



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, October 6, 2020 - 6:00 P.M.
Held Via Teleconference**

Vice-Chairperson Jesse Barron
Commissioner Michael Lucas

Chairperson Gerald Luhr

Commissioner Joseph Ingraffia
Commissioner Susan Stewart

ESTABLISH QUORUM AND CALL TO ORDER

PLANNING COMMISSIONER ANNOUNCEMENTS

PUBLIC COMMENT

Public Participation:

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

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

Please click the link below to join the webinar:

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

Password: 135692

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

PRESENTATIONS

A. CONSENT CALENDAR

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

A-2 Approval of minutes from the Planning Commission meeting of July 21, 2020.
Staff Recommendation: Approve minutes as submitted.

B. PUBLIC HEARINGS

B-1 **Case No.:** CP0-365

Site Location: 3093 Beachcomber, Morro Bay, CA

Request: Request for a two-year Time Extension of Coastal Development Permit #CP0-365. The CDP was approved on September 20, 2016 for new construction of a 3,041sf single family home with 478sf garage on a vacant lot at 3093 Beachcomber. The project site is in the R-1 /S.2A zone and located inside the Coastal Commission Appeals Jurisdiction.

CEQA Determination: Mitigated Negative Declaration

Staff Recommendation: Conditionally approve

Staff Contact: Cindy Jacinth, Senior Planner (805) 772-6577, cjacinth@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 October 20, 2020 at 6:00 p.m. via teleconference.

PLANNING COMMISSION MEETING PROCEDURES

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

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

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

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

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

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

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

APPEALS

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

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

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



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

Agenda No: A-1
 Meeting Date: October 6, 2020

#	Applicant/ Property Owner	Project Address	Application Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
Hearing or Action Ready Projects:										
1	LaPlante	3093 Beachcomber	8/30/20	CP0-365	Time Extension Request for Coastal Development Permit #CP0-365 approved in September 2016.	Municipal Code requires a public hearing for permit time extensions after Administrative extensions are exhausted. Director authorized 1 year time extension in 2018 and again in 2019.				cj
2	Biaggini	1148 Market	8/3/20	CDP20-012/ CUP20-05	CDP/CUP for new 2 story SFR w/ garage and ADU.	Incomplete letter sent 8/13/20. Project deemed complete 8/27/20. Scheduled for PC hearing October 20, 2020.				nh
3	Eisemann	535 Atascadero Road	8/5/20	MIN20-007	Request for modification of previously approved tentative map MB15-0103	Under Review. Comment letter sent 8/17/20, waiting for resubmittal. Resubmittal received 8/26/20, under review. Resubmittal deemed complete notice not required for minor changes. Permit to be issued 9/30/20				nh
4	Luhr	2335 Nutmeg	8/27/20	CDP20-014	Addition of an ADU to an existing Single family home	Under planning review. Project deemed complete, noticing scheduled for October 5-16.				nh
5	Pappas / AT&T	475 Radcliff	5/11/20	CUP20-04 / CDP 20-008	CDP and CUP request for new wireless telecommunication facility to include new tower, installation of panel antennas, and associated equipment along with 300sf equipment shelter at base of telecomm tower.	Incomplete letter sent 5/20/20. Resubmittal received and deemed incomplete again on 7/7/20. Resubmittal received 8/25/20. Response sent 9/8 to Applicant. Tentatively scheduled for 11/4 PC meeting.				cj
30 -Day Review, Incomplete or Additional Submittal Review Projects:										
6	Fowler	1215 Embarcadero	9/28/20	MIN20-009	Minor Modification to UP0-058 to repurpose existing floating bait receiver/ after the fact approval of floating kayak storage.	Under review				cj
7	Zinngrabe	Seashell Estates Subdivision / 1305 Theresa Dr. (301 Sea Shell Cove)	9/28/20	MIN20-008	Minor Modification to subdivision approvals to reduce lot size of Lots 7 & 8 to reduce impacts to sensitive plant species.	Under review				cj
8	AT&T	800 Quintana	9/23/20	MAJ20-001	Major Modification to CDP/CUP Amendment proposed to modify existing rooftop wireless telecommunications site on commercial building. Request includes 3 foot height increase of corner antennas.	Under review				cj
9	Hubbard	603 Driftwood Street	9/14/20	CDP20-015 / CUP20-06	Two story addition (540 sf) to existing home with 104 sf deck, remodel existing 840 sf home.	Under review				nh
10	Richie	963 Balboa Street	9/29/20	CUP20-08	Convert garage into JADU with 82 sf laundry/mud room addition for transition into new unit.	Under review				nh

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11	Appel	400 Pico	8/24/20	CDP20-013	Admin CDP for garage conversion to a 408sf ADU	Submittal is under review. Deemed incomplete. Correction letter sent 9/14/2020, waiting for resubmittal				am
12	HS Nutmeg LLC	2681 Nutmeg Ave	7/14/20	CDP20-009	New 2585 sf home with 500 sf JADU and 463 sf attached garage.	Comment provided 8/3/20. Resubmittal received 9/17/20, under review.				nh
13	Pavacich	501 Marina	8/3/20	CDP20-011	Existing 2 story home previously converted into two dwelling units without a permit. CDP is necessary to bring this project into conformance with General Plan and Land Use policies. Also requires after-the-fact building permit.	Submittal is under review. Comment letter sent 8/21/20. Waiting for resubmittal.				nh
14	Hurless	2290 Greenwood Ave	5/7/20	CDP20-007	Legalize ADU from prior construction. Was a previous Code Enforcement issue. Plans difficult to understand.	Correction letter sent 5/18/20. Resubmittal received June 16, 2020 under review. Project deemed incomplete, comment letter sent July 16, 2020, waiting for resubmittal.				nh
15	Bean	Unaddressed Main Street (AKA 199 Sandpiper Court)	12/19/19	CUP19-20, CDP19-047	CUP/CDP for new home on triangular small parcel on the bluff. Proposed home is 526 sf 2-stories with access easement to Main Street	Project deemed incomplete, comment letter sent January 7, 2020. Waiting for resubmittal.				nh
16	Gambriel	571 Embarcadero	10/14/19	MAJ19-006	Major Modification to CUP Amendment for proposed public access improvements, dock and gangway realignment, conversion of 2nd floor to hotel units and request for 1st floor ADA accessible hotel unit	Correction letter sent 11/13/2019. Awaiting resubmittal.		PN-Conditionally Approved 10/16/2019		cj
17	Cleary	1282 and 1290 Embarcadero Road	5/23/19	CDP19-016	CDP for removal of major vegetation.	Submittal is under review. Correction letter sent 6/10. Awaiting resubmittal.				cj
Projects Appealed to Planning Commission or PC Continued projects:										
18	State Parks - Mike Walgren	11 State Park Road	8/20/18	CDP 18-004, CUP18-04	Coastal Development Permit & Conditional Use Permit to install modular building for office space, parking and landscape improvements at Morro Bay State Park	Submitted on 8-20-18. Deemed incomplete 9.10.18. Applicant to resubmit plans. Plans resubmitted with additional information on 10-26-18. Project deemed complete. Scheduled for PC on December 18, 2018. Continued to date uncertain by PC on 12/18/18. Applicant to provide additional information. Followed up with applicant 2/3/20 - they are waiting for reports prior to resubmittal.		PN- Approved 9/4/2018		nh

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19	City of Morro Bay	End of Nutmeg	1/18/12	UP0-344	Environmental documents for Nutmeg Tanks. Permit number for tracking purposes only County issuing permit. Demo existing and replace with two larger reservoirs. City handling environmental review	KW--Environmental contracted out to SWCA estimated to be complete on 4/27/2012. SWCA submitted draft I.S. to City on May 1, 2012. MR-Reviewed MND and met with SWCA to make corrections. In contact with County Environmental Division for their review. MND received by SWCA on 10/7/12. MND out for public notice and 30 day review as of 11/19/12. 30 day review ends on 12/25/12. No comments received. Scheduled for 1/16/13 Planning Commission meeting and then to be referred back to SLO County. Planning Commission continued this item to address concerns regarding traffic generated from the removal of soil. In applicant's court, they are addressing issues brought up by neighbors during initial P.C. meeting. Project has been redesigned and will be going forward with concrete tanks. Modifications to the MND are in process. Neighborhood meeting conducted with Engineering on 9/27/2013. Revising project description and MND. No recent activity.	No review performed.	BCR- Needs new MND for concrete tank, less truck trips. Neighborhood mtg held 9/27. Neighbors generally support new design that reduces truck trips by 80%. Concrete batch plant set up on site will further reduce impact. 5/5/14 - Cannon contract signed to finish permit phase. Construction will be delayed to FY15/16		cj
Projects Appealed or Forwarded to City Council: None at this time										
Environmental Review:										
20	City of Morro Bay	N/A		UP0-423	MND for Chorro Creek Stream Gauges	Applicant requesting meeting for week of 9/9/13. SWCA performing the environmental review. Received completed MND from Water Systems Consulting (WSC) on 4/1/15. Routed to State Clearinghouse for required 30 day review period. Tentative hearing 8/4/15. No recent activity.	No review performed.	MND complete. Cut permit checks to RWQCB and CDFW on 2/27/15		cj
Final Map Under Review Projects:										
21	Eisemann	535 Atascadero Road	3/7/19	PAR19-01	Final Parcel map	Submittal is under review. Planning disapproved 3/14/19. Resubmittal disapproved on May 14, 2019. Resubmittal received, review comments provided 6-5-19. Disapproved 11-5-19. Waiting for revised submittal to remove improvements not requested by CalTrans. Applicant granted an extension of the timeline to finalize the final parcel map to August 8, 2021.		PN- Disapproved 11-6-2019		nh
Projects going forward to Coastal Commission for review (Pending LCP Amendments) / or State Department of Housing:										
22	City of Morro Bay	Citywide			Plan Morro Bay: General Plan / Local Coastal Program / Zoning Code Update project	Comprehensive overall update to the City's 1988 General Plan, 1984 Local Coastal Program, and 1997 Zoning Code. For more information or to get involved, visit www.morrobayca.gov/planmb . Public draft of combined General Plan/ LCP released May 2018 for review. Working with Coastal staff on CCC input. Reviewing final Adoption Draft. Admin Draft of EIR received and now under review. Previous City Sign Ordinance Update work completed in 2017 to be incorporated into Plan Morro Bay.				

