay pioneer, John Franklin Olmstead, a farmer, was born in 1851 in New York. He married Clara (Brimblecom) in 1879. In 1885, John and Clara purchased 160 acres of land in the Morro Bay Heights from Alex Campbell, Sr. (Deed Book U/88) (Figure 1). The Olmstead house and barn were located south of the 500 block of Morro Bay Boulevard (Gates & Bailey 1982). After farming there John leased the place to Mrs. Anger in 1889. Amos Anger had already acquired land in 1876 just south of Los Osos.

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**Figure 1: The 1888 Map of the original Town of Morro Bay depicts the J. F. Olmstead Property to the right.**

The Olmsteads purchased land by the San Bernardo Creek, where John also ran a dairy (*San Luis Obispo Morning Tribune* - Feb. 16, 1889). Always active in the community, he died at home in 1912. His passing was noted in the newspaper; “The elderly gentleman is well known in this city having been transacting business here for years and the owner of a ranch in Morro Bay.” (*San Luis Obispo Tribune* - Weekly, Feb. 27, 1912). By 1920, the widow Clara had relocated to San Francisco where she lived with her niece.

In 1915, Ben Tonini was farming the Olmstead place near Morro by San Bernardo Creek and Joe Silva leased the land in Morro Heights. Silva arrived in Morro Bay in 1908 from the Azores. His first job was as cheesemaker on the Quintana Rancho (Gates & Bailey 1982). He grew beans on the Heights until the land was purchased by the Morro Heights syndicate in 1920.

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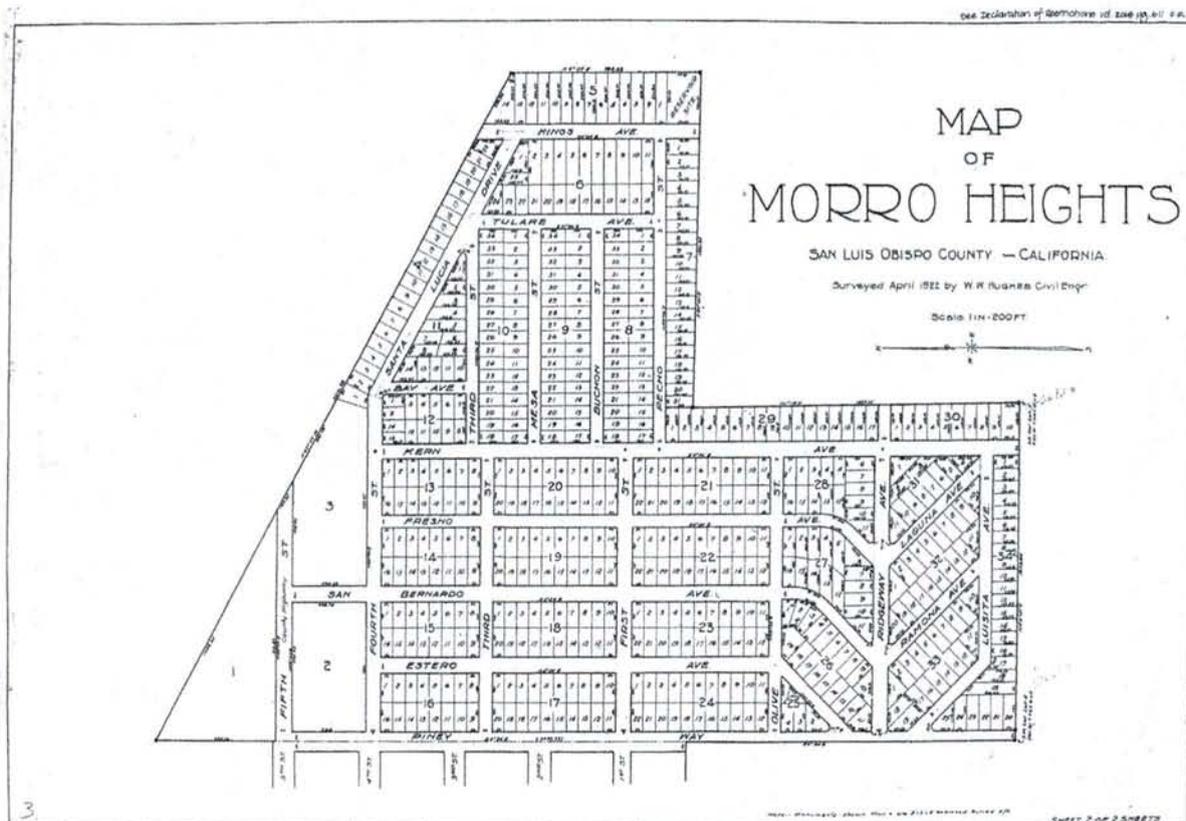


Figure 2: 1922 Morro Heights Addition

## Morro Heights Subdivision

Part of the old Olmstead Ranch was purchased in the 1920s by James Goulding and his Morro Heights syndicate for \$25,000. The syndicate of fourteen investors was made up of people both local and from elsewhere in the state. One of the investors was Clara Olmstead, who was living in San Francisco. The map for the Morro Heights Subdivision was surveyed in 1922 by W. W. Hughes. It is bounded on the west by Piney Way, the east by Kings and Kern Avenues, the north by Pacific (formerly Fourth Street and Santa Lucia Drive), and the south by Luisita Avenue and Pecho Drive (Figure 2). Morro Heights lots on Ridgeway Avenue were priced the highest at \$500 and on Kern Avenue about \$150.

James and Stella Goulding

Goulding had a special aptitude for the hotel business that brought him west to the Mission Inn in Riverside after working at the Grand View Hotel at the Grand Canyon. It is there where he married Stella in 1906. Later, he accepted the assistant manager position at the Paso Robles Hot Springs Hotel. In 1913, Goulding became the proprietor of the Andrews Hotel in San Luis Obispo.

490 Piney Way, Morro Bay, CA - 7

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Difficulty in managing the two hotels forced Goulding into selling the Andrews Hotel and focusing his efforts in Paso Robles (Morrison and Haydon 1917).

Coming to Morro Bay in 1920, James and Stella Gouldings first lived in a redwood house on the southwest corner of Ridgeway and Kern Avenues in the Morro Heights Development. James and Stella Goulding were evolved with Morro Bay's activities from 1920 through the 1950s. Stella organized the women's club in Morro Bay and wrote for the newspaper about the Monday Club's activities in San Luis Obispo. James was very busy in the Morro Bay Chamber of Commerce promoting and planning events for the community. Stella became known for naturalizing sweet alyssum and James for planting pines along Piney Way and Kings Street. Both were energetic and involved members of the Morro Bay community.

The Great Depression during the 1930s halted the sale of the lots. The Morro Heights syndicate liquidated and divided the unsold lots to its members. The Morro Heights Development filled in very slowly over many years. The 1937 Map of Morro Bay produced by the Sanborn Map Company had no coverage past Shasta and South Streets. The sewer system did not go in Morro Heights until 1955 and the second wave of development after World War II had ended.

The project parcel at 490 Piney Way was purchased from C. E. Hamill in 1952 by Frank E. and Clara Thomas (Vol 662/25). Hamill was a resident of New Mexico at the time of purchase. The house was constructed when the lot was purchased and it has remained in the Thomas family for four generations.

## **Francis (Frank) Edwin and Clara Thomas Family**

Frank Thomas was born in Cornwall, England in 1881. He married Clara Harris in a Wales mining village called Pontycymer. Their daughter, Beatrice Grace was born in 1907 (she was always called Grace). Frank came to the United States in 1912 settling in Butte, Montana, before Clara and Grace joined him. The family had a chicken ranch in Butte until the dust storms and the Great Depression made them move again. The oil fields of Bakersfield offered Frank work. Frank's building skills were brought to bear when he helped to build the Full Gospel Tabernacle in Bakersfield. He started their first choir and for seventeen years served on the staff of the church. Clara worked as a seamstress.

As soon as the lot on Piney Way was purchased, Frank constructed a small redwood cottage on the south side of the lot for them to live in while Frank, aided by Bakersfield friends, began to build the house that remains today (Figure 3). Glad to finally leave the heat of the valley and permanently retire to Morro Bay, the main house was completed in 1953. Frank worked on projects around Morro Bay helping to build the Morro Bay Assembly of God Church buildings and doing jobs for others in the neighborhood.

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**Figure 3: Frank and Clara Thomas in front of the house when it was being constructed in 1952. At the far right is the small redwood cottage that they first lived in that Frank also built.**

In 1954, Frank and Clara Thomas added their daughter Grace Gragg to the deed (Vol 748/556) (Figure 4). Later in the 1950s, Frank died. The widow Clara remained living in the house and kept busy quilting, sewing, baking and growing a garden full of flowers. Another deed was produced in 1972 when Clara Thomas and her daughter Grace Gragg added Grace's daughter Enid Jane Friesen to the deed, with Clara reserving a life estate in the property (Vol 1651/425).

Daughter Grace was first married in 1929 to Wayne C. Kinser, a Bakersfield oil driller, with whom she had a daughter, Enid Jane. In 1943, Grace married Woodrow Jesse Gragg, who also worked as an oil driller. After Clara Thomas died in 1979, Woodrow was about to retire. Grace and Woodrow moved into the house and lived there until they died in 1994. Both are buried in the Cayucos Cemetery.

Frank and Clara's granddaughter Enid Jane kept the love of music in the family. Enid taught piano and played the organ for the Bakersfield First Assembly of God Church. Enid married Robert (Bob) Earl Friesen in 1951. They had three children, twins Donald and Denise, and another son, Dwayne. Always involved with work, Bob retired from the Department of

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**Figure 4:** Frank Thomas in front of the redwood cottage with his daughter, Grace Gragg and great grandson Donald Friesen.

Water Resources in 1995. They still were not able to live in Morro Bay but only enjoyed it as a vacation get-away. After Bob Friesen died in 2010, Enid continued with her music activities in Bakersfield. Enid's daughter, Denise and son-in-law, Tom Phelps, would come over to Morro Bay bringing Enid while keeping up and enjoying the property. The Enid Jane Friesen Trust granted a gift deed to Thomas R. and Denise Phelps for a 50% interest in the property in 2016 (Doc #2016027163). After Enid died in 2020, the great granddaughter of the builder of the house, Denise J. Phelps was granted the rest (Doc #2021018801). Thus, four generations of women from the Thomas family have retained the property since it was purchased in 1952.

## Field Investigation

### Architecture

The slightly rectangular one story stucco house, of 736 sq. ft., sits under a low hip roof (Figure 5). The centered front doorway has one window in either side of the door that are exact replicas. They are sash divided vertically with shutters on each side. Straight steps approach from the side to a small covered stoop. Used brick facing covers the front of the landing. Two



**Figure 5:** House just before the recent renovation to the redwood cottage/garage.

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porch posts support the roof that covers the stoop. A detached shed roof runs across the rear of the house covering a bricked patio area that has entry into the kitchen.



**Figure 6: Recently renovated cottage/garage.**

A small redwood cottage remains on the south side of the lot sitting about eleven feet back from the front of the main house at the end of a concrete driveway. Seven inch horizontal redwood boards sheath the structure under a front facing low gable roof. It contains one room and bathroom with an entrance on the north side. Recently the cottage has been refurbished with garage doors - each with nine lights on their top half (Figure 6). A small sash window with a window box is on the north side of the garage doors. The cottage has been recently painted inside and out.

## Grounds

At the rear of the property are two small vertical board structures each with french doors - one faces west and the other turned to face north (Figure 7). They are each 12 ft. x 10 feet. The 120 sq. ft structures were built in 2018.



**Figure 7: View facing east depicting the two small structures constructed in 2018 at the back of the lot.**

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Along the south side between the southeast rear structure and the redwood cottage is a storage shed to be removed. Sitting areas are throughout the patio area (Figure 8). The front of the property features a low set back, used brick retaining wall. The grounds are well maintained and designed for family gatherings.



**Figure 8: View of the back of the house with the patio area.**

## Setting

The gentle slope along Piney Way contains one and two story homes. Throughout the Morro Heights area, small vacation and retirement homes are expanding with additions. Two story residences border the project parcel (Figure 8). The corner across the street is occupied by the Presbyterian Church whose parcel includes a large area on Anchor Street from Piney Way to Napa Avenue.

## SIGNIFICANCE DETERMINATION

The research developed for this report was applied to the following criteria to determine the significance of the residence at 490 Piney Way.

1. That are associated with events that have made a significant contribution to the broad patterns of our history; or

*The property has been used as a retirement and/or family vacation residence since 1952 by Frank and Clara Thomas and their heirs.*

2. Is associated with the lives of persons important in our past.

*The research did not uncover names associated with the property that were important to the history and development of Morro Bay. The family relocated from Bakersfield,*

3. Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic value.

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*Many houses like this are found throughout Morro Bay with the simple architectural elements common in the small homes constructed after WW II. This one was constructed by its original owner.*

4. Has yielded, or may be likely to yield, information important in prehistory or history.

*n/a*

## CONCLUSION/RECOMMENDATIONS

The existing residence at 490 Piney Way in Morro Bay, California, while over fifty years of age, does not meet the standards for historical significance. The house, visually reflects its mid-twentieth century period of construction that is typically found throughout Morro Bay. There were no historic events that took place, nor people important to our past, living on the property since its 1952 date of construction. The house does not reach the level of design and uniqueness that would be consistent with the guidelines to bring the residence up to a level of significance.

Throughout Morro Bay small cottages that once housed retirees and vacationers are increasing in size with additions reflecting the rising costs of land and changing patterns of living. The neighborhoods in Morro Heights area are especially prone to this development. No further study regarding the historic resource as it pertains to 490 Piney Way is necessary.

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Angel, Myron

1883 *History of San Luis Obispo County, California, Thompson & West, Oakland California*  
Facsimile reprint 1969 by Valley Publishers, Fresno, CA.

Brown, Alan K.

2001 *A Description of Distant Roads by Juan Crespi*. Edited and Translated by Alan K. Brown. San Diego State University Press.

Gates, Dorothy L. and Jane H. Bailey

1982 *Morro Bay's Yesterdays*. El Moro Publications, Morro Bay

Castle, Roger and Gary Ream

2006 *Images of America Morro Bay*. For the Historical Society of Morro Bay and produced by Arcadia Publishing

# EXHIBIT C

Hammond, John W.

2010 *Cultural Landscape Report for the Moro Bay State Park Campground*. Prepared for the State of California, Department of Parks and Recreation.

Lewis, William H.

1974 *Atascadero's Colony Days*. Published by the Atascadero Historical Society, Atascadero, CA.

Morrison, Mrs. Annie L. and John H. Haydon

1917 *San Luis Obispo and Environs*. Historic record Company, Los Angeles, CA.

The Library Associates

1993 *A Vast Pastoral Domain, San Luis Obispo County in the 1870s*. Reprints produced by the Robert E. Kennedy Library, California Polytechnic State University.

## Maps

1922 *Map of Morro Heights*. Surveyed April 1922 by W. W. Hughes.

1938 *Morro Bay*. Produced by the Sanborn Map Company - no coverage of the existing tract area. Coverage began on the west side of Piney Way.

## Documents

1861 Homestead Declaration - Book A:24 - Riley

1941 House of Representatives Document 283 - 1941

## Deeds

1885 Campbell to Olmstead - Deed Book U/88

1952 Hamill to Thomas - Vol 662/25

1954 Thomas to Gragg - Vol 748/556

1972 Clara Thomas and Grace Gragg added Enid Friesen - Vol 1651/425

2016 Enid Friesen added Thomas and Denise Phelps - Doc #2016027163

2021 Enid Friessen ½ to Denise Phelps - Doc #2021018801 and 2021018802

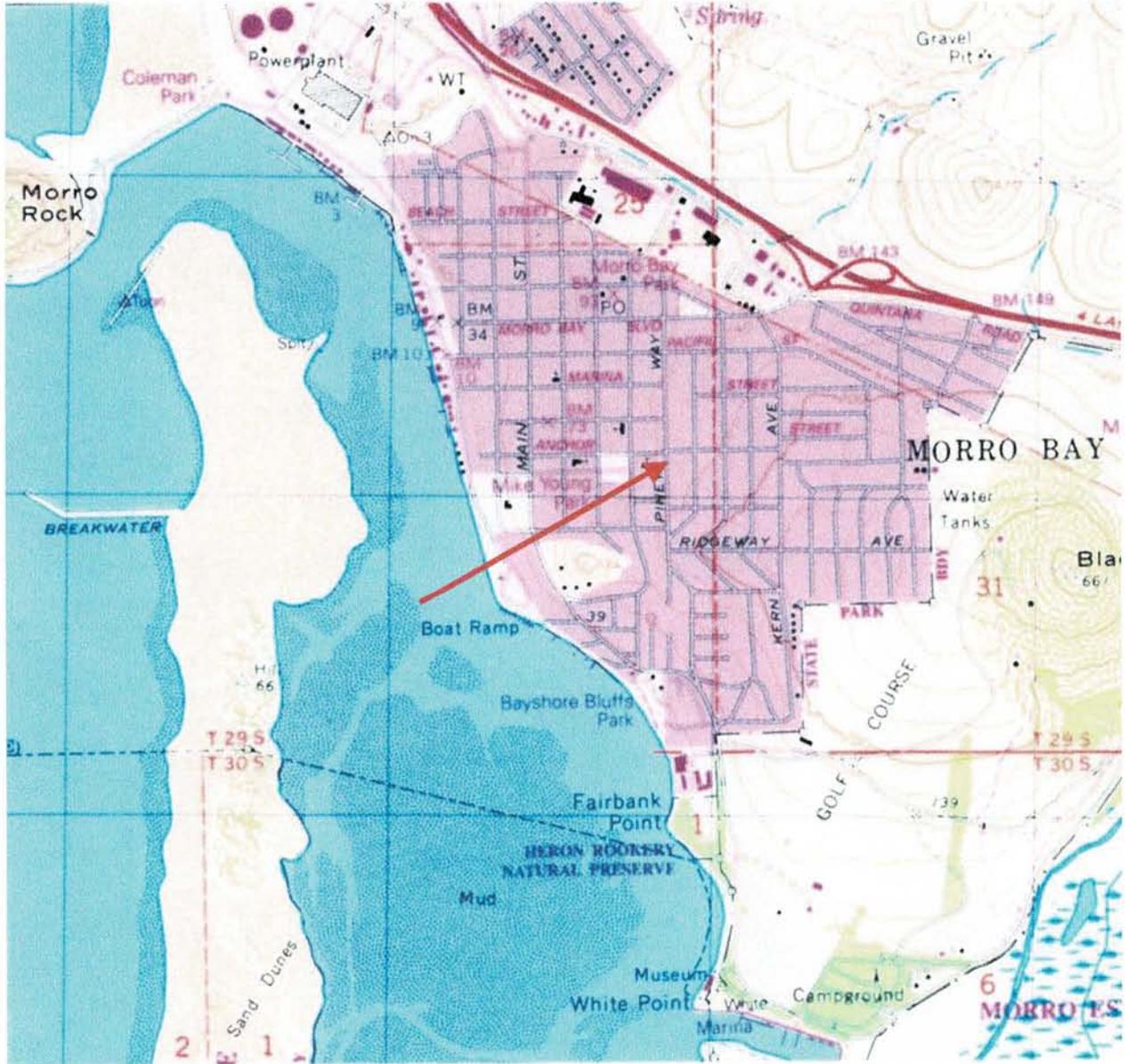
## Newspapers

1889 San Luis Obispo Morning Tribune - Feb. 16

1912 San Luis Obispo Tribune - Weekly - Feb. 27, 1912

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## APPENDIX A: Project Location Maps

