



# CITY OF MORRO BAY PLANNING COMMISSION MEETING AGENDA

Veteran's Memorial Building  
Regular Meeting 6:00 p.m.

209 Surf Street, Morro Bay  
Monday, September 20, 2010

Nancy Johnson - Chairperson  
Vice-Chairperson - Gerald Luhr  
Commissioner - Michael Lucas  
Commissioner - John Diodati  
Commissioner - Jamie Irons  
Rob Livick - Secretary

**I. CALL MEETING TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

**IV. ACCEPTANCE OF AGENDA**

**V. DIRECTOR'S REPORT/WRITTEN COMMUNICATIONS**

A. Oral Report

**VI. PUBLIC COMMENT:**

Members of the audience wishing to address the Commission on matters other than scheduled hearing items may do so when recognized by the Chairman, by standing and stating their name and address. Comments should be limited to three minutes.

**VII. CONSENT CALENDAR**

A. Approval of minutes from Planning Commission meeting held on August 16, 2010.

**VIII. PRESENTATIONS**

Informational presentations are made to the Commission by individuals, groups or organizations, which are of a civic nature and relate to public planning issues that warrant a longer time than Public Comment will provide. Based on the presentation received, any Planning Commissioner may declare the matter as a future agenda item in accordance with the General Rules and Procedures. Presentations should normally be limited to 15-20 minutes.

**IX. FUTURE AGENDA ITEMS**

A. Staff presentation on the Affordable Housing Rehabilitation Program and general affordable housing issues.

**X. PUBLIC HEARINGS**

**A. Site Location:** 307 Morro Bay Blvd.

**Applicant:** John and Martha Woodmansee

**Request:** The applicant requests approval for a change in use for existing facilities from retail to a wine tasting room. The wine tasting room will be utilized for wine tasting and retail for wine and wine related products. A sign program and permission to hold occasional events are also included in the proposal. The property is not located in the Coastal Commission Appeals Jurisdiction.

**Recommended CEQA Determination:** Categorically Exempt, Class 1, Section 15301.

**Staff Recommendation:** Review and take action on the Conditional Use Permit #UP0-299.

**Staff Contact:** Sierra Davis, Assistant Planner, 772-6270.

**B. Site Location:** 395 Acacia

**Applicant:** Robert and Olivia Tefft

**Request:** The project consists of the demolition of an approximately 1,825 square foot residence located in the R-2 Duplex Residential Zoning District. No replacement structures are proposed.

**Recommended CEQA Determination:** Mitigated Negative Declaration

**Staff Recommendation:** Review and take action on the Mitigated Negative Declaration and Coastal Development Permit (CP0-320)

**Staff Contact:** Kathleen Wold, Planning Manager, 772-6211.

**C. Site Location:** 470 Sunset Court

**Applicant:** Doug and Kathy Claassen **Agent:** A.M. Scott Construction

**Request:** The applicant requests a variance for an existing 1'2" encroachment of the garage into the front yard setback.

**Recommended CEQA Determination:** Categorically Exempt, Class 1, Section 15301.

**Staff Recommendation:** Review and take action on the Variance #AD0-057.

**Staff Contact:** Sierra Davis, Assistant Planner, 772-6270.

**XI. OLD BUSINESS**

A. Current Planning Processing List/Advanced Work Program.

**XII. NEW BUSINESS**

A. None

**XIII. ADJOURNMENT**

Adjourn to the next regularly scheduled Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on Monday October 4, 2010 at 6:00 p.m.

**PLANNING COMMISSION MEETING PROCEDURES**

Materials related to an item on this Agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Public Services Office at 955 Shasta Avenue, during normal business hours; Mill's ASAP, 495 Morro Bay Boulevard, or Morro Bay Library, 695 Harbor, Morro Bay, CA 93442. Planning 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 Department 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 come to the podium to present testimony either in support of or in opposition to the proposal.
4. Finally, the Chair may invite the applicant/agent back to the podium 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.

**RULES FOR PRESENTING TESTIMONY**

Planning Commission hearings often involve highly emotional issues. It is important that all participants conduct themselves with courtesy, dignity and respect. All persons who wish to present testimony must observe the following rules:

1. When you come to the podium, first identify yourself and give your place or residence both orally and on the sign in sheet at the podium. Commission meetings are audio and video tape-recorded and this information is required for the record.
2. Address your testimony to the Chair. Conversation or debate between a speaker at the podium and a member of the audience is not permitted.
3. Keep your testimony brief and to the point. Speak about the proposal and not about individuals. On occasion, the Chair may place time limits on testimony: Focus testimony on the important parts of the proposal: do not repeat points made by others. Please, no applauding or making comments from the audience during the testimony of others.
4. Written testimony is encouraged so they can be distributed in the packets to the Planning Commission. However, letters are most effective when presented at least a week in advance of the hearing. Written testimony provided after the staff reports are distributed and up to the meeting will also be distributed to the Planning Commission but there may not be enough time to fully consider the information. Mail should be directed to the Public Services Department, attention: Planning Commission Secretary.

**APPEALS**

If you are dissatisfied with any aspect of 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. The appeal form is available at the Public Services 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 \$250 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 and the City Zoning Ordinance. 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.

**This Agenda is available for copying at Mills Copy Center and at the Public Library**

The Coastal Commission's Santa Cruz Office at (831) 427-4863 may be contacted for further information on appeal procedures.

**HEARING IMPAIRED:** There are devices for the hearing impaired available upon request at the staff's table.

**COPIES OF VIDEO, CD:** Copies of the video recording of the meeting may be obtained through AGP Video at (805) 772-2715, for a fee.

**ON THE INTERNET:** This agenda may be found on the Internet at: <http://www.morro-bay.ca.us/planningcommission>

RECEIVED

AUG 31 2010

ADMINISTRATION OFFICE  
CITY OF MORRO BAY

TO: Mayor Peters  
City Council  
PLANNING COMMISSION

8/26/10  
ZMISH  
772-2141

Our community consists of many Seniors & they have HEARING PROBLEMS.

It would be so HELPFUL IF City Council & PLANNING COMMISSION meetings had "CC" CLOSED CAPTIONING

Possible sponsors is

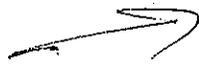
RADCO WINDOWS  
CULLIGAN WATER  
DAYLIGHT Windows & GARDEN?  
(Montrey St)

the 3 who currently provide \$ for this  
CIT 20

Please add "cc" to our

MANY council people do NOT speak directly in to MIKES - (LOOK AWAY or do NOT ENUNCIATE clearly. This would create more KNOWLEDGEABLE CITIZENS.

THANKS.



The VARIOUS Dept. Heads (POLICE, FIRE, RECREATION, "STAFF", etc. do NOT SPEAK IN TO MIKES either & CANNOT be heard when they report, etc.

Also the "Public" time - speakers cannot be heard.

Should be a great addition to those 2 x 9 month meetings

WRITTEN COMMUNICATIONS  
AGENDA ITEM NO: V-A  
DATE: 9-20-2010  
ACTION:

CITY OF MORRO BAY  
PLANNING COMMISSION  
SYNOPSIS MINUTES

(Complete audio- and videotapes of this meeting are available from the City upon request)

Veteran's Memorial Building  
Regular Meeting, 6:00 p.m.

209 Surf Street, Morro Bay  
August 16, 2010

Vice-Chairperson Gerald Luhr Commissioner Jamie Irons	Chairperson Nancy Johnson  Rob Livick, Secretary	Commissioner Michael Lucas Commissioner John Diodati
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I. CALL MEETING TO ORDER

Chairperson Johnson called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

Luhr led the pledge.

III. ROLL CALL

Chairperson Johnson took roll and noted that all Commissioners are present.  
Staff Present: Rob Livick, Kathleen Wold and Sierra Davis.

IV. ACCEPTANCE OF AGENDA

Commissioners accepted the Agenda as presented.

V. DIRECTOR'S REPORT/WRITTEN COMMUNICATIONS

Rob Livick briefed the Commission on action taken at the August 9, 2010 City Council meeting and items scheduled for the August 23, 2010 City Council meeting.

VI. PUBLIC COMMENT

Ken Vesterfelt, resident of Morro Bay, announced that Officer Doug Collins, who is serving in Iraq is coming home earlier than anticipated and a reception will be held in his honor. Mr. Vesterfelt also announced the successful launch of space capsules off Morro Bay by Space-X Company.

Johnson announced that on Friday, August 27<sup>th</sup> from 5:30-730p.m. and on Saturday, August 28<sup>th</sup> from 1-4p.m. are the Dahlia Days at the Community Center. The dahlia is the City flower.

VII. CONSENT CALENDAR

A. Approval of minutes from hearing held on July 19, 2010 as revised

Lucas moved to accept the minutes as revised. Irons seconded the motion. The motion carried 4-0-1. Diodati abstained due to his absence from that meeting.

B. Approval of minutes from hearing held on August 2, 2010

Irons moved to approve the minutes. Diodati seconded. The motion carried 5-0.

VIII. PRESENTATIONS - None

IX. FUTURE AGENDA ITEMS

- A. Staff presentation on the Affordable Housing Rehabilitation Program and general affordable housing issues.

Commissioners reviewed future agenda items and did not add any new items.

## X. PUBLIC HEARINGS

- A. **Site Location:** 962 Piney Way

**Applicant:** Ed Holterhoff, **Agent:** David Brannon

**Request:** The applicant requests approval for an addition and remodel to an existing church building. The applicant proposes to develop the plan in two phases and the first phase will result in an addition of approximately 2,283 square feet and remodel of the existing structure and parking area. The property is not located in the Coastal Commission Appeals Jurisdiction.

**Recommended CEQA Determination:** Categorically Exempt, Class 1, Section 15301.

**Staff Recommendation:** Review and take action on the Coastal Development Permit #CP0-314 and Conditional Use Permit #UP0-281.

**Staff Contact:** Sierra Davis, Assistant Planner, 772-6270.

Davis presented the staff report.

Commissioners asked staff to clarify the landscaping and the configuration of Piney Way to engineering standards.

Livick clarified that all streets and roads are reviewed by the City Engineer prior to construction.

Johnson opened the Public Hearing asking the applicant or their agent to address the Commission.

- Applicant's Architect, David Brannon, explained the proposed project design. The goal of the design was intended to make the church more open and inclusive.
- Applicant, Father Ed Holterhoff, thanked the Planning Department and Planning Commission for their work. Father Holterhoff explained the Church's reasons for remodel to reflect the function of the Church, and for a more inclusive hospitality.
- Ken Vesterfelt, parishioner of St. Timothy's, is on the Planning & Renovation Committee and spoke regarding parking noting that there is seldom a problem with parking.