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23	City of Morro Bay	Citywide	10/16/13	A00-013. A00-029: Ordinance 601	Zoning Text Amendment - Second Unit	Secondary Unit Ordinance Amendment. Ordinance 576 passed by City Council in 2012. Change recommended by PC after Council direction which led to Adoption of Ord. 585 by City Council on 5/13/14. Ordinance to be sent as an LCP Amendment for certification by Coastal Commission. New language for PC and Council review. Second reading going to council on April 12, 2016. PC reviewed change 5-3-16. CC second First Reading 6-28-16.. Application submitted to Coastal Commission August 2016. Coastal objected to ban on use as vacation rentals. New State legislation in effect 1-1-20 which supersedes previous adopted ordinances. To be incorporated into Plan Morro Bay.	No review performed.			wm

Projects Continued Indefinitely, No Response to Date on Incomplete Letter or inactive:

24	Verizon / Knight	184 Main new location, Corner of Main and Cabrillo	11/19/14	UP0-394 and CP0-512	Coastal Development Permit and Conditional Use Permit for installation of new Wireless Facility/Verizon antennas on existing pole.	Under Review. JG. Incomplete. Waiting on response from Tricia Knight. Wants to keep project open and figure out the parking situation or move location. 1/26. JG. Applicant looking to move location to pole across the street. resubmittal rcv'd 5/26. Deemed Complete, waiting for Applicant to confirm PC meeting date. PC hearing held on 9/6/16 and continued for further review to 11-1-16 PC hearing. Continuance requested. Continued to a date uncertain		PN- Conditionally approved 6/14/16		jg
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Grants

25	California Coastal Commission, California Ocean Protection Council	City-wide	4/6/16		\$400,000 Grant for LCP update to address sea-level rise and climate change impacts. Round 3 Grant award of \$200,000 for Lateral Access Plan, and ESHA delineation. Round 6 funding of \$60,000 received Mar 2020.	Grant agreements for both the grants are in place and grant administration has been turned over to Michael Baker International, per terms of the GP/LCP update contract. Received signed grant agreement for \$200,000 LCP Planning grant by CCC for Round 3 awards 2-27-17. Additional LCP grant funding received in 2020 under Round 6 for \$60,000 to complete LCP update.	No review performed.	N/A		sg
26	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. Final 2016 funding recommendations reviewed by Council on 3-8-16. 2016 Subrecipient Agreement executed and Council approved 2018-2020 Cooperation Agreement with County on 6-13-17. City Council approved Cooperation Agreement for 2021-2023 CDBG Program Years at 5/26/20 Council meeting.	No review performed.	N/R		cj
27	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:

#	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
28	Gulley	679	Atascadero	2/27/20	B20-0042	Add 135 sq. ft. bathroom addition.		Ready to issue			sg
29	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.	Approved 8-9-18. Requested permit extension. Additional permit extension requested for Planning permit which expires 9/20/2020. PC to consider extension request on 10/6/20.	Ready to issue	PN - Approved 6/21/2018	Emailed comments on 10-20-17.	cj
30	Auerbach	3200	Beachcomber Dr.	12/30/19	B19-0277	Convert 100 sf of enclosed sun-room area to living space and add 67 sq ft of new living area. Demo kitchens and add 3 beams, new windows, siding, update electrical, water heater and forced air unit, misc, clean up.	Disapproved Jan 14, 2020, additional information provided and Planning approved building permit 4/7/20	Ready to issue			nh
31	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.	Under review. Planning disapproved 1/31/20. Waiting for resubmittal	Bldg - Disapproved 1/15/20			nh
32	Brebes	495	Driftwood	12/20/19	B19-0269	New 3778 sf duplex homes including garages on lot with existing SFH	Pending approval of planning permits, applicant changing potential density on the site in CDP permit process. CDP permit issued. Waiting for resubmittal	Bldg - Disapproved 2/7/20			nh
33	Sanford	121	Easter St.	8/4/20	B20-0124	Interior remodel to include removal of interior walls located in entry and living room, new lighting and receptacles, new roof, add 64 sf to create laundry room.	Submittal under review. Planning disapproved 8/27/20. Waiting for resubmittal. Approved 9/28/20.	Bldg. - Approved 8/25/20			am
34	City of Morro Bay	595	Embaracadero	12/31/19	B19-0278	Commercial T.I. to former Aquarium building to meet accessibility requirements, remove asbestos from 1st floor, update electrical, mechanical and plumbing, new structural shear wall, repair concrete columns, new raised deck, stairs & railing for tasking room & brewery (Three stacks & A Rock Brewing Company.	Approved.	Bldg. - Approved 7/22/20			sg
35	Post	2445	Greenwood Ave.	8/5/20	B20-0125	Demo existing Single Family Residence and propose new construction Single Family Residence 2-story - 3 bedroom, and 2.5 Bath. 1868 sf of living space plus 484 sf attached garage.		Bldg. - Disapproved 9/2/20			nh
36	Novick	2820	Greenwood Ave.	8/25/20	B20-0151	Demo existing covered breeze way, demo exterior stairs & 60 sf of existing shed. Replace flat roof with gable truss roof, new 211 sf addition (Halls & Stairs) & add new 78 sf 2nd story deck	Submittal is under review. Planning disapproved 9/28/20. Waiting for resubmittal.	Bldg. - Disapproved 9/14/20			am
37	Wilkie	476-A	Hill	3/26/20	B20-0057	ATTACHED ADU - Convert existing attached garage to 344 sf Accessory Dwelling Unit.	Correction letter sent 4/30/20. Awaiting resubmittal.	Bldg. - Approved 4/8/20			nh
38	Bailey	2565	Ironwood Ave.	7/2/20	B20-0104	Converting rear covered porch into 225 sf addition creating laundry room, bathroom, and expansion of bedroom.	Disapproved 7/9/2020.	Bldg - Disapproved 7/15/20			cj
39	Friesen	2390	Juniper	3/5/20	B20-0043	Build new observation deck over existing roof top. Applicant is modifying the scope of work to include a new room with an attached deck and a deck extension in the front over the driveway.	Applicate revising submittal to deck extension at front of existing home (as of 7/10/20). Awaiting resubmittal.	Bldg - Diapproved 3/12/20			nh

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40	Lindley	2601	Laurel Ave.	9/10/20	B20-0169	Construct a 68 sf deck to existing front deck	Disapproved 9/17/20. Sent correction memo. Cj	Bldg - Approved 9/17/20			cj
41	Peter	890	Main St.	2/13/19	B19-0026	ADA and parking lot improvements. ADA stall to be relocated closer to street and make van accessible.	Approved on 3/1/19 - sg	Bldg - Approved 2/27/19 Fire - Approved 2/26/19	Disapproved on 4/15/19		sg
42	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.	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
43		2460	Main St.	7/21/20	B20-0114	New accessible parking stall and ramp, minor remodel of motel office/lobby.	Planning disapproved 7/22/20. Waiting for revisions.	Bldg - Disapproved 7/22/20			nh
44	Cleath	2790	Main St.	7/2/20	B20-0106	Remove 736 sf existing building and construct new 4996 sf 8 room hotel.	Planning approved 7/27/20.	Bldg - Disapproved 7/27/20			nh
45	Shorey	1110	Marengo Dr	12/20/19	B19-0270	450 sq ft addition to guesthouse.	Disapproved pending approval of CDP19-048. CDP approved and permit issued 5/2020. Building Permit conditionally approved 6/23/20	Ready to issue			nh
46	McCutcheon	361	Mindoro St.	8/18/20	B20-0149	Replace an existing 240 sf 2nd story deck (8' X 30").		Bldg. - Approved 8/19/20			co
47	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
48	Kolb	691	Morro Ave	7/30/20	B20-0121	1,150 S.F. TI in an existing medical office building		Bldg - Disapproved 8/31/20			sg
49	Singh	940	Morro Bay Blvd	5/28/20	B20-0085	Installation of an ATM machine on the exterior of the existing gas station building. Includes lighting and minor parking modifications	Under review, pending approval of Minor Modification to existing CUP/CDP. MIN permit issued 8/31/20.	Bldg - Approved 9/16/20			nh
50	Luhr	2335	Nutmeg Ave.	8/27/20	B20-0158	ATTACHED ADU - Construct 498 sf addition to existing SFR to be used as an ADU.	Permit disapproved waiting for CDP. CDP s/b final on October 19, 2020. Need resubmittal.	Bldg. - Disapproved 9/16/20			nh
51	Loe	2605	Nutmeg Ave.	7/14/20	B20-0110	Repair Driveway		Bldg - Approved 9/17/20			sg
52	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
53	Cohen	331	Orcas St	6/25/20	B20-0099	Demolish a 386 sf cottage and installation of a 990 sf manufactured home, a 336 sf (16' x 21') semi attached site built garage with rooftop deck, exterior landing and stairs to garage and exterior stairs to rooftop deck.	Planning approved 7/3/20	Bldg - Approved 9/29/20			nh
54	Steel	450	Piney Way	7/27/20	B20-0117	521 sf deck extension and replacement of 2 sliding glass doors and 1 window.		Bldg - Approved 8/10/20			sg

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55	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.		Bldg - Disapproved 9/17/20			nh
56	Scharin Family Trust Johan C. Scharin Trustee	710	Quintana	5/21/20	B20-0082	Remodel of former Dollar Tree into a new O'Reilly Auto Parts for the retail sale of automotive parts and accessories.		Bldg - Disapproved 6/11/20			wu
57	Contreras	475	Radcliff Ave.	8/4/20	B20-0122	Permit for foundations of two Tubular Steel Pole (TSP) and removal of a lattice Tower and TSP	Disapproved 8/12/20. Sent 2nd correction memo 9/28/20. cj	Bldg. - Approved 8/10/20			cj
58	Contreras	475	Radcliff Ave.	8/4/20	B20-0123	Permit for grading of two Tubular Steel Pole (TSP) and removal of a lattice Tower and TSP	Disapproved 8/12/20. Sent 2nd correction memo 9/28/20. cj	Bldg. - Approved 8/10/20			cj
59	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 12') with associated electrical wiring.	Approved 9/26/19.	Ready to issue			cj
60	Kennedy	1130	Scott Street	12/20/19	B19-0271	New commercial project with residential security unit above	Conditionally approved 1/3/20	Bldg - Disapproved 1/7/20			nh
61	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
62	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
63	Davis	1149	West Ave	7/8/19	B19-0145	Construct lower level 360 sf enclosed patio (12' x 30') at rear of existing SFR.	Disapproved, proposed enclosed patio extended into the 25 foot bluff setback.	Bldg - Approved 7/10/19			nh
Planning Projects & Permits with Final Action:											
64	Lawrence	2590 Hemlock		10/25/19	CDP19-040	Demo existing home, building new 2-story home with an attached ADU and garage on the ground floor.	Project deemed complete September 8, 2020. Preparing for public notice period and administrative decision. Permit issued Sept 29, 2020				nh
65	Rhine LP/Morro 94	3300 Panorama		8/20/19	MAJ 19-005	After the fact permit application for removal of 3 sheds and removal of existing asbestos siding and replacement with metal siding for transformer building.	Submittal is under review. Deemed incomplete 8-29-19. Project submittal deemed complete. Tentatively scheduled for Planning Commission on September 15, 2020. Project not appealed, permit issued 9.15.20				nh
66	Hosford	775 Ridgeway		7/15/20	CDP20-010	Admin CDP for conversion of existing unconditioned space in a SFR into a 700 sf accessory dwelling unit	Correction letter sent 7/29/20. Resubmittal received 8/11/20 and is under review. Project complete and noticed on 8/25/20. Project not appealed, permit issued 9/22/2020.				am
Staff Directory:											
Scot Graham - sg		Chad Ouimet - co		Cindy Jacinth - cj		Pam Newman - pn		Nancy Hubbard - nh		Abby Miramontes - am	

AGENDA ITEM: A-2

DATE: OCTOBER 6, 2020

ACTION: DRAFT

ACTION MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – JULY 21, 2020
HELD VIA TELECONFERENCE – 6:00 PM

PRESENT:	Gerald Luhr Jesse Barron Joe Ingraffia Michael Lucas Susan Stewart	Chairperson Vice-Chairperson Commissioner Commissioner Commissioner
STAFF:	Scot Graham Nancy Hubbard Amy Sinsheimer	Community Development Director Contract Planner PlaceWorks

ESTABLISH QUORUM AND CALL TO ORDER

PLANNING COMMISSIONER ANNOUNCEMENTS

<https://youtu.be/dJ90kxRqtJE?t=36>

Commissioner Lucas announced he will be attending a webinar tomorrow for the Updated Environmental Justice Guidance for General Plans.

