



CITY OF MORRO BAY PLANNING COMMISSION AGENDA

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

**Regular Meeting -Tuesday, July 18, 2023
Veteran's Memorial Building – 6:00 P.M.
209 Surf Street, Morro Bay, CA**

Chairperson – William Roschen

Vice-Chairperson Mike Rodriguez
Commissioner Asia King

Commissioner Joseph Ingraffia
Commissioner Eric Meyer

Public Participation:

Remote public participation is allowed in the following ways:

- *Community members may attend the meeting in person at the Morro Bay Veterans Hall*
- *Members of the public may watch the meeting and speak during the 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.*

Please click the link below to join the webinar:

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

Password: 135692

➤ *Or Telephone Attendee: 1 (408) 638-0968 or 1 (669) 900 6833 or 1 (346) 248 7799; Webinar ID: 827 2274 7698; Password: 135692; Press * 9 to "Raise Hand" for Public Comment*

- *Alternatively, members of the public may watch the meeting either on cable Channel 20 or as streamed on the City [website](#).*
- *Community members are encouraged to submit agenda correspondence in advance of the meeting via email to the Planning Commission at planningcommission@morrobayca.gov prior to the meeting. Agenda correspondence received at planningcommission@morrobayca.gov by 10 a.m. on the meeting day will be posted on the City website.*

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

PUBLIC COMMENT

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

PRESENTATIONS

A. CONSENT CALENDAR

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

B. PUBLIC HEARINGS

- B-1** **Case No.:** *Plan Morro Bay: Zoning Code Amendment / Objective Design Standards (Continued from the May 16, 2023, and June 6, 2023, hearing)*

Site Location: Citywide

Applicant/Project Sponsor: City of Morro Bay

Proposed Project: The Zoning Code was adopted by the City Council on November 22, 2022, via Ordinance 654. Objective Design Standards (ODS) have been developed as implementation of the 2020-2028 Housing Element goals and policies. The ODS are proposed to be added as Chapter 17.31 to the 2022 Zoning Code. The consultant work to complete the Housing Element implementation policies was funded from the award to the City of Morro Bay of grant funding from CA Department of Housing and Community Development. The Objective Design Standards was created in response to recent housing bills, to provide for a streamlined approval process for eligible residential projects (2 or more units) subject to certain conditions consistent with the objective zoning and design standards. Upon favorable recommendation, the Objective Design Standards will be forwarded to City Council for amendment to the 2022 Zoning Code.

CEQA Determination: Environmental Impact Report (SCH #2021111026)

Staff Recommendation: Review Objective Design Standards, open public hearing, engage and consider public comments, and forward a favorable recommendation for approval of the Objective Design Standards as Chapter 17.31 of the 2022 Zoning Code to City Council with finding that no further environmental review is required pursuant to State CEQA Guidelines Section 15162.

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

C. NEW BUSINESS

D. UNFINISHED BUSINESS

E. PLANNING COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENTS

G. ADJOURNMENT

Adjourn to the next regular Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on August 1, 2023, at 6:00 p.m.

PLANNING COMMISSION MEETING PROCEDURES

This Agenda is subject to amendment up to 72 hours prior to the date and time set for the meeting. Please refer to the Agenda posted at the Community Development Department, 955 Shasta Avenue, for any revisions, or call the Department at 805-772-6264 for further information.

Written testimony is encouraged so it can be distributed in the Agenda packet to the Commission. Material submitted by the public for Commission review prior to a scheduled hearing should be received by the

Planning Division at the Community Development Department, 955 Shasta Avenue, no later than 5:00 P.M. the Tuesday (eight days) prior to the scheduled public hearing. Written testimony provided after the Agenda packet is published will be distributed to the Commission but there may not be enough time to fully consider the information. Mail should be directed to the Community Development Department, Planning Division.

This Agenda may be found on the Internet at: www.morrobayca.gov/planningcommission or you can subscribe to Notify Me for email notification when the Agenda is posted on the City's website. To subscribe, go to www.morrobayca.gov/notifyme and follow the instructions.

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

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

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

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

APPEALS

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

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

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



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

Agenda No: A-1
 Meeting Date 7-18-2023

#	Applicant/ Property Owner			Application Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
Hearing or Action Ready Projects:											
1	City of Morro Bay		City-wide			Objective Design Standards draft (Zoning Code/ Implementation Plan amendment) to be added as Zoning Amendment Chapter 17.31	Objective Design Standards drafted as a result of 2020-2028 Housing Element Implementation grant funding. The Objective Design Standards are proposed to be added as an amendment to the Zoning Code (Chapter 17.31). Continued from 5/16/23 PC meeting. Hearing held on 6-6-23 with a continuance to 7-18-23.				nh
2	Luhr	1140	Allesandro Ave	1/20/2022	CUP22-06 / CDP22-004/ TTM22-04	Live/work mixed use, new construction of 5 residential units and 2 commercial units	Comment letter provided 2/13/22. Project deemed complete - processing will continue once Vesting Tentative Map submittal is complete. Vesting map submittal received May 12, 2022. Planning sent comment letter on 5/28/22, requires resubmittal. Resubmittal received with tentative tract map submittal on August 9, 2022, under review. PW disapproved the VTM, comment sent to applicant on 9-17-22, requires a resubmittal of the VTM. Applicant working with Public Works on some design issues in the public right of way. Once resolved, resubmittal required with any changes. VTTM approved by PW, planning will deem project complete and schedule for PC hearing. Scheduled for PC hearing on August 1, 2023	BLDG. - Approved 2/14/22 CO			nh
30 -Day Review, Incomplete or Additional Submittal Review Projects:											
3	Gumm	735	Napa	6/15/2023	CDP23-010	Convert three retail spaces into 3 residential units	Planning Review completed - need PW comments. Target review completion is 7/15/23.				nh
4	Iwanicha	640	Elena	6/8/2023	CDP23-011	Remodel and addition to existing 2 bedroom/1 bath home	Under review				nh
5	Khanna	2900	Alder	6/7/2023	MAJ23-002	Major modification to existing permit to reduce size of project into 5 single story hotel rooms	Comments sent on 7/9/23, requires resubmittal.				nh
6	Morro Rock LLC	1260	Main	5/23/2023	CDP23-009	Convert existing building into 5 new hotel rooms associates with the Masterpiece Hotel	Under review, requires new zoning code				nh
7	Ferrin	2772	Indigo Circle	4/20/2023	CDP23-008/CUP23-08	A new single story 2,491sf SFR with an attached 559sf garage, and a 192sf studio on a vacant lot located in the Cloisters subdivision.	Incomplete letter sent 5/15.				gc
8	Boges	640	Kings	3/30/2023	CDP23-006	New detached 908sf ADU with attached to a 720sf garage below.	Incomplete Letter sent 4/20	BLDG. - Disapproved CO			gc/st
9	Newman	961	Balboa	3/27/2023	CDP 23-005	Admin CDP for a new 2058 sf house with an attached 409 sf garage and 185 sf storage space with a 450 sf ADU .	Under review. Incomplete Letter sent 4/20.	BLDG. - Approved 4/10/23 CO			st/cj
10	Palmer	515	Bernardo	3/9/2023	CDP23-004	Remodel and addition to existing 2,172 sf SFR and an interior studio ADU	Incomplete letter sent March 28, 2023. Resubmittal 5/17. Incomplete letter sent 5/30, resubmit on 6/22	BLDG. - Disapproved 3/15/23			gc
11	Gillen	495	Embarcadero	3/7/2023	CUP23-04	Conceptual Review (no application) of potential redevelopment of city lease site at 495 Embarcadero as a mixed use development of hotel, restaurant, and retail uses.	Under review. Project needs Consent of Landowner. Applicant requested to put application on hold.	BLDG. - COND Approved CO			cj
12	Nance	595	Morro Bay	2/7/2023	CDP23-003	Admin CDP for installation of one solar carport located in the existing Chase Bank parking lot.	Under review, incomplete letter sent 2/28/23, resubmittal on 4/17. Incomplete letter sent 5/11, resubmit on 6/21	BLDG. - 2/16/23 CO			gc
13	McDonald	300	Sicity St	1/31/2023	CDP23-002	New 2155 s.f. SFR w/ attached 284 s.f. garage and 409 s.f. decking on a vacant lot .	Incomplete letter send 3/13/2023	BLDG. - Approved 2/10/23 CO			gc
14	Salbi	450	Marina	12/19/2022	CDP22-043	Admin CDP for two story single family home with garage and Accessory Dwelling Unit	Incomplete letter sent January 13th, resub on 2/7/23, under review, incomplete letter sent 3/2/23, resubmit 3/27/23, incomplete letter sent 4/10/23, Incomplete letter sent 4/12/23.	BLDG. - Approved 3/2/23 CO			gc
15	Patel	1050	Morro Ave	11/17/2022	CUP22-10/ CDP22-039	Remodel existing hotel and add second floor with kitchen and hotel dining area, plus other guest amenities. Increase from 16 rooms to 27 rooms.	Under Review. Comments provided Dec 12, 2022, requires a resubmittal. Applicant is addressing parking issued included in the PW comment letter. Project resubmitted on February 8, 2023, Planning ready to deem complete, needs resubmittal to address storm water requirements, comment letter sent 3/8/23. Public works provided additional correction comments on March 27, 2023.	BLDG. - COND Approved CO			nh
16	Agular	351	Panay	11/2/2022	CDP22-036	Demo existing one story 849sf SFR to build a two story 1,926sf SFR with a 226sf garage and a 280sf roof deck.	Under Review, Incomplete letter sent on 12/15/22, resubmittal 2/16/23, under review, incomplete letter sent 3/2/23, Resubmit 3/30/23, Incomplete Commet Letter sent 4/12/23, rebmitted 5/22/23, incomplete letter send 6/21.	BLDG. - Approved 3/2/23 CO			gc
17	Gonzalez	590	Radcliff	10/25/2022	CDP22-034	Admin CDP for a new 1,956 two story SFR with a 522sf attached garage and 640sf second story deck.	Under review. Planning disapproved and incomplete letter sent on 11/22.	BLDG. - Approved 10/27/22 CO			gc/st
18	MSA Architects	2417	Greenwood Ave.	8/24/2022	CDP22-030	Admin CDP to develop a new 562 detached ADU	Incomplete letter sent on 9/12/22, resubmittal on 10/26, under review, minor edits request on 11/17, withdrawn.	BLDG. - Approved 8/25/22 CO			gc