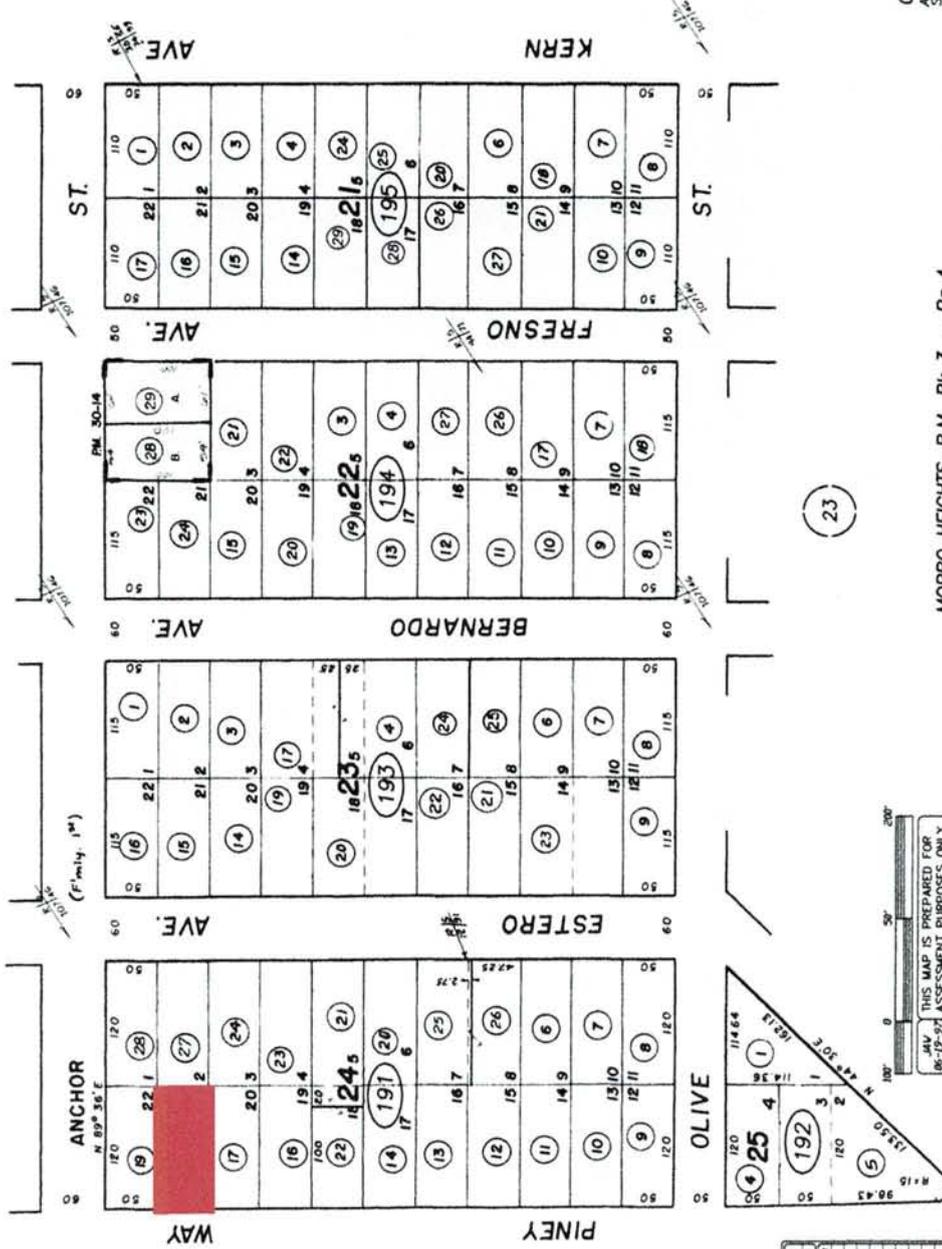


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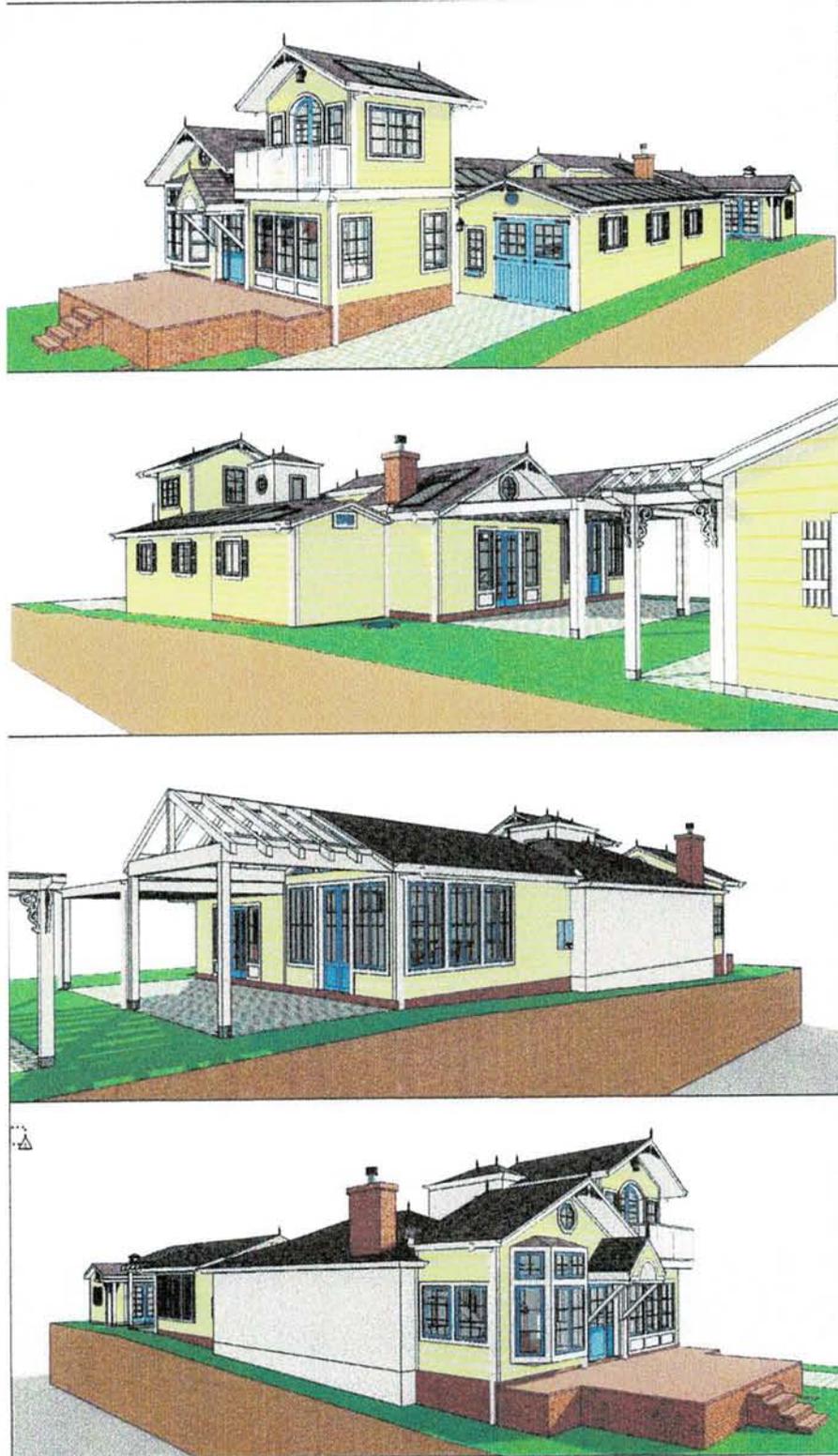
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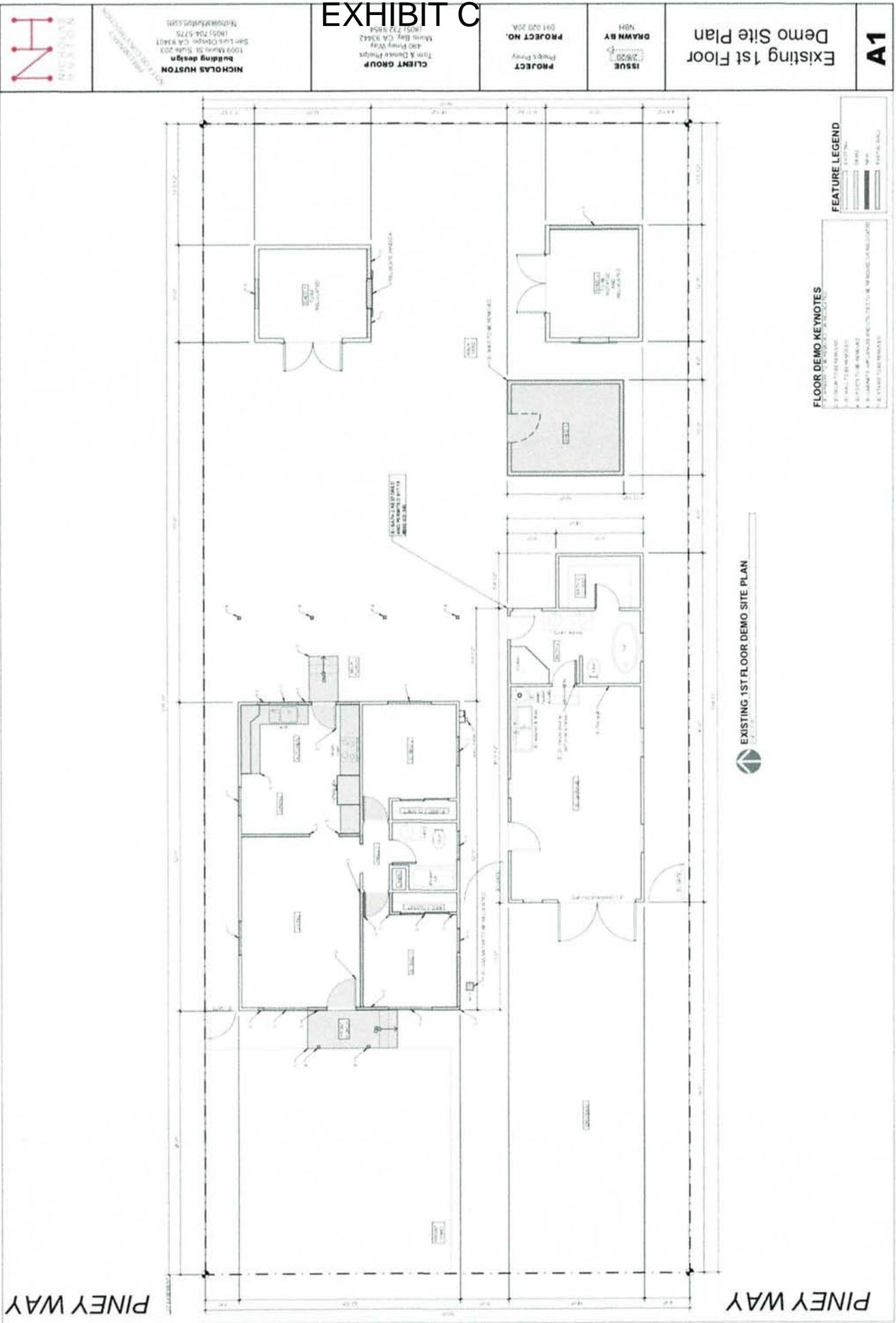
CITY OF MORRO BAY  
ASSESSOR'S MAP, COUNTY OF  
SAN LUIS OBISPO, CA.  
BOOK 86 PAGE 19

MORRO HEIGHTS, R.M. Bk. 3, Pg. 4

# EXHIBIT C

## APPENDIX B: Proposed Project





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 ARCHITECTS  
 1009 Main St Suite 203  
 San Luis Obispo, CA 93401  
 (805) 784-5175  
 nicholas@nhuston.com

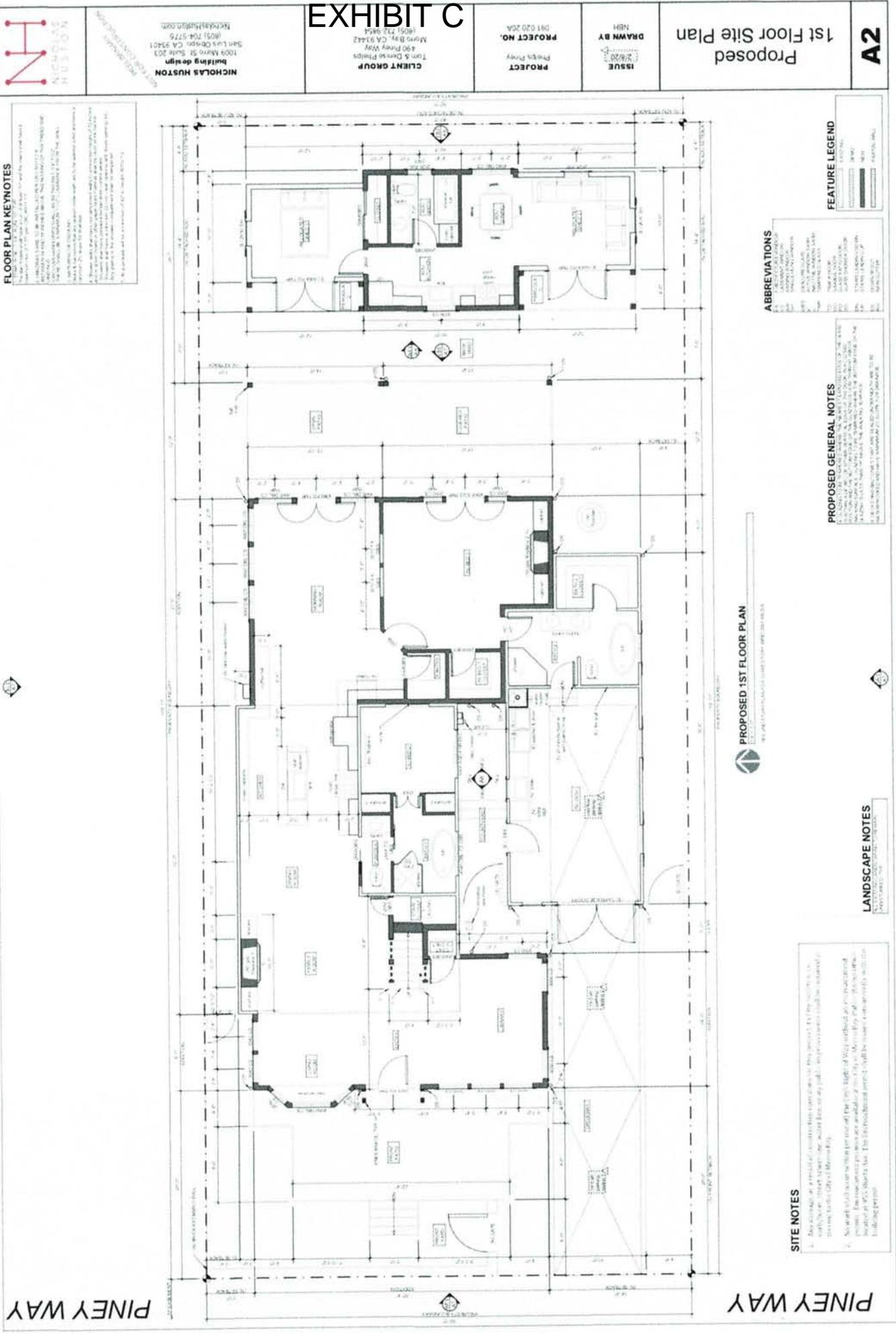
**CLIENT GROUP**  
 Tom & Dianne Phelps  
 480 Piney Way  
 Morro Bay, CA 93442  
 (805) 733-8854

**PROJECT**  
 Phelps' Property  
 091 020 20A

**ISSUE**  
 2/20/21  
 NH

**Demolition**  
 Existing 1st Floor

**A1**



**NICHOLAS MUSEUM**

**NICHOLAS HUSTON**

Building design  
1009 Market St. Suite 203  
San Francisco, CA 94103  
(415) 774-5775  
nicholas@nicholas.com

**CLIENT GROUP**

Tom & Denise Plimms  
490 Piney Way  
Marina Bay, CA 93442  
(805) 773-8854

**PROJECT**

Phelps Project  
DB1 020 25A

**ISSUE**

2/16/21  
DRAWN BY  
NBH

**Proposed 1st Floor Site Plan**

**A2**



# Planning Commission

**PUBLIC HEARING**  
**TO CONSIDER A CONDITIONAL USE PERMIT**  
**(CUP 20-10),**  
**COASTAL DEVELOPMENT PERMIT (CDP20-020)**  
**AND**  
**PARKING EXCEPTION (PKG21-02)**  
**FOR AN ADDITION TO AN EXISTING SINGLE-FAMILY HOME**  
**AT 490 PINEY WAY**