PUBLIC COMMENT PERIOD - NONE

Public Participation:

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

- *Community members are encouraged to submit agenda correspondence in advance of the meeting via email to the Community Development office at planningcommission@morrobayca.gov prior to the meeting and will be published on the City website with a final update one hour prior to the meeting start time. Agenda correspondence received less than an hour before the meeting start time may not be posted until after the meeting.*
- *Members of the public may watch the meeting either on cable Channel 20 or as streamed on the City [website](#).*
- *Alternatively, members of the public may watch the meeting and speak during general Public Comment or on a specific agenda item by logging in to the Zoom webinar using*

the information provided below. Please use the “raise hand” feature to indicate your desire to provide public comment. Each speaker will be allowed three minutes to provide input.

Please click the link below to join the webinar:

- <https://us02web.zoom.us/j/82722747698?pwd=aWZpTzcwTHlRTk9xaTlmWVNWRFUQT09>
Password: 135692

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

PRESENTATIONS

A. CONSENT CALENDAR

<https://youtu.be/dJ90kxRgtJE?t=215>

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

A-2 Approval of minutes from the Planning Commission meeting of May 19, 2020.
Staff Recommendation: Approve minutes as submitted.

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

<https://youtu.be/dJ90kxRgtJE?t=237>

B. PUBLIC HEARING

B-1 **Case No.:** Housing Element Update 2020-2028
Site Location: Citywide

Request: A Continued Public Hearing from July 7, 2020 for consideration of the 2020-2028 Housing Element Update and associated Negative Declaration to forward a recommendation to the City Council. The Housing Element is one of seven required Elements in the General Plan and serves as the framework for providing housing within the city limits. The Housing Element identifies housing needs, including responsibility to meet the local housing allocation determined by Regional Housing Needs Assessment. This Housing Element will cover an 8 year planning period vs. the previously required 5 year period. The City invites public participation in the creation of the Housing Element Update in order to (1) educate the public about the housing needs, the requirements of the Housing Element Update and (2) engage the public to get their opinions on the Housing Element Update document.

CEQA Determination: An Initial Study was prepared that resulted in a Negative Declaration which was circulated for public review from May 21, 2020 to June 21, 2020.

Staff Recommendation: Forward a favorable recommendation to City Council to adopt the Negative Declaration and to approve the 2020-2028 Housing Element Update as conditionally certified by the State Department of Housing and Community Development.

Staff Contact: Nancy Hubbard, Contract planner (805) 772-6211, nhubbard@morrobayca.gov

<https://youtu.be/dJ90kxRgtJE?t=282>

Graham updated the Commissioners on the last discussion regarding the Housing Element Update.

Hubbard notified the Commissioners the staff report and other items were updated.

Chairperson Luhr opened the Public Comment period.

<https://youtu.be/dJ90kxRgtJE?t=523>

Betty Winholtz, Morro Bay, stated her concerns regarding the Housing Element Update.

Linda Winters, Morro Bay, stated her concerns regarding the mobile home park community.

Discussion between the Commissioners and staff.

Chairperson Luhr closed the Public Comment period.

<https://youtu.be/dJ90kxRgtJE?t=859>

MOTION: Commissioner Lucas moved to forward a positive recommendation to the City Council for the city's Housing Element, adopting PC Resolution 12-20, recommending approval of the Housing Element with the recommendations from the Planning Commission. Commissioner Stewart seconded, and the motion passes 5-0, with Lucas, Stewart, Ingraffia, Barron & Luhr voting yes.

<https://youtu.be/dJ90kxRgtJE?t=10634>

C. NEW BUSINESS

D. UNFINISHED BUSINESS

E. PLANNING COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS

<https://youtu.be/dJ90kxRgtJE?t=10774>

Commissioner Barron asked staff about status on the Short-Term Vacation Rental ordinance. Barron also notified all he would be absent from the November 17th meeting.

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENTS - NONE

<https://youtu.be/dJ90kxRgtJE?t=10931>

Graham notified the HASLO (Housing Authority of the City of San Luis Obispo) project went to City Council and was approved 4-1; appeals denied.

Graham also notified the Commissioners the August 4th Planning Commission meeting maybe canceled due to no Public Hearings at this time.

G. ADJOURNMENT

The meeting adjourned at 6:03 p.m. to the next scheduled Planning Commission meeting via teleconference, on August 4, 2020 at 6:00 p.m.

Gerald Luhr, Chairperson

ATTEST:

Scot Graham, Secretary



AGENDA NO: B-1

MEETING DATE: October 6, 2020

Staff Report

TO: Planning Commission

DATE: September 28, 2020

FROM: Cindy Jacinth, Senior Planner

SUBJECT: Time Extension Request for Coastal Development Permit (CP0-365) for new construction of a 3,041sf single family residence with 478sf garage at 3093 Beachcomber located in the R-1/S.2A zoning district and within the Coastal Commission Appeals Jurisdiction

RECOMMENDATION:

Approve Time Extension Request for Coastal Development Permit No. CP0-365 by adopting Planning Commission Resolution 15-20.

PERMITTEE: Paul LaPlante

ENVIRONMENTAL DETERMINATION:

A Mitigated Negative Declaration were prepared for the project as described in the permit and adopted on September 20, 2016. No project changes are proposed that would affect the environmental determination.

PROJECT DISCUSSION:

The proposed 3,041sf single family home with 478sf garage at 3093 Beachcomber was approved by Planning Commission on September 20, 2016. The approval was valid for two years or until September 2018. Requests for a one-year administrative extension were approved in 2018 and 2019 per MBMC 17.60.140. Municipal Code requirements only allow for two administrative extensions of a planning permit. After that, planning permit extensions are only allowed with Planning Commission approval.

The permittee, Mr. Paul LaPlante, submitted a request for permit extension on August 30, 2020. He is requesting a two-year extension due to personal and financial hardships and requests consideration based on the length of time it took to receive City approval on the coastal development permit.

Staff is sympathetic of the request and is trying to work with applicants and projects that

Prepared By: __CJ__

Department Review: _____

have been affected by the coronavirus pandemic. Therefore, staff is in support of the request and recommends that the Planning Commission authorize a two-year extension. The permittee applied for a building permit on April 24, 2017. The building plans have been approved and are “ready to issue” so therefore we anticipate that the two-year extension should be adequate to allow for Mr. LaPlante to start construction and therefore inaugurate the permit. All conditions of approval would remain on the project.

RECOMMENDATION:

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

EXHIBITS:

Exhibit A – Planning Commission Resolution #15-20

Exhibit B – Request for Time Extension 8/30/2020 email by Paul LaPlante

Exhibit C – Approved Permit with Plans

EXHIBIT A

RESOLUTION NO. PC 15-20

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION APPROVING A TIME EXTENSION FOR COASTAL DEVELOPMENT PERMIT (#CP0-365) FOR NEW CONSTRUCTION OF A NEW 3,041 SQUARE FOOT SINGLE-FAMILY HOME WITH 478 SQUARE FOOT 2-CAR GARAGE ON A VACANT LOT LOCATED IN THE R-1/S.2A ZONING DISTRICT AND WITHIN THE COASTAL COMMISSION APPEAL JURISDICTION AT 3093 BEACHCOMBER

WHEREAS, the Planning Commission of the City of Morro Bay (the "City") conducted a public hearing via video conference on October 6, 2020 for the purpose of considering a time extension of Coastal Development Permit CP0-365 which was approved on September 20, 2016 for new construction of a 3,041sf single family home on a vacant lot ("Project"); and

WHEREAS, pursuant to Morro Bay Municipal Code section 17.60.140, the Community Development Director authorized two one-year extensions in 2018 and 2019 and no further extensions may be approved without Planning Commission approval; and

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

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

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

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

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

California Environmental Quality Act (CEQA) Finding

1. That for purposes of the California Environmental Quality Act, Case No. CP0-365 is subject to a Mitigated Negative Declaration based upon potentially significant impacts to Aesthetics, Air Quality, Biological

EXHIBIT A

Resources, Cultural Resources, Geology/Soils, Hazards and Hazardous Materials, and Hydrology and Water Quality. Any impacts associated with the proposed development will be brought to a less than significant level through the Mitigated Negative Declaration (MND). Furthermore, the project, as mitigated as a result of California Coastal Commission review and concurrence of the MND and project plans, will have a less than significant impact on the environment.

2. That for purposes of the California Environmental Quality Act, the Planning Commission adopted the Mitigated Negative Declaration with its approval of Coastal Development Permit #CP0-365 when the project was approved on September 20, 2016. No additional impacts will occur beyond those which have already been studied with approval of this time extension.

Coastal Development Finding

1. The Planning Commission finds that the project is consistent with applicable provisions of the Local Coastal Program and Chapter 3 of the California Coastal Act for new construction of a single family home on a vacant lot.
2. The Planning Commission finds that the project is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act because the project design has been sited with increased rear setbacks and existing public access and a small parking lot is located immediately north of the property on land owned and managed by the State of California Department of Parks and Recreation.
3. The Planning Commission finds the project, as conditioned, is consistent with the character of the neighborhood in which it is located. It is surrounded by compatible uses of low density residential development; has similar bulk and scale as nearby structures.

Section 2. Action. The Planning Commission does hereby approve a time extension of 2 years for Coastal Development Permit CP0-365 for property located at 3093 Beachcomber subject to the following conditions:

STANDARD CONDITIONS

1. This permit is granted for the land described in the staff report dated September 28, 2020, for the project at 3093 Beachcomber as part of Coastal Development Permit CP0-365, on file with the Community Development Department, as modified by these conditions of approval, and more specifically described as follows: Site development, including all buildings and other features, shall be located and designed substantially as shown on plans, unless otherwise specified herein.

EXHIBIT A

2. Changes: Minor changes to the project description and/or conditions of approval shall be subject to review and approval by the Community Development Manager. Any changes to this approved permit determined, by the Manager, not to be minor shall require the filing of an application for a permit amendment subject to Planning Commission review.
3. Compliance with the Law: (a) All requirements of any law, ordinance or regulation of the State of California, the City, and any other governmental entity shall be complied with in the exercise of this approval, (b) This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan for the City.
4. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicants failure to comply with conditions of approval. Applicant understands and acknowledges the City is under no obligation to defend any legal actions challenging the City's actions with respect to the project. This condition and agreement shall be binding on all successors and assigns.
5. Compliance with Conditions: The applicant's establishment of the use or development of the subject property constitutes acknowledgement and acceptance of all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Manager or as authorized by the Planning Commission. Failure to comply with any of these conditions shall render this entitlement, at the discretion of the Manager, null and void. Continuation of the use without a valid entitlement will constitute a violation of the MBMC and is a misdemeanor.
6. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan of the City.

PLANNING CONDITIONS:

1. All conditions approved with Coastal Development Permit #CP0-365 via Planning Commission Resolution 20-16 shall remain in full force and effect.