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19	Shepler	2181	Sumset Ave	8/24/2022	CDP22-029	CDP Application for a new third dwelling and one ADU on a property with two existing homes	Comment letter sent on 9-5-22. Resubmittal received 10/24/22, planning requires minor changes and sent letter November 10, 2022. Requires resubmittal.	BLDG. - Approved 8/25/22 CO			nh
20	Kersten	1358	Prescott	7/27/2022	CDP22-024	Admin CDP for partial conversion of an existing (522sf) attached garage into a single story 276sf ADU.	Incomplete letter sent on 08/09/22	BLDG. - Approved 8/9/22 CO			gc
21	California Coastal Investments, LLC	801	Embarcadero	6/28/2022	CUP22-09	Concept/Precise Plan CUP for mixed-use redevelopment of the Libertine Brewing Co. building to convert existing second floor to 7 hotel units and first floor as mix of restaurant, coffee shop, outdoor dining, provision of new public access improvements including extension of Harborwalk	Under review. Incomplete letter sent 7/27/22. Resubmitted 1/27. Corrections letter sent 3/17/23. Resubmittal received and corrections requested. Met with applicant 7/5/23 to discuss outstanding items	BLDG. - Disapproved 2/10/23 CO			cj
22	McDonald	471	Panay	6/1/2022	CDP22-019	Admin CDP for the new construction of a two story residence	Incomplete Letter Sent 6/14	BLDG. - Approved 6/14/22 CO			gc
23	Vanderbyl	531	Yerba Buena	4/20/22	CDP22-015	Admin CDP for shed conversion into 468 sf ADU	Correction Letter sent 5/12/22. Resubmittal received 7/21/22 - review comments sent on August 6, 2022, requires resubmittal. Resubmittal received and planning and building disapproved based on fire/life/safety issues. Resubmittal required.	BLDG. - COND Approved 5/11/22 CO			nh
24	Hartman	320	Orcas St	4/14/22	CUP22-07/ CDP22-010	New SFR with attached garage to replace home destroyed in fire	Correction letter sent 5/1/22. Resubmittal received March 28, 2023. Planning comments sent on April 10, 2023, project requires resubmittal with changes. Planning Comments sent - requires a resubmittal. Resubmittal received and under review. Planning comments sent 5/17/23, requires a resubmittal.	BLDG. - Approved 3/30/23 CO			nh
25	Morro 94 LLC	3300	Panorama	1/18/2022	CUP 22-05/CDP22-003/TTM222-02	Submittal of combined concept and precise plan review for 61 unit subdivision. Project revised to 48 total housing units.	Received and under review. Notify Me account set up to provide information and publically available documents on the project. Subdivision Review committee meeting scheduled. Project comment letter sent 2/18/22, requires resubmittal and environmental review. Planning consultant team is preparing to hold a neighborhood meeting April 20, 2022 at Del Mar Elementary School at 6pm. City working with selected environmental consultant on contract and owner reimbursement agreements. TTM resubmittal received October 10, 2022, under review. Tentative Tract Map disapproved on November 2, 2022. Requires resubmittal with the	BLDG. - Approved 2/14/22 CO			nh
26	Morro Bay LLC (Keller)	1108	Front Steet	11/8/21	MAJ21-007	Major Modification permit for Expansion and extensive remodel of second floor short term rental unit.	Planning comments sent 11/23/21, requires resubmittal. Applicant may put this application on hold until the adoption of the new zoning code (i.e. includes street setbacks closer to the actual placement of the building) (needs the IP sections to be final via CCC approval)	BLDG. - Approved 11/17/21 CO			nh
27	Shorey	545	Atascadero Rd	3/30/21	CUP21-04/CDP21-013	Proposed 16 units of new townhomes on sloped vacant parcel	Project was reviewed and comments provided in 2021. Applicant requested to keep the project open and has been working with public works and caltrans on utility requirements and frontage improvements. Project resubmitted for review on April 19, 2023 - under review by all departments. Planning deemed project complete on 5-23-23. Requires environmental study before scheduling for PC hearing.				nh
28	Vistra	1290	Embarcadero	12/28/20	CDP20-026 & CUP20-14	Battery Energy Storage System (BESS) - New proposed project to construct 600MW BESS on old tank farm north of existing Morro Bay Power Plant. BESS to be constructed as 3 separate buildings, 30 feet in height plus 10 feet of screening for rooftop equipment.	Under initial review. Project deemed incomplete and incomplete letter sent 1-21-2021. Applicant resubmittal received 2-17-2021 and under review currently. Project deemed complete for processing on 2/23/2021. Project plans and documents being evaluated. Environmental review process in progress. NOP released and two scoping meetings held on 6/21/22 and 6/29/22. Environmental review and analysis still in process.	BLDG. - Approved 3/11/21 CO			cj
29		1290	Embarcadero		Master Plan	Morro Bay Power Plant Master Plan	The Master Plan for the Power Plant property was initiated in 2022 as a result of General Plan/LCP Policy LU-5.4 which requires a master plan be developed as a result of the planning permit application for the Battery Energy Storage System Project. Master Plan community workshop was held 9/14/22. Survey on the Master Plan done and tabulations still in process. The survey was done to seek additional community feedback on development of the Master Plan. The survey focused on the community's land use preferences, circulation improvements, and design amenities for the overall property.				cj
Projects Appealed to Planning Commission or PC Continued projects - none											
Projects Appealed or Forwarded to City Council											
Environmental Review - none											
Final Map Under Review Projects:											
30	Huber	2783	Coral Ave	8/30/22	TTM22-03	5 unit residential subdivision	Planning approved, forwarded to PW.	BLDG. - Approved 4/14/22 CO			nh
Projects going forward to Coastal Commission for review (Pending LCP Amendments) / or State Department of Housing: - none											
Grants											
31	City of Morro Bay		City-wide			Community Development Block Grant/HOME Program - Urban County Consortium	Staff has ongoing responsibilities for contract management in coordination with County staff administration. City Council approved Cooperation Agreement for 2021-2023 CDBG Program Years at 5/26/20 Council meeting. Notice of Funding Availability for 2023 Program Year released fall 2022. Council draft recommendations considered 12/22 and final funding recommendations to be on 3-28-2023 to forward to County Board of Supervisors for inclusion in their Annual Action Plan 4/18/23. cj	No review performed.	N/R		cj