Commissioners had discussion with the architect regarding:

- Parking and how to present a better image to the street. Architect David Brannon commented that the parking was not expanded due to a limited budget. The site work will be completed in phase 2.
- Landscaping plan and whether the tree replacement ratio condition is clear. Concern was expressed that the condition as worded is not clear enough. Taylor Newton, who maintains the Church landscaping, clarified that the tree replacement ratio will be on a one to one basis. Livick clarified it is also a code requirement.
- The drainage requirements.

Johnson closed the public hearing and brought it back to the Commission for discussion.

Commissioners continued discussion on the following:

- Engineering conditions and whether the terminology might restrict future modifications. Livick clarified it is not a concern because applicant is vested to the rules in place.
- The dedication for the sidewalk.
- The parking plan.
- The Tree Replacement ratio and the channel island oak.

- The addition of permeable surfaces around the church.

**MOTION:** Luhr moved the Planning Commission conditionally approve the project with the following actions:

- A. Adopt the Findings included as Exhibit “A”, including findings required by the California Environmental Quality Act (CEQA); and
- B. Approve Conditional Use Permit, and Coastal Development Permit subject to the Conditions included as Exhibit “B” and the site development plans dated June 15, 2010 with the following revised engineering conditions:
  - a. Engineering conditions 2 and 4.
  - b. Engineering condition 6 with the added wording of “in conformance with the letter entitled ‘Request for Adjustment to Interim Stormwater Requirements’ and calculations entitled ‘Feasibility Analysis for Stormwater Treatment of Proposed Pavement Redevelopment Area’, both dated June 10, 2010 and submitted as part of the conditional Use Permit.
  - c. Engineering condition 8 to express that street trees shall be replaced at a minimum of one to one basis and shall include the Channel Island Oak (*Quercus tomentella*) as a street tree.

Lucas seconded the motion.

The motion carried 5-0.

- B. Site Location:** State Park Marina located within the Morro Bay State Park at 10 State Park Road, Morro Bay, California 93442 in the Harbor zoning district.  
**Applicant:** City of Morro Bay Harbor Department operating on behalf of the State Parks Department per the City of Morro Bay and Morro Bay State Park Marina Operating Agreement **Agent:** Jack Malone, Ph.D ANCHOR QEA, LLC  
**Request:** Review and approve the Addendum to the Final State Park Marina Renovation and Enhancement Environmental Impact Report (EIR). At this time, the City is proposing to undertake a subset of activities, described in the Final EIR, that focus on maintenance dredging, rehabilitating the kayak launch ramp, installing a vessel pump out station on an existing floating dock, and maintaining the existing rock slope protection incidental to dredging. The Final EIR analyzed all impacts associated with the currently proposed project. Because several years have passed since the Final EIR was adopted, the City has prepared an addendum to document minor changes to the project description and to confirm that the currently proposed project will not result in new or increased impacts to the environment. The currently proposed project will result in fewer impacts than the proposed project from the 2008 EIR would have produced and no new mitigation measures have been identified for the currently proposed project. This addendum to the 2008 Final EIR will thus be the final document required to satisfy the City’s compliance with the California Environmental Quality Act (CEQA).  
**Recommended CEQA Determination:** Certify an Addendum to the previously adopted EIR (SCH # 2005021104) for the State Park Marina Renovation and Enhancement Project.  
**Staff Recommendation:** Certify the Addendum.  
**Staff Contact:** Kathleen Wold, Planning Manager, 772-6211.

Wold presented the staff report.

Johnson opened the Public Hearing asking the applicant or their agent to address the Commission.

- Applicant’s Agent, Jack Malone of Anchor QEA, said he was available to answer questions about the marina.
- Bill Lafay, member of the Harbor Commission, spoke in favor of the project and encouraged the City of Morro Bay and Planning Commission to support this project.

Commissioners had discussion with Applicant regarding:

- Location of proposed work.
- The merits of mechanical dredging versus hydraulic dredging.
- The requirements for a spill prevention plan.
- The timeframe and project schedule. Malone clarified they will seek five year permits from agencies like Corps of Engineers and the Water Board. This is the maximum time frame they will issue for maintenance-type projects.
- Launch ramp design.
- The disrepair of channel markers. Eric Endersby of the Harbor Department clarified the channel markers are the responsibility of the concessionaire which is Associated Pacific. The channel markers will be temporarily moved during the dredging work.
- Removal of rock from the north slope.
- Proposed dredge plan and amount of cubic yards dredged.
- Type of diesel fuel and requirements for emissions standards.

Johnson closed the public hearing.

Commissioners discussed their support for the project including the need for maintenance dredging and maintaining air quality.

**MOTION:** Irons moved the Planning Commission certify the Addendum to the Final Environmental Impact Report (EIR) for the State Park Marina Renovation and Enhancement Project finding that mitigations have been incorporated into the Addendum which mitigate or avoid all significant environmental effects.

Lucas seconded the motion.

The motion carried 5-0.

## XI. OLD BUSINESS

### A. Current Planning Processing List/Advanced Work Program

Commissioners discussed with staff the projects to be discussed for the next Planning Commission meeting.

## XII. NEW BUSINESS

### A. Presentation from the Morro Bay Volunteer Tree Committee on the update of the City of Morro Bay’s Master Tree list.

Livick clarified for the Commissioners that according to the City’s Municipal Code any updates to the master tree list must come before the Planning Commission. Recommendations for changes are then forwarded to the City Council.

Tree Committee members Taylor Newton, Wally McCray and Noah Smukler were present to give an update on the City’s Master Tree List. Taylor Newton explained that the list is used for street trees for streets and public rights-of-way. The list has been divided into three small sub-lists which include: the street tree list, open space and parks list, private residence and gray water reclamation list.

Commissioners had discussion with the Tree Committee representatives regarding:

- The three separate sub lists and the variety of species appropriate for each sub list.
- Whether the tree lists are mandatory or advisory. Newton confirmed for the private residence and gray water list, it only advisory. Livick also clarified that individuals desiring a certain tree can seek approval from the City Engineer.
- Wally McCray noted the goal was to reorganize and update the tree list since it had not been updated in years.
- The need to have trees which reflect minimum maintenance, are drought resistant, easy to put in, and have a long life.

**MOTION:** Diodati moved the Planning Commission review and forward the updated list with the removal of the Mexican fan palm and the blue gum eucalyptus and forward it to City Council with our recommendation to approve.

Luhr seconded the motion.

Commissioners discussed the pros and cons of removing the blue gum eucalyptus tree from the Tree List based on the sentimental history of the tree versus the invasive, messy nature of the tree.

The motion carried 4-1.

### XIII. ADJOURNMENT

Johnson adjourned the meeting at 9:20 p.m. to the next regularly scheduled Planning Commission meeting at the Veterans Hall, 209 Surf Street, on Tuesday, September 7<sup>th</sup>, 2010 at 6:00 p.m.

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Nancy Johnson, Chairperson

ATTEST:

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Rob Livick, Secretary



# CITY OF MORRO BAY PLANNING COMMISSION

September 20, 2010

AGENDA ITEM: KA  
ACTION: \_\_\_\_\_

## PROJECT SUMMARY

The applicant requests approval for a change in use for existing facilities from retail to a wine tasting room. The wine tasting room will be utilized for wine tasting and retail for wine and wine related products. A sign program and permission to hold occasional events are also included in the proposal. The property is not located in the Coastal Commission Appeals Jurisdiction.

## FILE NUMBER

UP0-299

## SITE ADDRESS

307 Morro Bay Boulevard

## APN

066-062-006

## APPLICANT:

John and Martha Woodmansee

## ATTACHMENTS

1. Findings, Exhibit A
2. Conditions, Exhibit B
3. Graphics/Plan reductions, Exhibit C
4. Public Comment, Exhibit D
5. Plans, Exhibit E

## STAFF RECOMMENDATION

*CONDITIONALLY APPROVE THE PROJECT* as described above by adopting a motion including the following action(s):

- A. Adopt the Findings included as Exhibit "A", including findings required by the California Environmental Quality Act (CEQA); and
- B. Approve Conditional Use Permit, subject to the Conditions included as Exhibit "B" and the site development plans dated August 27, 2010.



Vicinity Map

### **ENVIRONMENTAL DETERMINATION**

Pursuant to the California Environmental Quality Act the project is Categorically Exempt under class 1, section 15301, for existing facilities. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public facilities or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

### **BACKGROUND**

The project is located in the central business district and has had restaurant and retail use utilize the approximately 437 square foot building. The 437 square foot building occupies the northern side of the site with an approximately 1950 square foot enclosed patio.

#### **Parking**

The proposed site has had various uses including a take-out restaurant and retail businesses. The biggest issue with the site is parking, since the site does not offer parking for customers. The configuration of the site does not allow for public parking, since the buildings and private property are all fenced off. The proposed site is a part of a larger parcel of land that has additional buildings, an ally way and private parking.

The take out restaurant was permitted in 1996 and parking was calculated for the site. Staff figured that two parking spaces are grandfathered on site because of the previous retail use, however the restaurant use required an additional 2.4 parking spaces to satisfy the requirement. Staff rounded the additional parking space down to 2 and determined that since 2 spaces were grandfathered on site and 2 spaces were required the restaurant would not be required to provide additional parking spaces on site.

In 2005 a Conditional Use Permit was applied for, for a retail business and outdoor retail display. The conditional use permit was granted to the business La Maison Bleue for outdoor display and were limited to removable home and garden patio supplies, furnishings, and fixtures. As a conditional of approval Planning Commission required that one parking in lieu space be required. The applicant agreed and entered into a contract with the City of Morro Bay for payment of the parking space.

#### **Previous Alcoholic Beverages Control License**

The previous tenant, La Maison Bleue, was granted a type 42 Alcohol Beverage Control license for on sale beer and wine on public premises. The California Alcoholic Beverage Control Department (ABC) defines a type 42 license as a bar or tavern authorized for the sale of beer and wine for consumption on or off premise where sold, however minors are not allowed to enter or remain in the building. The business was located in the correct zoning designation to operate a business that sells beer and wine, however the City requires a conditional use permit for alcohol sales. The business La Maison Bleue had secured a conditional use permit for the sale of removable home and garden patio supplies, furnishings, and fixtures, but the permit did not include the sale of alcohol. The business should have been required to secure a conditional use permit for the sale and consumption of alcohol when not connected to a restaurant. The permit was not granted; therefore it was an illegal use of the space.