EXHIBIT A

Planning Commission Resolution 15-20
CP0-365: 3093 Beachcomber Time Extension
Page 4

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 6th day of October, 2020 on the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Chairperson Gerald Luhr

ATTEST

Scot Graham, Community Development Director

The foregoing resolution was passed and adopted this 6th day of October, 2020.

From: [REDACTED] on behalf of Paul LaPlante [REDACTED]
Sent: Sunday, August 30, 2020 8:10 PM
To: Cindy Jacinth
Subject: 3093 Beachcomber

Community Development Director
Cindy Jacinth
City Of Morro Bay

I'm writing this letter to request your help with regards to the extension of the permit #CPO365. As you may remember I went through hell for six years long years in trying to obtain this permit and now that I have it I don't want to lose it.

For the first five years of this grueling process I was ready to break ground immediately. I even had the construction loan money ready before the original permit submittal in 2011, because at the start I was told it would take approximately 120 days for a permit. **I soon learned this wasn't to be.**

In light of the time and tremendous cost of the permit process, and unforeseen medical expenses in which I lost my mother and two brothers, I am asking for a two year extension. The pandemic is also a factor in the ability to start and effectively run a building project. I

truly appreciate your consideration for this request,

Sincerely,

Paul LaPlante



Exhibit C
FILE COPY

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

September 21, 2016

Paul LaPlante
1935 Northwood Rd
Nipomo, CA 93444

Subject : #CP0-365 Coastal Development Permit for 3093 Beachcomber (065-120-001)

Description:

Coastal Development Permit #CP0-365 and Adoption of Mitigated Negative Declaration (SCH# 2014091051) for 3093 Beachcomber – new construction of a single family residence on a vacant lot in the R-1/S2.A zoning district in the Coastal Appeals Jurisdiction.

Dear Mr. LaPlante:

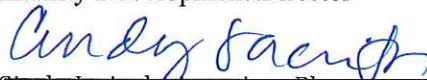
The City of Morro Bay Planning Commission conditionally approved your request at a regularly scheduled meeting held on September 20, 2016 through adoption of PC Resolution 20-16. This action does not constitute a building permit. Any further processing of this project must be initiated by the applicant, subject to the applicable rules and regulations of the Morro Bay Municipal Code. ***Please be advised that you must return the enclosed Acceptance of Conditions form, signed, to this Department or the action is null and void.***

The Morro Bay Municipal Code provides for an appeal of the action by the Planning Commission within ten (10) days of adoption and anyone wishing to appeal may do so in writing by delivering such letter to the office of the City Clerk. There is no fee for filing appeals in the coastal appeals jurisdiction. An additional 10 business day Coastal Commission appeals period begins approximately after the local 10 day appeal period concludes. **Your permit is not effective until both appeals periods have concluded. Contact this office for final action date, anticipated to be approximately mid-October, 2016.**

Also a Mitigated Negative Declaration (MND) was adopted with a Mitigation and Monitoring Program (MMP). These mitigations have been incorporated as conditions of approval to your project attached to Planning Commission Resolution 20-16 which is made part of your permit. Enclosed is a copy of the Notice of Determination (NOD) for your project which evidences the City's action in adopting the MND and MMP which shall be filed within 5 days of project approval. As previously discussed with your agent, please provide the required State Department of Fish & Wildlife environmental filing fees to this office on or before September 23, 2016 if you request the City to file the NOD for you.

Sincerely,

Scot Graham
Community Development Director

By: 
Cindy Jacinth, Associate Planner

Notice of Determination

Appendix D

To:

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

County Clerk
County of: San Luis Obispo
Address: _____

From:

Public Agency: City of Morro Bay
Address: 595 Harbor Street
Morro Bay, CA 93442
Contact: Cindy Jacinth, Assoc. Planner
Phone: 805-772-6577

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

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

State Clearinghouse Number (if submitted to State Clearinghouse): SCH # 2014091051

Project Title: New One Story Single Family Residence

Project Applicant: Paul LaPlante, 1935 Northwood Rd., Nipomo, CA 93444 johnkconstruct@gmail.com

Project Location (include county): 3093 Beachcomber, Morro Bay, San Luis Obispo County

Project Description:

Coastal Development Permit #CP0-365 for 3093 Beachcomber – new construction of a 3,041sf single family residence with 478sf garage on a vacant lot in the R-1/S2.A zoning district. This project is located inside the Coastal Commission appeals jurisdiction

This is to advise that the City of Morro Bay has approved the above
(Lead Agency or Responsible Agency)

described project on September 20, 2016 and has made the following determinations regarding the above
(date)
described project.

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

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

City of Morro Bay, Community Development Dept, 955 Shasta Ave, Morro Bay, CA 93442 cjacinth@morrobayca.gov

Signature (Public Agency): Cindy Jacinth Title: Associate Planner

Date: 9-22-2016 Date Received for filing at OPR: _____



CITY OF MORRO BAY
COMMUNITY DEVELOPMENT DEPARTMENT

Coastal Development Permit

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

CASE NO: CP0-365

THIS PERMIT IS HEREBY APPROVED AND ISSUED FOR:

SITE ADDRESS: 3093 Beachcomber

APPLICANT: Paul LaPlante

APN/LEGAL: 065-120-001

DATE APPROVED: September 20, 2016

APPROVED BY: Planning Commission

CEQA DETERMINATION: Mitigated Negative Declaration

DESCRIPTION OF APPROVAL:

Coastal Development Permit #CP0-365 for 3093 Beachcomber - new construction of a 3,041sf single family residence with 478sf garage on a vacant lot. This project is located inside the Coastal Commission appeals jurisdiction.

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

YOUR PROPERTY IS LOCATED IN THE COASTAL COMMISSION APPEALS JURISDICTION: THE FOLLOWING COASTAL COMMISSION APPEAL PERIOD APPLIES TO YOUR PROJECT: This City decision is appealable to the California Coastal Commission pursuant to the California Public Resource Code, Section 30603. The applicant or any aggrieved person may appeal this decision to the Coastal Commission within **TEN (10) *Working days* following Commission receipt of this notice and after expiration of the City of Morro Bay appeal period.** Appeals must be in writing and should be addressed to: California Coastal Commission, 725 Front Street, Ste. 300, Santa Cruz, CA 95060, Phone: 415-427-4863. If you have any questions, please call the City of Morro Bay Community Development Department, 772-6264.

IF NOT APPEALED, YOUR PERMIT WILL BE EFFECTIVE: Subject to appeals periods above.

ATTEST: Cindy Jacinto DATE: 9/21/2016

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

RESOLUTION NO. PC 20-16
Revised by Planning Commission on 9-20-16

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION
 ADOPTING A MITIGATED NEGATIVE DECLARATION (MND) AND APPROVING
 COASTAL DEVELOPMENT PERMIT (CP0-365) TO CONSTRUCT A NEW 3,041 SQUARE
 FOOT SINGLE-FAMILY DWELLING WITH 478 SQUARE FOOT 2-CAR GARAGE ON A
 VACANT LOT LOCATED IN THE COASTAL COMMISSION APPEAL JURISDICTION
 AT 3093 BEACHCOMBER

WHEREAS, the Planning Commission of the City of Morro Bay conducted a public hearing at the Morro Bay Veteran's Hall, 209 Surf Street, Morro Bay, California, on October 20, 2015, for the purpose of considering Coastal Development Permit CP0-365 for a proposed new construction of a single-family home at 3093 Beachcomber, on a vacant lot in the Coastal Commission appeal jurisdiction with review of a mitigated negative declaration; and

WHEREAS, the Planning Commission continued the project to a date uncertain in order to allow plan revisions necessary for compliance with City Environmentally Sensitive Habitat Area (ESHA) policies regarding sand dune habitat which require a 50 foot buffer setback;

WHEREAS, the Planning Commission conducted a public hearing on September 6, 2016 but was continued to allow the Applicant additional time to complete plan revisions and was continued to a date certain of September 20, 2016;

WHEREAS, the Planning Commission conducted a public hearing, on September 20, 2016, for the purpose of considering Coastal Development Permit CP0-365 for a proposed new construction of a single-family home at 3093 Beachcomber, on a vacant lot in the Coastal Commission appeal jurisdiction with review of a mitigated negative declaration; and;

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

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

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

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

California Environmental Quality Act (CEQA) Finding

1. That for purposes of the California Environmental Quality Act, Case No. CP0-365 is subject to a Mitigated Negative Declaration based upon potentially significant impacts to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Hazards and Hazardous Materials, and Hydrology and Water Quality. Any impacts associated with the proposed development will be brought to a less than significant level through the Mitigated Negative Declaration (MND). Furthermore, the project, as mitigated as a result of California Coastal Commission review and concurrence of the MND and project plans, will have a less than significant impact on the environment.

2. That for purposes of the California Environmental Quality Act, an analysis was performed to determine whether subsequent review is required for this project based on the revised project plans dated September 12, 2016. Based upon this analysis, it was determined that the proposed project is smaller in footprint and increased the buffer setback for sand dune environmentally sensitive habitat to the required fifty feet, therefore no additional impacts will occur beyond those which have already been studied.

Coastal Development Finding

1. The Planning Commission finds that the project is consistent with applicable provisions of the Local Coastal Program and Chapter 3 of the California Coastal Act for new construction of a single family home on a vacant lot.
2. The Planning Commission finds that the project is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act because the project design has been sited with increased rear setbacks and existing public access and a small parking lot is located immediately north of the property on land owned and managed by the State of California Department of Parks and Recreation.
3. The Planning Commission finds the project, as conditioned, is consistent with the character of the neighborhood in which it is located. It is surrounded by compatible uses of low density residential development; has similar bulk and scale as nearby structures.

Section 2. Action. The Planning Commission does hereby adopt the Mitigated Negative Declaration and approve Coastal Development Permit CP0-365 for property located at 3093 Beachcomber subject to the following conditions:

STANDARD CONDITIONS

1. This permit is granted for the land described in the staff reports dated September 14, 2016 and October 15, 2015, for the project at 3093 Beachcomber depicted on plans dated September 12, 2016, as part of Coastal Development Permit CP0-365, on file with the Community Development Department, as modified by these conditions of approval, and more specifically described as follows: Site development, including all buildings and other features, shall be located and designed substantially as shown on plans, unless otherwise specified herein.
2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this Resolution and is diligently pursued, thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Any extension may be granted by the City's Community Development Manager (the "Manager"), upon finding the project complies with all applicable provisions of the Morro Bay Municipal Code (the "MBMC"), General Plan and certified Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.
3. Changes: Minor changes to the project description and/or conditions of approval shall be subject to review and approval by the Community Development Manager. Any changes

to this approved permit determined, by the Manager, not to be minor shall require the filing of an application for a permit amendment subject to Planning Commission review.

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

PUBLIC WORKS CONDITIONS

1. Stormwater Management: The City has adopted Low Impact Development (LID) and Post Construction requirements to protect water quality and control runoff flow from new and redevelopment projects. The requirements can be found in the Stormwater management guidance manual on the City's website www.morro-bay.ca.us/EZmanual This project has more than 2,500 sq ft of new impervious area and is subject to the SFR Performance Requirements 1. Update and submit the "SFR Performance Requirement Determination Form".
2. Frontage Improvements: The installation of frontage improvements is required. Show the installation of a City standard driveway approach (B-7 or B-8), curb and street tree. If permeable pavers are to be used, a modified driveway approach with a 12" wide PCC grade beam should be constructed to stabilize the front edge of the pavers. An encroachment permit is required for any work within the Right of Way.