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32	City of Morro Bay		City-wide			Climate Action Plan - Implementation	Staff has ongoing responsibilities for implementation of Climate Action Plan as adopted by City Council January 2014. Staff coordinating activities with other Cities and County of SLO via APCD.				cj
Projects in Building Plan Check:											
33	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.	Planning disapproved 7/2/21. Resubmittal received 7/25/22. Resubmittal disapproved 8/01/22.	Bldg. - Disapproved 3/27/23			gc
34	Castillo	1055	Allesandro St.	7/25/2022	B22-0158	Jr. Accessory Dwelling Unit (JADU) - Existing bedroom in primary dwelling will be converted to JADU.	Planning disapproved 8/1/22	Bldg. - Disapproved 3/27/23			gc
35	Crizer	469	Arcadia	7/26/2021	B22-0159	Re-roofing of an existing atrium and interior remodel to an existing SFR change in scope of work.	Planning disapproved 8/2/22, resubmittal 6/20, under review.	BLDG. - Disapproved 6/27/23			gc
36	Conway	305	Arbutus	1/4/2023	B22-0269	DIGEPLAN - 390 sf addition, expanding lower level family room and 2nd level primary bedroom & bath, the remodel includes kitchen and relocating two bathrooms to accommodate the installation of new elevator. The addition creates a 2nd level 378 sf rear deck.	Planning disapproved 1/26/23. st Waiting on resubmittal	Bldg. - Approved 6/12/23			st
37	Goldstein	186	Bayshore Dr.	11/4/20	B20-0190	Remodel kitchen, dining & living area.	Planning disapproved 11-6-20	Bldg. - Approved 11/09/20			sg
38	Carter	2035	Bayview Ave.	8/5/21	B21-0135	New SFR, 1980 sf living, with 483 sf attached garage, 96 sf covered deck, 267 sf covered rear patio and 32 sf covered front porch.	Disapproved 8-26-21. am	Bldg. Disapproved 9/21/21			cj
39	Perry	3202	Beachcomber Dr	2/9/23	B22-0264	Demo existing, new construction of 2567 sf home iwth a 2424 sf subterranean garage on lower level and 963 sf roof deck. Home to be located on newly configured parcel (requires final TM)	Planning disapproved 2/19/23. nh	Bldg. - Approved 6/20/23			nh
40	Perry	3230	Beachcomber Dr	2/9/23	B22-0265	New SFR on new parcel. Home is 1816 sf with a 471 sf garage and a roof deck.	Planning disapproved 2/19/23. nh	Bldg. - Approved 6/20/23			nh
41	Segovia	2824	Birch Ave.	3/21/22	B22-0057	Cover patio, conversion to sunroom.	Disapproved 4/1/22	Bldg. - Approved 3/24/22			gc
42	Dillard	1256	Bolton	3/30/22	B22-0072	Convert Unfinished Underfloor Space in 986 sf of conditioned livable space	Disapproved 4/7/22. Resubmittal approved 7/29/22.	Ready to issue			am
43	Engvall	370	Bonita	5/22/23	B23-0110	Addition to existing SFR for a detached 554 sf ADU.	Planning approved 5/23/23	Bldg. - Disapproved 6/20/23			
44	Berner	2750	Dogwood Ave.	12/6/22	B22-0260	Add 235 sq of conditioned space, including a new bathroom, additions to bedroom and utility room, 297 sf, roof deck, spiral stair, ground floor deck (136 sf), less than 30" above existing adjacent grade.	Planning approved 2/28/23. st	Ready to issue			st
45	Redican	725	Embarcadero	3/14/22	B22-0049	The project consists of a 608 SF interior remodel of the existing arcade retail space into an extension of the commercial kitchen prep area. All work is exclusive to the interior of the lower level with no impacts to the site, exterior elevation or occupant circulation of the existing building.	Disapproved 3-17-22. Resubmittal received 6-23-22 and conditionally approved 8/25/22	Ready to issue			cj
46	TLC Family Enterprises	833	Embarcadero	6/13/23	B23-0129	DIGEPLAN - Addendum #3 to B20-0220, Harbor Walk Plaza - Sidewalk pop-out and motorcycle parking/concierge shuttle to accommodate 8' sidewalk.	Planning approved 6/15/23	Bldg. - Approved 6/20/23			
47	TLC Family Enterprises	833	Embarcadero	3/16/22	B22-0052	Addendum #1 to B20-0220 - Removal of parapet wall which requires removing steel post below and show railing on upper level. Revert back to cantilevered floor joists for hotel access walkway upstairs.	Disapproved 3-21-22	Bldg. - Disapproved 4/18/22			cj
48	Guldenbrein	481	Estero Ave	1/5/23	B23-0003	New fencing & retaining walls, exterior electrical grading & catch basin installation w/pump in front yard. (see plans)	Disapproved 1/19/23	Bldg. - Disapproved 1/18/23			st
49	Godfrey	396	Hill St.	12/7/22	B22-0261	Addendum #2 to B21-0045 Relocate hold down along grid 1 at basement	Ready to issue	Ready to issue			
50	Wilkie	476-A	Hill St.	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

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51	Duffy	2865	Ironwood Ave	4/24/23	B23-0087	Addendum #1 to permit B22-0201 - 1. Lower floor existing 2x4 exterior walls were shown in new plan as 2x6, but were not shown as being "demo'd". 2. Additional SF has been built inside garage space. 3. Structural beams and corresponding footing in slab removed.	Disapproved 4/27/23	Bldg. - Disapproved 5/1/23			st
52		2990	Ironwood Ave	3/2/23	B22-0285	DIGEPLAN - New three story SFR - 3799 sf living, 926 sf attached garage, with 2nd and 3rd floor decks totaling 210 sf, 562 sf covered patios and 535 sf under floor storage area.	Disapproved 3/9/23	BLDG. - Disapproved 3/27/23			GC
53	Lent	194	Island St	1/10/23	B23-0006	Remodel existing bonus room and portion of garage to ADU, construct new rooftop deck over portion of remodel/converted ADU.	Resubmittal needed. Planning approved 4/20/23	Bldg.- Approved 4/24/23			nh
54	Johnston	2781	Juniper 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.	planning disapproved 6/3/21. Planning approved resubmittal 7-20-21.	Ready to issue			sg
55	Cook	2941	Juniper	10/26/22	B22-0243	Demo unpermitted studio at lowest level of existing SFR and convert that space with additional underfloor space to create new workout area, bathroom, theatre, storage, and stairs to access upper levels adding aprox. 906 sf to SFR.	Planning approved 10/31/22	Ready to issue			SG
56	Tarver	671	Kern Ave	12/22/22	B22-0271	DIGEPLAN: New 255 SF attached Accessroy Dwelling Unit (ADU)	Planning resubmittal approved 4/5/23	Ready to issue			gc
57	Cia	2551	Koa Ave.	2/23/22	B22-0038	New 3 bed 2.5 bath SFR w/attached 2-car garage.	Planning Approved resubmittal 6/28	Ready to issue			gc
58	Daniels	964	Las Tunas St.	8/3/21	B21-0133	Remodel the laundry room & add a bedroom, bathroom & hallway to the back of existing home in phase I. Phase 2, build a detached garage	Planning approved 5-12-22	Bldg. - Approved 5/16/21			sg
59	Castro	979	Las Tunas St.	1/19/23	B23-0013	Conversion of existing detached garage & work shop to ADU - 642 sf, no addition.	Planning approved 2/1/23. gc.	Bldg. - Approve 4/26/23			gc
60	Kevorkian	2615	Laurel Ave.	1/10/23	B23-0005	Addendum #1 to B22-0183, Change the deck configuration to reduce square foot to below existing square foot.	Planning disapproved and sent incomplete comment letter on 1/27/23.	Bldg. - Approved 1/17/23			gc
61	Elliott	2620	Laurel Ave.	4/14/22	B22-0082	New SFR 2.5 story with attached garage.	Planning disapproved 4/16/22. Resubmittal disapproved 6/25/22. Planning approved 7/21/22	Ready to issue			nh
62	Novell/Johnson	273	Main	2/23/23	B23-0038	DIGEPLAN - 73 sf stairway addition to existing home to create interior connection between the upper and lower floors.	Planning disapproved 3/6/23. Waiting on resubmittal. Cj	BLDG. - Disapproved 3/2/23			cj
63	Peter	890	Main	3/7/23	B23-0043	DIGEPLAN -Remodel 990 sf one story commercial building, includes new floor and wall finishes, new furred wall, ADA improvements to restroom, one doorway, and new light fixtures. New ADA parking isle and space.	Planning approved 3/14.	BLDG. - Approved 6/12/23			sg
64	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
65	Sonic	1840	Main St.	10/17/17	B-	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. No recent activity. Planning permit expires 4/18/2023.	BLDG - Disapproved by California Code Check (contract building inspection services (see memo) on 7-23-18. PB	Disapproved by jb on 11-21-17.	1-2-18 - Emailed BLDG (code ck) comments to architect. PB	cj
66	CenCal Enterprise, INC	2030	Main St.	9/21/22	B22-0232	The scope of work has changed. Applicant is now proposing to convert an exisitng space into an office space, and staff is awaiting the withdrawal of MIN22-005 to proceed with the Building Permit review process.	Planning approved 1/11/23	Bldg. - Disapproved 11/15/22			gc
67	Timothy and Allyson Cleath Family Trust	2790	Main St	11/8/22	B22-0248	Addendum to B22-0106, Modification to drain collection for parking lot. Sheets C-3 and C-4 revised. No change in flow to the bioswale per attached statement from civil engineer.	Approved 11-10-22. nh	Bldg - Approved 11/8/22			nh

#	Applicant/ Property Owner			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
68	Hauser	311	Mindoro St	1/3/23	B23-0001	Remove existing second floor cantilevered deck (615 sf), replace with (187 sf) deck.	Planning approved 2/3/23	Ready to issue			sg
69	Jennings	1195 A	Monterey	5/4/23	B23-0112	Build an attached 908 sf ADU on the west side of a SFR.	Planning approved 6/1/23	Bldg. - Plancheck			
70	Peterson	390	Morro Bay Blvd.	4/6/23	B23-0070	Addendum #1 to permit B22-0171 - Omit lower level windows in (E) openings from eastern elevation, add upper level windows in (E) openings. Add new window on northern elevation in (E) opening where ATM was formerly located.	Planning approved 4/6/23	Ready to issue			nh
71	Orrom Properties	507	Morro Bay Blvd.	4/17/23	B23-0080	Install separation wall between this until and 828 Napa Ave, add accessible entry door and restroom.	Planning - Disapproved 4/20/23	Bldg. Approved 6/20/23			nh
72	JP Morgan Chase Bank	595	Morro Bay Blvd.	3/31/22	B22-0060	Installation of one solar carport, 99' 3 1/16" X 16' 7 3/8", with 15 modules, wall mounted PV equipment and four carport mounted lights, located in the existing Chase Bank parking lot.	disapproved 4/7/22	Bldg. - Disapproved 5/17/22			am
73	Orrom Properties	840	Napa	3/21/23	B23-0057	Interior renovation, replace windows, doors, electrical.	Planning approved 3/24/23	Bldg. - Approved 3/27/23			sg
74	Orrom Properties	860	Napa	3/29/23	B23-0066	New reconfigured exterior stairs and landing to replace existing, remove wood side, replace w/ stucco, new trash enclosure under stairs. Interior work consists of electrical, mechanical, range hood vent, and replace window for egress.	Planning approved 4/10/23	BLDG. - Approved 4/10/23			sg
75	Mollaghaffari & Hawes	427	Oahu St.	5/5/22	B22-0087	New 2nd floor single family residence, 1048 sf living, with a 258 sf 2nd story deck, and 255 sf single car garage. (The garage and an ADU make up the 1st floor level, see permit B22-0088 for attached ADU).	Planning disapproved 5-12-22. Planning approved 1/20/23	Ready to issue			nh
76	Mollaghaffari & Hawes	427-A	Oahu St.	5/5/22	B22-0088	Attached ADU - 702 sf Accessory Dwelling Unit.	Planning disapproved 5-12-22/ Planning approved 1/20/23	Ready to issue			nh
77	Dowty	580	Olive	3/7/23	B23-0049	Removal of an existing 461 sf detached garage and construction of a new 1051 sf ADU.	Planning disapproved 4/4/23	BLDG. - Approved 6/12/23			st
78	Currey	154	Orcas St.	3/23/22	B22-0062	Remodel & additions to kitchen, entry, & masterbedroom.	Disapproved 4/11/22	Bldg. - Approved 12/1/22			gc
79	Currey	154-A	Orcas St	3/23/22	B22-0063	171 sf addition as an ADU	Disapproved 4-11-22	Bldg. - Approved 12/1/22			sg
80		965	Pelican	2/27/23	B23-0044	Addition to existing bathroom for a shower, 42 sf. Also reconfiguring existing bathroom.	Planning disapproved 3/2/23	BLDG. - Approved 3/2/23			st
81	Appel	400-A	Pico St	8/18/21	B21-0149	Convert existing garage to an ADU without changing the footprint of the garage.	Approved 8/25/21	Bldg. Disapproved 9/10/21			am
82	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. Planning disapproved resubmittal 2/24/21.	Bldg. - Disapproved 3/1/21			nh