**PROJECT DESCRIPTION**

Wine Tasting

The applicant proposes to use the existing facilities and outdoor area for a wine tasting room in connection with their winery. The wine tasting room will be the only off premise wine tasting room for La Belle Winery and is permitted under the winery’s California Alcohol Beverage Control Department (ABC) 02 license for winegrowers. Hot food service is not proposed with this wine tasting establishment, therefore the use will be limited to wine tastings only. Although food service is not proposed nor required by the ABC, the applicant will have prepackage food and occasional food service prepared by licensed vendors that will be prepared off-site and brought to the establishment. The occasional food brought on site will have to conform to the rules and regulations from the Department of Health and Safety.

Retail

The applicant also proposes retail sales inside the existing structure including the winery’s wine and wine related products. The applicant is not proposing outdoor sales in the fenced area outside the existing structure.

Events

Events have been proposed with this application for the occasional musician performance or movie night. The musician and movie nights are proposed for fenced outdoor area and will have to conform to the allowable decibel levels pursuant to section 17.52.030, Noise requirements. Staff received public comment as seen in “Exhibit D”, in regards to previous outdoor events at the address with excessively loud music in which the police department was involved. The music proposed at this time will be conditioned to adhere to the Morro Bay Municipal Code for stationary noise thresholds which are separated into two different categories, daytime hours from 7 a.m. to 10 p.m. and nighttime hours from 10 p.m. to 7 a.m. The project shall adhere to the guidelines for the specified day time and nighttime decibel levels as follows:

	Daytime (7 a.m. to 10 p.m)	Nighttime (10 p.m. to 7 a.m.)
Hourly $L_{eq}$ , dB <sup>(2)</sup>	50	45
Maximum level, dB <sup>(2)</sup>	70	65
Maximum level dB – Impulsive noise <sup>(3)</sup>	65	60
<sup>(1)</sup> As determined at the property line of the receiving land use. When determining the effectiveness of noise mitigation measures, the standards may be applied on the receptor side of noise barriers or other property line noise mitigation measures. <sup>(2)</sup> Sound level measurements shall be made with slow meter response. <sup>(3)</sup> Sound level measurements shall be made with fast meter response.		

The applicant has not proposed a set schedule for the performances or movie nights and therefore conditions of approval will be placed on the project to regulate the performance standards of the two types of events that were proposed. If any additional types of events are proposed on the site, the applicant will have to apply for a temporary outdoor special events and sales permit.

Tenant Improvements

The applicant leases the site, but will be making tenant improvements to the building including making the facilities ADA accessible, installing cabinets, counters and bar and new signs.

*ADA Improvements*

The ADA accessibility improvements that are proposed include making the substandard size bathroom into a 54 square foot accessible bathroom, installing accessible height tables and wine bars, and ensuring the doors are free and clear for maneuverability.

*Signs*

Pursuant to section 17.68.110, Signs in various zones, the allowable sign area for commercial zones is two square feet for each one linear square foot of building frontage on site. The applicant will be utilizing the painted sign on the side of the wall to the east of the proposed site, in which an existing painted sign for La Maison Bleue is located. The new painted sign will be in the same format and font, but will read "La Belle Winery". A new sign is proposed for the front of the store and will also read, "La Belle Winery." The dimensions for the proposed sign are 12'x14.5" for a sign area of 14.5 square feet. The length of the existing structure is approximately 24 linear feet which would allow for 48 square feet of surface signs on site. The proposed signage is in conformance with the allowable sign area for the site.

Parking

As previously mentioned in the background section of this report, there are parking credits and parking in lieu spaces that have been utilized to adhere to the parking requirements for various uses. Pursuant to section 17.44.020.C.4.b, Parking facilities, restaurants, cafés, bars, require one space for each sixty square feet of floor area to be occupied by customers. The applicant has also proposed two outdoor tables, in which the requirement for outdoor seating up to one hundred twenty-five square feet required zero spaces applies. The proposed floor area to be occupied by customer is 268 square feet for a required 4.46 parking spaces. The outdoor space occupied by two tables is less than 125 square feet and therefore require no additional parking spaces. The total required parking spaces at this time is one parking space, since there is a historic credit for two parking spaces and one parking space was paid for utilizing in-lieu fees. The one additional parking space cannot be accommodated on site and staff recommends that the planning commission employ parking in-lieu fees to make the use conforming to the parking requirements.

<u>Adjacent Zoning/Land Use</u>			
North:	Central Business (C-1/S.4)	South:	Central Business/Multiple Residential-Hotel-Professional (C-1/R-4)
East:	Central Business (C-1/S.4)	West:	Visitor Serving Commercial (C-VS/PD/S.4)

<b><u>Site Characteristics</u></b>	
Existing Use	Commercial Development
Terrain	Graded, flat.
Vegetation/Wildlife	Urban, no landscaping.
Archaeological Resources	No archaeological resources.
Access	Morro Bay Boulevard and Main.

<b><u>General Plan, Zoning Ordinance &amp; Local Coastal Plan Designations</u></b>	
General Plan/Coastal Plan Land Use Designation	Commercial District
Base Zone District	Central Business District
Zoning Overlay District	S.4
Special Treatment Area	n/a
Combining District	n/a
Specific Plan Area	n/a
Coastal Zone	Not located in the Coastal Commissions Appeal Jurisdiction.

**GENERAL PLAN AND LOCAL COASTAL PLAN CONSISTENCY**

Commission must review the project for consistency with the Municipal Code, Local Coastal Plan, California Coastal Act and Waterfront Master Plan. Staff has reviewed the proposal and found the variance for the existing residential unit encroachment into the front yard setback to be consistent with the above mentioned documents and City standards.

**PUBLIC NOTICE**

Notice of this item was published in the San Luis Obispo Tribune newspaper on September 10, 2010, and all property owners of record within 300 feet of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application.

**CONCLUSION**

The proposed project would be consistent with applicable development standards of the zoning ordinance and all applicable provisions of the General Plan and Local Coastal Plan with the incorporation of recommended conditions. The project is not located within the California Coastal Commission appeals jurisdiction.

Report prepared by: Sierra Davis, Assistant Planner

**EXHIBIT A**

**FINDINGS**

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

- A. That for purposes of the California Environmental Quality Act, Case No. UP0-299 is subject to a Categorical Exemption under class 1, section 15301, for existing facilities. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public facilities or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

**CONDITIONAL USE PERMIT FINDINGS**

- B. The proposed business will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, because it is an allowable use in the zoning district.
- C. The proposed business it will be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the City.

## EXHIBIT B

### CONDITIONS OF APPROVAL

#### STANDARD CONDITIONS

1. This permit is granted for the land described in the staff report referenced above, dated September 20, 2010 for the project depicted on the attached plans labeled "Exhibit E", dated August 27, 2010, on file with the Public Services Department, as modified by these conditions of approval, and more specifically described as follows:
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 approval 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. Said extensions may be granted by the Director of Public Services, upon finding that the project complies with all applicable provisions of the Morro Bay Municipal Code, General Plan and Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.
3. Changes: Minor changes to the project description and/or conditions of approval shall be subject to review and approval by the Director of Public Services. Any changes to this approved permit determined not to be minor by the Director 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, City of Morro Bay, 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 Morro Bay Municipal Code, and shall be consistent with all programs and policies contained in the certified Coastal Land Use Plan and General Plan for the City of Morro Bay.
5. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicants failure to comply with conditions of approval. This condition and agreement shall be binding on all successors and assigns.
6. Compliance with Conditions: The applicant's establishment of the use and/or development of the subject property constitutes acknowledgement and acceptance of all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Director of Public Services and/or as authorized by the Planning Commission. Failure to comply with these conditions shall render this

entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the Morro Bay Municipal Code and is a misdemeanor.

7. Acceptance of Conditions: Prior to obtaining a building permit the applicant shall file with the Director of Public Services written acceptance of the conditions stated herein.

**PLANNING CONDITIONS**

1. Outdoor Events: The outdoor events shall be limited to a maximum of two musicians or movie of G rating or lower. The following conditions shall apply to musician and movie event to be held on site.
  - a) The event shall be limited to private property and no items shall be placed in the public right-of-way or sidewalk.
  - b) Conduct of event shall not interfere with access to, or conduct of, any adjacent business.
  - c) Litter containment shall be provided. The site and public right-of-way are to be cleaned of any debris following each day of event.
  - d) The site shall be restored to its original condition by each day following event. All signs, posters and banners advertising the event shall be removed upon completion.
  - e) The shall adhere to the guidelines as found in the Morro Bay Municipal Code Section 17.52.030 and referenced below.