3. Encroachment Permits: 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 the installation of the sewer lateral. When utility connections require pavement cuts a traffic control plan indicating appropriate signing, marking, barricades and flaggers must be submitted with the Encroachment Permit application.
4. Sewer Lateral: The sewer main line shall be extended and a new clean out installed 4 feet beyond where the proposed sewer lateral tie-in will connect. If an existing lateral is used, perform a video inspection of the lateral and submit to Public Works via flash drive or DVD, prior to building permit issuance. Lateral shall be repaired as necessary and all repairs shall be noted on approved set of plans.
5. Sewer Backwater Valve: A sewer backwater valve shall be installed on site to prevent a blockage or maintenance of the municipal sewer main from causing damage to the proposed project (MBMC 14.24.070). Indicate and label on plan.
6. 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. 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.
7. Water Meter: Per Resolution No. 06-16, all new water allocations requested for 2016 shall be offset on a two-to-one basis (or 440 gallons per day) by providing retrofits to existing uses or providing non-required water savings features for development that would benefit from water allocation. Submit a list of items and supporting documents (such as manufacturer's specifications, manufacturer's water calculations, WELO Water calculations, etc.) proving water savings amount. See attached "Water Allocation Form" and "Off-site Water Allocation Form". The Public Works Director is responsible for the review and approval of the proposed retrofits to ensure they offset the water supply requested by new development. Retrofits may include, but are not limited to, any of the following water savings best management practices:
 - a. Irrigation retrofits
 - b. Waterless urinals
 - c. Waterless toilets
 - d. Ultra-Low flow toilets
 - e. Lawn/Landscape replacement
 - f. Grey water system installation in new construction
 - g. Installation of rainwater recovery system
 - h. Other water savings best management practices as approved by the Public Works Director
 - i. If retrofit is deemed to be infeasible by Public Works Director (whose decision is not appealable), then payment of an "In-Lieu" fee program of two times \$3,016 (\$6,032) per required Water Equivalency Units (WEU). Applicant must submit proof that retrofit is infeasible.

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

BUILDING CONDITIONS:

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

PLANNING CONDITIONS

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

5. Architecture: Building color and materials shall be as shown on plans approved by the Planning Commission and specifically called out on the plans submitted for a Building Permit to the satisfaction of the Community Development Manager Manager.
6. Boundaries and Setbacks: The property owner is responsible for verification of lot boundaries. Prior to requesting foundation inspection, a licensed land surveyor shall verify lot boundaries and building setbacks to the satisfaction of the Community Development Manager. A copy of the surveyor's *Form Certification* based on a boundary survey shall be submitted with the request for foundation inspection.
7. Building Height Verification: Prior to foundation inspection, a licensed land surveyor shall measure and inspect the forms and submit a letter to the Community Development Manager certifying that the tops of the forms are in compliance with the finish floor elevations as shown on approved plans. Prior to either roof nail or framing inspection, a licensed surveyor shall submit a letter to the building inspector certifying that the height of the structures is in accordance with the approved plans and complies with the maximum height requirements of 14 for flat roofs or 17 feet (for 4 in 12 or greater pitch), maximum above the average natural grade of the building footprint.
8. Casitas Sink: Prior to issuance of building permit, a deed restriction shall be recorded to run with the property restricting the sink/wetbar from being converted into a sink for a second residential unit as required by Zoning Ordinance Section 17.48.325. Said deed restriction/covenant shall be recorded and submitted to the Community Development Director prior to issuance of a building permit.
9. Pursuant to LCP Policy 11.23, prior to issuance of building permit, the Property Owner shall dedicate appropriate permanent easement over the portion of the property determined to be environmentally sensitive habitat. Easement dedication shall be to the satisfaction of the Community Development Director.
10. The Mitigation and Monitoring Plan, attached to the MND which is Exhibit D of the October 20, 2015 staff report and listed below as Attachment A, with mitigations revised after public circulation denoted in underlined font, shall be incorporated as conditions of approval.

Conditions 11 and 12 added by Planning Commission on 9/20/2016

11. Window detail shall be equivalent on the north and west elevations of the home as it is to the east elevation.
12. A final landscaping plan shall be submitted prior to issuance of a building permit which includes landscaping, curb and gutter, or other devices which will prevent access to parking vehicles, boats and recreational vehicles in the front yard setback.

Attachment "A"

SUMMARY OF REQUIRED MITIGATION MEASURES**AESTHETICS:****AES Impact 1 Visibility of night lighting and daytime glare would adversely affect views resulting in a direct long-term impact.**

AES/mm-1 Prior to issuance of a building permit, a comprehensive lighting plan shall be submitted for review and approval by the City. The lighting plan shall be prepared using guidance and best practices endorsed by the International Dark Sky Association. The lighting plan shall address all aspects of the lighting, including but not limited to all buildings, infrastructure, parking and driveways, paths, recreation areas, safety, and signage. The lighting plan shall include the following at minimum:

- a) The point source of all exterior lighting shall be shielded from offsite views.
- b) Light trespass from exterior lights shall be minimized by directing light downward and utilizing cut-off fixtures or shields.
- c) Illumination from exterior lights shall be the lowest level allowed by public safety standards.
- d) Exterior lighting shall be designed to not focus illumination onto exterior walls.
- e) Bright white-colored light shall not be used for exterior lighting.

AES/mm-2 Prior to issuance of a building permit, the applicant shall submit building plans and elevations for review and approval consistent with the following conditions:

- a) No highly reflective glazing or coatings shall be used on windows.
- b) No highly reflective exterior materials such as chrome, bright stainless steel, or glossy tile shall be used on the portions of the development where visible from off-site locations.

AES/mm-3 Building Height Verification: Prior to foundation inspection, a licensed land surveyor shall measure and inspect the forms and submit a letter to the Community Development Director certifying that the tops of the forms are in compliance with the finish floor elevations as shown on approved plans. Prior to either roof nail or framing inspection, a licensed surveyor shall submit a letter to the building inspector certifying that the height of the structures is in accordance with the approved plans and complies with the maximum height requirements of 14 for flat roofs or 17 feet (for 4 in 12 or greater pitch), maximum above the average natural grade of the building footprint.

After implementation of these measures, residual impacts would be less than significant.

Monitoring: The City of Morro Bay would verify implementation of these design details through review and approval of the lighting plan and building plans prior to issuance of building permits for the project. The City of Morro Bay will also review and verify submission of licensed land surveyor height certificate to verify height compliance.

AIR QUALITY**AQ Impact 1 Construction activities associated with development of the proposed project would result in short-term emissions of DPM, potentially affecting sensitive receptors.**

AQ/mm-1 Prior to issuance of grading and construction permits, the applicant shall submit plans including the following notes, and shall comply with the following standard mitigation measures for reducing diesel particulate matter (DPM) emissions from construction equipment:

- a) Maintain all construction equipment in proper tune according to manufacturer's specifications;
- b) Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- c) Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation;
- d) Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
- e) Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;
- f) All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;
- g) Excessive diesel idling within 1,000 feet of sensitive receptors is not permitted;
- h) Electrify equipment when feasible;
- i) Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,
- j) Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

AQ Impact 2 Construction activities associated with development of the proposed project could generate dust that could be a nuisance to adjacent sensitive receptors.

AQ/mm-2 Prior to issuance of grading and construction permits, the applicant shall include the following notes on applicable grading and construction plans, and shall comply with the following standard mitigation measures for reducing fugitive dust emissions such that they do not exceed the APCD's 20 percent opacity limit (APCD Rule 401) and do not impact off-site areas prompting nuisance violations (APCD Rule 402) as follows:

- a) Reduce the amount of disturbed area where possible;

- b) Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- c) All dirt stockpile areas should be sprayed daily as needed;
- d) Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
- e) Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established;
- f) All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g) All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- h) Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i) All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114;
- j) Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- k) Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;
- l) All PM10 mitigation measures required shall be shown on grading and building plans; and
- m) The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust off-site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

AQ Impact 3 Construction activities associated with development of the proposed project could generate dust that could be a nuisance to adjacent sensitive receptors.

AQ/mm-3 Prior to issuance of a grading permit, the applicant shall submit a geologic evaluation that determines if naturally occurring asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, an exemption request shall be filed with the District. If NOA is found at the site, the applicant shall comply with all

requirements outlined in the Asbestos ATCM This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD.

After implementation of these measures, residual impacts related to air quality would be less than significant.

BIOLOGICAL RESOURCES

BIO Impact 1 Development of the project could indirectly affect the pedestrian beach access trail to the north of the site, coastal and shoreline habitat to the west, and special-status species and wildlife in the proximity to the west and north of the property.

BIO/mm-1 Prior to issuance of construction permits, the applicant shall submit documentation verifying designation of a qualified biological monitor for all biological resources measures to ensure compliance with Conditions of Approval and mitigation measures. The monitor shall be responsible for: (1) ensuring that procedures for verifying compliance with environmental mitigations are followed; (2) lines of communication and reporting methods; (3) daily and weekly compliance reporting; (4) construction crew training regarding environmentally sensitive areas; (5) authority to stop work; and (6) action to be taken in the event of non-compliance. Monitoring shall be at a frequency and duration determined by the affected natural resource agencies, which may include the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, Regional Water Quality Control Board, California Coastal Commission, U.S. Fish and Wildlife Service, and the City of Morro Bay.

BIO/mm-2 Prior to the initiation of construction, the environmental monitor shall conduct environmental awareness training for all construction personnel. The environmental awareness training shall include discussions of sensitive habitats and animal species in the immediate area. Topics of discussion shall include: general provisions and protections afforded by the Endangered Species Act; measures implemented to protect special-status species; review of the project boundaries and special conditions; the monitor's role in project activities; lines of communications; and procedures to be implemented in the event a special-status species is observed in the work area.

BIO/mm-3 Prior to the initiation of construction, the applicant's contractors and the environmental monitor shall coordinate the placement of project delineation fencing throughout the work areas. The environmental monitor shall field fit the placement of the project delineation fencing to minimize impacts to sensitive resources. The project delineation fencing shall remain in place and functional throughout the duration of the project. During construction, no project related work activities shall occur outside of the delineated work area.

BIO/mm-4 Prior to issuance of grading and construction permits, the applicant shall submit grading, construction, and landscape plans incorporating the following measures, for review and approval by the City Environmental Coordinator. The plan shall be implemented concurrent with or immediately following construction. The plan shall include, but not be limited to the following measures:

- a. Prior to any construction activities, the coastal dune scrub area shall be demarcated with highly visible construction fencing or staking for the benefit of contractors and equipment operators.
- b. Restoration of surface contours through minor grading and seeding native vegetation may be required to reduce the erosion potential and provide temporary cover during and after construction.
- c. Non-native and invasive species shall not be permitted onsite. For a list of noxious weeds and appropriate plant materials, please refer to the following sources: the California Invasive Plant Council website at www.cal-ipc.org and the County of San Luis Obispo's approved landscape plant list. Substitutions may be allowed, but shall be approved by a qualified botanist.
- d. The north and west perimeters of the site shall utilize native species characteristic of the coastal dune scrub and native grassland habitat in the area. Landscaping around the house and to the east and south shall utilize drought tolerant, non-invasive species.
- e. The final landscape plan shall be reviewed and approved by a qualified botanist prior to review and approval by the City Environmental Coordinator.
- f. A sediment and erosion control plan shall be prepared that specifically seeks to protect the coastal dune scrub to the west of the construction site. Erosion control measures shall be implemented to prevent runoff from the site. Silt fencing, straw bales, and/or sand bags shall be used as well as other methods to prevent erosion and sedimentation of the drainage channel. The plan shall specify locations and types of erosion and sediment control structures and materials that would be used on-site during construction activities. Biotechnical approaches using native vegetation shall be used as feasible. The plan shall also describe how any and all pollutants originating from construction equipment would be collected and disposed.
- i. Current Best Management Practices (commonly referred to as BMPs) shall be utilized to minimize impacts to the native habitat areas onsite. Washing of concrete, paint, or equipment shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Washing of equipment, tools, roads, etc. shall not be allowed in any location where the tainted water could affect the drainage and adjacent beach's sensitive biological resources.