**JULY 6, 2021**



# Existing Site Information



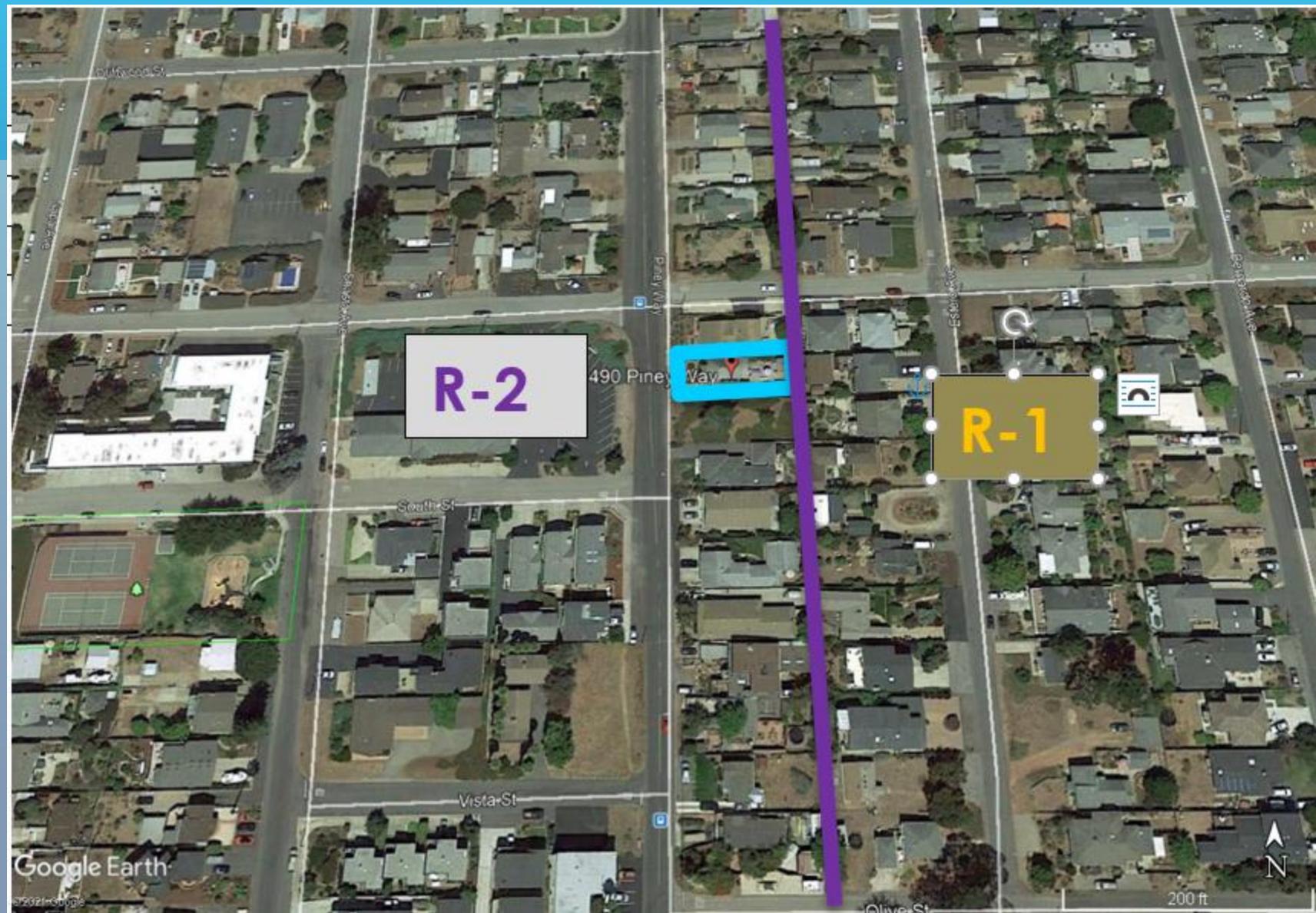
- 6,000 sf site
- R-2 Zoning
- Existing older home (1952) with single car garage
- Existing buildings do not meet criteria as historic resource
- Existing garage will be converted into a JADU



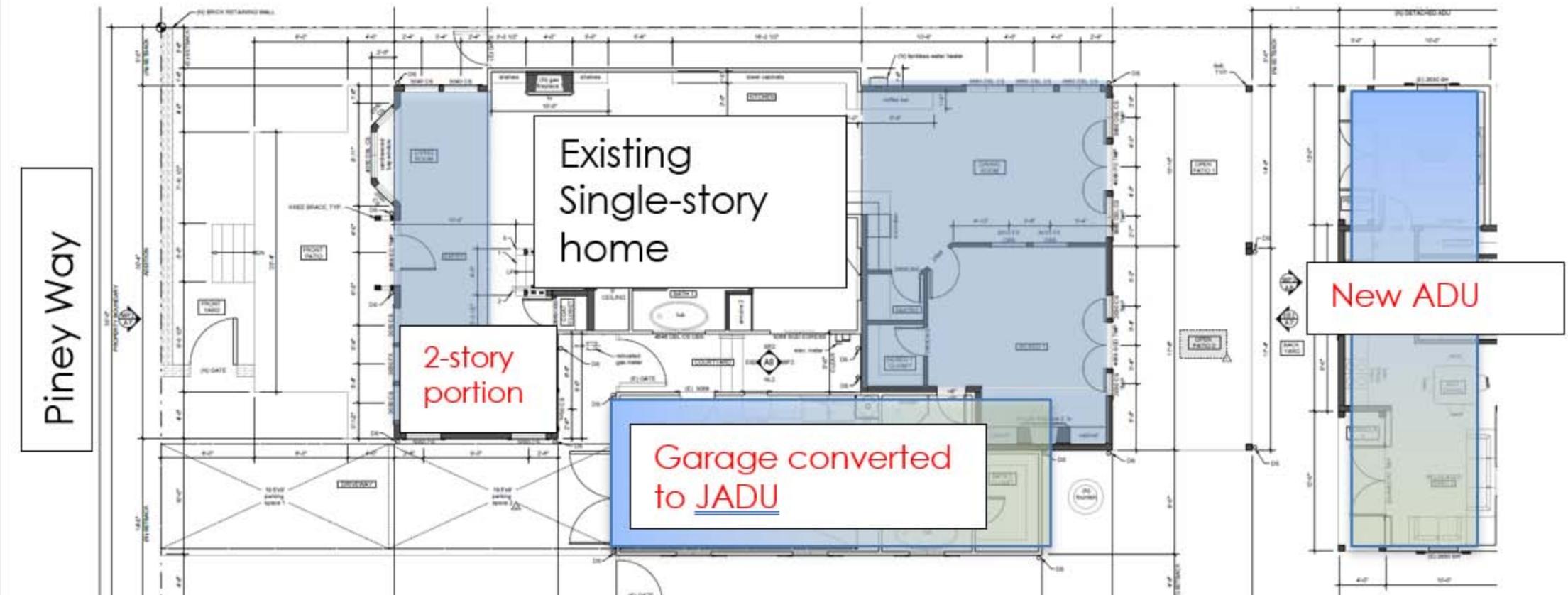
# Zoning/Land Use

R-2 Zoning allows duplex residential with a land area requirement of 2900 sf per dwelling.

Land Use Plan: Area 7 – Central Morro Bay Planning area – allows a mix of commercial and residential.



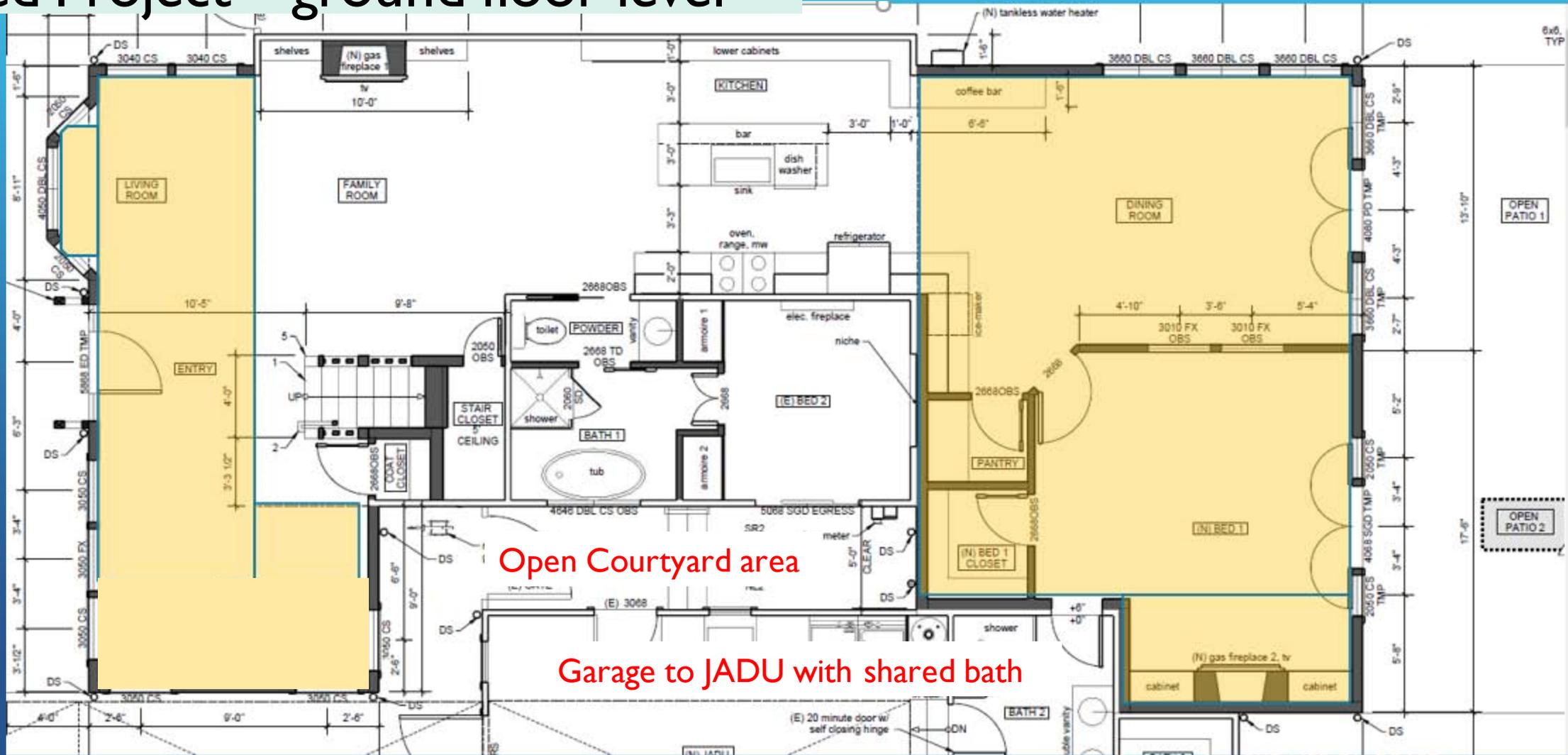
**MORRO BAY**  
PUT LIFE ON COAST



### Approval Processes:

- The existing home is non-conforming as to the parking (i.e. single car garage) and the side yard setbacks.
- The proposed addition (1124 sf) is significantly more than 25% of the existing home (736 sf) and since the home is non-conforming the project requires a discretionary review.

# Proposed Project – ground floor level



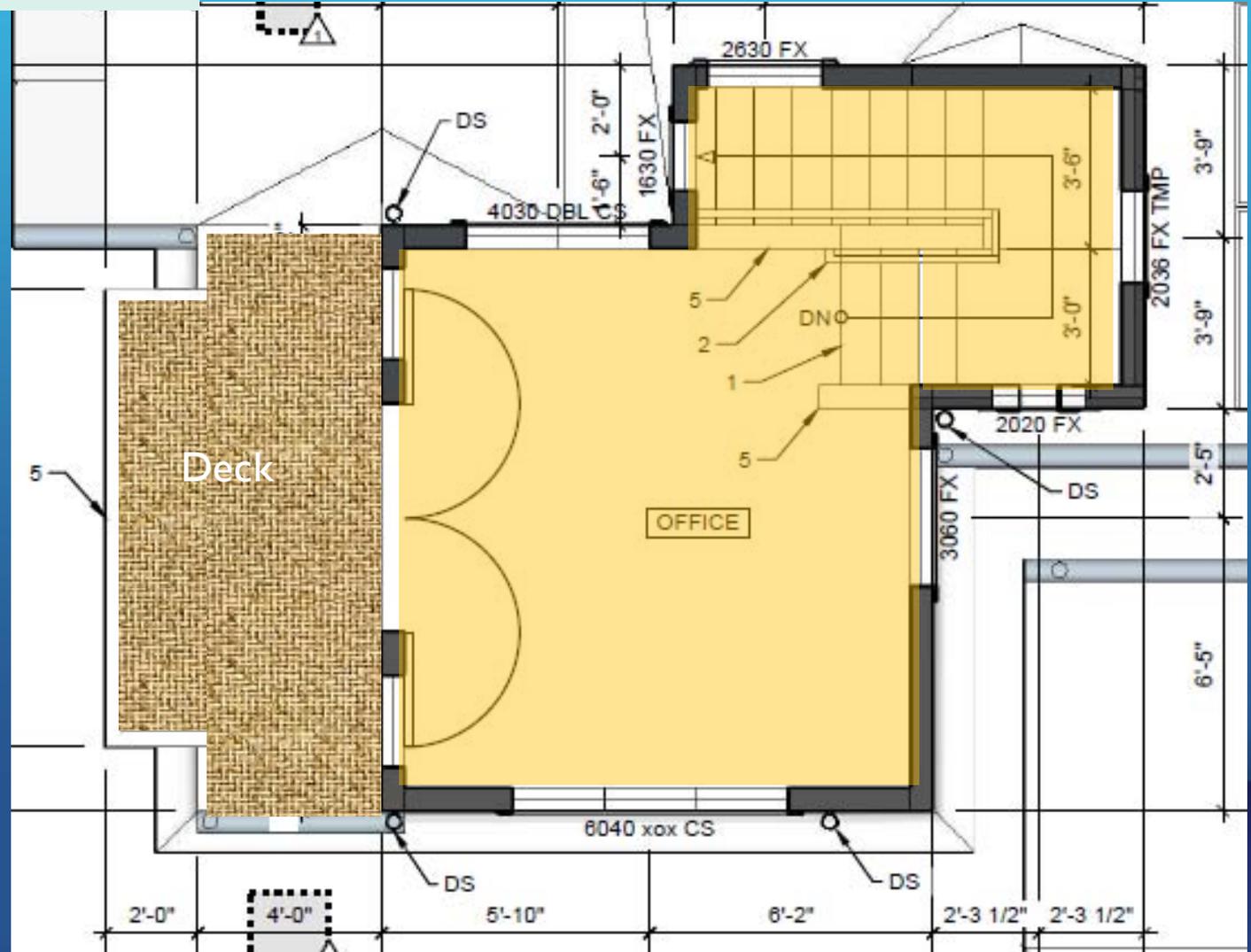
- 970 sf expansion of (e) ground floor
- Connection to (e) bathroom in garage



**MORRO BAY**  
PUT LIFE ON COAST

# Proposed Project– Second Floor

- 154 sf new second floor
- 71 sf deck at 2<sup>nd</sup> floor



# Project street view

# Recent View from Piney Way



# Photo simulation of proposed view from Piney Way



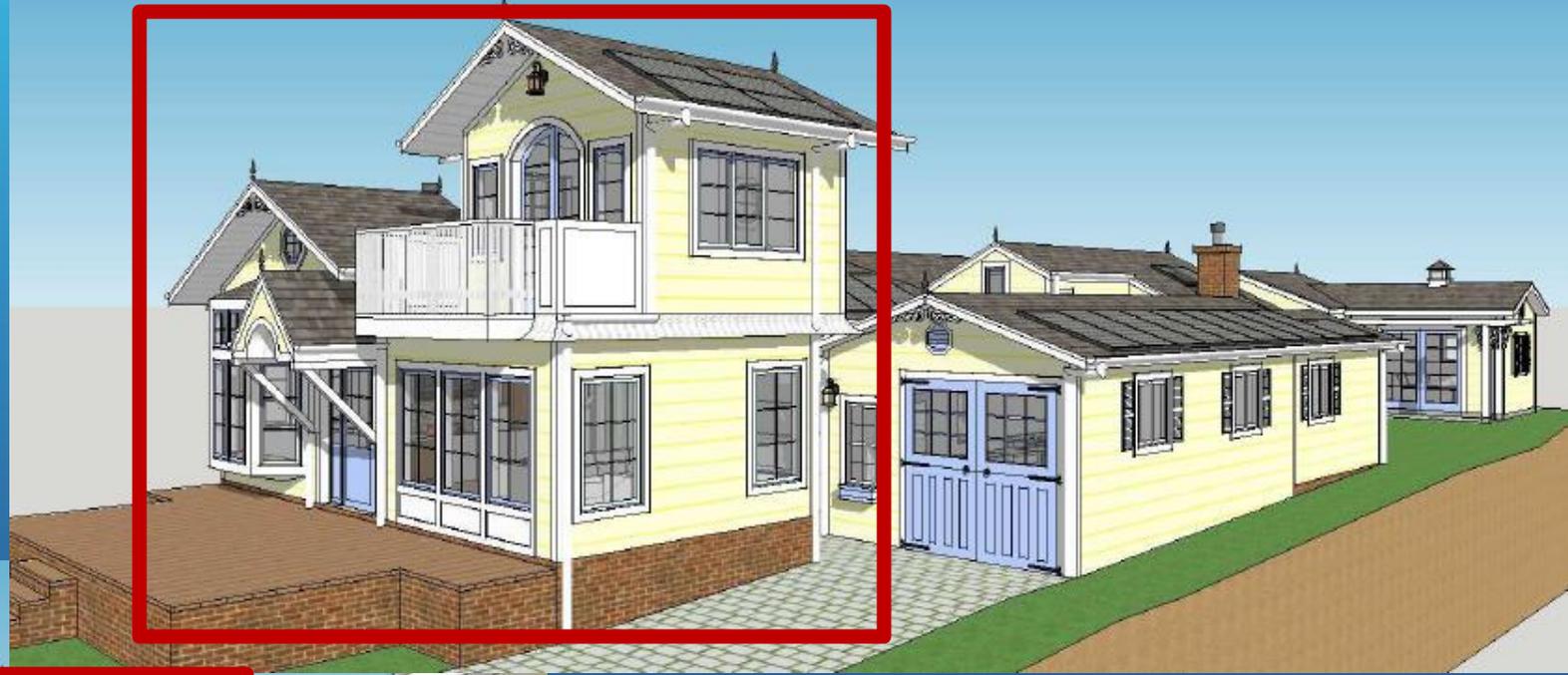
# North and South Elevations - Home

PINEY WAY



# West Elevation

# East Elevation



**MORRO BAY**  
PUT LIFE ON COAST

# City Development Standards

	R-2 Standards	Addition to Project (SFH)
<b>Front Setback</b>	20 feet	20 feet
<b>Side yard Setback</b>	5 feet	New 5 -14 ½ feet (e) home is 3 ½' on the north side and 4 feet 8 inches on the south
<b>Rear Setback</b>	5 feet	38.5 feet
<b>Height (from ANG)</b>	25 Feet	22.5 feet
<b>Lot Coverage</b>	50%	37% (43% with JADU and ADU)
<b>Parking</b>	2 spaces covered/enclosed	2 spaces covered/enclosed

# Neighborhood Compatibility/ Residential Design Guidelines



The neighborhood is primarily older original homes. There is a church across the street and a new home (just completed December 2020) next door on the south side. To the south of the property there are more 2 story homes, to the north, the homes appear to be original single-story homes.