#	Applicant/ Property Owner			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
83	Naes	730	Quintana Rd	5/18/23	B23-0108	DIGEPLAN - Addendum #2 to B21-0198 - The ADA vehicle charger exceeds 5% slope. Ramp to be constructed and installed to meet code.	No Planning	Bldg - Approved 6/20/23			
84	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
85	Nagy	646	Sequoia Ct.	4/20/22	B22-0085	New 2-story SFR, 3513 sf living, 1220 attached basement level garage, and 1156 sf covered patio.	Planning disapproved - project needs resubmittal to include conditions of approval and more detailed lanscape plan. Planning approved July 5, 2022.	Ready to issue			nh
86	Hanton	425	Shasta Ave	1/17/23	B23-0004	DIGEPLAN - Enclose the current breezeway to create a new 90 sf entry, a 350 sf addition creating a primary suite and bathroom, also create a valuted space in the existing garage by removing roof and replace with new composition roof.	Planning disapproved 2/16/23	Bldg. Disapproved 2/14/23			gc
87	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
88		242	Surf St	2/23/23	B22-0282	DIGEPLAN - Demo existing 340 sf detached non-conforming garage and construct new 232 sf conforming garage with new 380 sf Accessory Dwelling Unit (ADU) atop and along side of new garage.	Planning disapprove 3/17/23. Planning approved 4/20/23	BLDG. - Approved 6/12/23			NH
89	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. Permit application expired	Bldg. - Approved 3/27/19			wu
90	Regan	429	Tulare Ave.	5/27/22	B22-0106	531 sf second floor addition that includes a study and bathroom, stairwell and a 200 sf second story deck.	Planning Approved 6/7	Ready to issue			gc
91	Morro Bay Ventures	201	Verdon Ct.	1/4/23	B22-0273	DIGEPLAN - New single story, single-family residence, 2,361 sf living, with 483 sf covered porch and a 450 sf attached garage.	Planning disapproved 1/11/23	Bldg. - Disapproved 2/3/23			nh
92	Morro Bay Ventures	202	Verdon Ct.	1/4/23	B22-0277	DIGEPLAN - New single story, single-family residence, 2,361 sf living, with 483 sf covered porch and a 450 sf attached garage.	Planning disapproved 2/2/23	Bldg. - Disapproved 2/3/23			nh
93	Morro Bay Ventures	205	Verdon Ct.	1/4/23	B22-0274	DIGEPLAN - New single story, single-family residence, 2,312 sf living, with 168 sf and 250 sf covered porches and a 485 sf attached garage. See permit B22-0279 for attached ADU.	Planning disapproved 1/11/23	Bldg. - Disapproved 2/3/23			nh
94	Morro Bay Ventures	205-A	Verdon Ct.	1/4/23	B22-0279	DIGEPLAN - New 517 sf attached Accessory Dwelling Unit (ADU). See permit B22-0274 for new SFR.	Planning disapproved 1/11/23	Bldg. - Disapproved 2/3/23			nh
95	Morro Bay Ventures	206	Verdon Ct.	1/4/23	B22-0276	DIGEPLAN - New single story, single-family residence, 2,312 sf living, with 168 sf and 250 sf covered porches and a 485 sf attached garage.	Planning disapproved 1/11/23	Bldg. - Disapproved 2/3/23			nh
96	Morro Bay Ventures	210	Verdon Ct.	1/4/23	B22-0275	DIGEPLAN - New single story, single-family residence, 2,312 sf living, with 168 sf and 250 sf covered porches and a 485 sf attached garage. See permit B22-0280 for attached ADU.	Planning disapproved 1/11/23	Bldg. - Disapproved 2/3/23			nh
97	Morro Bay Ventures	210-A	Verdon Ct.	1/4/23	B22-0280	DIGEPLAN - New 517 sf attached Accessory Dwelling Unit (ADU) - See permit B22-0275 for new SFR.	Planning disapproved 1/11/23	Bldg. - Disapproved 2/3/23			nh

#	Applicant/ Property Owner			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
Planning Projects & Permits with Final Action:											
98	Romero	563	Zanzibar	12/6/21	CDP21-048	Admin CDP for new 1978sf 2 story SFR with 533 sf garage and 2nd level 128sf deck	Incomplete letter sent 12/22/2021, Resubmittal 7/28, under review, resub on 12/21/22, corrections sent 1/19/23. Project deemed complete 5/24/23 and ready for noticing for administrative action, action noticed and approved June 14, 2023.	BLDG. Approved 12/15/21 CO			gc
99	Love	550	Kern	8/11/2022	CDP22-027	CDP for new construction of a two story 2,411sf SFR with a 565sf garage and 1,000sf attached ADU.	Under review, Incomplete letter sent 8/31, Resubmittal on 11/16, Under review, second Incomplete letter sent 12/13/22, resubmittal on 1/09/23, minor edits request on 1/27/23, resubmittal 1/31/23, under review, minor edits request on 1/20 resubmittal on 1/31/23. Request that plans be revised to meet parking requirements 3/7/23. completeness letter sent 6/1/202, noticing posted on 6/06/23, noticing action and accorded June 6/21/23	BLDG. - COND Approved CO			gc
Staff Directory: Scot Graham - sg Chad Ouimet - co Cindy Jacinth - cj Pam Newman - pn Nancy Hubbard - nh Gabby Cortez - gc Susana Toner - st											



AGENDA NO: B-1

MEETING DATE: July 18, 2023

Staff Report

TO: Planning Commissioners

DATE: July 18, 2023

**FROM: Scot Graham, Community Development Director
Nancy Hubbard, Contract Planner**

SUBJECT: Objective Design Standards – Proposed Zoning Code Amendment - New standards for inclusion as Zoning Code Chapter 17.31. **Hearing Continued from May 16, 2023 and June 6, 2023**

RECOMMENDATION:

Complete review of the Objective Design Standards and forward a favorable recommendation for approval of the Objective Design Standards as Chapter 17.31 of the 2022 Zoning Code to City Council with finding that no further environmental review is required pursuant to State CEQA Guidelines Section 15162.

DISCUSSION:

The Planning Commission (PC) held a public hearing on May 16, 2023 and again on June 6, 2023 to review the objective design standards implementation policy that will become a part of the pending new zoning code. Each public hearing included a presentation, questions and answers about the proposed ordinance, public comment and a lengthy discussion by the Planning Commissioners. The hearing on June 6, 2023 included a more detailed review of the ODS standards and discussion of the policy language and a discussion of the PC recommendation for modifications to the introduction section as well as defining the specific projects that initially would be subject to the ODS guidelines.

Comments and input were received from Commissioners Meyer, Ingraffia, and Rodriguez following the June 6, 2023 PC hearing on this matter. These comments have been summarized and are listed below.

PLANNING COMMISSIONER COMMENTS/RECOMMENDATIONS:

Commissioner Meyer:

1. Provide better introduction to the ODS that includes why they are necessary, by what agency and for what end-goal.
2. ODS standards for Morro Bay should be applicable only to those projects specifically identified in the legislative bills, not to all qualifying projects between 2 and 10 units.
3. Terms used in the ODS should be defined in the zoning code, and if not, should be included in the 2023 amendments to the 2022 zoning code.

Prepared By: NH

Department Review: CJ

4. Commissioner Meyer included specific comments for clarifications to several sections of the ODS public review draft.
5. Wanted to consider a menu of objective options for projects providing very low income units that would provide them with some options to reduce costs for the project.
6. Revise example images to include different types of architectural designs.