BIO Impact 2 Development of the project could impact coastal dune scrub habitat.

BIO/mm-5 Prior to the initiation of construction, the coastal dune scrub area shall be temporarily fenced during the entire phase of construction to assure no disturbances to coastal dune scrub habitat occur.

BIO Impact 3 Development of the project could impact Morro Shoulderband snail (MSS) and Morro blue butterfly.

BIO/mm-6 Prior to issuance of a building permit a continuous silt fence shall be installed along the northern and western property boundaries. The fence shall delineate the work zone on site to preclude accidental egress into the dune scrub habitat located on the adjacent properties. The fencing shall also be intended to serve as a passive barrier to potential travel of MSS from the adjacent dune scrub habitat into the work zone. The fencing shall also serve to assure there is no disturbance of Morro blue butterfly within the silver dune lupine west of the property. The fence shall remain in place throughout the duration of the project until final inspection clearance by the Morro Bay Planning Division.

BIO/mm-7 Plans shall maintain a 50-foot sand dune ESH buffer pursuant to MBMC 17.40.040.D.4. Prior to building permit issuance, City of Morro Bay Planning Division

staff shall verify approved building permits are consistent with identified ESH boundaries as determined by the project biologist and as staked by the project surveyor on plans dated September 12, 2016.

After implementation of these measures, residual impacts to biological resources would be less than significant.

Monitoring:

The City shall verify required elements on plans and compliance in the field. The City shall review and approve plans and monitoring reports.

CULTURAL RESOURCES

CR Impact 1 Ground disturbance associated with the construction of the residence and all associated facilities may result in the inadvertent discovery of previously undocumented archaeological resources.

CR/mm-1 Prior to issuance of a grading or building permit, the applicant shall submit to the City of Morro Bay Community Development Department, Planning Division an Archaeological Monitoring Plan for review and approval. The plan shall include, at minimum:

- a. Archaeological and Native American monitoring of all initial site disturbance and during all earthmoving and excavation activities, including trenching within the right of way for utility installation/connection. Archaeological and Native American monitors shall be approved by the City.
- b. A list of all personnel involved in the monitoring activities.
- c. Clear identification of what portions of the project (e.g., phases, areas of the site, types of activities) would require monitoring.
- d. Description of how the monitoring shall occur.
- e. Description of monitoring frequency.
- f. Description of resources expected to be encountered.
- g. Description of circumstances that would result in work stoppage or diversion in the case of discovery at the project site.
- h. Description of procedures for stopping or diverting work at the project site and notification procedures.
- i. Description of monitoring reporting procedures.
- j. Contracts for monitoring services shall be signed and executed.
- k.

CR/mm-2 In the event that intact and/or unique archaeological artifacts or historic or paleontological resources are encountered during grading, clearing, grubbing, and/or other construction activities associated with the proposed project involving ground disturbance, all work in the immediate vicinity of the find shall be stopped immediately, the onsite archaeological and Native American monitors shall be notified, and the monitors would be empowered to redirect work in the immediate vicinity to another location while the finds are evaluated and significant impacts, if any, are mitigated.

CR/mm-3 In the unlikely event that human graves are encountered, all work within 30 meters (100 feet) of the discovery shall halt and the San Luis Obispo County Coroner shall be notified immediately. At the same time, the archaeological monitor shall be contacted to evaluate the situation. If human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission (NAHC) within 24 hours

of this identification. The NAHC will designate a Most Likely Descendant who will work with the property owner and the City to determine the most appropriate disposition of the remains.

CR/mm-4 Upon completion of all monitoring and mitigation activities, and prior to final inspection or occupancy, whichever occurs first, the Applicant shall submit to the City of Morro Bay Planning Division a report summarizing all monitoring and mitigation activities and confirming that all recommended mitigation measures have been met. **After implementation of these measures, residual impacts would be less than significant.**

GEOLOGY/SOILS

GS Impact 1 Development associated with the proposed project places structures and people in an area subject to geologic hazards including seismic groundshaking, and risks associated with slope stability.

GS/mm-1 The project shall incorporate all recommendations contained within the soil report prepared by Geosolutions dated July 7, 2011. Prior to issuance of any building permit, the applicant shall demonstrate to the Planning Division that all recommendations (depending on the type of foundation either slab or raised) have been incorporated into the plans submitted for a building permit.

GS/mm-2 Prior to issuance of grading and construction permits, the applicant shall prepare a drainage and erosion control plan to reduce the potential for erosion and down-gradient sedimentation both during construction and for the life of the project. Grading and construction plan shall include measures to prevent and avoid spills or spread of dangerous materials and clean-up procedures in the event of a spill. Monitoring or inspection of construction activities shall occur as needed to ensure compliance with the erosion control plan.

After implementation of these measures, residual impacts related to geology and soils would be less than significant.

Monitoring:

Design plans shall be inspected and approved by the City Engineer to ensure compliance with the requirements of the Geologic Report. Erosion control plans shall be submitted to the City Environmental Coordinator for review and approval, in consultation with the City Engineer. Monitoring or inspection of construction activities shall occur as needed to ensure compliance with design plans and the drainage and erosion control plan. Restoration actions shall be monitored on a quarterly basis for a period of three years (minimum) to ensure successful stabilization. Monitoring reports shall be submitted on a quarterly basis to the City Environmental Coordinator for a minimum of three years, until the City has determined that site restoration has stabilized the adjacent slope.

HAZARDS AND HAZARDOUS MATERIALS

HAZ Impact 1 Development associated with the proposed project has the potential to result in the accidental release of hazardous materials into sensitive areas adjacent to the project site.

HAZ/mm-1 Prior to issuance of grading permits, a Spill Prevention Control and Countermeasure Plan shall be developed and submitted to the City for approval. The plan shall identify hazardous materials to be used during construction and operation, and shall identify procedures for storage, distribution, and spill response. The plan shall specifically address potential spill events into the adjacent beachfront area. Equipment refueling shall be done in non-sensitive areas and such that spills can be easily and quickly contained and cleaned up without entering the existing stormwater drainage system or creek. The plan shall include procedures in the event of accidents or spills, identification of and contact information for immediate response personnel, and means to limit public access and exposure. Any necessary remedial work shall be done immediately to avoid surface or ground water contamination.

With implementation of this mitigation measure, impacts related to hazards and hazardous materials would be less than significant.

Monitoring:

The applicant shall be responsible for implementing the approved Spill Prevention Control and Countermeasure Plan. The City Engineer shall conduct periodic inspections to verify compliance.

HYDROLOGY AND WATER QUALITY

HWQ Impact 1 The project would increase impervious surfaces at the project site, which would increase the total volume of storm water runoff and could contribute to erosion, siltation and flooding risks.

HWQ/mm-1 Prior to issuance of grading permits, the applicant shall provide a Drainage Report prepared by a Registered Civil Engineer. The Drainage Report shall conform to Stormwater Management for New and Redevelopment Projects within the City of Morro Bay in the July 2011 amendment to the City Standard Drawings and Specifications*. Specifically, this project shall meet the requirements of the following Parts:

- a. Part 1: Protection of Water Quality - **Exempt**
- b. Part 2: Runoff Volume Controls (LID) - **Tier 2 requirements**
- c. Part 3: Peak Runoff Flow Control – **All requirements**

HWQ/mm-2 Prior to issuance of grading and building permits, the applicant shall provide a standard erosion and sediment control plan. The Plan shall show control measures to provide protection against erosion of adjacent property and prevent sediment or debris from entering the City right of way, adjacent properties, any harbor, waterway, or ecologically sensitive area.

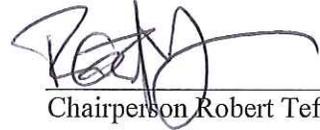
After implementation of these measures, residual impacts would be less than significant.

Monitoring:

Monitoring shall occur as necessary to ensure development is proceedings consistent with the final grading and drainage plan.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 20th day of September, 2016 on the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:


Chairperson Robert Tefft

ATTEST


Scot Graham, Community Development Director

The foregoing resolution was passed and adopted this 20th day of September, 2016.



CITY OF MORRO BAY
COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF FINAL ACTION ON COASTAL DEVELOPMENT PERMIT

DATE OF NOTICE: 10/3/2016
NOTICE SENT TO (VIA CERTIFIED MAIL): CALIFORNIA COASTAL COMMISSION, CENTRAL COAST DISTRICT OFFICE

NOTICE OF FINAL CITY ACTION on Coastal Development Permit No. CP0-365

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

Applicant: Paul LaPlante

Address: 1935 Northwood, Nipomo, CA 93444

Project Description: Coastal Development Permit #CP0-365 and Adoption of Mitigated Negative Declaration (SCH# 2014091051) for 3093 Beachcomber – new construction of a 3,041sf single family residence with 478sf garage on a vacant lot. This project is located inside the Coastal Commission appeals jurisdiction.

Project Location: 3093 Beachcomber

APN: 065-120-001

Zoning: R-1 / S.2A

Land Use Plan/General Plan: Moderate Residential Density

Lot Area: 8,100 square-feet

Filing Date: 9/12/2016

Approval Body: Planning Commission

Action Taken: Approve with conditions

Action Date: 9/20/2016

This Site Is Outside of The Coastal Commission Appeal Jurisdiction

This City decision is appealable to the California Coastal Commission pursuant to the California Public Resource Code, Section 30603. The applicant or any aggrieved person may appeal this decision to the Coastal Commission within TEN (10) working days following Commission receipt of this notice. Appeals must be in writing and should be addressed to: California Coastal Commission, 725 Front Street, #300, Santa Cruz, CA 95060, 831-427-4863.