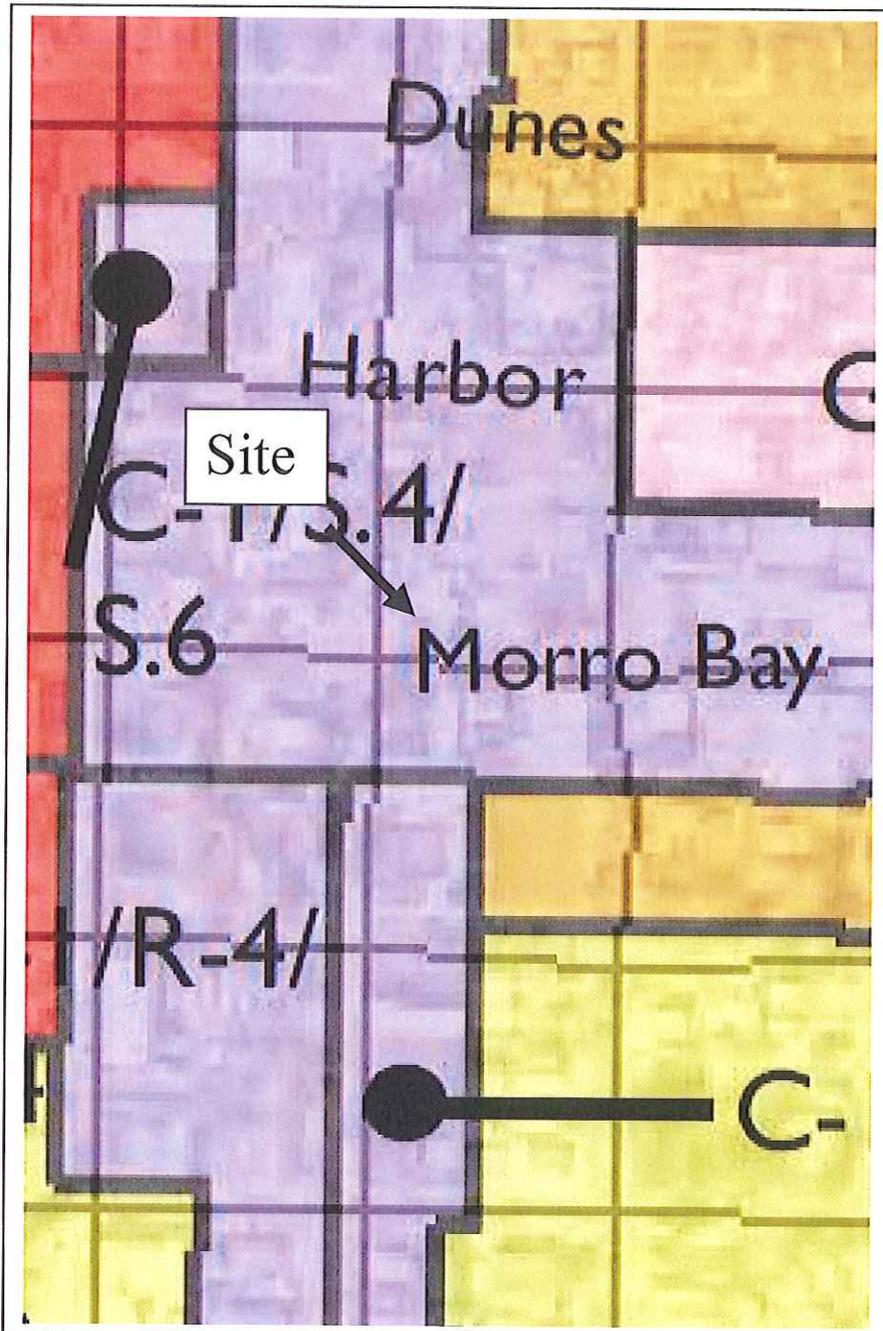
	Daytime (7 a.m. to 10 p.m)	Nighttime (10 p.m. to 7 a.m.)
Hourly $L_{eq}$ , dB <sup>(2)</sup>	50	45
Maximum level, dB <sup>(2)</sup>	70	65
Maximum level dB – Impulsive noise <sup>(3)</sup>	65	60
<sup>(1)</sup> As determined at the property line of the receiving land use. When determining the effectiveness of noise mitigation measures, the standards may be applied on the receptor side of noise barriers or other property line noise mitigation measures. <sup>(2)</sup> Sound level measurements shall be made with slow meter response. <sup>(3)</sup> Sound level measurements shall be made with fast meter response.		

Any other outdoor event proposed for this location shall contact the Public Services Department to obtain a separate permit.

2. Signs: Signage on site shall be in substantial conformance to the sign program as seen in “Exhibit C” of this staff report.

EXHIBIT C

GRAPHICS/PLAN REDUCTIONS



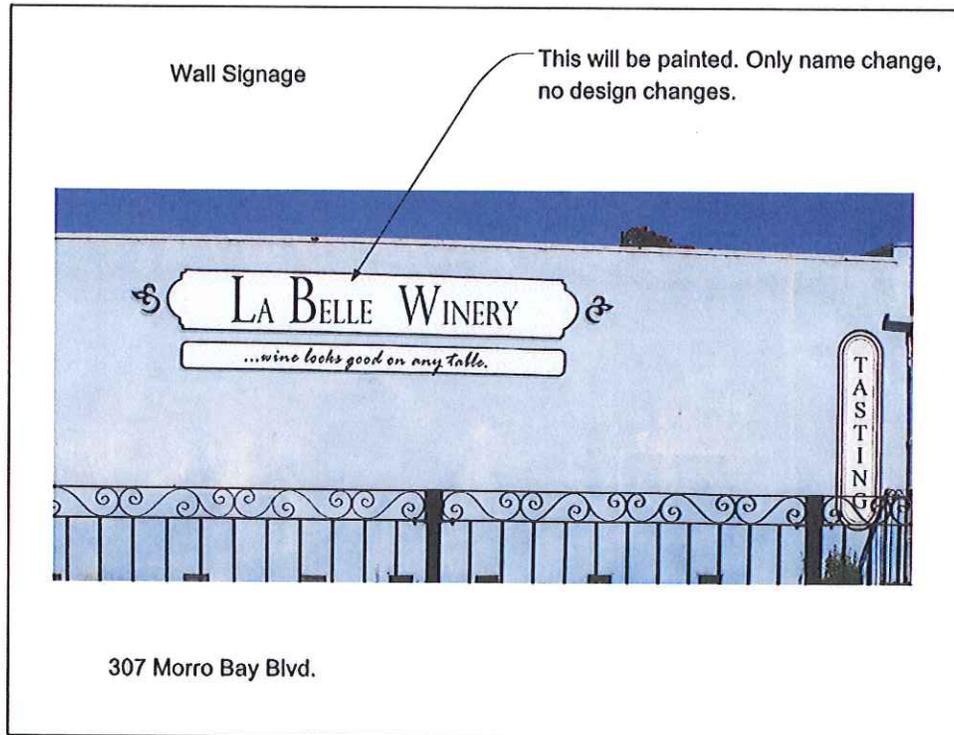
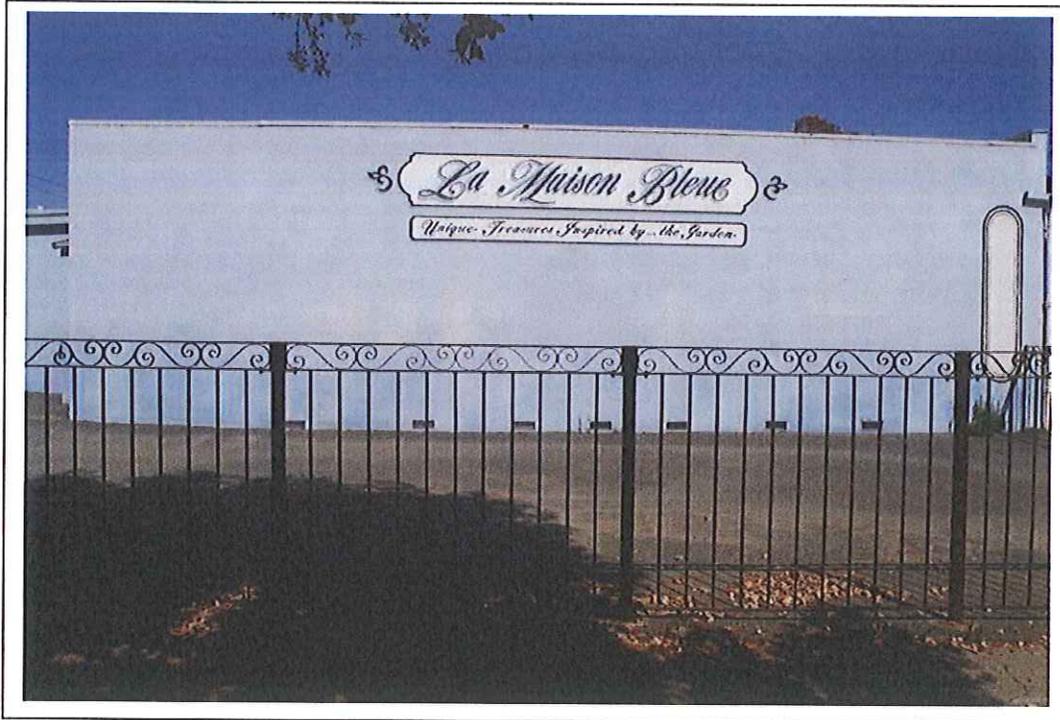
Planning Commission  
307 Morro Bay Blvd.



ZONING MAP



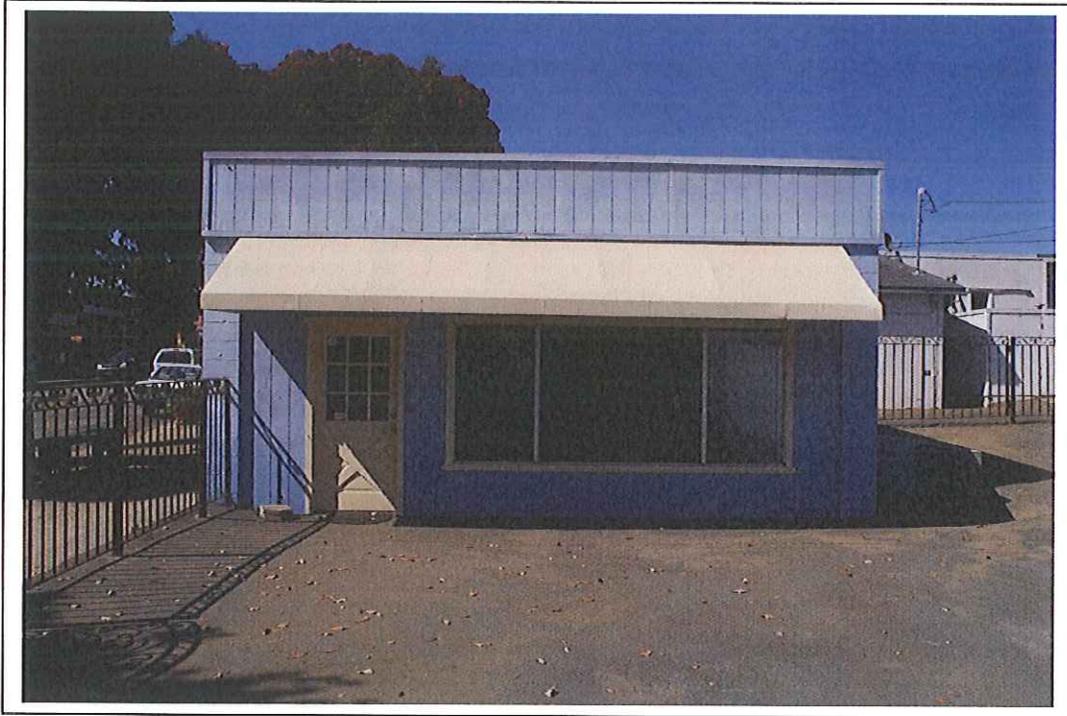




Planning Commission  
307 Morro Bay Blvd.