Commissioner Ingraffia:

1. Appreciates the reality that the Objective Design Standards are likely to provide assurance to applicant's design submittals, faster approval timelines and lower entitlement/processing costs, allowing more funding to apply to the proposed housing project.
2. Has concerns that there will be fall out to poorly designed projects following the objective standards since there will not be the benefit of a discretionary review process by Planning Commission.
3. Would like to see the policies in practice by other California coastal communities to learn from their experience and research.
4. Would like to limit projects that are qualified to use the ODS to the specific list of projects required under current effective state legislation. Once the ODS has been in practice in this limited list of qualified projects, the applicability can be broadened in an amendment to the ODS policy.
5. No longer concerned about a detrimental effect on the cost of affordable housing projects because likely cost saving measures are reflected in the interior layout and amenities provided.
6. How might this conflict with the future Downtown Design District?
7. Has concerns about the amount of detail included in the ODS and believes the options and detail could be expanded. However, applicants that find the ODS requirements lack flexibility or are to be too burdensome can opt to go through the standard discretionary review process in a Planning Commission hearing.

Commissioner Rodriguez:

1. Included some of the same comments noted above and was interested if there would be any connection between future affordable by design projects and the objective design standards.

CONCLUSION:

The ODS is in final draft form and upon favorable recommendation by the Planning Commission possibly with suggested modifications to the policy language and applicability, will be forwarded to City Council as part of an amendment to the 2022 Zoning Code. Coastal Commission has confirmed the ODS will not be part of the Coastal Implementation Plan and therefore, will go into effect 30 days after the City Council adoption of the Ordinance update.

ATTACHMENTS:

- A. Resolution 09-23 forwarding recommendation for approval to City Council
- B. Planning Commission Review Draft – Objective Design Standards
- C. Link to May 16, 2023, Planning Commission agenda and staff report (pages 121 – 123)

- <https://www.morrobayca.gov/ArchiveCenter/ViewFile/Item/6171>
D. Link to June 6, 2023 Planning Commission agenda and staff report (pages 37-58)
<https://www.morrobayca.gov/ArchiveCenter/ViewFile/Item/6188>

RESOLUTION NO. PC 09-23

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION FORWARDING A FAVORABLE RECOMMENDATION TO THE MORRO BAY CITY COUNCIL FOR ADOPTION OF THE OBJECTIVE DESIGN STANDARDS FOR INCLUSION AS SECTION 17.31 OF THE MORRO BAY MUNICIPAL CODE AND AMENDMENT TO THE 2022 ZONING CODE WITH A FINDING THAT NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED PURSUANT TO STATE CEQA GUIDELINES SECTION 15162

WHEREAS, California Government Code Section 65300 requires the city adopt a comprehensive, long-term general plan for the physical development of the City; and

WHEREAS, Government Code Section 65860 requires that the city's zoning regulations be consistent with the General Plan and that in the event that zoning regulations become inconsistent with the general plan by reason of amendment to the General Plan, the zoning shall be amended so that it is consistent with the General Plan as amended; and

WHEREAS, in May 2021 the City adopted a comprehensive update to its General Plan and Local Coastal Program Coastal Land Use Plan (LCP) known as Plan Morro Bay; and

WHEREAS, on November 22, 2022 the City Council adopted Ordinance 654 which repealed and replaced Title 17 of the Morro Bay Municipal Code in its entirety and adopted the 2022 Zoning Code / Coastal Implementation Plan (IP) (also referred to herein as "Project"); and

WHEREAS, amendments to the Morro Bay Municipal Code (MBMC), including its zoning regulations, are necessary to provide consistency with the 2021 General Plan/LCP Update; and

WHEREAS, the city determined that the General Plan /LCP Update, including the Plan Morro Bay's Zoning Code/ Coastal Implementation Plan (IP) Update was a project requiring review pursuant to the California Environmental Quality Act (CEQA), Public Resources Code 21000 et seq. and that an Environmental Impact Report (EIR) should be prepared to evaluate the potential environmental effects of the Project; and

WHEREAS, on May 26, 2021, the City Council adopted Resolution 20-21, certifying the EIR for the General Plan Update (State Clearinghouse Number SCH#2021111026), adopting Findings of Fact and Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program; and

WHEREAS, amendments to the MBMC are necessary in order to provide consistency between the General Plan/LCP and MBMC;

WHEREAS, duly noticed public hearings for the Public Draft of the Objective Design Standards Zoning Amendment was held by Planning Commission on May 16, 2023 and June 6, 2023; and

WHEREAS, the Planning Commission of the City of Morro Bay (the “City”) conducted a continuance public hearing on July 18, 2023 conducted in a hybrid format with both an in-person meeting at the Morro Bay Veterans Memorial Building, 209 Surf Street, Morro Bay, CA 93442 as well as through virtual public participation provided telephonically through Zoom, for the purpose of considering a favorable recommendation to the Morro Bay City Council for adoption of the Objective Design Standards as a Zoning Code / IP Amendment to be included as Title 17.31 of the Morro Bay Municipal Code and included as an amendment to the 2022 Zoning Code (“Project”); 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 written and oral staff report, presentation, public testimony on the Project, and whether the Project should be adopted; and

WHEREAS, the written staff report regarding the Project are found to be true and accurate in all respects and is incorporated herein by this reference;

WHEREAS, prior to the final consideration and any possible approval of any and all physical aspects of the proposed Project, the Planning Commission and all City legislative bodies involved with the proposed Project will consider the Project and the Planning Commission recommends all other governmental agencies and legislative bodies that must review or approve, if at all, the proposed Project do the same; and

WHEREAS, the Planning Commission has completed review of the Project and related materials.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Morro Bay recommends that the City Council approved inclusion of the Objective Design Standards as Section 17.31 of the Morro Bay Municipal Code and Amendment to the 2022 Zoning Code based upon the follow findings:

Section 1: California Environmental Quality Act

Finding: No further environmental review is required pursuant to State CEQA Guidelines Section 15162.

Evidence: The proposed Objective Design Standards to be added as amendment to the 2022 Zoning Code implements the General Plan/LCP, which was considered through the General Plan /LCP Update Environmental Impact Report (EIR) (SCH No. 2021111026). That document provides a programmatic

review of the potential impacts associated with implementation of the overall General Plan/LCP. The EIR is comprised of a Draft EIR (Draft EIR) and Final EIR (Final EIR). The Final EIR was released for public review on October 19, 2020 and certified by the City Council on May 25, 2021.

The proposed Objective Design Standards as a Zoning Code amendment are consistent with the analysis presented in the EIR and, pursuant to State CEQA Guidelines Section 15162, no subsequent analysis is required.

Therefore, there are no substantial changes in the Project, there are no substantial changes with respect to the circumstances under which the Project is undertaken, and no new information of substantial importance, which was not known and could not have been known at the time of certification of the EIR, and no further environmental review is required.

Section 2: Municipal Code (Zoning Code Update) Amendment

Finding: The proposed municipal code amendment is consistent with the General Plan/LCP goals, policies, and implementation programs and are necessary in order to provide consistency with the 2021 General Plan / LCP.

ACTION. The Planning Commission does hereby forward a favorable recommendation to the City Council to adopt the Objective Design Standards as new Section 17.31 of the Morro Bay Municipal Code and include as an amendment to the 2022 Zoning Code for the Plan Morro Bay Update Project.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 18th day of July 2023 on the following vote:

AYES:
 NOES:
 ABSENT:
 ABSTAIN:

 Bill Roschen, Chairperson

ATTEST:

 Scot Graham, Planning Secretary

The foregoing resolution was passed and adopted on this 18th day of July 2023.

Chapter 17.31: Residential and Mixed-Use Objective Design Standards

17.31.010	Introduction
17.31.020	Site Design
17.31.030	Building Design
17.31.040	Additional Mixed-Use Standards
17.31.050	Parking Structures
17.31.060	Utilitarian Elements

17.31.010 Introduction

- A. **Purpose.** The purpose of these design standards is to provide the public, building and design professionals, and decision-makers with objective criteria for eligible residential and mixed-use development in Morro Bay. The intent is to provide clear design direction and an expedited planning process for residential projects that enhance an area’s unique character and sense of place, respects existing neighborhood compatibility and privacy, and ensures a high-quality living environment.
- B. **Applicability.** The provisions of this chapter apply to:
1. **Senate Bill 35 projects (California Government Code §65913.4).** In addition to criteria established by the California Government Code, the project must be a multi-unit housing development containing at least two or more new residential units, or a mixed-use project where at least two-thirds of the square footage is dedicated to residential use. SB 35 projects are subject to a ministerial, streamlined approval process.
 2. **Senate Bill 330 projects (California Government Code §65589.5 and §65920).** In addition to criteria established by the California Government Code, the project may be residential only, mixed use where at least two-thirds of the square footage is dedicated to residential use, or transitional, supportive, emergency, or farmworker housing. SB 330 projects are entitled to a preliminary application process prior to filing a complete application.
 3. **Assembly Bill 2011 projects (California Government Code §65400 and §65585).** In addition to criteria established by the California Government Code, the project must be located within a zone where office, retail, or parking is principally permitted use. AB 2011 projects are subject to a ministerial, streamlined approval process.
 4. **Assembly Bill 2162 projects (California Government Code §65583 and §65650).** In addition to criteria established by the California Government Code, the project must be a supportive housing development located in a zone where multi-unit or mixed use is permitted.
 5. **Senate Bill 6 projects (California Government Code §65913.4 and §65852.24).** In addition to criteria established by the California Government Code, the project must be located within a zone where office, retail, or parking is a principally permitted use; and no part of the project is designated for hotel, motel, or other transient lodging use.