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

- Applicant
- Interested parties who arranged for mailing of notice

APPLICANT'S ACCEPTANCE
OF
CONDITIONS OF APPROVAL

CASE NO. CP0-365

SITE LOCATION: 3093 Beachcomber, MORRO BAY

APPLICANT NAME: PAUL LAPLANTE

APPROVAL BODY: PLANNING COMMISSION

DATE OF ACTION: 9/20/2016

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

reviewed the conditions of approval imposed by the Approval Body in its action
approving Case Number: CP0-365

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

APPLICANT'S SIGNATURE

DATE

JOHN K CONSTRUCTION, INC.
110 DAY ST.
NIPOMO, CA 93444
(805) 440-4033

RECEIVED
SEP 13 2016

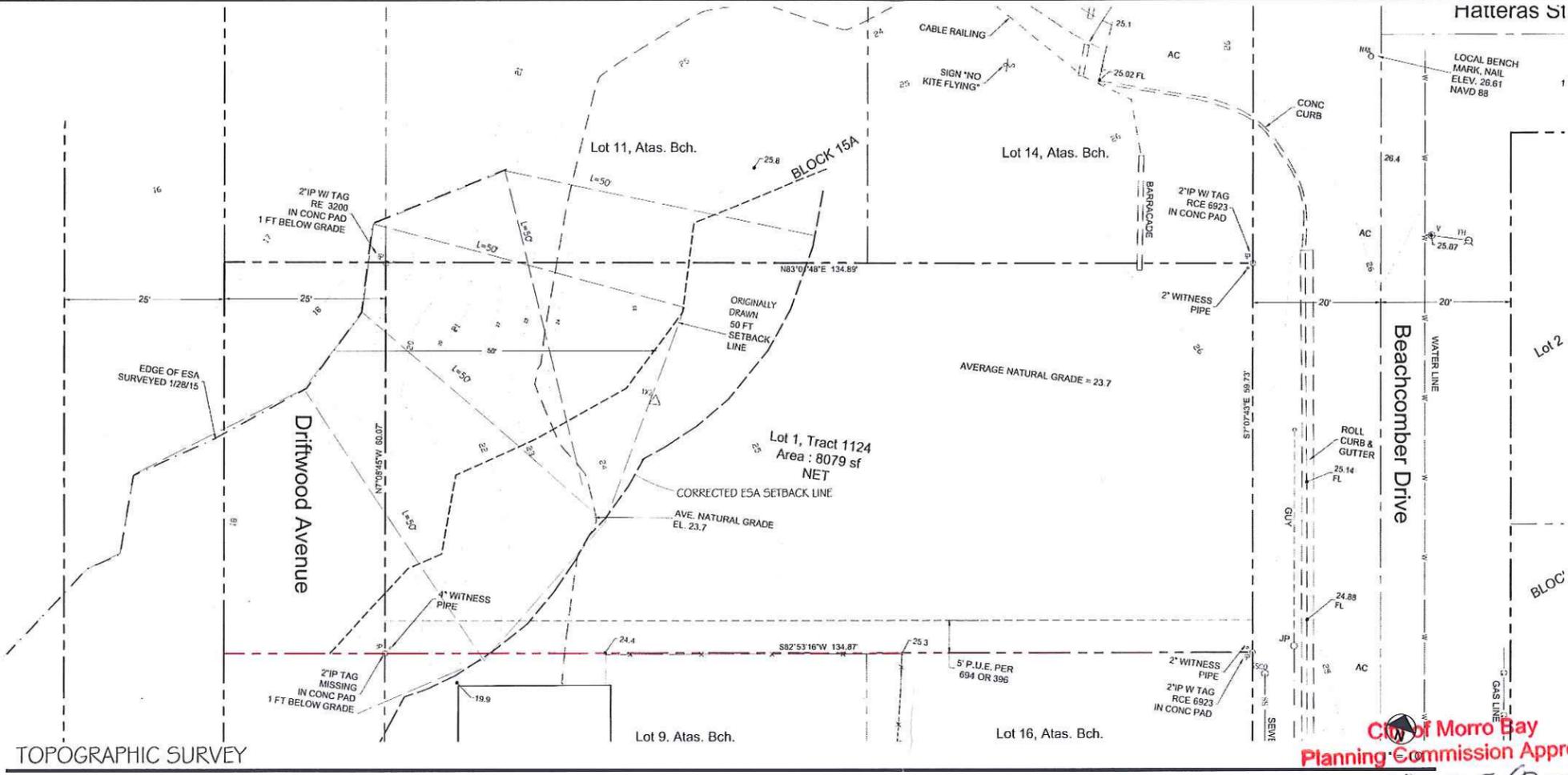
City of Morro Bay
Community Development Dept.

NOTES:
BOUNDARY IS SHOWN BASED UPON A BOUNDARY SURVEY PERFORMED 6/10/11.
BASIS OF BEARINGS IS THE SOUTHERLY LINE OF LOT 1, TRACT 1124 WHICH BEARS N 82°53'16" E BETWEEN FOUND MONUMENTS PER 12 MR 42.
A CURRENT TITLE REPORT SHOULD BE REFERENCED FOR ANY EASEMENTS NOT SHOWN ON THIS MAP.

BENCHMARKS:
CITY OF MORRO BAY BENCH MARK NO. A116, A BRASS CAP SET ON THE TOP OF A BRIDGE ABUTMENT ON THE EAST SIDE OF MAIN STREET AT LONG. N 35° 23.886, LAT. W 120° 51.711. ELEVATION: 38.573 NAVD 88.

SHEET INDEX

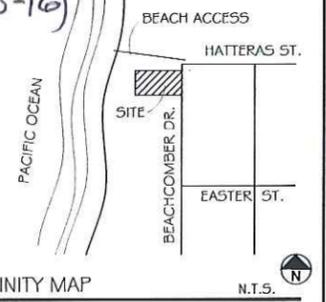
T.1	TOPOGRAPHIC & SITE PLAN; PROJECT DATA
A.1	FLOOR & LANDSCAPE PLAN, SCHEDULES ELEVATIONS



TOPOGRAPHIC SURVEY

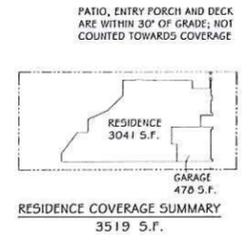
City of Morro Bay
Planning Commission Approval

Project #(s) CPO-365 (Reso. 20-16)
Approved as Submitted
 Approved with Changes
Approval Date: 9-20-16
Planner: Cindy...



VICINITY MAP
PROJECT DATA

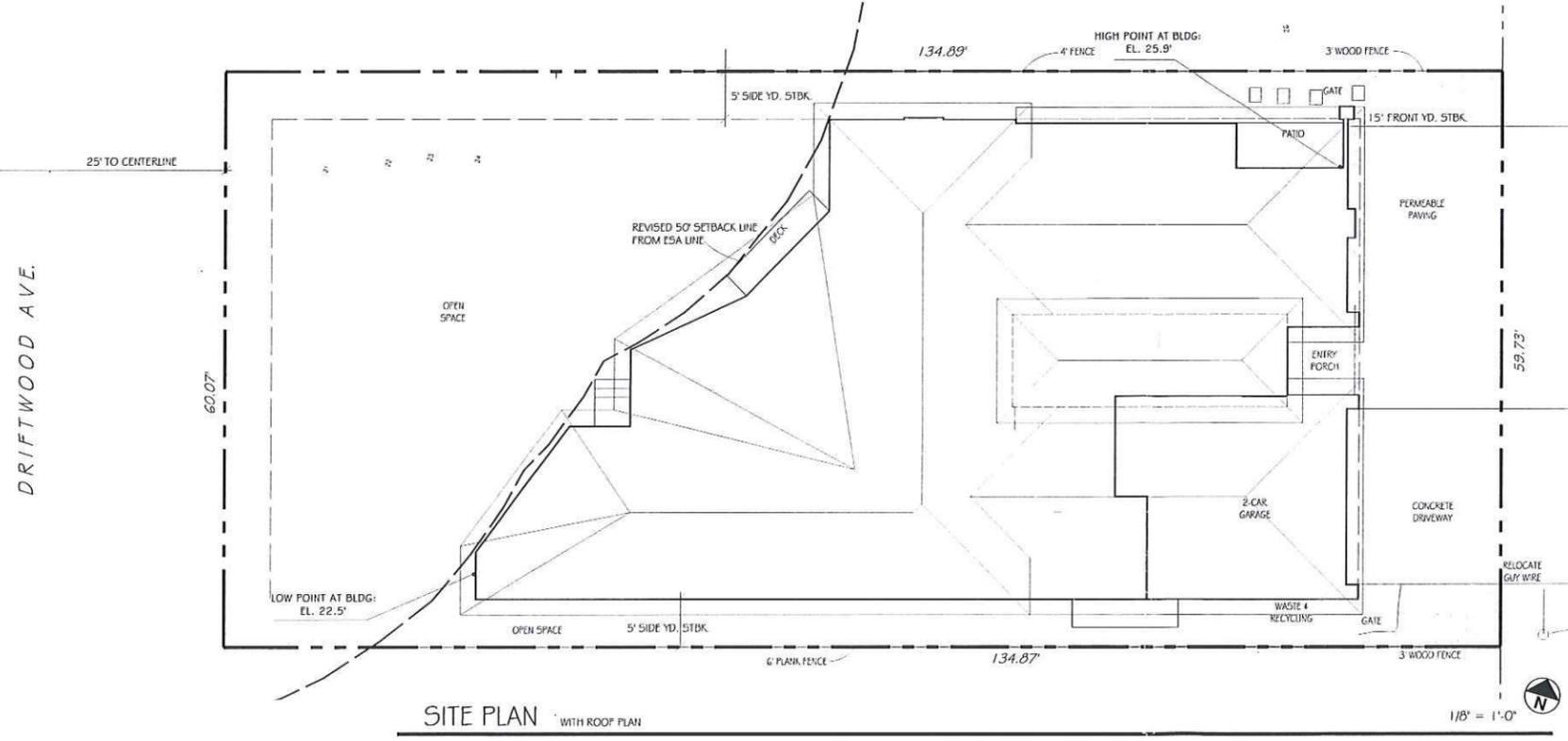
ADDRESS: 3093 BEACHCOMBER DRIVE
MORRO BAY
065-120-001
ZONING: R-1; 5.2A OVERLAY
OWNER: PAUL & JOANNE LA PLANTE
1935 NORTHWOOD RD.
NIPOMO, CA 93444
APPLICANT: JOHN K CONSTRUCTION
110 DAY ST.
NIPOMO, CA 93444
(805) 440-4033
PROJECT: 3041 5.F SINGLE-FAMILY RESIDENCE
478 5.F, 2-CAR GARAGE
MAX. HT. 16'-10" ABOVE AVE. NATURAL GRADE
PARKING: 2 COVERED
LOT AREA: 8,079 5.F.
ARCHITECT: JEROME WHITE
518 N. L ST.
LOMPOG, CA 93436
(805) 450-1100
SURVEYOR: WILLIAM R. DYER
153 N. 8th ST. SUITE B
GROVER BEACH, CA 93483
(805) 481-1223



RESIDENCE COVERAGE SUMMARY
3519 5.F.

AREA CALCULATION		
AREA	5.F.	%
RESIDENCE	3041	
GARAGE	478	43.5
OPEN SPACE	3574	44.3
DRIVEWAY	286	3.5
PATIO	52	
ENTRY PORCH	52	1.7
DECK	36	
PERMEABLE PKG.	440	5.4
LANDSCAPING	120	1.6
TOTAL LOT AREA	8079	100.0

TOTAL LOT COVERAGE 3659 5.F. (45.3%)
INCLUDING RESIDENCE, GARAGE, DECK, PATIO, ENTRY PORCH
MEETS MAX. 50% LOT COVERAGE REQ'T.
TOTAL IMPERMEABLE COVERAGE
HOUSE, DRIVEWAY, PATIO, ENTRY PORCH, DECK = 3945 5.F.
(48.8%)



SITE PLAN WITH ROOF PLAN

1/8" = 1'-0"

La Plante Residence
3093 BEACHCOMBER DRIVE
MORRO BAY, CA.