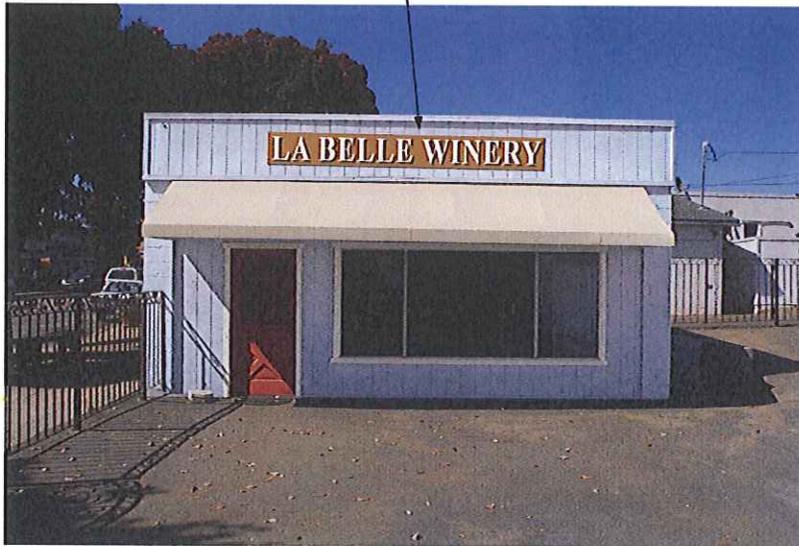


SIGNS



Front Building Signage

Sign is 12" high painted wood letters mounted to a 12'x14"x1/2" redwood plank



307 Morro Bay Blvd.

Planning Commission  
307 Morro Bay Blvd.



SIGNS

## Sierra Davis - Conditional Use Permit #UPO-299

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**From:** "Ross and Hedy Hale" <pawsntime@charter.net>  
**To:** <sdavis@morro-bay.ca.us>  
**Date:** 9/15/2010 5:49 PM  
**Subject:** Conditional Use Permit #UPO-299

---

Rancho R.V. Park  
355 Harbor St.  
Morro Bay, CA 93442

September 15, 2010

To: Sierra Davis,

Re: Conditional Use Permit # UPO-299

Dear Ms. Davis,

As a follow up to our conversation today, I would like to respond with this e-mail as you advised. I am requesting that the above project be approved only with the following conditions. See below.

- #1. Any music offered at this location is limited to acoustical music only, no amplified music at all.
- #2. The music is held inside the building so it will not adversely affect the surrounding neighborhood.
- #3. The music must be stopped after 8:00 p.m.
- #4. Occasional Events must be defined.

In the past, the music from this location was played so loud that it adversely affected our R.V. Park, next-door neighbors and us. We are located almost two full blocks away and the volume was so loud shutting all doors and windows would not stop the sound. This went on almost every Friday, Saturday and Sunday until late at night. I personally spoke about this problem with the manager twice and also called them. I was told they had no control of the bands volume and there was nothing they could do.

The police were called repeatedly about this noise situation and problem. They may have a list of how many times they had to respond to this location regarding the noise level.

Please take into consideration my concerns and the effect it is has on my business and myself. I have owned my business and lived here in Morro Bay for over 36 years. If the concerns above are addressed in their conditions of approval, I feel that the project will be fine, and welcome a new business in town.

Again, thank you for your time and consideration.

Respectfully,

Ross Hale



# CITY OF MORRO BAY PLANNING COMMISSION

September 20, 2010

AGENDA ITEM: **XB**  
ACTION: \_\_\_\_\_

## PROJECT SUMMARY

Applicant requests approval of a Coastal Development Permit CP0-320 and adoption of a Mitigated Negative Declaration for the demolition of a single family residence approximately 2,600 square foot in size.

## FILE NUMBERS

CP0-320

## SITE ADDRESS

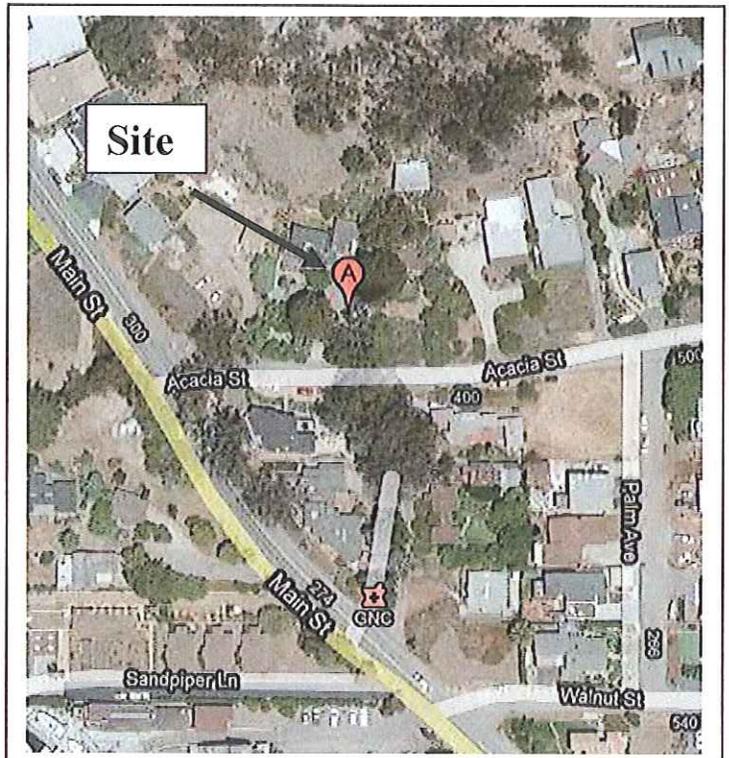
395 Acacia

## APN(S)

066-222-037

## APPLICANT:

Robert G. and Olivia L. Tefft  
375 Acacia St., Morro Bay, CA  
93442



Vicinity Map

## ATTACHMENTS

1. Findings, Exhibit A
2. Conditions, Exhibit B
3. Graphics/Plan reductions, Exhibit C
4. Mitigated Negative Declaration, Exhibit D

## ISSUE SUMMARY

The only issue identified with this project is the site's proximity to cultural resources. The City of Morro Bay's Zoning Ordinance requires an archaeological reconnaissance by a qualified archaeologist as part of the review of any project within 300 feet of an area identified as having potential archaeological sites. A study was conducted and submitted by the applicant. Mitigations has been included as part of the Initial Study addressing the project potential impact to Cultural Resources.

### **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission adopt the Mitigated Negative Declaration and conditionally approved CP0-320 by adopting a motion including the following action(s):

- A. Adopt the Findings for Approval included as Exhibit "A" of the staff report for the Administrative Coastal Development Permit; and the findings required by the California Environmental Quality Act (CEQA); and
- B. Approve Coastal Development Permit, subject to the Conditions included as exhibit "B" and plans dated March 15, 2010.

### **ENVIRONMENTAL DETERMINATION:**

Because of the project's location and its potential impacts to cultural resources the project could not be exempted from CEQA therefore an Initial Study was conducted. Pursuant to the City's local CEQA guidelines the Planning Commission must review and approve the Initial Study and the Mitigated Negative Declaration.

An initial study was conducted which resulted in a Mitigated Negative Declaration. It was noted in the Initial Study that the project had the potential to affect Cultural Resources. A survey was conducted which noted that there was no evidence of significant historic or prehistoric archaeological resources within the project area, the survey recommended that an archaeological monitor be present during ground disturbance due to the site's distance from a recorded archaeological site. This mitigation measure has been included in the Mitigated Negative Declaration to reduce the impact to less than significant.

### **BACKGROUND**

According to the applicant, the existing residential structure was constructed approximately 60 years ago. In the mid-eighties, a Conditional Use Permit was granted to construct a detached guesthouse; however the guesthouse was never constructed. The applicant submitted an application to demolish the residential structure on November 10, 2009. Pursuant to project review, staff requested additional information for clarity, an archaeological survey, and that the applicant submit a fee for the preparation of an Initial Study, resulting in a Mitigated Negative Declaration. Because Planning Commission action is required on the environmental documents the Coastal Development permit was also elevated to the Planning Commission for review and approval.

### **PROJECT DESCRIPTION**

The project site is approximately 6,300 square feet. Existing structures on-site include an approximately 2,600 square foot residence. The proposed project consists of the demolition of this residential structure, which according to the applicant is not habitable. There is no new construction currently proposed for the site.

Below is a summary of existing conditions on and surrounding the site.

<b><u>Adjacent Zoning/Land Use</u></b>			
North:	Single Family Residential	South	Single Family Residential
East:	Single Family Residential	West:	Duplex Residential

<b><u>Site Characteristics</u></b>	
Site Area	6,366 square feet
Existing Use	Residential
Terrain:	Approximate 27% slope
Vegetation/Wildlife	Variety of non-native trees and shrubs; little native vegetation/squirrels, gophers, doves, owls, etc. No nesting habitats and no vegetation will be removed with the demolition.
Archaeological Resources	Potential for cultural resources.
Access	Acacia St.

<b><u>General Plan, Zoning Ordinance &amp; Local Coastal Plan Designations</u></b>	
General Plan/Coastal Plan Land Use Designation	Moderate Density Residential
Base Zone District	Duplex Residential (R-2)
Zoning Overlay District	N/A
Special Treatment Area	N/A
Combining District	N/A
Specific Plan Area	N/A
Coastal Zone	Outside the appeal jurisdiction

**PUBLIC NOTICE**

Notice of this item was published in the San Luis Obispo Tribune newspaper on September 10, 2010, and all property owners of record within 300 feet of the subject site and occupants within 100 feet of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application.

**CONCLUSION**

With the incorporation of the mitigations identified in the Initial Study all impacts from the project on Cultural resources has been reduced to less than significant and a Coastal Development Permit can be approved for the demolition of the existing structure.

Report prepared by: Kathleen Wold, Planning Manager

## **EXHIBIT A**

### **FINDINGS**

#### **California Environmental Quality Act (CEQA)**

- A. That for purposes of the California Environmental Quality Act, Case No. CP0-320 is subject to a Mitigated Negative Declaration based upon potentially significant impacts to aesthetics, cultural resources, geology/soils, hydrology/water quality, land use/planning, noise and transportation/circulation. With the implementation of required conditions of approval included in the Mitigated Negative Declaration, the environmental impact of the proposed development will be less than significant.

#### **Coastal Development Permit**

- B. The project, demolition of an existing structure, is consistent with the applicable provision of the certified local coastal program. The project has had adequate environmental review to ensure that the issuance of the Coastal Development Permit is consistent with the LCP.

**EXHIBIT B**  
**CONDITIONS**

**PUBLIC WORKS CONDITIONS**

The plans are conditionally approved and shall include the following items with the building plan submittal:

1. Provide a standard erosion and sedimentation 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. Provide permanent stabilization measures in all disturbed areas.
2. Show all utilities to the existing structures. The existing sewer lateral shall be abandoned for the demolished structure to the City's main. A sewer encroachment permit is required for any work within the City's Right of Way.