The subject project with the small 2 story component meets the design standards, is an

Staff recommendation is for approval of Conditional Use Permit(CUP 20-10), Coastal Development Permit(CDP 20-020) and Parking Exception (PKG21-02) pursuant to the findings and conditions of approval included in Planning Commission Resolution 13-21



**MORRO BAY**  
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AGENDA NO: B-2

MEETING DATE: July 6, 2021

# Staff Report

**TO:** Planning Commissioners

**DATE:** July 1, 2021

**FROM:** Nancy Hubbard, Contract Planner

**SUBJECT:** Major Modification (MAJ21-003) to Coastal Development (CDP19-008) and Parking Exception (PKG21-06) to approve a 700-sf addition to the existing home, a major remodel of the interior of the existing home, outdoor hardscape improvements adding a walkway, a patio and decks and to acknowledge the existing non-conforming garage and provide for an additional open and uncovered parking space. The site is in the R-1/S2.A zoning/overlay area and is located within the appeals jurisdiction of the California Coastal Commission.



**APPLICANT:**

Wally Auerbach, Owner

Prepared By: \_\_NH\_\_

Department Review: \_\_\_\_\_

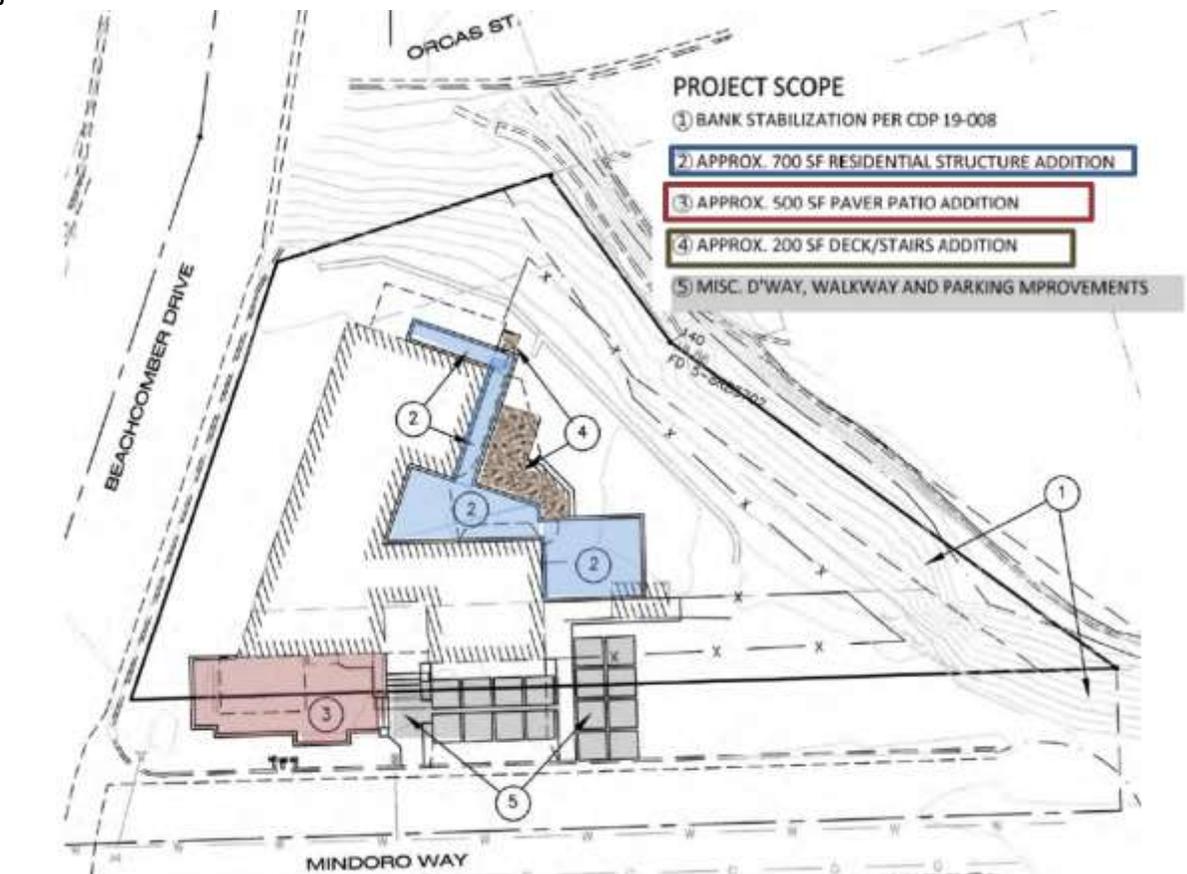
**SITE LEGAL DESCRIPTION/APN:**

065-111-029

8,500 sf irregularly shaped parcel

**PROJECT DESCRIPTION:**

The project includes a 700-sf addition to the existing 1,389 sf of conditioned space in the existing circa 1972 home. The project also includes a major interior remodel of the existing home and the addition of outdoor hardscape improvements adding a walkway, a patio and decks. Some of the hardscape improvements are located within the public right of way, but have been approved by public works subject to a special encroachment permit. The existing home is non-conforming as to the interior space within the existing garage and the exterior side yards along Orcas Street and Mindoro Way. The non-conforming usable interior space in the garage triggers the need for a parking exception. The original CDP19-008 that is being modified to include this additional scope includes a bank stabilization project. The approved bank stabilization project is not affected by this additional scope and can proceed without revision. The property is located in the R-1/S.2A zoning district. The site is within the appeals jurisdiction of the California Coastal Commission.



**REVIEW PROCESS REQUIREMENTS:**

Discretionary Review Requirement: The project requires a discretionary review and decision by Planning Commission because the existing home is non-conforming as to the interior space in the existing 2 car garage and two exterior side yard setbacks. The proposed addition is greater than 25% of the size of the original home (700 sf addition to an existing 1389 sf home), which requires a discretionary review and Planning Commission approval. This project had a recently approved Coastal Development Permit and that is being amended to meet this requirement.

**Findings for Expansions of an existing non-conforming structure**

The project proposes additions in excess of 25% of the existing floor area of the original home. As required in MBMC 17.56.160, Additions and structural alterations to non-conforming structures occupied by conforming uses must meet the following findings:

1. The expansion is in conformance with this title meeting all the required development standards and not worsening the non-conforming aspects (exterior side yard setbacks)
2. The proposed project satisfies all other provisions of this section, including meeting Title 14 requirements for a conforming use.
3. The project is suitable for conforming uses, in fact has been occupied as a conforming use since its construction in 1972.
4. It is not feasible to fix the non-conforming structure without major construction.

Parking Exception: The project requires a parking exception because the existing two car garage is non-conforming as to interior dimensions. Zoning requires parking for 2 cars in a garage (covered and enclosed space) and the garage can technically accommodate only one car. The parking exception is requesting one driveway parking space that is partially within the public right of way.

**PROJECT SETTING:**

The project is in north Morro Bay in the Beach Tract neighborhood. The proposed areas for exterior additions or changes to the exterior façade of the original home are on the north and easterly portions of the existing home. The proposed changes do not create or worsen the minor non-conforming setback on the north side of the home which involves about 1.5 feet of the NW corner of the existing home and there is no expansion on the south side along the Mindoro Way. Exterior hardscape and landscape improvements will also occur in the north and easterly sides of the home as well as on the south side along Mindoro Way, partially in the public right of way.



The subject property is located on Beachcomber Drive between Orcas Street and Mindoro Way. West of the property is Beachcomber Drive with a RV camping site and beach parking. The site is further constrained by the unnamed drainage ditch that runs along the easterly property line. The proposed improvements do not interfere with the drainage ditch or the drainage easement area.

**ZONING:** The project is in a Single Family Residential (R-1) zone. It is also subject to the provisions of the S.2A special treatment overlay area. Special treatment overlay areas include differing development standards related to site within a unique areas of the city. In this case, the S.2A allows for reduced setbacks for frontages and side streets, but restricts development to single story.

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

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

<b>General Plan, Zoning Ordinance &amp; Local Coastal Plan Designations</b>	
General Plan/Coastal Plan Land Use Designation	Plan Area 1 – North Morro Bay – concerns relate to housing rehabilitation and neighborhood compatibility of new development.
Base Zone District	Single-Family Residential (R-1)
Zoning Overlay District	n/a
Special Treatment Area	S.2A Overlay Zone
Coastal Zone	Located in the Coastal Commission Appeals Jurisdiction
Bluff Property	n/a

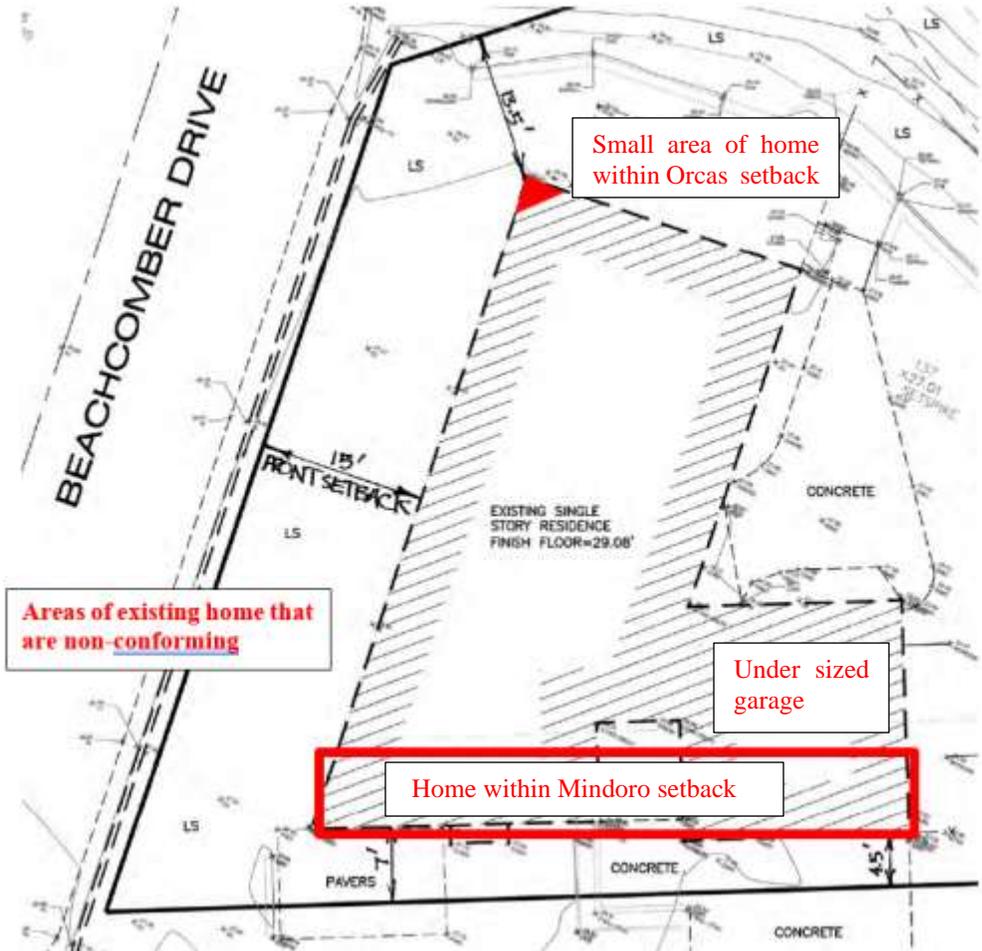
**SITE HISTORY:**

- The home was built in 1972 originally a 1389 sf, 2 bedroom/2 bath home with an attached 412 sf garage.
- The front entryway was closed in as a sun porch totaling 107sf prior to 2007.
- July 16, 2019, the bank stabilization project was approved.



**PROJECT DEVELOPMENT STANDARDS:**

Description of Standard	R-1/S.2A Standards	Addition to Project (SFH)
Front Setback (Beachcomber)	15 feet	15 feet
Exterior Side-yard at Orcas	15 feet	NW corner of home is 13.5 feet, majority is 15 feet or more
Exterior side-yard at Mindoro	15 feet	Home is setback 7 feet; garage is 4.5 feet
Rear Setback	5 feet	22.5 feet
Height (from ANG)	14-17 Feet	Existing home is 14'2" feet, proposed addition is 13 feet
Lot Coverage	50%	29.4%
Parking	2 spaces covered/enclosed	1 open space and 1 covered/enclosed



**PARKING EXCEPTION:**

The applicant is requesting a parking exception to allow one parking space in the driveway. The original home has a 2-car garage, but a water heater and a washer and dryer have been installed along the wall in the garage reducing the interior space so it cannot accommodate the required 20x20 clear space to allow parking of two cars.

Pursuant to Section 17.44.050, the Planning Commission can grant a parking exception upon the following 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.*

Staff response: This project's design for on-site parking is similar to other existing properties in the area, including parking which extends into the public right of way (not in the street, but in the unused ROW). This condition has been reviewed and approved by public works. Staff does not believe a parking exception would be a grant of special privilege.

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

Staff Response: Parking in the driveway is an existing condition and due to the equipment installed in the interior of the garage building. As such, approval of the parking exception is not a change, but authorization of an existing condition.

3. *The exception is reasonably necessary for the applicant's full enjoyment of uses like those upon the adjoining real property.*

Staff Response: The project has site constraints (i.e. three sides are street frontage, and the fourth side is a drainage creek) along all property lines. Parking in the driveway is an existing condition for this property and has been improved through the exterior improvement included in this project.

**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 1e for modifications to existing residential dwellings. Additionally, none of the Categorical Exemption exceptions, noted under Section 15300.2, apply to the project.

**PUBLIC NOTICE:**

Notice of a public hearing on this item was published in the San Luis Obispo Tribune newspaper on June 25, 2021, and all property owners of record and occupants within 500 feet of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application.

Illustration of completed home from Mindoro Way.



**CONCLUSION:**

The project, as proposed, is consistent with all required development standards of the Zoning Ordinance, meets the criteria for additions to non-conforming residential properties and is in compliance with the provisions of the General Plan and Local Coastal Plan with incorporation of the recommended conditions of approval.

**RECOMMENDATION:**

Staff recommends that the Planning Commission conditionally approve the requested Major Modification (MAJ21-003) to the previously approved Coastal Development Permit (CDP19-008) at 3200 Beachcomber as shown on the project plans date stamped April 28, 2021 by adopting Planning Commission Resolution 14-21.

**EXHIBITS:**

Exhibit A – Planning Commission Resolution 14-21

Exhibit B – Plans dated April 28, 2021.

# EXHIBIT A

## RESOLUTION NO. PC 14-21

### A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION FOR APPROVAL OF A CONDITIONAL USE PERMIT MAJOR MODIFICATION MAJ21-003 (TO EXISTING COASTAL DEVELOPMENT PERMIT CDP19-008 AND PARKING EXCEPTION PKG21-06 FOR THE PROPOSED ADDITION TO AN EXISTING RESIDENTIAL DWELLING AT 3200 BEACHCOMBER DRIVE

**WHEREAS**, the Planning Commission of the City of Morro Bay (the “City”) conducted a public hearing via video conference on July 6, 2021, for the purpose of considering approval of a Major Modification (MAJ21-003) to existing CDP19-008 and Parking Exception PKG21-06 for an addition to an existing single-family home (“Project”); and

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

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

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

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

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

#### California Environmental Quality Act (CEQA)

Pursuant to the California Environmental Quality Act, the project meets the requirements for a Categorical Exemption under CEQA Guidelines Section 15301 Class 1e (additions to existing structures). Additionally, none of the Categorical Exemption exceptions, noted under Section 15300.2, apply to the project.

#### Coastal Development Permit findings

1. The project is consistent with the General Plan and Local Coastal Program (LCP) that specifically identifies this area for single family residential uses.
2. The project is in compliance with the zoning code and related overlay areas, which encourages low density residential projects.
3. The project is in compliance with the General Plan and certified Local

# EXHIBIT A

Coastal Program and will not be detrimental to the health, safety, and general welfare of persons residing or working in the surrounding neighborhood.