TOPOGRAPHIC SURVEY
SITE PLAN
PROJECT DATA

DATE: 9.12.16

REVISION DATE:

T.1

DOOR SCHEDULE					
NO.	WIDTH	HEIGHT	THK.	TYPE	REMARKS
1	3'-0"	7'-0"	1 3/8"	SC	DECORATIVE ENTRY
2	6'-0"	6'-8"		FR	TEMP. GLAZING
3	2'-6"	7'-0"			
4	3'-0"	7'-0"			
5		6'-8"		SC	
6					
7					SELF-CLOSING
8					
9					
10					
11				HC	
12					
13					
14					
15					
16					
17					
18	2'-6"				
19					
20	6'-0"	6'-8"			BYPASS
21	16'-0"	7'-0"			SECTIONAL, GLAZED TOP PANELS

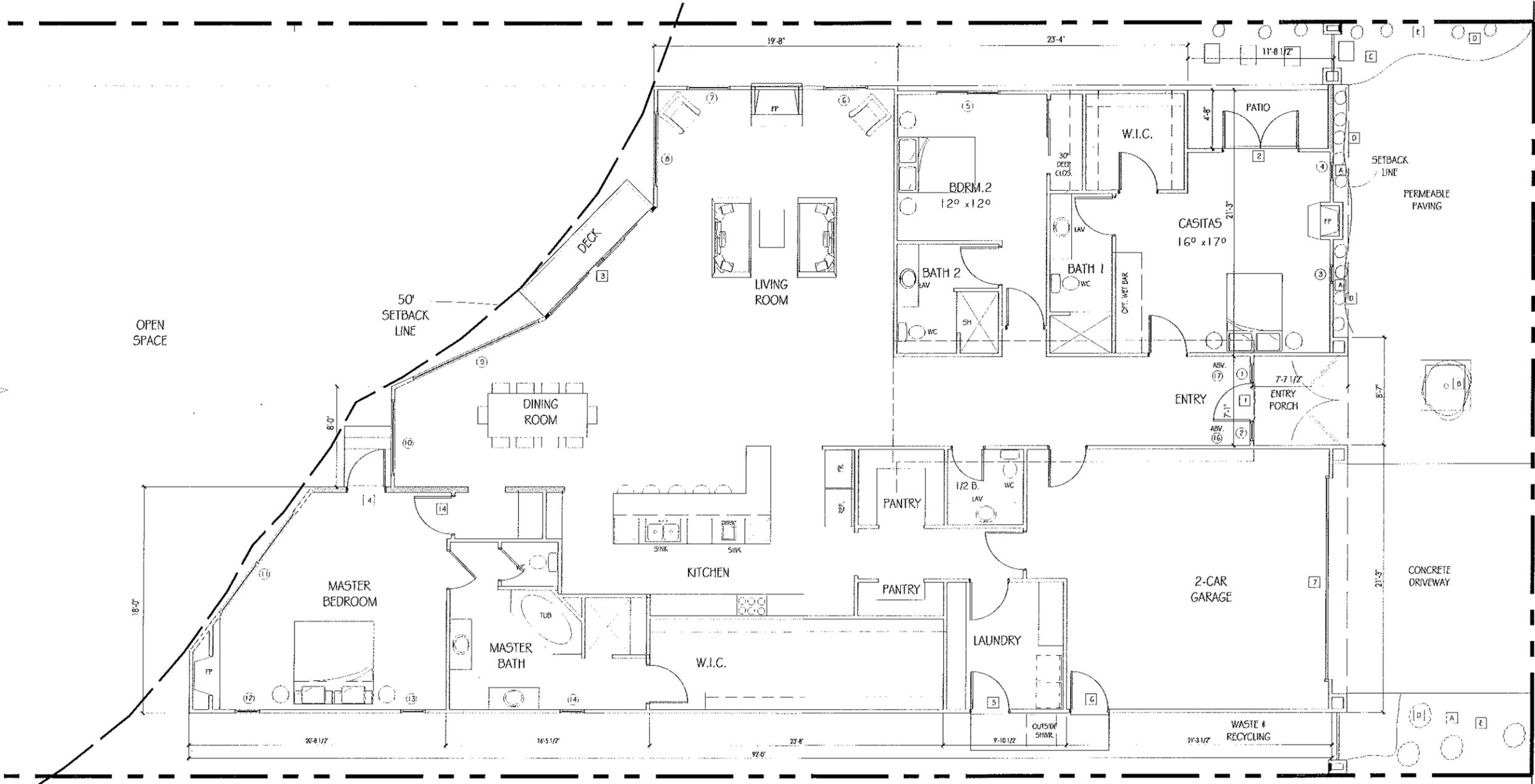
WINDOW SCHEDULE					
NO.	WIDTH	HEIGHT	THK.	TYPE	REMARKS
1	1'-6"	7'-0"		FIXED	TEMPERED
2					
3	1'-8"	1'-8"		AWNING	
4					
5	5'-0"	4'-0"		SL	
6	3'-6"	5'-6"		CSMT	
7					
8	7'-0"			FIXED	
9	5'-0"				
10	9'-0"	10'-0"			ARCHED TOP
11	6'-0"	6'-6"			
12					
13	2'-0"	4'-0"		CSMT	
14					
15	2'-0"	2'-0"			
16	1'-8"	1'-8"		FIXED	HIGH WINDOWS AT ENTRY
17					

PLANTING SCHEDULE	
A	RIVER ROCK GROUNDCOVER
B	FRUITLESS DWARF OLIVE
C	RED FOUNTAIN GRASS
D	SUNSET LUCANDENDRA
E	GIANT BIRD OF PARADISE

SCHEDULES

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 3093 BEACHCOMBER DRIVE
 MORRO BAY, CA.



FLOOR PLAN & LANDSCAPE PLAN 1/4" = 1'-0"

FLOOR PLAN

DATE: 9.12.16

REVISION DATE:

▲

A.1

JOHN K CONSTRUCTION, INC.
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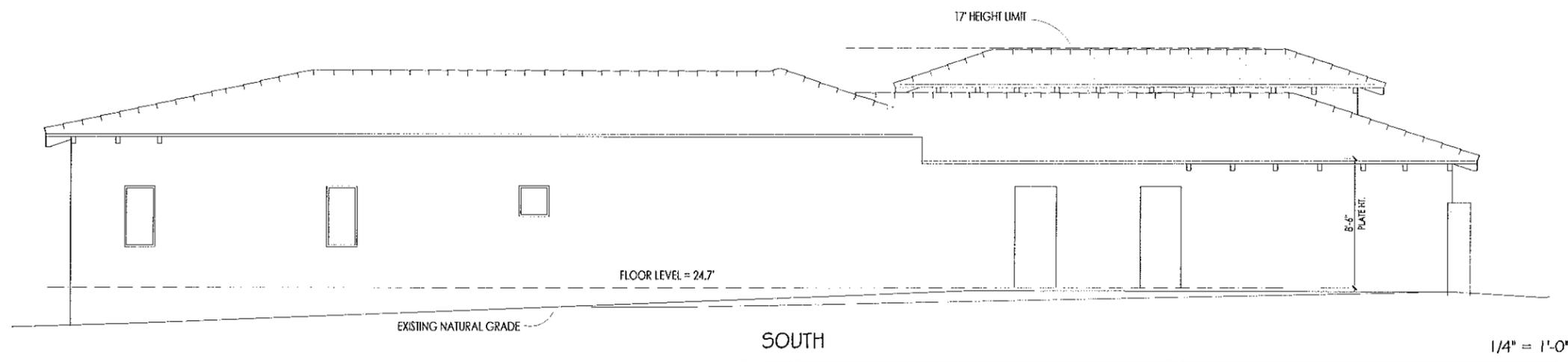
La Plante Residence
3093 BEACHCOMBER DRIVE
MORRO BAY, CA.

ELEVATIONS

DATE: 9.12.16

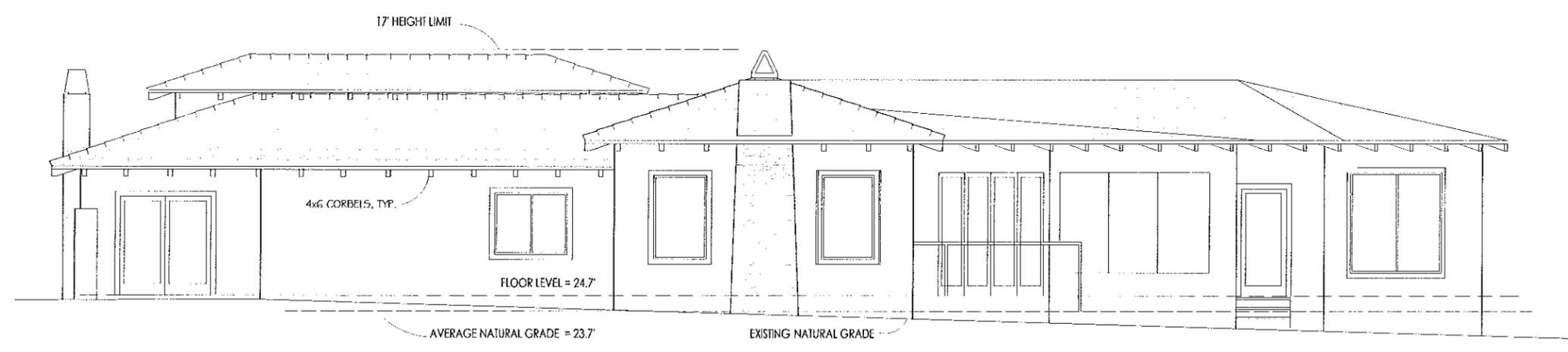
REVISION DATE:

A.2



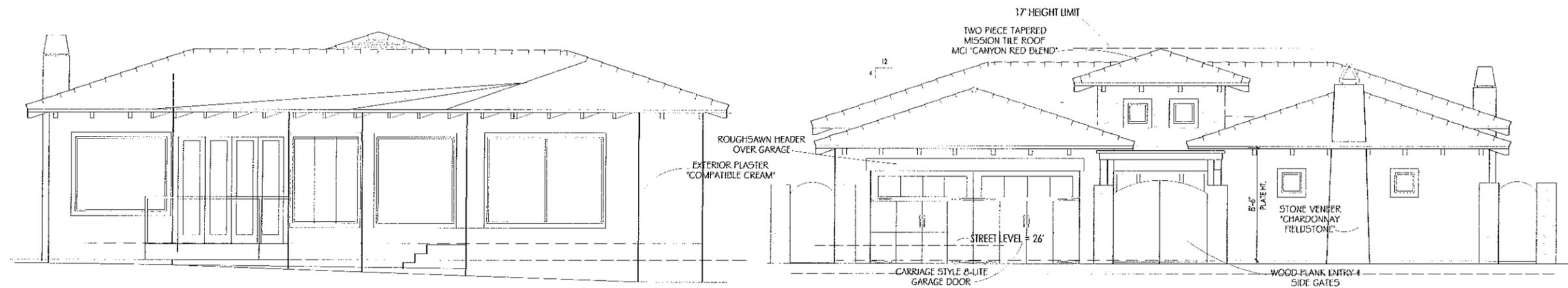
SOUTH

1/4" = 1'-0"



NORTH

1/4" = 1'-0"



WEST

1/4" = 1'-0"

EAST

1/4" = 1'-0"