Add the following Notes to the Plans:

1. 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 Services Office located at 955 Shasta Ave.
2. 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.

**ENVIRONMENTAL CONDITIONS**

**CULTURAL RESOURCES**

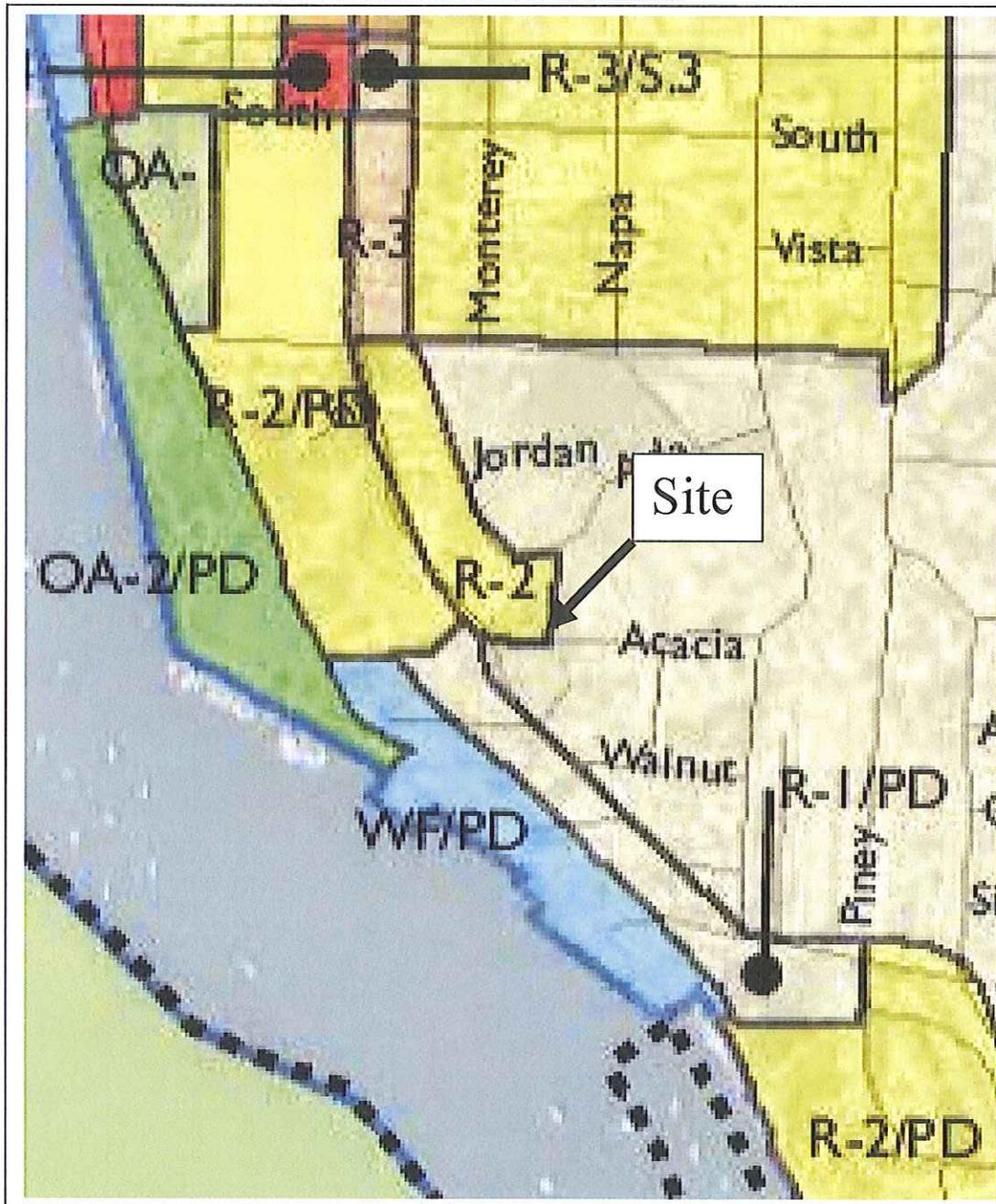
1. Archaeological monitoring shall occur for all ground disturbing activities in the development area by a qualified archaeologist and qualified local indigenous cultural monitor. Collection of historic and prehistoric cultural remains deemed significant shall occur, and if necessary, analysis of any features encountered including but not limited to historic refuse dumps and diagnostic prehistoric habitation deposits shall occur. Selection and processing of prehistoric marine shell for radiocarbon dating shall also occur.
2. The applicant/property owner shall provide an archaeological monitoring evaluation plan prepared by a qualified archaeologist for all construction excavations associated with demolition activity. The plan shall identify all the ground disturbance activity monitored including dates the archaeologist and culturally affiliated, indigenous individual recognized by the Native American Heritage Commission were present. The evaluation report shall describe all the densities or features of artifacts associated with a particular activity encountered. Any isolated human remains encountered during construction shall

be protected and their disposition be undertaken consistent with Public Resources Code 5097.98.

3. The following actions must be taken immediately upon the discovery of human remains: Stop immediately and contact the County Coroner. The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods. If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or; If the owner does not accept the descendent's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission Discuss and confer means the meaningful and timely discussion careful consideration of the views of each party.

**EXHIBIT C**

**GRAPHICS/PLAN REDUCTIONS**



Planning Commission  
395 Acacia



ZONING MAP



# EXHIBIT D

**City of Morro Bay**  
PUBLIC SERVICES DEPARTMENT  
955 SHASTA AVENUE ♦ MORRO BAY, CA 93442  
805-772-6261

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## DRAFT MITIGATED NEGATIVE DECLARATION

CEQA: CALIFORNIA ENVIRONMENTAL QUALITY ACT

CITY OF MORRO BAY  
955 Shasta Avenue  
Morro Bay, California 93442  
805-772-6210

August 4, 2010

The State of California and the City of Morro Bay require, prior to the approval of any project, which is not exempt under CEQA, that a determination be made whether or not that project may have any significant effects on the environment. In the case of the project described below, the City has determined that the proposal qualifies for a Mitigated Negative Declaration.

CASE NO.: CP0-320

PROJECT TITLE: 395 Acacia St.

APPLICANT / PROJECT SPONSOR: Robert G. and Olivia L. Tefft

### PROJECT DESCRIPTION:

The project site is approximately 6,300 square feet. Existing structures on-site include an approximately 1,850 square foot residence. The proposed project consists of the demolition of this residential structure. There is no construction currently proposed on the site, although landscaping of the site may occur in the future. It is proposed that approximately 75% of all materials will be diverted to a recycling center.

Single family residential uses surround the site. The site is zoned Duplex Residential (R-2) and the General Plan designation is Moderate Density Residential where residences are allowable uses.

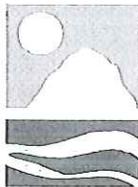
### PROJECT LOCATION:

The project site is located at 395 Acacia St. within the R-2 Duplex Residential zoning district. The project is located within the City's permitting jurisdiction for Coastal Development Permits.

FINDINGS OF THE: Environmental Coordinator

395 Acacia St.  
CASE NO. CP0-320  
DATE: August 4, 2010

It has been found that the project described above will not have a significant effect on the environment. The Initial Study includes the reasons in support of this finding. Mitigation measures are required to assure that there will not be a significant effect in the environment; these are described in the attached Initial Study and Checklist and have been added to the permit conditions of approval.



**City of Morro Bay**  
PUBLIC SERVICES DEPARTMENT  
955 SHASTA AVENUE ♦ MORRO BAY, CA 93442  
805-772-6261

## INITIAL STUDY AND CHECKLIST

### I. PROJECT INFORMATION

<b>Project Title:</b>	<u>395 Acacia St.</u>		
<b>Case Number:</b>	<u>Conditional Use Permit CP0-320</u>		
<b>LEAD AGENCY:</b>	<u>City of Morro Bay</u>	Phone:	<u>(805) 772-6270</u>
	<u>955 Shasta Ave.</u>	Fax:	<u>(805) 772-6268</u>
	<u>Morro Bay, CA 93442</u>		
	<u>Contact: Kathleen Wold</u>		
<b>Project Applicant:</b>	<u>Robert and Olivia Tefft</u>	Phone:	<u>(805) 772-1733</u>
	<u>375 Acacia St.</u>	Fax:	
	<u>Morro Bay, CA 93442</u>		
<b>Project Landowner:</b>	<u>Robert and Olivia Tefft</u>	Phone:	<u>(805) 772-1733</u>
	<u>375 Acacia St.</u>	Fax:	
	<u>Morro Bay, CA 93442</u>		