## Findings for Expansions of an existing non-conforming structure

The project proposes additions in excess of 25% of the existing floor area of the original home. As required in MBMC 17.56.160, Additions and structural alterations to non-conforming structures occupied by conforming uses require a conditional use permit and must meet the following findings:

1. The expansion is in conformance with this title meeting all the required development standards and not worsening the non-conforming aspects ( exterior side yard setback on Orcas and Mindoro) and undersized garage.
2. The proposed project satisfies all other provisions of this section, including meeting Title 14 requirements for a conforming use.
3. The project is suitable for conforming uses, in fact has been occupied as a conforming use since its construction in 1972.
4. It is not feasible to fix the non-conforming structure without major construction and a financial burden.

## Residential Design Guideline Compliance

The proposed project is consistent with the neighborhood compatibility and design guidelines in the following design elements:

1. The frontage view will not change since the addition is all done at the back of the existing home.
2. The entry to the home will be enhanced with a new walkway and other exterior improvements.

## 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 alternative parking design standards of this chapter will be adequate to accommodate the 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. The exception is reasonably necessary for the Applicant's full enjoyment of the proposed use and is reflective of an existing condition.

**Section 2: Action.** The Planning Commission does hereby approve Major Modification MAJ21-003 and Parking Exception (PKG21-06) with the following conditions of approval supported by the above findings.

## **STANDARD CONDITIONS**

1. This permit is granted for a Major Modification MAH21-003 to an existing Coastal Development Permit (CDP19-008) and Parking Exception (PKG21-06) to approve a 700-sf addition to the existing 1,389 sf circa 1972 home. The project also includes a major interior remodel of the existing home and the addition of outdoor hardscape improvements adding a walkway, a patio

# EXHIBIT A

and decks. The original CDP19-008 that is being modified to include this additional scope includes a bank stabilization project. The approved bank stabilization project is not affected by this additional scope and can proceed without revision. The property is located in the R-1/S.2A zoning district. The site is within the appeals jurisdiction of the California Coastal Commission.

2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use approved in this permit approval 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 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

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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.
8. Extension of the expiration of CDP19-008: With the approval of the Major Modification MAJ21-03, the previously approved CDP19-008 permit timeframe will be extended and shall be inaugurated within 2 years of the date of this approval, or extended. See above for requirements of inauguration of the permits.

## **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 *for both this permit and the original Coastal Development Permit* 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.

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5. Architecture: Building color and materials shall be consistent with the color and materials represented on plans approved by the Planning Commission and should be called out on the building permit plan set. Changes to materials and colors should be submitted for review and approval by the Director.
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 Director. A copy of the surveyor's Form Certification based on a boundary survey shall be submitted with the request for foundation inspection.
7. Hot Tubs and Spas: Installation of a hot tub requires compliance with the MBMC Section 17.48.150 related to setbacks and filter and heating systems and Section 17.48.100 D.5. related to fencing. Building permit plans submitted should include adequate detail for compliance review.
8. Fence heights in setbacks: Fencing and walls within the setback areas along Mindoro Way, Beachcomber Drive and Orcas St must be no more than 3 feet in height if solid and 4 feet in height if 50% open to light and air. Fencing outside of the street setback areas can be a maximum height of 6 feet 6 inches. Building permit plans should provide adequate detail for review.

## **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.

# EXHIBIT A

- 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.
- 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.

# EXHIBIT A

- 2.) **ARCHAEOLOGICAL MATERIALS:** In the event unforeseen archaeological resources are unearthed during any construction activities, all grading and or excavation shall cease in the immediate area and the find left untouched. The Building Official shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, Native American, or paleontologist, whichever is appropriate. The qualified professional shall evaluate the find and make reservations related to the preservation or disposition of artifacts in accordance with applicable laws and ordinances. If discovered archaeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the Building Official shall notify to county coroner. If human remains are found to be of ancient age and of archaeological and spiritual significance, the Building Official shall notify the Native American Heritage Commission. The developer shall be liable for costs associated with the professional investigation.
- 3.) **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.

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- 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:**

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](http://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. **Detailed Erosion and Sediment Control Plan:** Required for sites greater than 1/2 acre, or for building or other site disturbance proposed on slopes over 15%, or for projects located within critical areas. The Plan shall show control measures to provide protection against erosion of adjacent property and prevent sediment or debris from entering the City right of way, adjacent properties, any harbor, waterway, or ecologically sensitive area. It must include a written narrative, detailed site plan, typical drawing and details.
4. **Grading and Drainage:** Indicate on plans the existing and updated contours, drainage patterns, spot elevations, finish floor elevation and all existing and

# EXHIBIT A

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. Include sizes where appropriate. Note the location of all overhead utilities and construction underground service entrances per the CBC.
6. Retaining Wall within City Right-of-way: Proposed 18” high Allen block wall, steps and any existing vertical structures within the City’s right-of-way require a “Special Encroachment Permit Agreement”. For “Special Encroachment Permit Agreement”, complete the attached instructions. (MBMC 8.14.020)
7. Flood Zone Requirements: A Flood Hazard Development Permit is required. This proposed project is located within a Zone A Special Flood Hazard Area (SFHA). The City’s Flood Damage Prevention Ordinance (MBMC Chapter 14.72) describes the requirements. Pertinent requirements include, but are **not** limited to:
  - a) A Flood Hazard Development Permit is required.
  - b) Adverse Effects: The proposed development does not adversely affect the carrying capacity of the channel. For purposes of this title, "adversely affects" means that the cumulative effect of the proposed development when combined with all other existing and anticipated development will increase the water surface elevation of the base flood more than one foot at any point within the city of Morro Bay.
  - c) Notifications of Other Agencies: Alteration or relocation of a watercourse:
    - i. Notify adjacent communities and the California Department of Water Resources prior to alteration or relocation,
    - ii. Submit evidence of such notification to the Federal Emergency Management Agency and the City.
    - iii. Assure that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained;
8. Hydrologic and Hydraulic Report Requirements: A hydrologic and hydraulic report sealed by a registered civil engineer is required. Hydrologic data for this reach may be available from FEMA, and if so, it is the responsibility of the design engineer to obtain it.

Add the following Notes to the Plans:

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

# EXHIBIT A

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 any work within the City's right-of-way.
- 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.

## **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).
  - a. *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.
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 NFPA720 and the manufacturer's instructions (CRC R315.2)

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 6th day of July 2021 on the following vote:

AYES:

NOES:

ABSENT:

# EXHIBIT A

Planning Commission Resolution 14-21  
MAJ21-003/PKG21-06, 3200 Beachcomber  
Page 11

ABSTAIN:

\_\_\_\_\_  
Chairperson Stewart

ATTEST

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

The foregoing resolution was passed and adopted on this 6th day of July 2021.

# AUERBACH-GUSTAFSON RESIDENTIAL RENOVATION

## 3200 BEACHCOMBER DRIVE, MORRO BAY, CA.

### AN AMENDMENT OF CDP 19-008



#### SYMBOLS LEGEND

-x-	FENCE LINE	[Symbol]	RETAINING WALL
-ss-	SEWER MAIN	[Symbol]	PG&E BOX
-w-	WATER MAIN	[Symbol]	GAS METER
-g-	GAS MAIN	[Symbol]	TELEPHONE BOX
-etc-	ELEC./TELEPHONE/CABLE	[Symbol]	SIGNAL BOX
-ohc-	OVERHEAD ELECTRIC	[Symbol]	CABLE T.V. BOX
[Symbol]	DROP INLET AT CURB	[Symbol]	ELECTRIC BOX
[Symbol]	DROP INLET	[Symbol]	TELEPHONE MANHOLE
[Symbol]	STORM DRAIN MANHOLE	[Symbol]	STREET LIGHT
[Symbol]	FIRE HYDRANT	[Symbol]	JOINT POLE
[Symbol]	WATER WELL	[Symbol]	POWER POLE
[Symbol]	WATER VALVE	[Symbol]	GUY WIRE
[Symbol]	WATER METER		
[Symbol]	SEWER MANHOLE		
[Symbol]	SEWER CLEANOUT		

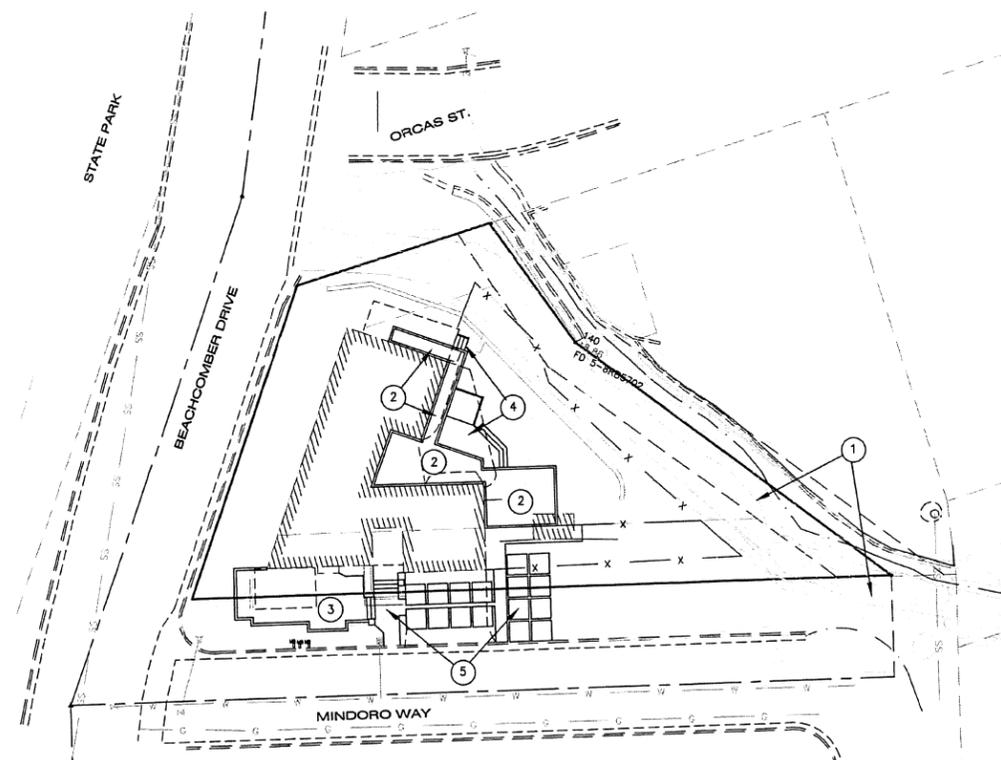
#### ABBREVIATIONS

AC	ASPHALT CONCRETE	IP	IRON PIPE
AP	ANGLE POINT	GB	GRADE BREAK
BM	BENCH MARK	GM	GAS METER
BLDG	BUILDING	HP	HIGH POINT
BOW	BACK OF WALK	LT	LIGHT
CB	CATCH BASIN	LS	LANDSCAPING
CF	CURB FACE	MH	MANHOLE
CO	CLEAN OUT	PP	POWER POLE
COL	COLUMN	PVC	POLYVINYL PIPE
COR	CORNER	RB	REBAR
CONC	CONCRETE	RCP	REINFORCED CONCRETE PIPE
CMP	CORRUGATED METAL PIPE	R10	CANOPY RADIUS
CMU	CONCRETE MASONRY UNITS	SD	STORM DRAIN
CRN	CROWN OF STREET	SL	POINT ON SLOPE
DI	DROP INLET	SS	SEWER
EG	EXISTING GRADE	STP	STEP
EP	EDGE OF PAVEMENT	STR	STAIRS
FD	FOUND	TOP	TOP OF SLOPE
FL	FLOW LINE	TOE	TOE OF SLOPE
FF	FINISH FLOOR	TW	TOP OF WALL
FW	FACE OF WALL	W	WATER
HSE	HOUSE COR	WL	WALL
GR	GRASS	WM	WATER METER
GM	GAS METER	WV	WATER VALVE
IP	IRON PIPE		

DI-1.5FL TOP OF GRATE -1.5' FLOW LINE

#### PROJECT SCOPE

- ① BANK STABILIZATION PER CDP 19-008
- ② APPROX. 700 SF RESIDENTIAL STRUCTURE ADDITION
- ③ APPROX. 500 SF PAVER PATIO ADDITION
- ④ APPROX. 200 SF DECK/STAIRS ADDITION
- ⑤ MISC. D'WAY, WALKWAY AND PARKING IMPROVEMENTS



#### PROJECT INFORMATION

OWNER AND APPLICANT:  
 WALTER AUERBACH AND CINDY GUSTAFSON  
 PO BOX 7571  
 TAHOE CITY, CA. 96145

PLANS PREPARED BY:  
 WALTER AUERBACH, OWNER  
 DAVID BROWN, A.I.A.

PROJECT ADDRESS: 3200 BEACHCOMBER DRIVE

APN: 065-111-029

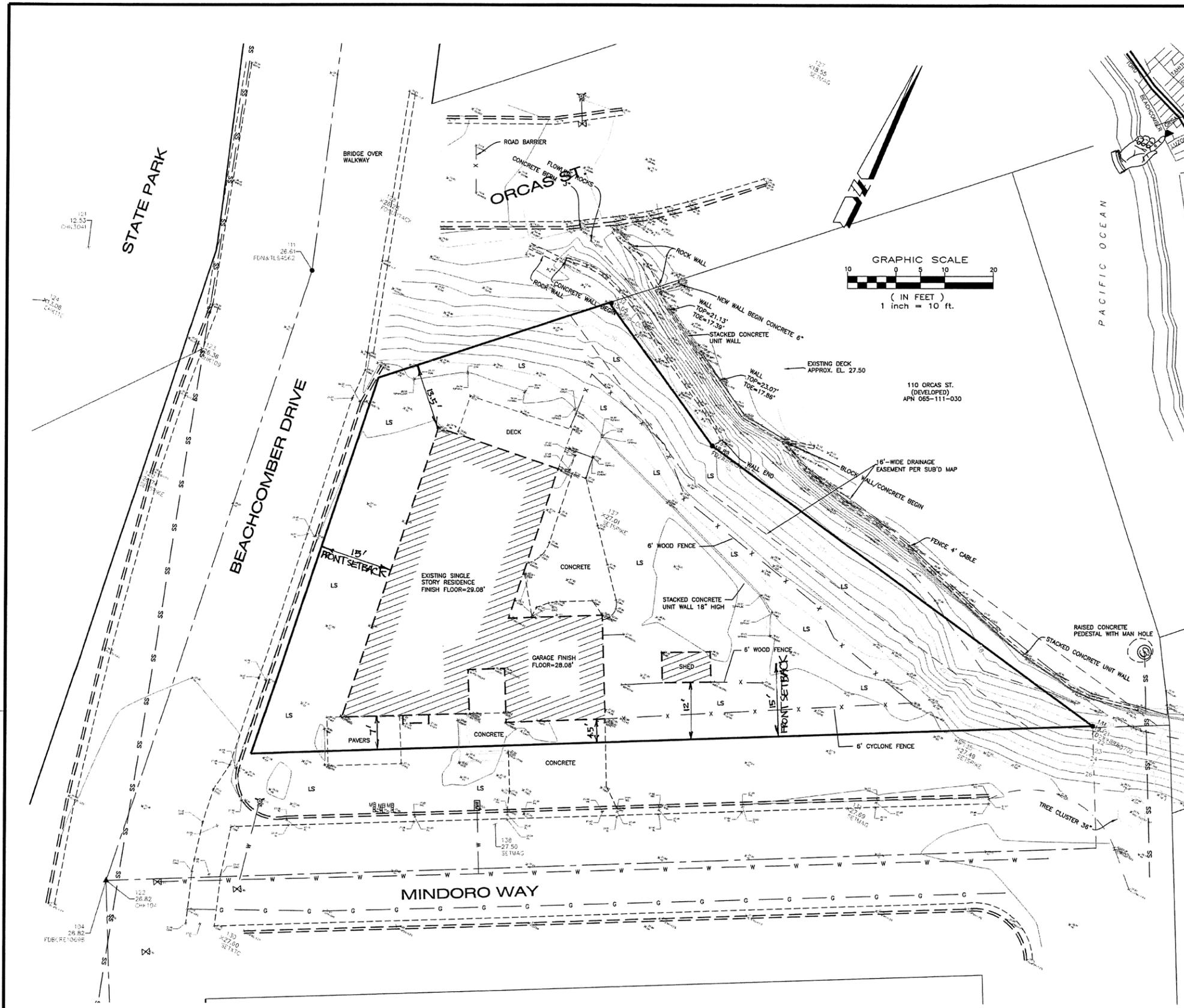
LEGAL DESC: LOT 1, BLOCK 6, TRACT 81

PARCEL AREA: 8,844 SF

ZONING: R1/S.2.A

#### SHEET INDEX

1. TITLE PAGE
2. EXISTING CONDITIONS SITE PLAN
3. PROPOSED SITE PLAN
4. EXISTING FLOOR PLAN
5. PROPOSED FLOOR PLAN
6. ELEVATIONS



**SYMBOL LEGEND:**

X	FENCE LINE	⊠	RETAINING WALL
SS	SEWER MAIN	⊠	PO&E BOX
W	WATER MAIN	⊠	GAS METER
G	GAS MAIN	⊠	TELEPHONE BOX
⊠	ELEC./TELEPHONE/CABLE	⊠	SIGNAL BOX
⊠	OVERHEAD ELECTRIC	⊠	CABLE T.V. BOX
⊠	DROP INLET AT CURB	⊠	ELECTRIC BOX
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**ABBREVIATIONS**

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FW	FACE OF WALL	W	WATER
HSE	HOUSE COR	WL	WATER METER
GR	GRASS	WM	WATER METER
GM	GAS METER	WV	WATER VALVE
IP	IRON PIPE		

DI-1.5FL TOP OF GRATE -1.5' FLOW LINE

**SURVEYOR'S STATEMENT:**

THIS MAP REPRESENTS A FIELD SURVEY OF SURFACE FEATURES AND ELEVATIONS PERFORMED BY MBS LAND SURVEYS, INC. ON MAY 20, 2015.

MICHAEL B. STANTON, PLS 5702 DATE  
 THIS MAP REPRESENTS A FIELD SURVEY OF SURFACE FEATURES AND ELEVATIONS PERFORMED ON MAY 20, 2015.