Exhibit B
CITY OF MORRO BAY
OBJECTIVE DESIGN STANDARDS
PUBLIC REVIEW DRAFT – MARCH 2023

6. All proposed new by-right multi-unit residential and mixed-use projects of 10 residential units or fewer.
 7. All other residential or mixed-use projects are made eligible by State law, and which are required to meet objective standards.
- C. **Compliance with Existing Standards.** In addition to meeting objective standards in this chapter, eligible residential projects shall comply with existing objective standards as established in the Morro Bay Municipal Code, other adopted City plans, and the California Building Code (CBC).
- D. **Conflicting Standards.** If there is any conflict between these objective design standards and existing City requirements, the less restrictive objective design standard applicable to the project shall apply.
- E. **Exceptions, Waivers, or Modifications.** Residential and mixed use projects seeking exceptions, waivers, or modifications to any development standards set forth in the Morro Bay Municipal Code or the design standards set forth in this chapter, excluding modifications such as concessions, incentives, parking reductions, or waivers of development standards pursuant to State Density Bonus Law, shall not be eligible for streamlined, ministerial processing per SB 35. The City’s non-streamlined, discretionary review process shall be required for any project that seeks exceptions, waivers, variances, or other modifications to objective standards.
- F. **No Design Review.** Eligible housing development projects complying with the objective standards in this chapter shall not be subject to the provisions of Chapter 17.38, Design Review.

17.31.020 Site Design

- A. **Purpose.** Site planning refers to the arrangement of - and relationships between - buildings, parking areas, common and private open space, landscaping, and pedestrian connections. The site planning topics in this section include site layout and building placement, vehicular surface parking and access, pedestrian circulation and access, landscaping, and common and private open space.
- B. **Building Placement and Orientation.** Building placement and orientation shall comply with the provisions of Chapter 17.07, Residential Districts, or Chapter 17.08, Commercial and Mixed-Use Districts. In addition, if buildings on the same block establish a contiguous street wall along at least 50 percent of the primary street frontage, new buildings shall be located to maintain the contiguous street wall.
- C. **Vehicular Parking and Access.** Off-street vehicular parking and access shall comply with the provisions of Chapter 17.27, Parking and Loading. For properties in Commercial and Mixed-Use Districts, projects shall also comply with Section 17.08.040, Supplemental Regulations. In addition, projects shall comply with the following:
1. **Primary Access.** Side street or alley access shall serve as the primary vehicular access to off-street parking areas, if available. If not available, the primary street shall serve vehicular access. See Section 17.27.100, Driveways and Drive Approaches, for detailed standards related to driveway location, site layout, limits to driveway width and design.

Exhibit B
CITY OF MORRO BAY
OBJECTIVE DESIGN STANDARDS
PUBLIC REVIEW DRAFT – MARCH 2023

2. **Number of Access Points.**

- a. For interior lots with less than 100 linear feet of street frontage, a maximum of one vehicle access point from the street is permitted. For interior lots with 100 linear feet or more of street frontage, a maximum of two vehicular access points from the street is permitted.
- b. For corner lots, one vehicular access point is permitted where both street frontages are less than 100 linear feet. Two vehicular access points are permitted for lots where at least one street frontage is 100 linear feet or more.
- c. The above standards assume that an access point can be a two-way connection (both ingress and egress) or a one-way connection (either ingress or egress).

FIGURE 17.31.020(C)(2): VEHICULAR ACCESS POINTS

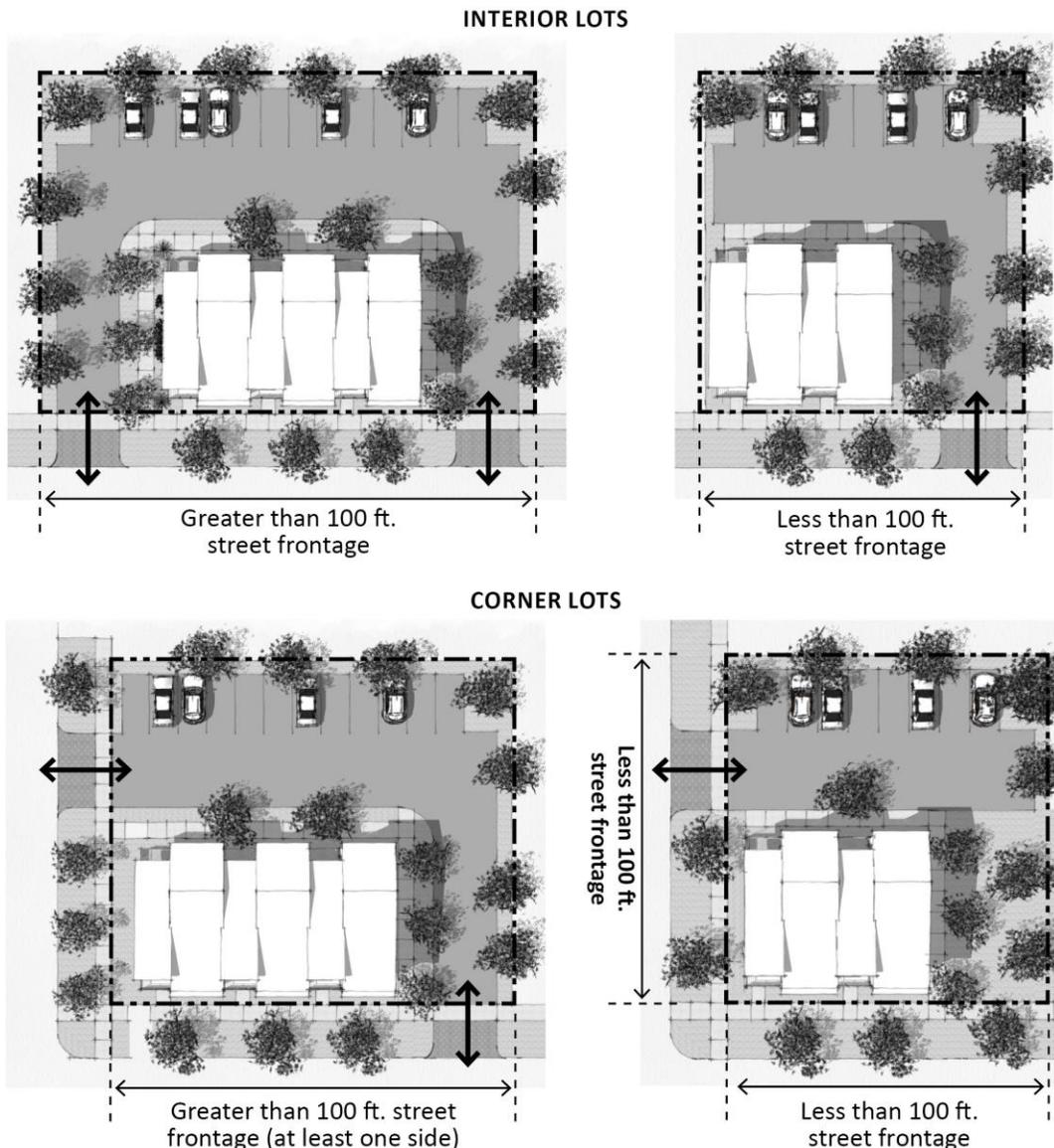


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3. **Loading and Service Areas.** The provision, layout and design of loading and service areas shall comply with Section 17.27.090, Loading, as well as the following standards:
 - a. All required loading and service areas shall be located adjacent to a façade other than the primary building frontage.
 - b. Loading and service areas shall not be located adjacent to residential dwelling units or common open space areas. Loading areas shall be screened from public view by building walls and/or uniformly solid fencing or walls, not less than six feet in height, or evergreen trees at least 10 feet in height.
 4. **Avoid Vehicle Light Intrusion into Ground-Floor Units.** Vehicle parking areas shall be located, oriented, and/or screened so that no vehicle lights enter into ground-floor residential spaces, including private open space.
- D. **Pedestrian Circulation and Access.** On-site pedestrian circulation and access shall be provided according to the provisions of Section 17.07.040, Supplemental Regulations (Residential Districts), or Section 17.08.040, Supplemental Regulations (Commercial and Mixed Use Districts). See Section 17.27.110, Parking Area Design and Development Standards, for requirements involving pedestrian access to vehicle parking areas. The following additional standard also apply:
1. **Enhanced Paving for Building Entrances.** Primary building entryways shall provide decorative and accent paving that contrast in color and texture from any adjacent pedestrian walkway surfaces.
- E. **Common and Private Open Space.** Common and private open spaces shall be provided according to the base zoning district regulations in Chapter 17.07, Residential Districts, or Chapter 17.08, Commercial and Mixed Use Districts. Section 17.23.100, Open Space, contains objective standards regarding minimum dimensions, usability, and accessibility for both private and common open space. In addition, the following standards apply:
1. **Common Open Space.** Common open space shall be provided according to Section 17.23.100, Open Space, and shall comply with the following:
 - a. **Amenity Types.** Where required by the base zoning district, projects shall provide at least one common open space through the following amenities: play areas, common courtyards, patios, gathering spaces, multi-use paths and trails, athletic/recreational facilities, dog runs and enclosures; pools and spas; and community gardens. An applicant may provide common open space through an amenity not on this list if it is readily accessible by all residents for recreation and social purposes.
 - b. **Visibility.** Common open space shall be located and arranged to allow visibility into the space from pedestrian walkways within the development. Fencing or barriers shall be designed with opaque, nontransparent materials for a maximum of 80 percent of the surface area, to allow some visual transparency between the common open space and pedestrian walkways.
 2. **Private Open Space.** Private open space shall be provided according to Section 17.23.100, Open Space, and shall be screened with one of the following options:
 - a. **Screening with Structural Elements.** A private open space may be screened by a fence or wall complying with Section 17.23.060, Fences and Freestanding Walls.