#### **Project Description:**

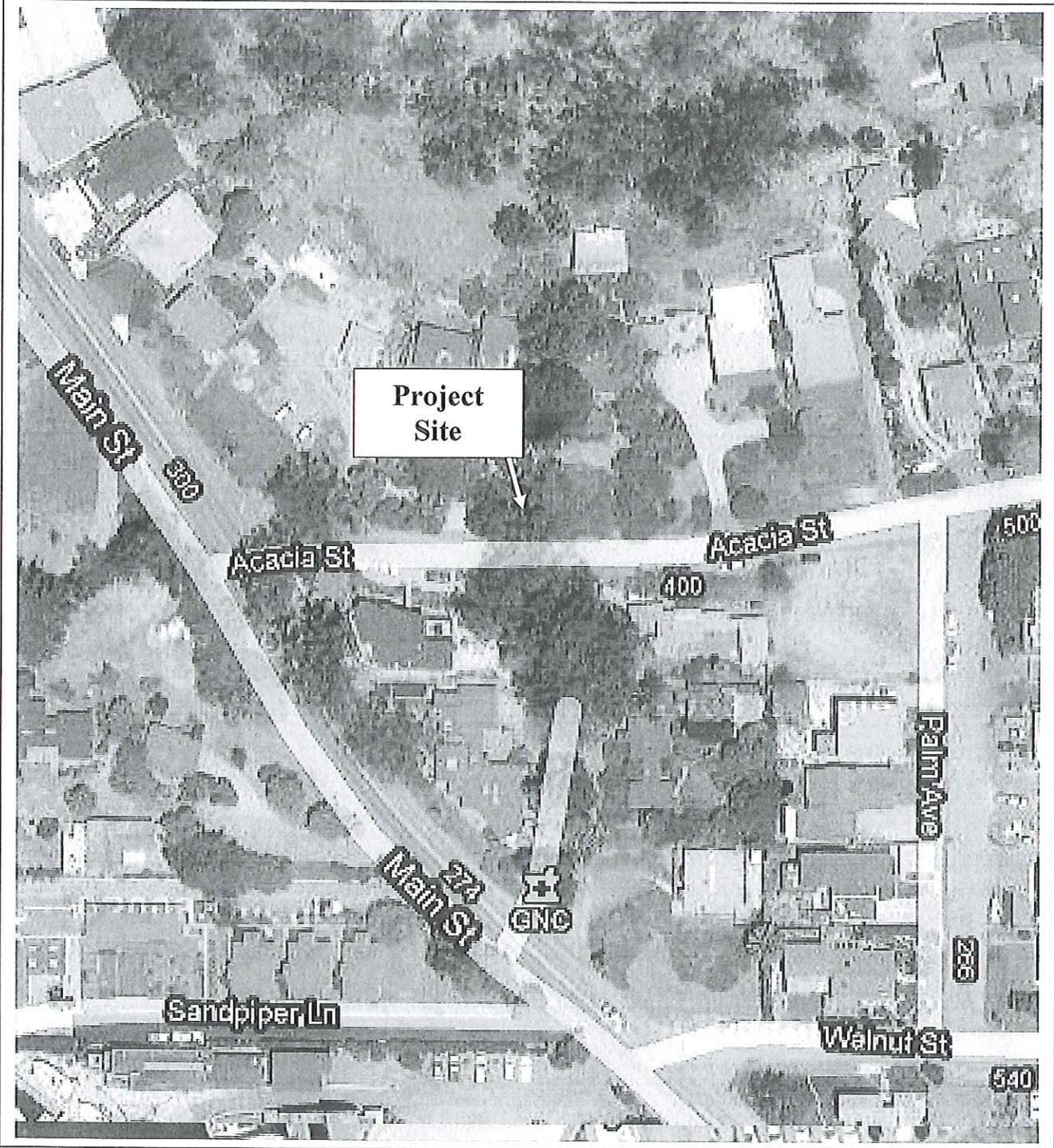
The project site is approximately 6,300 square feet. Existing structures on-site include an approximately 1,850 square foot residence. The proposed project consists of the demolition of this residential structure. There is no construction currently proposed on the site, although landscaping of the site may occur in the future. It is proposed that approximately 75% of all materials will be diverted to a recycling center.

Single family residential uses surround the site. The site is zoned Duplex Residential (R-2) and the General Plan designation is Moderate Density Residential where residences are allowable uses.

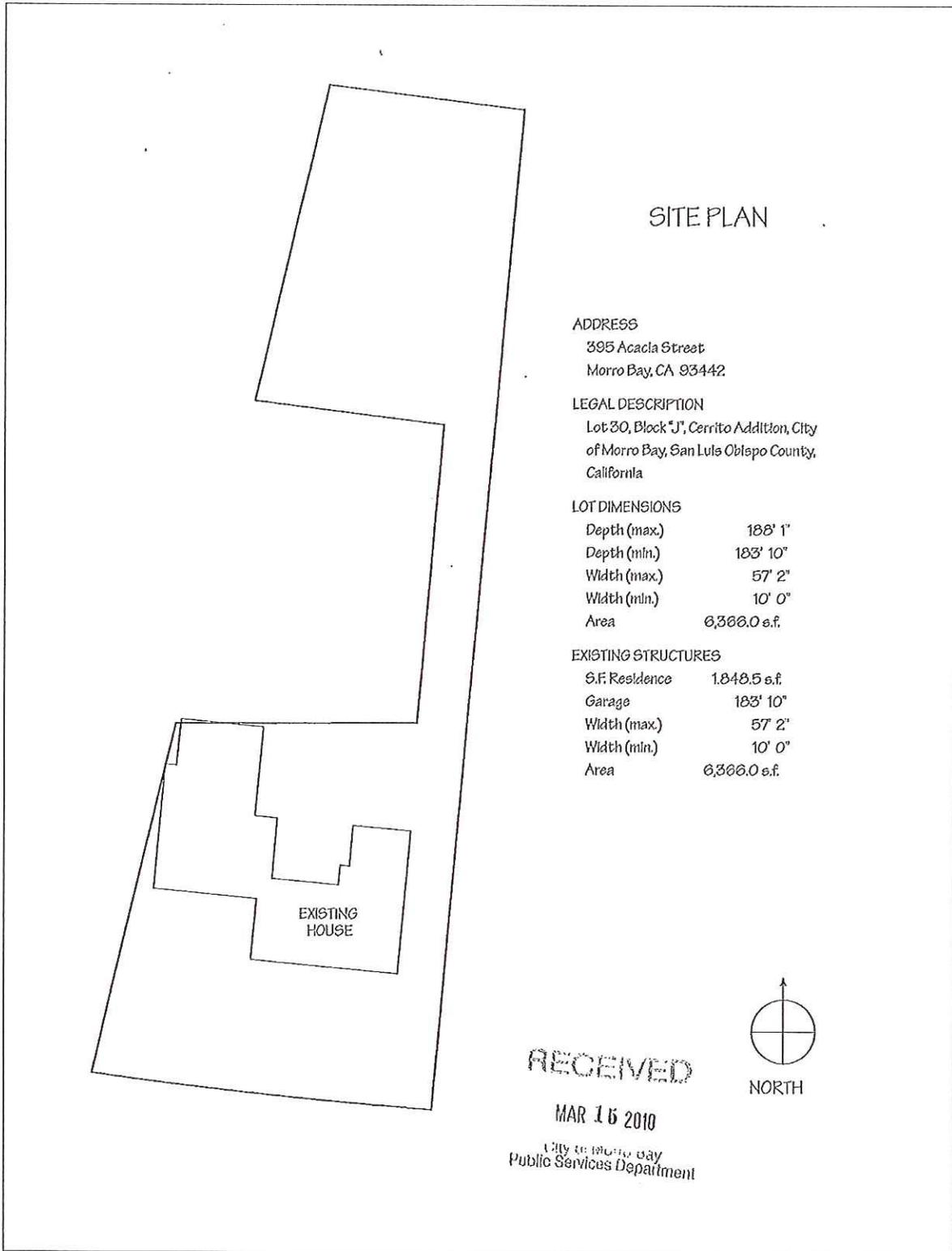
**Project Location:** The project is located within the City of Morro Bay, San Luis Obispo County, California. The project address is 395 Acacia St. and the nearest cross street is Cypress Avenue to the east.

**Assessor Parcel Number(s)**  
066 – 222 – 037

VICINITY MAP



### SITE PLAN



## II. ENVIRONMENTAL SETTING AND IMPACTS

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or is "Less than Significant with Mitigation Incorporated", as indicated by the Environmental Checklist:

	1. Aesthetics		10. Land Use/Planning
	2. Agricultural Resources		11. Mineral Resources
	3. Air Quality		12. Noise
	4. Biological Resources		13. Population/Housing
X	5. Cultural Resources		14. Public Services
	6. Geology/Soils		15. Recreation
	7. Greenhouse Gas Emissions		16. Transportation/Circulation
	8. Hazards/Hazardous Materials		17. Utility/Service Systems
	9. Hydrology/Water Quality		18. Mandatory Findings of Significance

**Environmental Setting:** The project site is approximately 6,300 square feet and is bound by residential uses on all sides. The site is zoned Duplex Residential (R-2) and is reserved for moderate density residential uses; although only one single family residence exists on-site. The site slopes toward Acacia Street at an approximate 27% slope. Existing trees on-site include eucalyptus, pines, myoporums, pitosporums, and cedars. A variety of shrubs and bushes are present; however little native vegetation exists on-site. This environment also supports a variety of small mammals. No trees are proposed for removal.

Demolition of the existing residence requires the issuance of a Coastal Development Permit which will be issued by the City due to the location of the project site.

Surrounding Land Use			
North:	Single Family Residential (R-1)	East:	Single Family Residential (R-1)
South:	Single Family Residential (R-1)	West:	Duplex Residential (R-2)

### III. ENVIRONMENTAL CHECKLIST

1. AESTHETICS:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Have a substantial adverse effect on a scenic vista?				X
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within view of a state scenic highway?				X
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				X

Environmental Setting: The General Plan and the Local Coastal Plan contain policies that protect the City's visual resources. The waterfront and Embarcadero are designated as scenic view areas in the City's Visual Resources and Scenic Highway Element. The Morro Rock, sand spit, harbor and navigable waterways are all considered significant scenic resources. Between the on-site and surrounding trees, portions of the harbor are visible from the site.

Impact Discussion: a.-d.) The project proposes to demolish an existing approximately 1,850 square foot residence and landscape the site. No structures are proposed to replace the existing residence; therefore, no views to the harbor will be disrupted. Since the existing residence is in such close proximity to Acacia St., the removal may open up views for residences to the east along Acacia St. The only proposed modification to the site is landscaping.

Heavy equipment including standard construction equipment such as dump trucks, backhoes, etc. will be used; however, due to the temporary nature of the activities, there will not be a significant impact to scenic views and scenic views to the harbor will remain. The project will not introduce new sources of light or glare nor impact existing scenic highways.

Mitigation and Residual Impact: Visual resources will not be impacted, therefore no mitigation is required.

Monitoring: Not applicable.

2. AGRICULTURAL RESOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocol adopted by the California Air Resources Board.				
Would the project:				

a.	Convert prime farmland, unique farmland, or farmland of statewide importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b.	Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d.	Result in the loss of forest land or conversion of forest land to non-forest use?				X
e.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				X

Environmental Setting: The existing residential use on the site is consistent with the zoning designation of Duplex Residential (R-2). The property and surrounding areas are not zoned for agricultural uses. The site has not historically been used for farming nor has it been designated as prime farmland.

Impact Discussion: a.-e.) The project is the demolition of an existing residence. The site and surrounding land uses are not zoned or suitable for agricultural uses. Therefore the project will not impact farmland and have no impacts on agricultural resources.

Mitigation and Residual Impact: No agricultural resources will be affected by the project; therefore no mitigation measures are required.

Monitoring: Not Applicable.