**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 1-800-842-2444 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 BOUNDARY LINES SHOWN HEREON WERE COMPILED FROM RECORD INFORMATION (I.E. RECORDED MAPS OR DEEDS) AND ARE NOT INTENDED TO REPRESENT THE TRUE OR ACTUAL BOUNDARY LINES OF THE SUBJECT PROPERTY. TO DETERMINE THE ACTUAL BOUNDARIES OF THE PARCEL WILL REQUIRE A COMPLETE BOUNDARY SURVEY. THE SETTING OF PROPERTY MONUMENTS AND THE FILING OF A CORNER RECORD OR RECORD OF SURVEY IN CONFORMANCE WITH STATE LAW (LS ACT SEC. 8762). APPROXIMATE DIMENSIONAL TIES FROM THE BOUNDARY LINES SHOWN TO PHYSICAL FEATURES (E.G. BUILDINGS, FENCES, WALLS OR TREES, ETC.) SHOWN ON THIS MAP CAN BE DERIVED BY SCALING THE FINISHED WORK PRODUCT WHICH IS PLOTTED AT THE SCALE INDICATED. HOWEVER, DIMENSIONAL TIES DERIVED DIRECTLY FROM THE DIGITAL PRODUCT (AUTOCAD DRAWING) ARE NOT ACCURATE AND CANNOT BE RELIED UPON FOR DETERMINING BUILDING SETBACKS OR THE PLACEMENT OF ANY PROPOSED NEW CONSTRUCTION. THE LOCATION OF NEW CONSTRUCTION CAN ONLY BE PROPERLY DETERMINED WHEN IT IS BASED ON AN ACTUAL BOUNDARY SURVEY OF THE PARCEL. OTHERWISE, MODIFICATIONS TO THE STRUCTURE MAY BE NECESSARY DURING CONSTRUCTION TO COMPLY WITH AGENCY SETBACK REQUIREMENTS.

**VICINITY MAP**

**UPDATE NOTES:**

THIS MAP WAS UPDATED BY AUERBACH ENGINEERING CORP. IN JANUARY 2021 TO REFLECT EXISTING CONDITIONS ADJACENT TO THE SUBJECT PROPERTY TO THE EAST.

WALTER R. AUERBACH, P.E., RCE #34303 DATE

**BENCH MARK:**

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

**BASIS OF BEARINGS:**

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

**SITE DATA:**

ADDRESS: 3200 BEACHCOMBER  
 ASSESSOR'S PARCEL NO. APN 065-111-029

**TOPOGRAPHIC MAP**

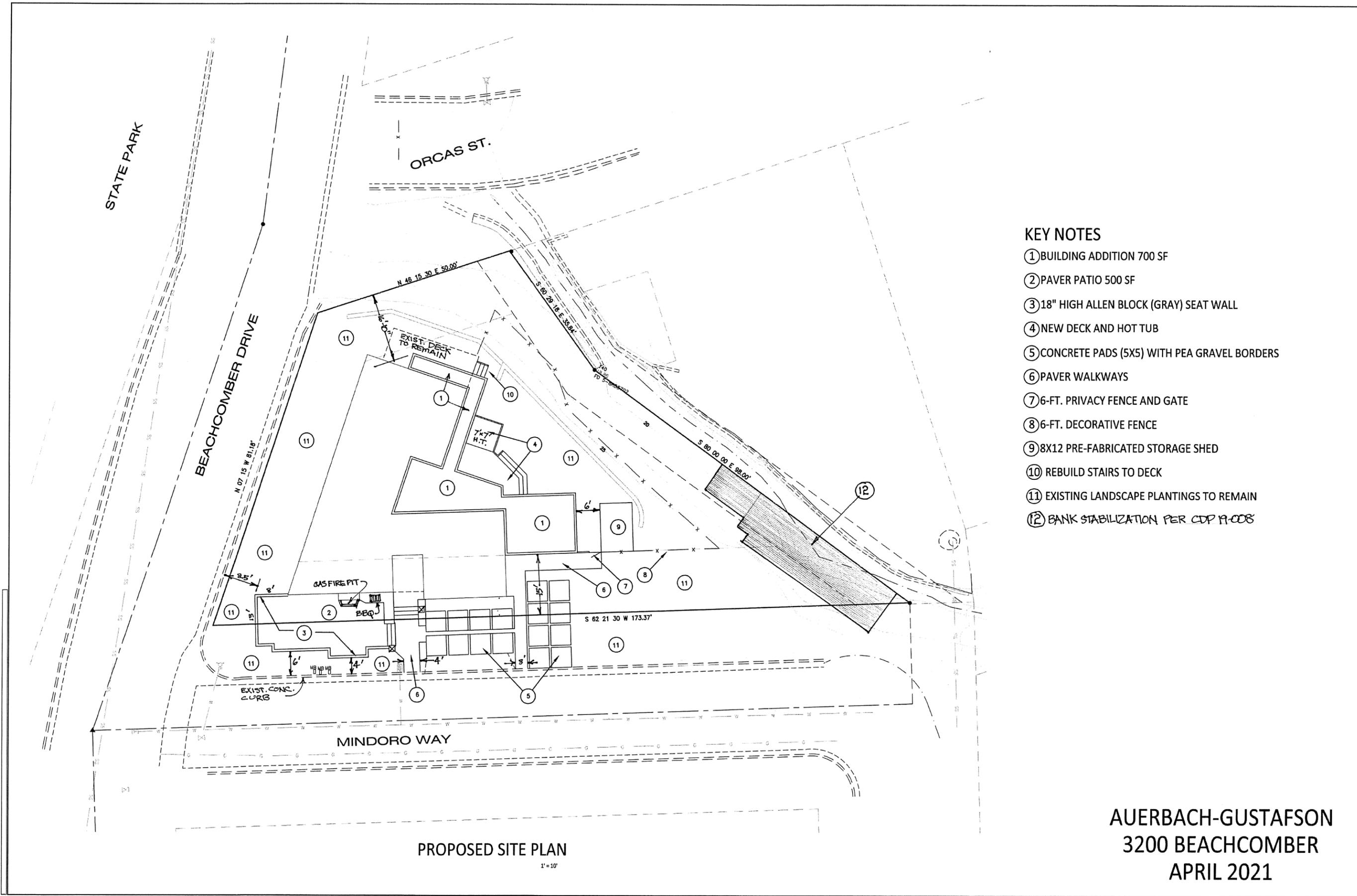
LOT 1 OF BLOCK 6 OF TRACT 81 AS SHOWN ON MAP FILED IN BOOK 5 AT PAGE 111, IN THE CITY OF MORRO BAY, COUNTY OF SAN LUIS OBISPO, CALIFORNIA

AT THE REQUEST OF WALTER AUERBACH

MAY 2015 SCALE: 1"=10'

MICHAEL B. STANTON, PLS 5702  
 3563 SUELDO ST. UNIT Q  
 SAN LUIS OBISPO, CA 93401  
 805-594-1990

JOB No. 15-101



KEY NOTES

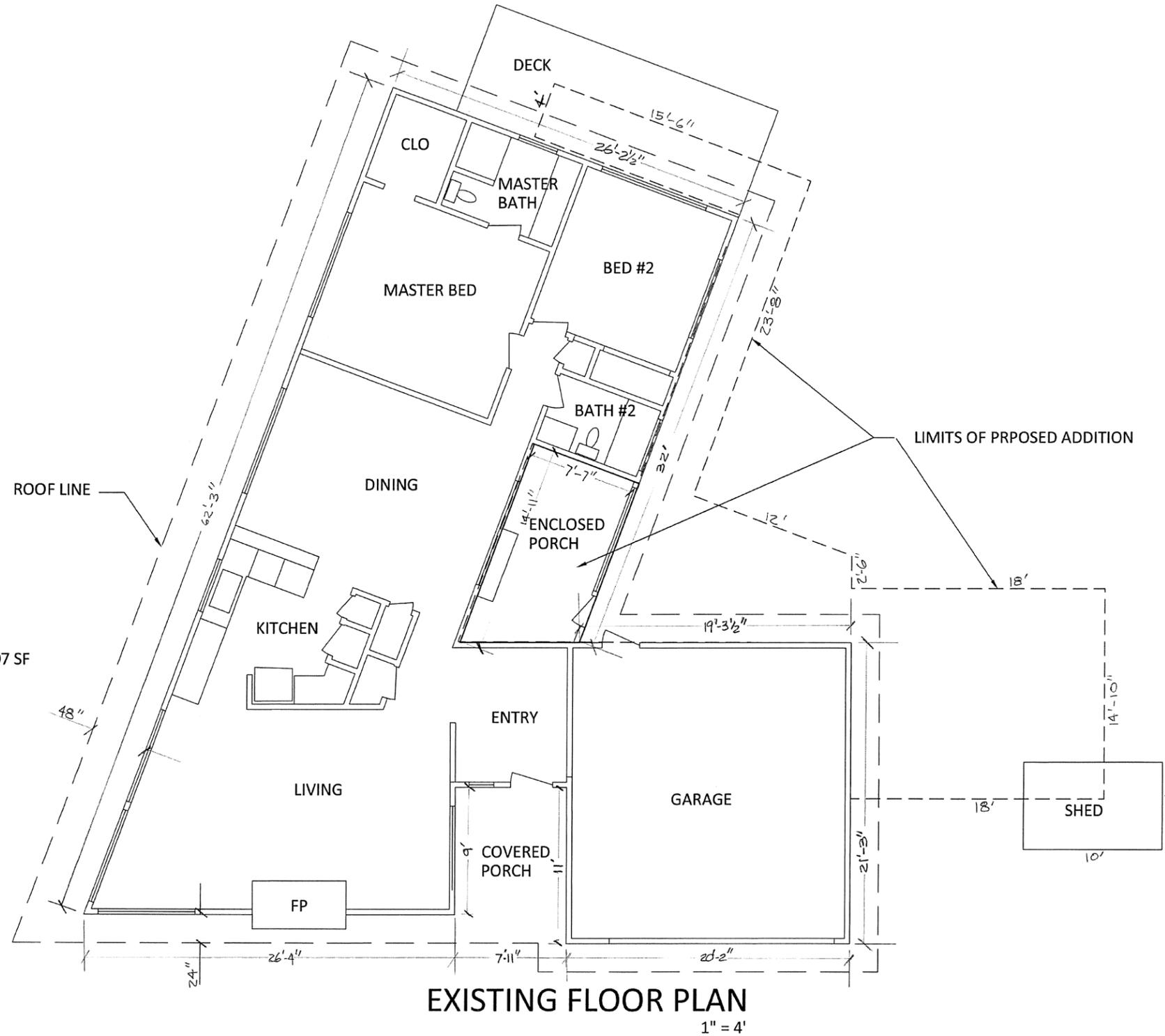
- ① BUILDING ADDITION 700 SF
- ② PAVER PATIO 500 SF
- ③ 18" HIGH ALLEN BLOCK (GRAY) SEAT WALL
- ④ NEW DECK AND HOT TUB
- ⑤ CONCRETE PADS (5X5) WITH PEA GRAVEL BORDERS
- ⑥ PAVER WALKWAYS
- ⑦ 6-FT. PRIVACY FENCE AND GATE
- ⑧ 6-FT. DECORATIVE FENCE
- ⑨ 8X12 PRE-FABRICATED STORAGE SHED
- ⑩ REBUILD STAIRS TO DECK
- ⑪ EXISTING LANDSCAPE PLANTINGS TO REMAIN
- ⑫ BANK STABILIZATION PER CDP 19-008

PROPOSED SITE PLAN

1" = 10'

AUERBACH-GUSTAFSON  
3200 BEACHCOMBER  
APRIL 2021

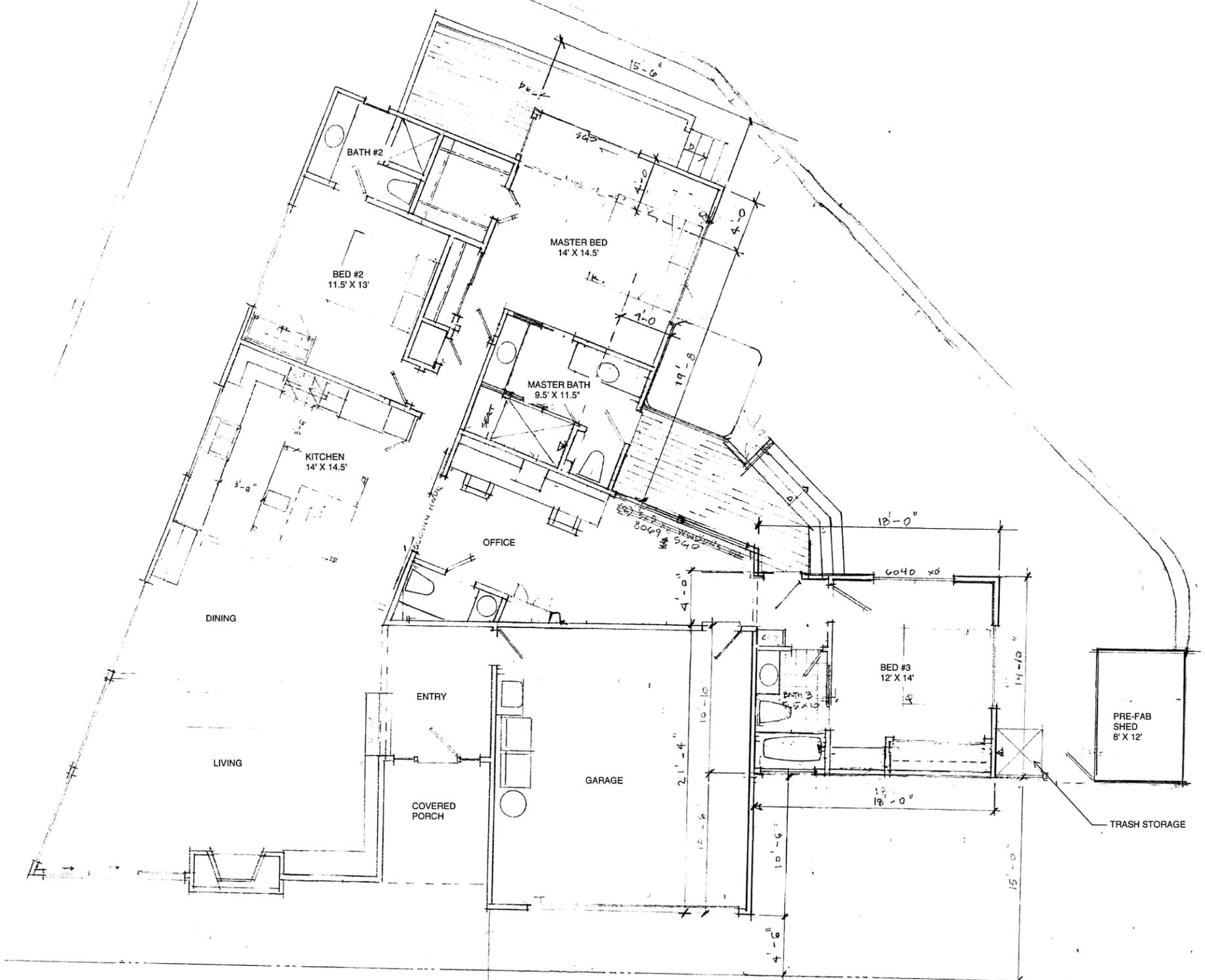
EXISTING RESIDENCE 1,389 SF  
EXISTING ENCLOSED PORCH 107 SF  
EXISTING GARAGE 412 SF  
EXISTING SHED 61 SF



EXISTING FLOOR PLAN

1" = 4'

AUERBACH-GUSTAFSON  
3200 BEACHCOMBER  
APRIL 2021



REVISIONS:	BY:

DAVID M. BROWN  
ARCHITECT

(909) 927-3376 FAX 927-4791  
P.O. BOX 123 - CAMBRIA - CA 93428

**AUERBACH RESIDENCE**

3200 BEACHCOMER DRIVE  
MORRO BAY, CALIFORNIA

PROPOSED WORK T. 3:

DRAWN BY:  
DAVID BROWN

CHECKED BY:

DATE:  
1-15-11

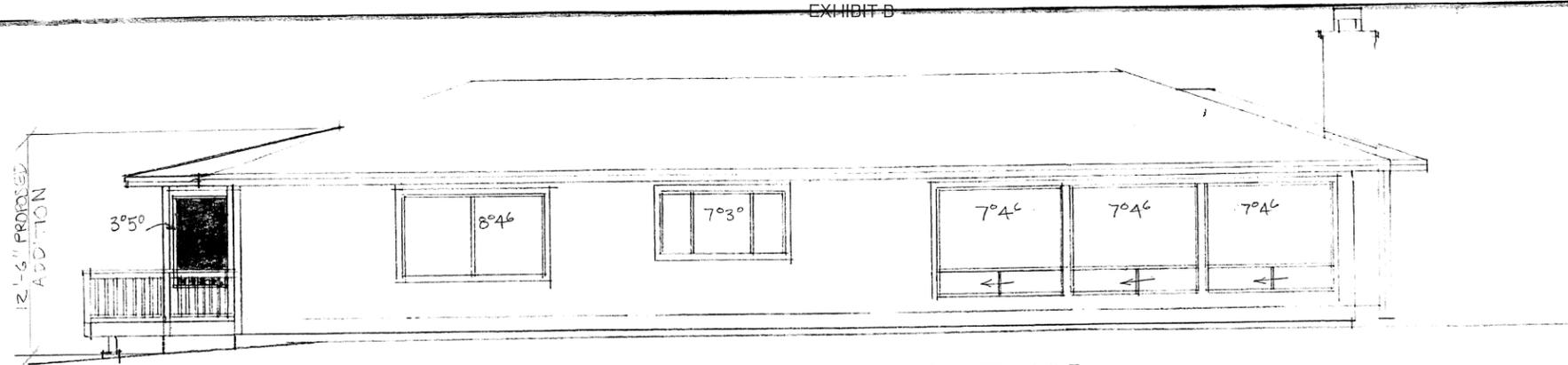
SCALE:

JOB NUMBER:  
PL6 AUERBACH

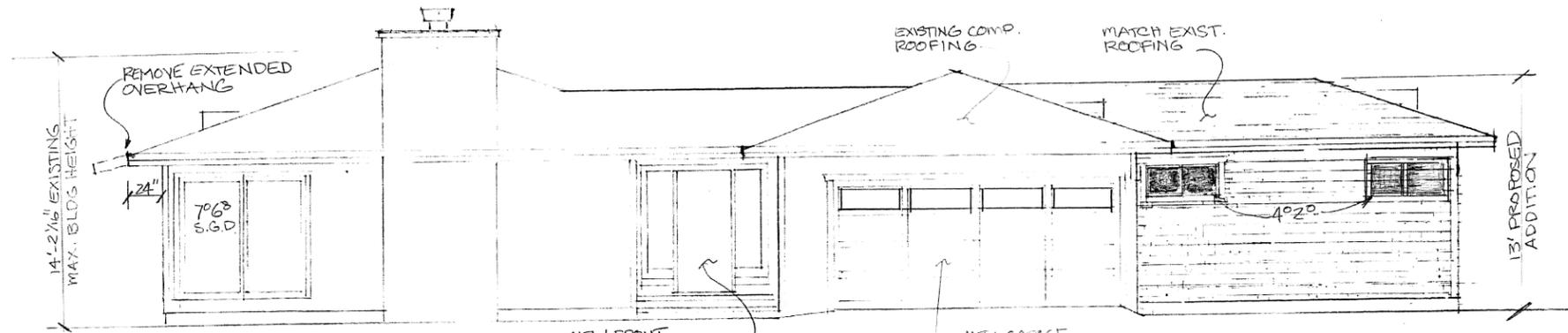
SHEET

**A-**

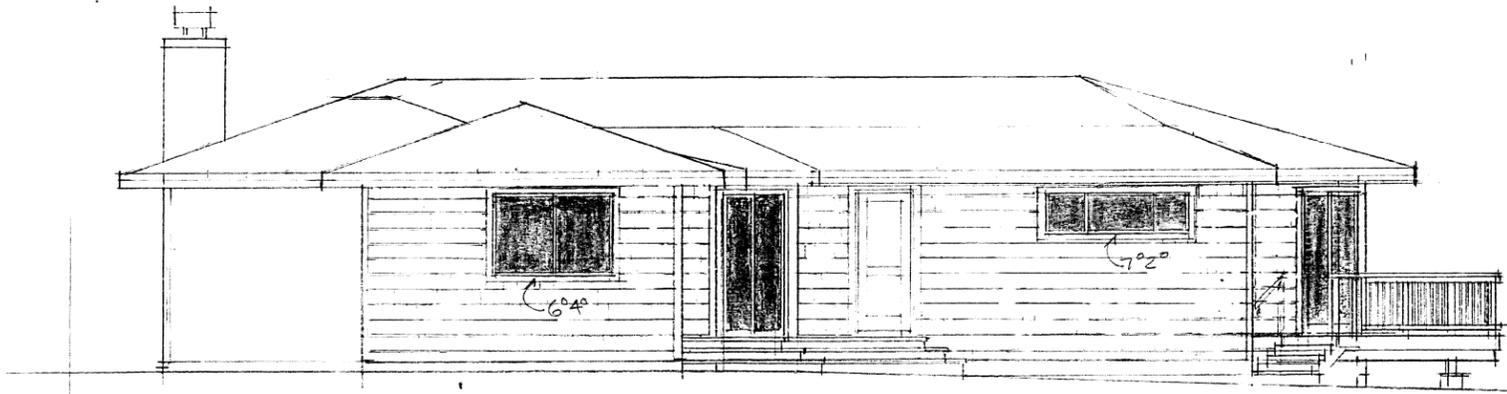
OF SHEETS



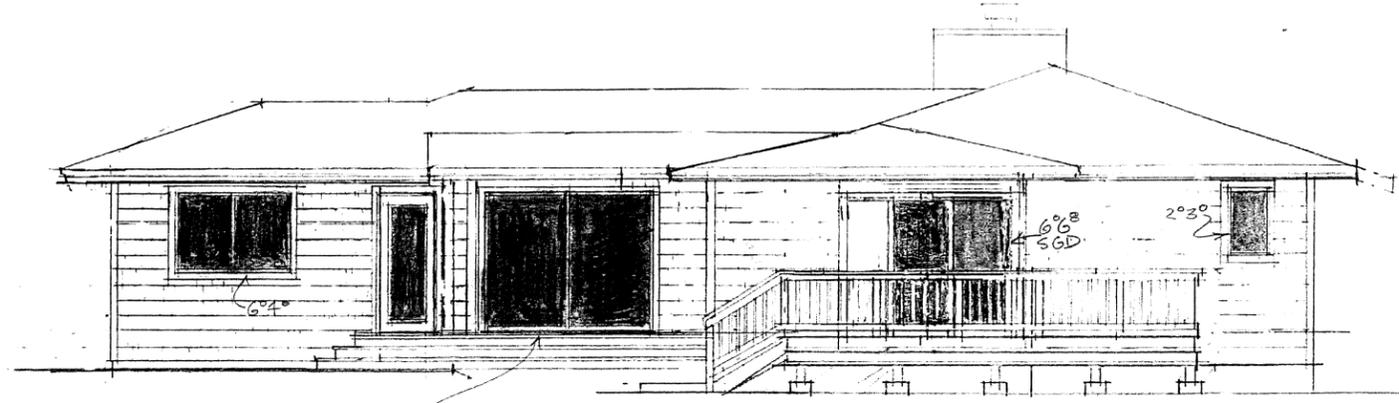
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION

REVISIONS:	BY:

DAVID M. BROWN  
 ARCHITECT  
 (805) 927-5576 FAX: 927-4751  
 P.O. BOX 123 - CAMBRIA, CA 92429

PROPOSED WORK FOR:

**AUERBACH RESIDENCE**

3200 BEACHCOMER DRIVE  
 MORRO BAY, CALIFORNIA

DRAWN BY: DAVID BROWN  
 CHECKED BY:  
 DATE:  
 SCALE:  
 JOB NUMBER: PLAN/KALEEN  
 SHEET

OF SHEETS



# Planning Commission

**APPLICATION FOR  
MAJOR MODIFICATION (MAJ21-003)  
TO EXISTING CDP19-008  
AND A PARKING EXCEPTION (PKG21-06)  
FOR THE PROPERTY LOCATED  
AT 3200 BEACHCOMBER**

**JULY 6, 2021**



**MORRO BAY**  
PUT LIFE ON COAST

# Project site/Zoning

- 8500sf site
- Existing circa 1972 home
- Site is zoned R-1/S2.A
- Site development constraints:
  - Drainage Ditch
  - Streets on three sides:  
Mindoro Way,  
Orcas Street  
Beachcomber Drive



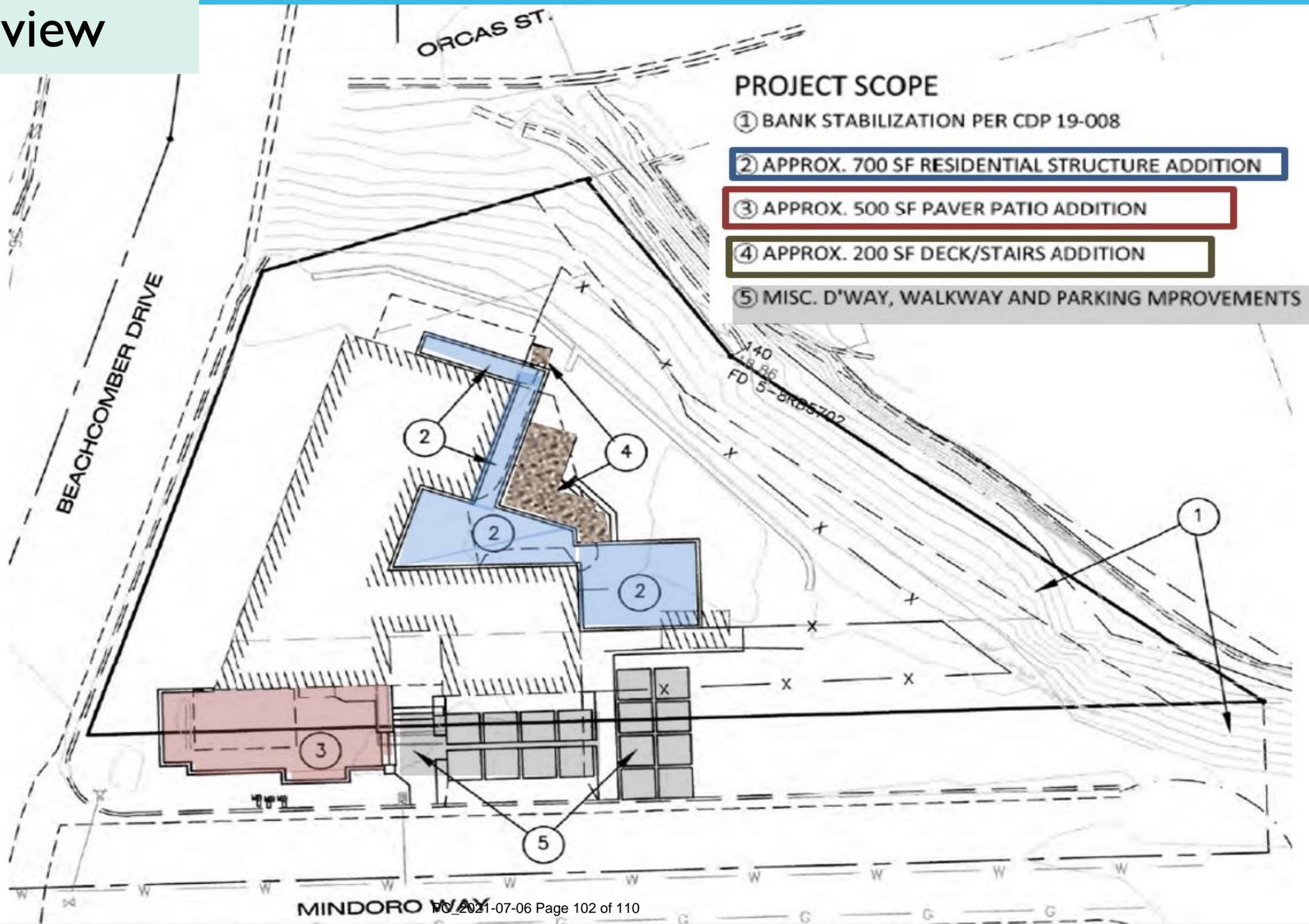
# Development Standards

Description of Standard	R-1/S.2A Standards	Addition to Project (SFH)
Front Setback (Beachcomber)	15 feet	15 feet
Exterior Side-yard at Orcas	15 feet	NW corner of home is 13.5 feet, majority is 15 feet or more
Exterior side-yard at Mindoro	15 feet	Home is setback 7 feet; garage is 4.5 feet
Rear Setback	5 feet	22.5 feet
Height (from ANG)	14-17 Feet	Existing home is 14'2" feet, proposed addition is 13 feet
Lot Coverage	50%	29.4%
Parking	2 spaces covered/enclosed	1 open space and 1 covered/enclosed



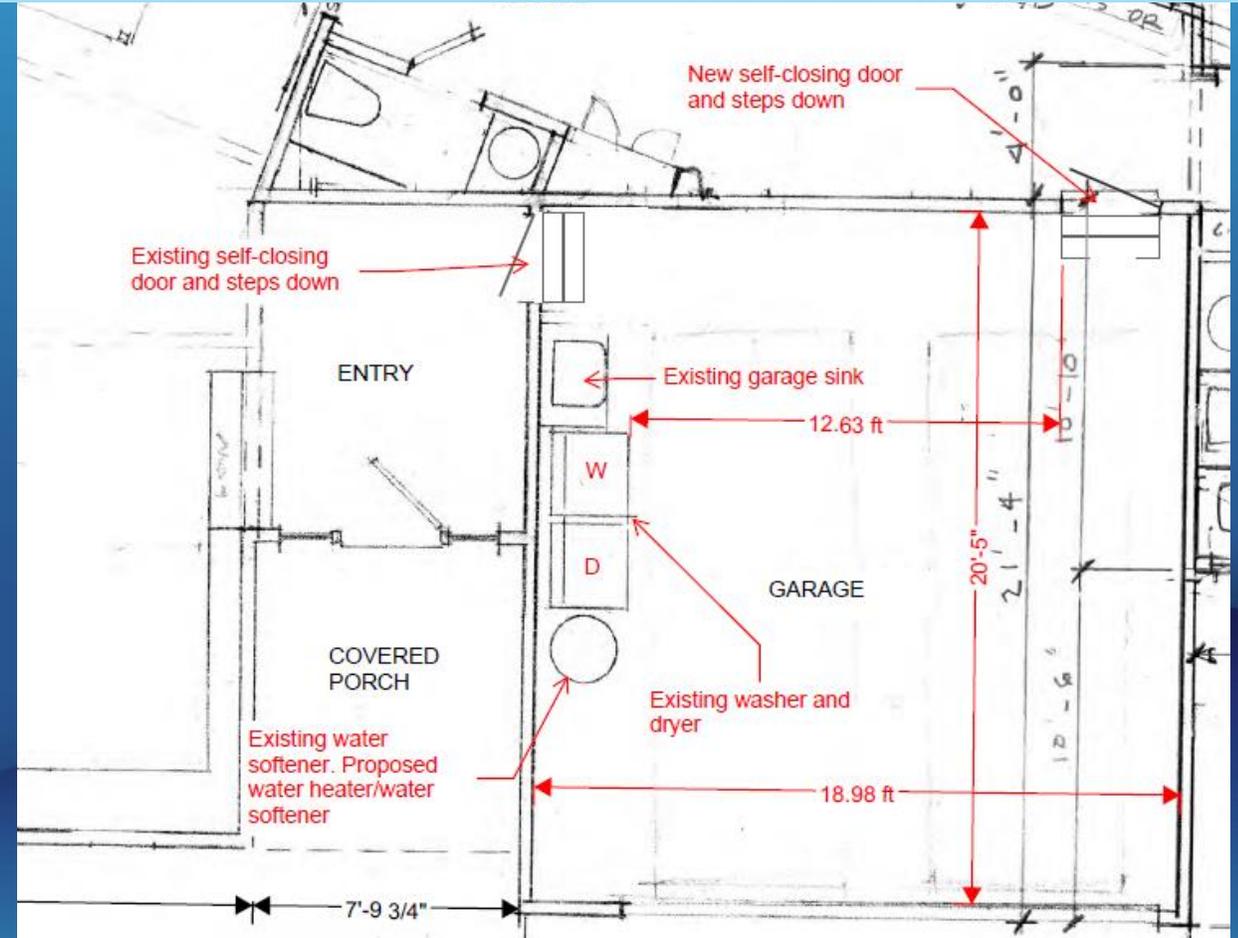
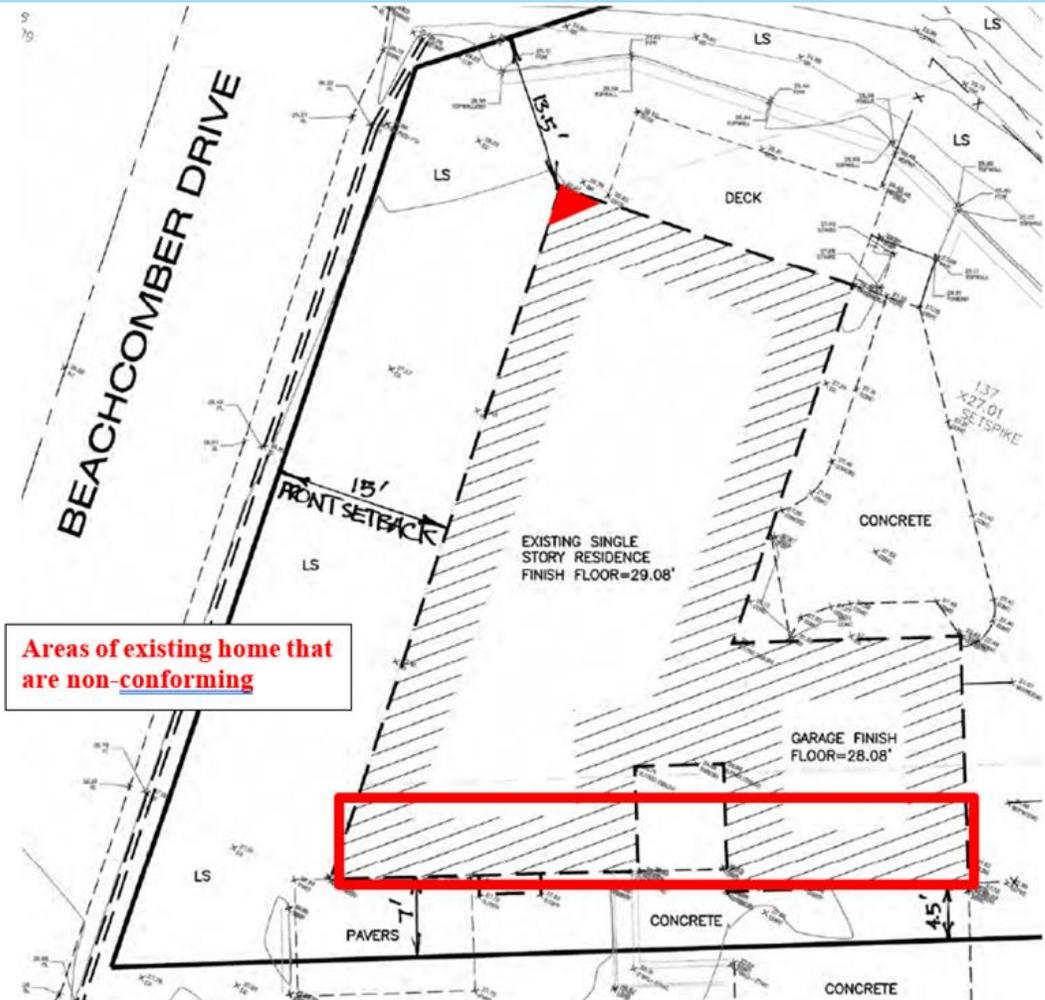
**MORRO BAY**  
PUT LIFE ON COAST