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- b. *Screening with Landscaping and Structural Elements.* A private open space may be screened by a landscape buffer or dense evergreen shrubs/vines of minimum 5 feet width and 4 feet height, and a fence or wall complying with Section 17.23.060, Fences and Freestanding Walls. If a ground-level private open space is visible from a public right-of-way or common open space, a landscape buffer is required.

F. **Landscaping.** Landscaping shall be utilized for all outdoor areas that are not specifically used for parking, driveways, walkways, or open space. Refer to Chapter 17.25, Landscaping, for regulations applicable to all new development. In addition, projects within the Coastal Resource Protection (CRP) Overlay District shall comply with relevant regulations in Chapter 17.14, Coastal Resource Protection Overlay District. For landscaping requirements in vehicular parking areas, refer to Section 17.27.110, Parking Area Design and Development Standards. In addition, the following standards apply:

1. ***Pedestrian Walkways.*** Pedestrian walkways shall be flanked on both sides with landscaping, and may include a mix of turf, groundcover, or shrubs. Both sides of walkways shall provide trees spaced to shade at least 25 percent of the overall walkway length at maturity.
2. ***Number of Plants.*** A minimum of one 15-gallon tree or equivalent box size and 10 five-gallon shrubs shall be planted for every 1,000 square feet of required landscape area.
3. ***Plant Selection.*** Projects shall comply with water efficient planting standards of Section 17.25.050, General Requirements. Plants shall be selected from plants that are native to California, or plants included on the City’s Street Tree List. In addition, tree and plant species that attract and provide habitat for local fauna (e.g., birds and pollinators such as bees and butterflies) are encouraged. Artificial or synthetic plants, except for turf, are prohibited.
4. ***Privacy.*** Landscaping shall be provided as a buffer between adjacent individual units. Landscaping shall obscure direct sight lines, and may be used in combination with walls, fencing, and/or trellises to screen views. Plant selection and landscape screening container size shall be selected to achieve at least 50 percent of this height within three years of installation.

FIGURE 17.31.020(F)(1): PEDESTRIAN WALKWAYS



Trees spaced to shade at least 25% of the overall walkway length at maturity

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17.31.030 Building Design

- A. **Purpose.** Building design incorporating variations in form, massing and façade articulation provides human scale and visual interest to a building and contributes to Morro Bay’s eclectic character and architectural diversity. Topics in this section include building massing, scale and form, façade articulation, roof forms, building and unit entryways, fenestration, parking structure design, and building materials and colors.
- B. **Building Form, Massing, and Façade Articulation.** Building form, massing and façade articulation facilitate the distinction of individual units, or groups of units, through varied heights, projections, setbacks, and recesses. Materials and colors emphasize changes and hierarchy in building form.
1. **Building Form and Vertical Hierarchy.** Buildings shall be designed to differentiate between a defined base; a middle or body; and a top, cornice, or parapet cap. Buildings two stories or less shall include a defined base and a top, cornice, or parapet cap. This effect shall be achieved through incorporating at least two of the following design elements for all buildings:
 - a. Color, texture, or material changes.
 - b. Variations, projections, or reveals in the wall plane.
 - c. Variations in fenestration size or pattern.
 - d. Decorative architectural details such as cornices and columns.

FIGURE 17.31.030(B)(1): BUILDING FORM AND VERTICAL HIERARCHY

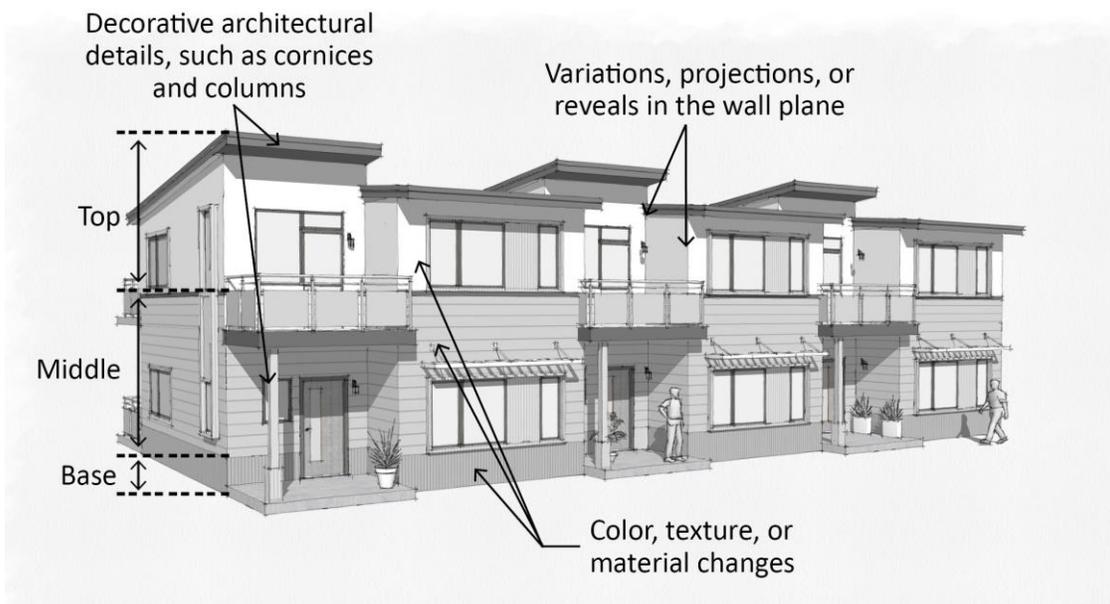


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2. **Wall Plane Variation.** See Section 17.07.040, Supplemental Regulations, for building façade articulation in residential zoning districts. For mixed use projects, see Section 17.31.030 in this chapter.
3. **Four-sided Architecture.** Buildings shall be designed and articulated with common details, articulation, materials, and elements on all sides.
4. **Corner Architectural Features.** Buildings shall incorporate architectural features at corners such as towers, primary entries, enhanced materials, or roof projections to create a sense of hierarchy.
5. **Corner Facade Articulation.** Buildings located on the corner of two streets, and greater than one story, shall include one or more of the following features on both of the intersecting façades, located within 25 feet of the corner of the building:
 - a. An entry to ground-floor use or a primary building entrance.
 - b. A different material application, color, or fenestration pattern of windows and doors from the rest of the façade.
 - c. The area encompassed within 25 feet of the corner of the building shall have a change in height of at least 5 feet.

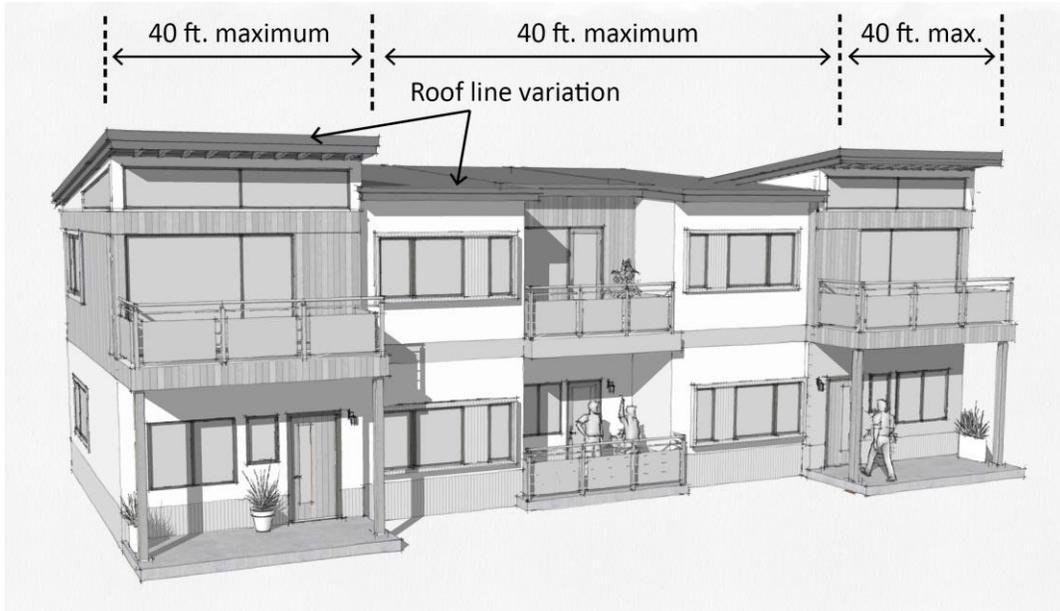
FIGURE 17.31.030(B)(5): CORNER FACADE ARTICULATION



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6. **Roof Line Variation.** Roof lines shall not extend more than a length of 40 feet without at least one prominent change as described below:
- a. Provide variation in roof form, such as hip, gable, shed, and flat with parapet.
 - b. Provide variation of roof height of at least 18 inches (as measured from the highest point of each roof line).