# Project Overview



# Review Process Requirements

Discretionary review is required because the proposed addition is more than 25% of the original size of the home and the home is non-conforming as to the interior space in the garage size and setbacks on Orcas and Mindoro



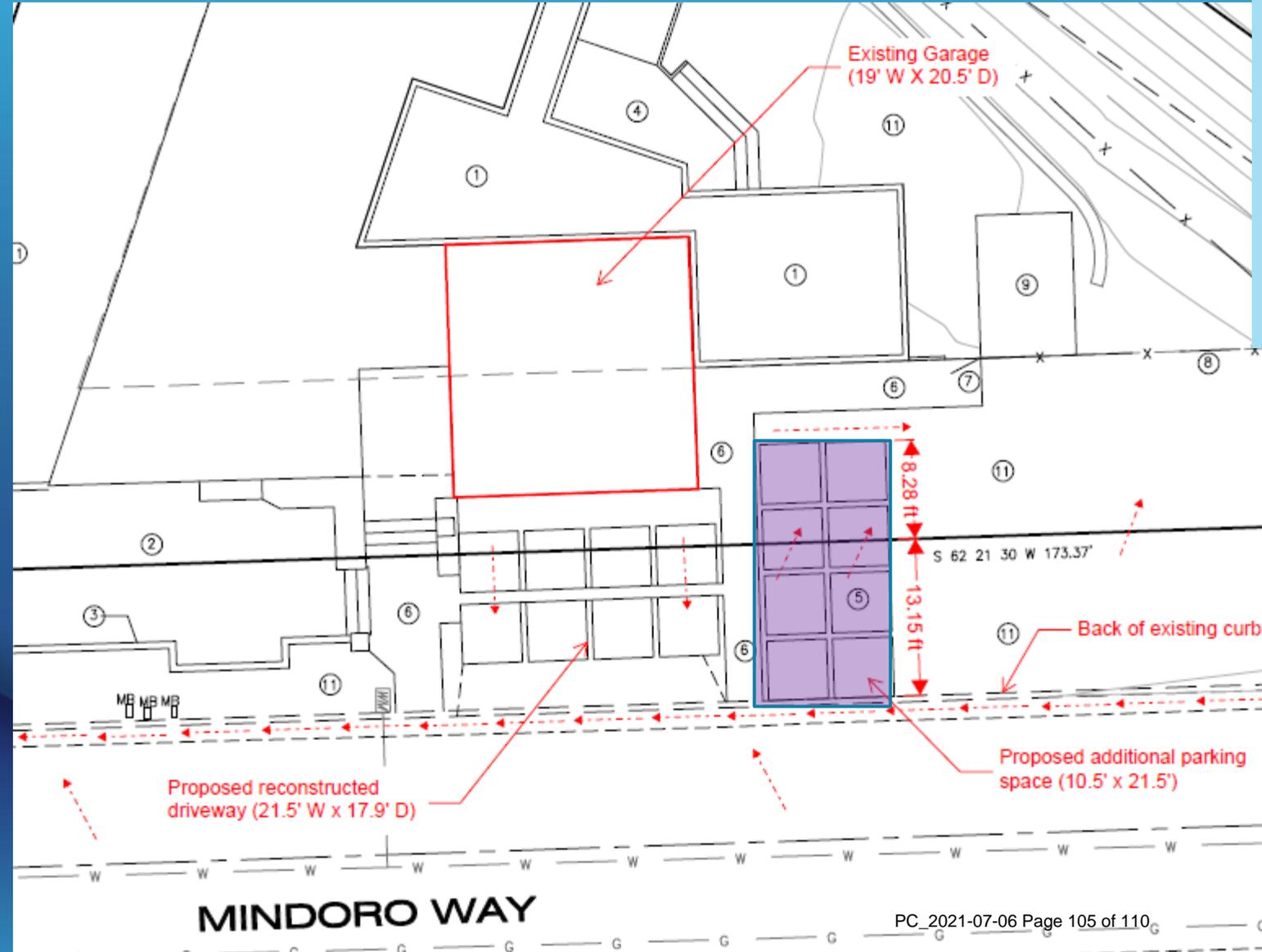
**Approval of an addition greater than 25% of the existing home size requires the following findings:**

- 1. That the proposed expansion is in conformance with the required development standards and the proposed project is not worsening the non-conforming aspects.**
- 2. That the proposed project satisfies all requirements for and is suitable as conforming use**
- 3. Determination that it is not feasible to fix the non-conforming structure without major construction.**



# Review Process Requirements

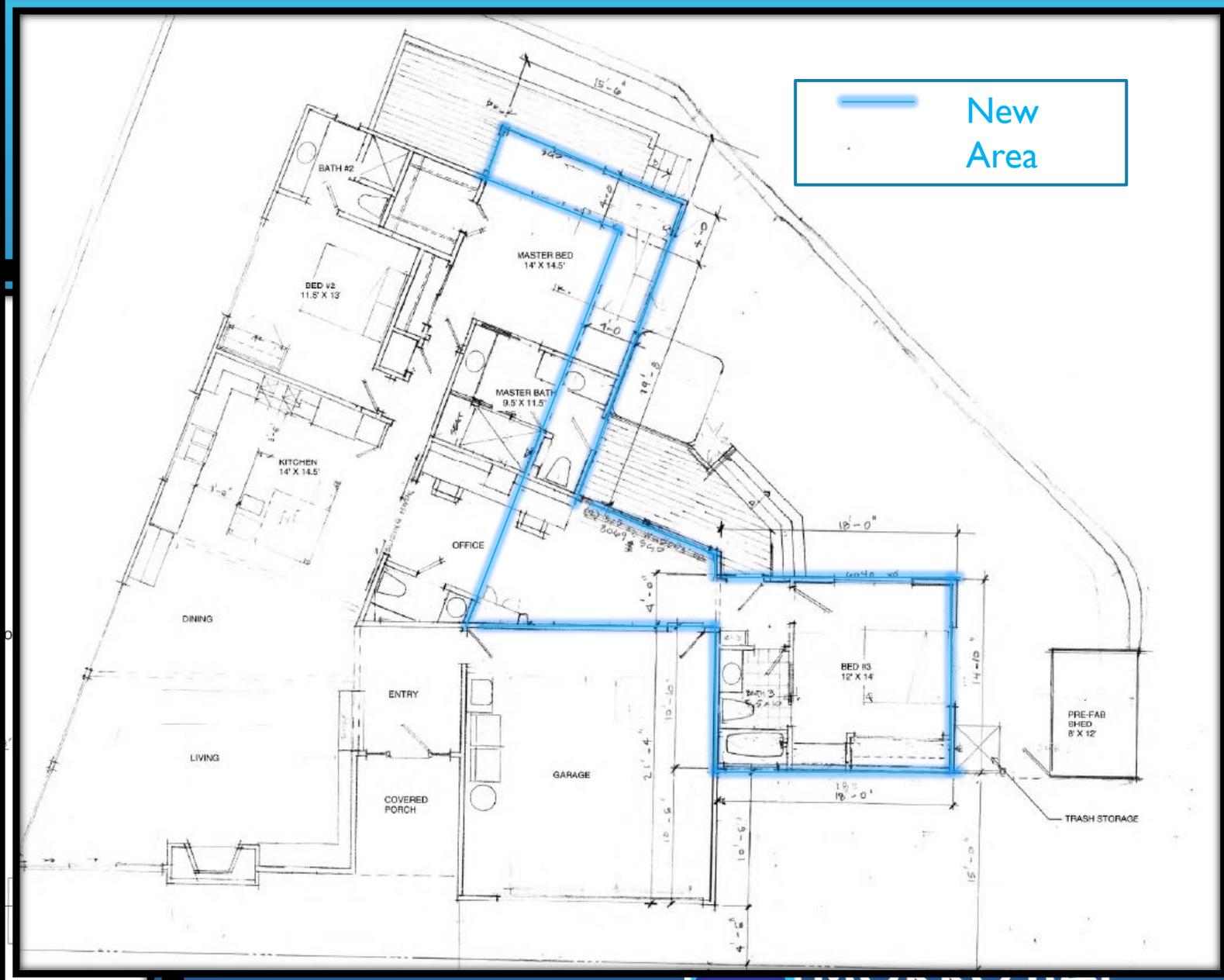
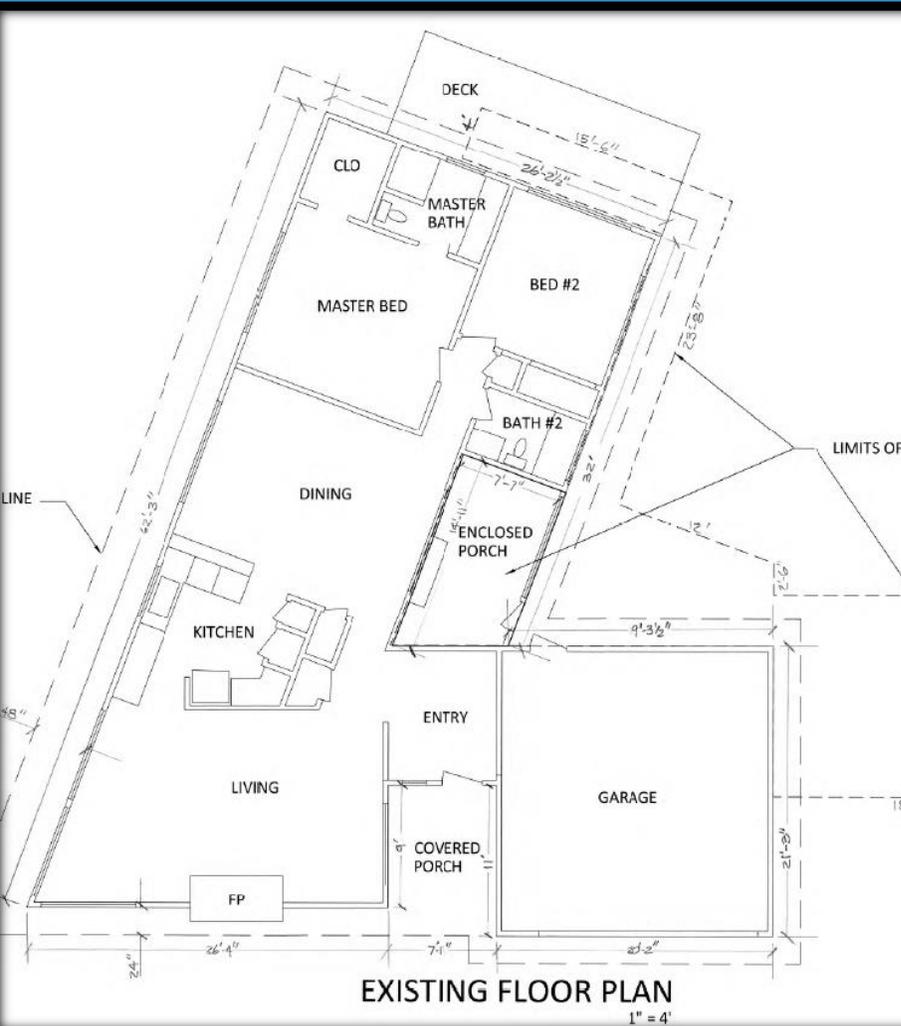
Parking Exception: Existing garage is too narrow to accommodate parking for 2 cars. The Parking Exception requests one open and uncovered parking space next to reconstructed driveway



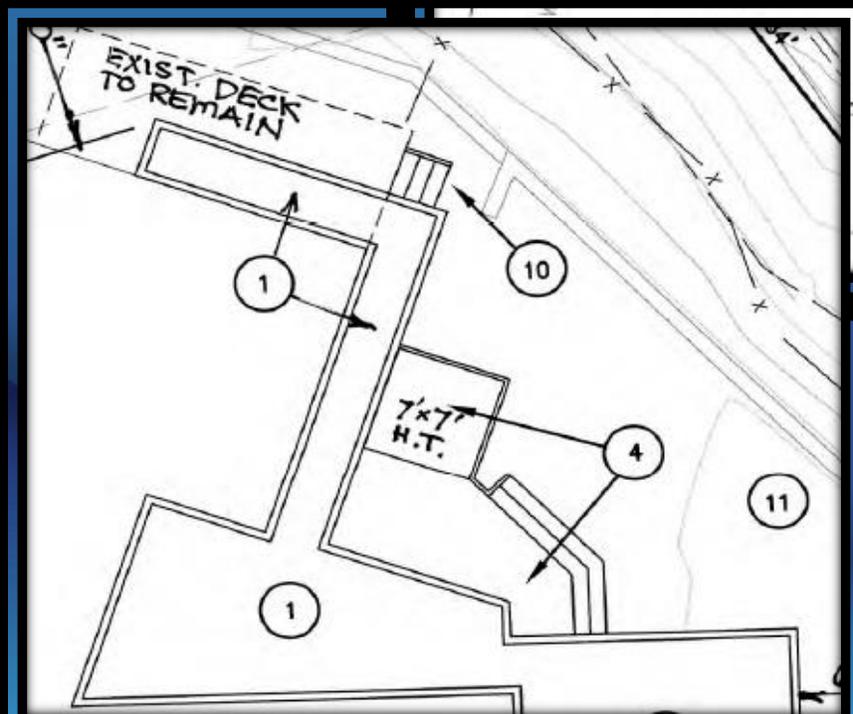
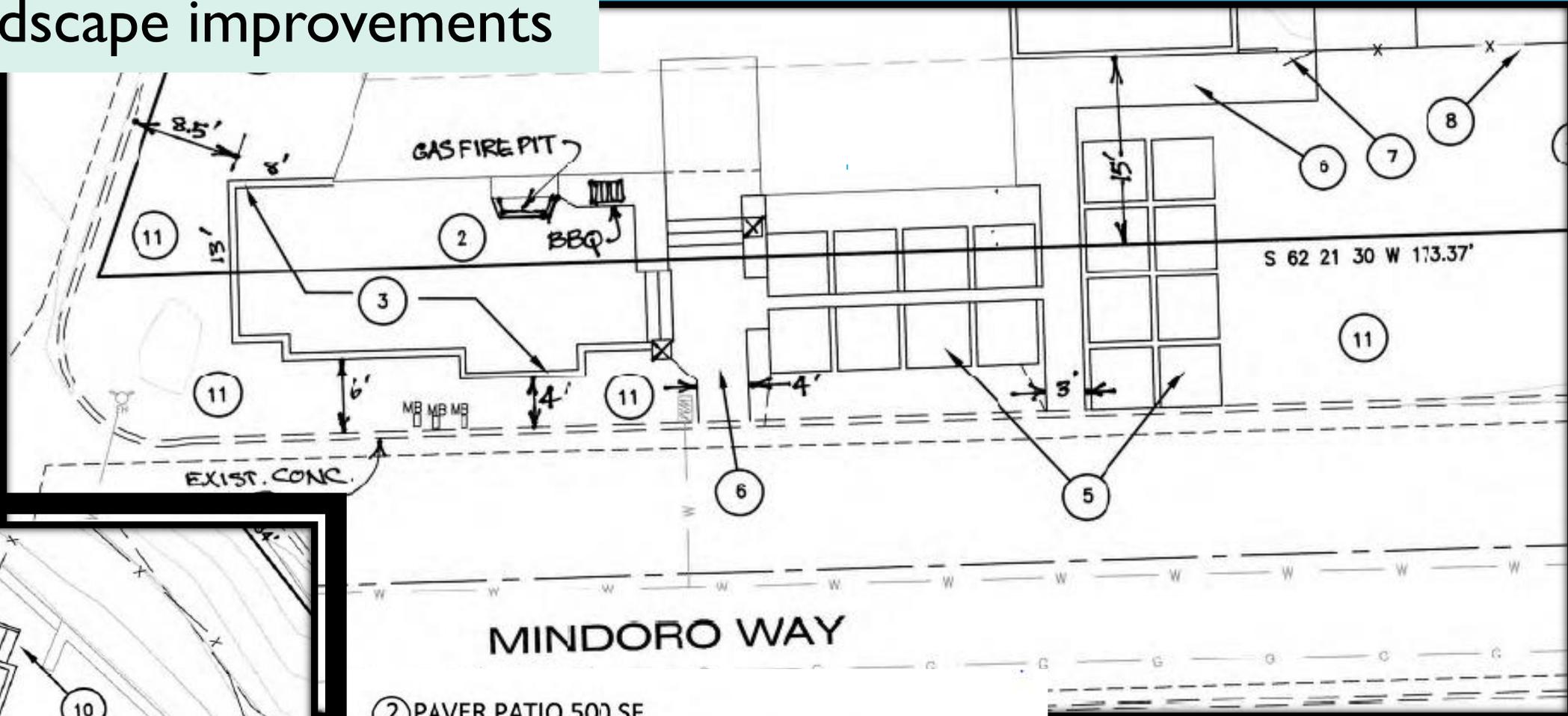
- Approval of a Parking Exception requires the following findings:**
- 1. Not a grant of special privilege inconsistent with parking limitations in the area. *This is true – especially with the development constraints of this specific property.***
  - 2. Will not have an adverse affect on people in the area or create traffic safety problems. *The proposed outdoor parking space is outside of the improved street. Most residents use their driveways for parking and with the reduced setbacks in this overlay zone, it is common for cars to be parked partially in the ROW.***
  - 3. The exception is required for the applicant's full use and enjoyment. *This condition is common in this area and has been an existing condition for this property.***



# Project Addition Detail



# Project Hardscape improvements



- ② PAVER PATIO 500 SF
- ③ 18" HIGH ALLEN BLOCK (GRAY) SEAT WALL
- ④ NEW DECK AND HOT TUB
- ⑤ CONCRETE PADS (5X5) WITH PEA GRAVEL BORDERS
- ⑥ PAVER WALKWAYS



**MORRO BAY**  
PUT LIFE ON COAST

Recent images



Photo Simulation of completed project





Staff recommends the Planning Commission approve Major Modification MAJ21-003 by adopting Planning Commission **Resolution 14-21** which includes the Findings and Conditions of Approval for the project.



**MORRO BAY**  
PUT LIFE ON COAST