FIGURE 17.31.030(B)(6): ROOF LINE VARIATION

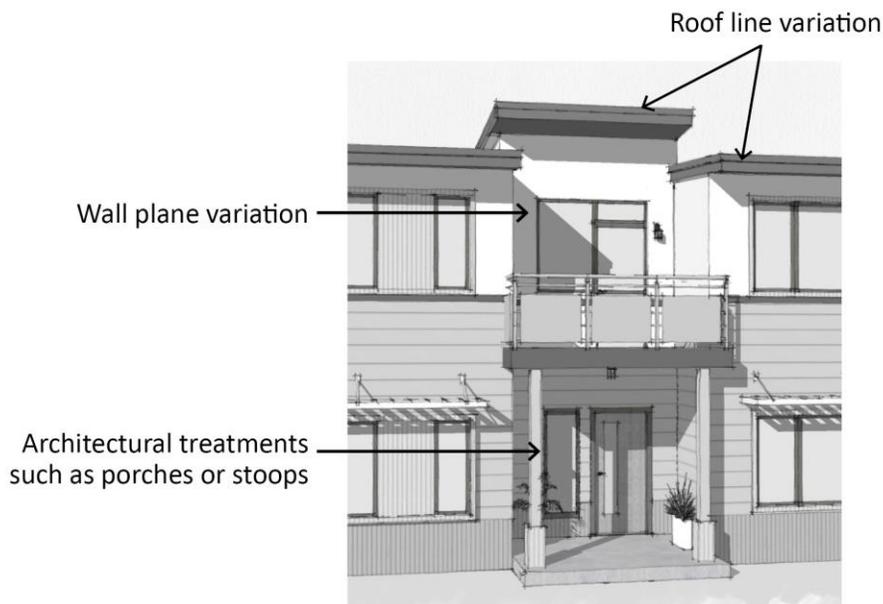


7. **Flat Roofs and Parapets.** Parapets shall be provided around the perimeter of a flat roof and shall be a minimum of six inches taller than all rooftop equipment.
- a. Interior side of parapet walls shall not be visible from a common open space or public right-of-way.
 - b. Parapets shall be capped with precast treatment, continuous banding, or projecting cornices, dentils, or similar edge treatment.
- C. **Building and Unit Entrances.** Entrance orientation and design shall comply with the provisions of Section 17.07.040, Supplemental Regulations (Residential Districts), or Section 17.08.040, Supplemental Regulations (Commercial and Mixed Use Districts). The following additional standards also apply:
1. **Primary Residential Building Entrances.**
 - a. **Street-Facing Entry.** Residential buildings located adjacent to the primary street shall have a ground-level common entry facing the primary street unless units are accessed by individual entries.

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- b. *Building Entry Architectural Treatments.* Common building entries shall be differentiated from the main façade through at least two of the following:
- i. Roof above the entry incorporating a change in roof line of at least 18 inches.
 - ii. Entry incorporating a variation of wall plane (recessed or projected) a minimum of 2 feet from the adjacent wall planes.
 - iii. Entry incorporating architectural treatments that vary from those on the general facade (e.g., window and/or door trim with substantial depth and detail, decorative siding, porches, stoops).

FIGURE 17.31.030(C)(1)(B): BUILDING ENTRY ARCHITECTURAL TREATMENTS



2. *Individual Unit Entrances.*

- a. *Upper-Floor Unit Entry.* Exterior entries to individual units on upper floors are permitted; however, in order to avoid a “motel-style” appearance, no exterior access corridor located above the ground floor may provide access to five or more upper-floor units.
- b. *Non Street-Adjacent Buildings.* Buildings not located adjacent to a street shall have unit front entryways oriented to face common open space areas such as landscaped courtyards, plazas, or paseos.

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D. Windows.

1. **Privacy.** Windows facing adjacent buildings shall be offset to avoid direct sight lines into and from neighboring properties. This requirement is waived if opposing windows are adjacent to commercial uses. In addition, windows opposite an adjacent building shall be further screened through one or more of the following:
 - a. Utilize non-transparent or obscured glazing, such as frosted/patterned glass. Reflective glazing is not permitted.
 - b. Provide permanent architectural screens or affixed louvers at windows.
2. **Window Treatment.** All windows shall either be recessed at least 2 inches from the plane of the surrounding exterior wall or shall have trim at least 1/2 inch in depth and 3.5 inches in width. See Section 17.07.040, Supplemental Regulations (Residential Districts).
 - a. *Windows Facing a Public Street.* Windows facing a public street shall feature enhanced window treatments, such as decorative architectural brackets, trim, shutters, awnings, and/or trellises.
 - b. *Window Shutters.* Functional and decorative shutters shall be one-half-width of the associated window glazing (for paired shutters), or matching width for a single shutter

E. Materials and Colors. Exterior building materials and colors shall comply with the provisions of Section 17.07.040, Supplemental Regulations (Residential Districts), or Section 17.08.040, Supplemental Regulations (Commercial and Mixed Use Districts).

1. **Wall Material.** The primary exterior siding material for buildings shall be stone, brick, stucco, concrete block, painted wood clapboard, fiber cement clapboard, or painted metal clapboard.
2. **Window Material.** Window materials, color, and style shall be consistent on all elevations, unless used at an entry way or as an accent feature.
3. **Material Transition.** Changes in material shall occur at inside corners of intersecting walls or at architectural features that break up the wall plane, such as columns.
4. **Awnings.** Glossy finish vinyl awning material is not allowed.

17.31.040 Additional Mixed Use Standards

- A. **Façade Articulation.** Building façades visible from the primary street shall not extend more than 50 feet in length without at least one of the following: a 5-foot variation in depth in the wall plane, architectural element, or other prominent feature that provides visual interest. Building entrances, front porches, upper-story setbacks, and projections such as stoops, bays, overhangs, fireplaces, upper-story decks and trellises count towards this requirement.
- B. **Ground Floor Transparency.** Refer to Section 17.080.040, Supplemental Regulations, for standards related to exterior walls containing non-residential uses.
- C. **Street-Facing Setbacks.** Where a front setback or street-facing side setback is provided for a mixed use building, it shall be designed for pedestrian orientation with hard surface and amenities. The setback area on each lot shall contain at least two amenities per 50 linear feet such

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as benches, drinking fountains, shade structure, or other design element (e.g. art or sculpture, planters, and kiosks).

D. **Entrances.**

1. **Residential Street-Adjacent Entry.** Mixed use buildings located adjacent to the primary street shall incorporate at least one residential building entrance that directly fronts the public sidewalk or right-of-way and complies with the requirements of Subsection 17.31.030(C)(1).
2. **Commercial Storefronts.** Commercial entrances adjacent to the sidewalk shall be recessed from the façade by a minimum of 2 feet from the rest of the building, creating an alcove.

17.31.050 Parking Structures.

- A. **Wall Plane Variation.** Façades visible from the primary street shall not extend more than 50 feet in length without at least one of the following: a 3-foot variation in depth in the wall plane, architectural element, or other prominent feature that provides visual interest.
- B. **Materials and Colors.** The parking structure shall utilize the same colors and materials as the primary buildings.
- C. **Articulation.** The exterior of the parking structure shall apply at least one of the following as articulation:
 1. Applied materials such as brick, stone, and/or siding which extend at least two inches from the face of the structure to the face of the applied materials. Painted concrete, smooth concrete, or stucco walls shall not be considered sufficient articulation.
 2. Decorative architectural features such as cut metal screens, awnings, trellises, louvers, and/or decorative security grills shall be used on openings facing a public street or open space.
- D. **Landscaping.** Vertical plantings shall be located between openings, entrances, and architectural accent features. At least one tree shall screen the building façade per 50 feet. Trees shall be selected from California native plants or from the City's Street Tree list. Trees shall be selected to grow to 40 feet in height at maturity, and shall grow to at least 15 feet in height within two years from time of installation.

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17.31.060 Utilitarian Elements

- A. **Bicycle Parking.** Bicycle parking shall comply with the provisions of Section 17.27.080, Bicycle Parking.
- B. **Refuse Storage and Collection Areas.** Trash, recycling, and green waste container enclosures are required for residential and mixed use developments. They shall be located within a service section of the primary building, incorporated into the exterior building design, or located within a detached enclosure designed and placed as follows:
 - 1. **Location.** The enclosure shall be located to the rear or side of the building and located outside of view from a public right-of-way.
 - 2. **Screening.** The enclosure shall include a solid wall a minimum of 6 feet in height and a roof structure that fully shields the top of the container, and be located on the site in an area where the screening height required is allowed.
 - 3. **Materials.** The enclosure shall use materials that are consistent with exterior colors and materials of the primary building.
- C. **Fences and Walls.** Fences and walls shall comply with the provisions of Section 17.23.060, Fences and Freestanding Walls. In addition, where fences and walls of different materials or finishes intersect, a column or pilaster shall be provided.
- D. **Lighting.** Lighting shall comply with the provisions of Section 17.23.080, Lighting and Illumination. Projects within the Coastal Resource Protection (CRP) Overlay Zone District shall comply with additional provisions of Section 17.14.090, Visual Resource Protection. Lighting in parking areas shall also comply with Section 17.27.110, Parking Area Design and Development Standards.
- E. **Screening of Mechanical Equipment.** Equipment and utilities shall comply with the provisions of Section 17.23.130, Screening.
- F. **Vents and Exhaust.** All wall-mounted elements shall be located at interior corners of building walls or behind building or screening elements that conceal them from public view. All flashing, sheet metal vents, exhaust fans/ventilators, and pipe stacks shall be painted to match the adjacent roof or wall material and/or color.

Exhibit C

Link to May 16, 2023, Planning Commission agenda and staff report (pages 121 – 123)
<https://www.morrobayca.gov/ArchiveCenter/ViewFile/Item/6171>

Exhibit D

Link to June 6, 2023, Planning Commission agenda and staff report (pages 37-58)
<https://www.morrobayca.gov/ArchiveCenter/ViewFile/Item/6188>