3. AIR QUALITY		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.					
Would the project:					
a.	Conflict with or obstruct implementation of the applicable air quality plan?			X	
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?			X	
d.	Expose sensitive receptors to substantial pollutant concentrations?			X	

e. Create objectionable odors affecting a substantial number of people?				X
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Environmental Setting: The project area is located in the South Central Coast Air Basin (SCCAB). The SCCAB consists of San Luis Obispo County and a portion of Santa Barbara County north of the Santa Ynez Mountain ridgeline. Atmospheric pollutant concentrations in the SCCAB are generally moderate, due to persistent west-to-northwesterly winds that blow off the Pacific Ocean and enhance atmospheric mixing. Although meteorological conditions in the project area are usually conducive to pollutant dispersal, pollution can sometimes accumulate during the fall and summer months when the Eastern Pacific High can combine with high pressure over the continent to produce light winds and extended inversion conditions in the region. As a result, Morro Bay is considered a non-attainment area for particulate matter less than 10 microns in diameter (PM10) and ozone (O<sub>3</sub>).

The proposed project area is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Serpentine is a very common rock and has been identified by the ARB as having the potential to contain naturally occurring asbestos. Projects that would potentially disturb serpentine rocks subject to the ARB Asbestos Airborne Toxics Control Measure (ATCM) for construction, Grading, Quarrying, and Surface Mining Operations.

Impact Discussion: a., c., d.) San Luis Obispo County is a non-attainment area for the State PM10 (fine particulate matter 10 microns or less in diameter) air quality standards. State law requires that emissions of non-attainment pollutants and their precursors be reduced by at least 5% per year until the standards are attained. The Clean Air Plan (CAP) for San Luis Obispo County was developed and adopted by the Air Pollution Control District (APCD) to meet that requirement. The CAP is a comprehensive planning document designed to reduce emissions from traditional industrial and commercial sources, as well as from motor vehicle use. According to the APCD "CEQA Air Quality Handbook" (2009), both construction activities and ongoing activities of land uses can generate air quality impacts. The APCD has established the threshold of significance as project construction activities lasting more than one quarter and land uses that generate 1.25 or more pounds per day (PPD) of diesel particulate matter, .25 PPD of reactive organic gases, oxides of nitrogen, sulfur dioxide, or fine particulate matter, or more than 550 PPD of carbon monoxide, as having the potential to affect air quality significantly. The project is a size that is below APCD's air quality significance thresholds.

The project site is relatively isolated from major roadways and associated vehicle emissions. The project would generate roadway traffic only during construction, when workers and trucks would be traveling to and from the project site. The number of daily vehicle trips that would be generated during construction would not add substantially to local traffic volumes. Considering this, the project would not be expected to create or contribute substantially to the violation of air standards.

b., d., e.) The project proposes the demolition of an approximately 1,850 square foot residence; therefore disturbance of fine particulate matter will be minimal during the construction phase and will not generate a significant impact on long-term air quality. However, construction operations, including grading of the approximately 1,850 square foot footprint would potentially result in the emission of ROG, NOx, and Diesel Particulate Matter. No objectionable odors would be produced from the project during or following construction. Standard construction practices required by the Municipal Code will be imposed upon the project and the project will be subject to comply with all permit requirements for demolition including APCD notification requirements.

Mitigation and Residual Impacts: The project is subject to standard construction practices, including dust control measures required by the Municipal Code and review by the APCD to address short-term air quality impacts related to construction.

With the implementation of the City's standard operating procedures and review by the APCD, potential impacts to air quality resulting from the project would be reduced to less than significant levels, no additional mitigation is required.

Monitoring: All permit conditions shall be required as notes on the plans and Public Services Department staff shall monitor compliance with the conditions in the normal course of reviewing demolition plans.

4. BIOLOGICAL RESOURCES  Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of fish and Game or U.S. Fish and Wildlife service?			X	
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc) through direct removal, filling, hydrological interruption, or other means?				X
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?				X

Environmental Setting: The project consists of the demolition of an existing 1,850 square foot residential structure and landscaping. The proposed site slopes toward Acacia Street at an approximate 27% slope. Existing trees on-site include eucalyptus, pine, myoporums, pitosporums, and cedars. A variety of shrubs and bushes are present; however little native vegetation exists on-site. This environment also supports a variety of small mammals including squirrels, gophers, raccoons, and opossums. No trees are proposed to be removed with demolition of the structure.

Impact Discussion:

a.) The project site does not contain any special status species and the demolition will not impact any riparian habitat, as there is none on-site. The project does propose to install a small amount of vegetation.

As there is no special status species on-site, the short-term noise impacts associated with construction are not viewed as significantly impacting biological resources.

b.-d.) Potential impacts to eelgrass, waters of the U.S., and migratory fish and wildlife species would not result from the proposed project, as the project is not adjacent to the bay. In addition, erosion control measures will be implemented via City review of the project which will control run-off to into the bay.

e.,f.) No policies or ordinances protecting biological resources, or adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan govern the project site. Therefore, no impacts on biological resources would result.

Mitigation and Residual Impact: No biological resources will be affected by the project; therefore no mitigation measures are required.

Monitoring: Not Applicable.

5. CULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a.	Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?			X	
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?		X		
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d.	Disturb any human remains, including those interred outside of formal cemeteries?		X		

Environmental Setting: There are over 30 surveyed archaeological sites in the incorporated boundaries of the City. At least two of these known sites are documented as the sites of prehistoric villages with significant resources including one with a cemetery. As a result of these discoveries, cultural resource surveys are frequently required for new development within the city and it is not unusual that mitigation measures are required.

Impact Discussion: a., b., d.) The existing residence on-site is not listed on the National Register of Historical Places. The proposed project is in close proximity to two archaeological sites; CA-SLO-526 and CA-SLO-528. According to Section 17.48.310 Protection of Archaeological Resources of the Zoning Ordinance, any site within 300 ft. of a known archaeological site is considered a potential archaeological site, and as a result, staff required that an archaeological survey be prepared. The survey did not discover any evidence of significant historic or prehistoric archaeological resources within the project area; however, the survey recommended that an archaeological monitor be present during any ground disturbance.

c.) Pursuant to the Zoning Ordinance, the site location is identified as a potential archaeological site; however no paleontological resources have been found onsite and there is no evidence to suggest that the site would uncover any future paleontological resources. Pursuant to the General Plan, the site is designated as a ground shaking area, as is most of the City; however, the site does not contain any unique geologic features.

Mitigation and Residual Impact:

1. Archaeological monitoring shall occur for all ground disturbing activities in the development area by a qualified archaeologist and qualified local indigenous cultural monitor. Collection of historic and prehistoric cultural remains deemed significant shall occur, and if necessary, analysis of any features encountered including but not limited to historic refuse dumps and diagnostic prehistoric habitation deposits shall occur. Selection and processing of prehistoric marine shell for radiocarbon dating shall occur.
2. The applicant/property owner shall provide an archaeological monitoring evaluation plan prepared by a qualified archaeologist for all construction excavations associated with grading activity. The plan shall identify all the ground disturbance activity monitored including dates the archaeologist and culturally affiliated, indigenous individual recognized by the Native American Heritage Commission were

present. The evaluation report shall describe all the densities or features of artifacts associated with a particular activity encountered. Any isolated human remains encountered during construction shall be protected and their disposition be undertaken consistent with Public Resources Code 5097.98.

3. **The following actions must be taken immediately upon the discovery of human remains:**  
Stop immediately and contact the County Coroner. The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods. If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or; If the owner does not accept the descendent's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission Discuss and confer means the meaningful and timely discussion careful consideration of the views of each party

Monitoring: Planning and Building staff shall ensure that any finds are evaluated by an approved cultural resource professional and that all required mitigations are completed.

6. GEOLOGY /SOILS  Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				X
i Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Publication 42)			X	
ii Strong Seismic ground shaking?			X	
iii Seismic-related ground failure, including liquefaction?				X
iv Landslides?				X
b. Result in substantial erosion or the loss of topsoil?				X
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X

Environmental Setting: The site is located within the Tidelands area of the Morro Bay Estuary, on the coastal edge of the Santa Lucia Range, within the Coast Range Geomorphic Province of California.

Impact Discussion: The General Plan Safety Element depicts landslide prone areas, flood prone areas, areas of high liquefaction potential, and areas of potential ground shaking. The proposed site is located within an area of potential ground shaking. However, the project only proposes to demolish the existing residence and therefore, the proposed project would not expose people or structures to adverse impacts resulting from earthquakes, liquefaction, flooding or landslides.

a.-i.) The project consists of the demolition of an approximately 1,850 square foot residence and the installation of vegetation. This project would not increase the risk of ground failure since structures are not proposed to be constructed. In addition, the site is not located across an active fault, as designated by the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area, or based on other substantial evidence of a known fault. Therefore, no significant impacts would occur in association with rupture of a known earthquake fault.

a.-ii. – iv., c.) The San Andreas Fault is located approximately 41 miles at its closest point from the City. The project site is not subject to landslides or other types of slope failure but the site is designated as being located in an area of ground shaking. No new development is proposed, therefore the potential for strong seismic ground shaking, landslides, or slope failure is less than significant.

b.-d.) The soil in this area is characterized as sandy, not expansive soil. The project consists of the demolition of the existing structure and the planting of vegetation. Because there is no additional grading proposed other than the demolition of an existing structure, there is no potential for loss of topsoil. No replacement structures are proposed which would be affected by soil characteristics.

e.) Neither septic tanks nor alternative wastewater disposal systems are proposed in association with the project; therefore, no impacts would occur.

Mitigation and Residual Impact: No mitigation measures are required.

Monitoring: Not applicable.

7. GREENHOUSE GAS EMISSIONS		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b.	Conflict with an applicable plan, policy of regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X

Impact Discussion: The United States Environmental Protection Agency (EPA) is the federal agency responsible for implementing the Clean Air Act. Prior to 2007, the EPA did not have regulations addressing Green House Gases (GHGs). The U.S. Supreme Court ruled on April 2, 2007 that Carbon Dioxide (CO<sub>2</sub>) is an air pollutant as defined under the Clean Air Act (CAA), and that EPA has the authority to regulate emissions of GHGs. However, there are no federal regulations or policies regarding GHG emissions applicable at the time of writing. Several bills related to greenhouse gas emissions and climate change including AB 1493 (passenger vehicle GHG emission reductions), AB 32 (the California Global Warming Solutions Act of 2006), SB 1368 (utility GHG emission reductions), SB 97 (requiring climate change analysis under CEQA), the California Climate Action Registry, SB 1078 (electricity from renewable sources), SB 375 (land use and transportation planning), Executive Order S-3-05 (acknowledges potential impacts of climate change on state), and Executive Order S-13-08 (the Climate Adaptation and Sea Level Rise Planning Directive) have been passed.

No Federal, state or regional regulatory agency has provided methodology or criteria to determine the significance of local greenhouse gas emissions on global climate change. Therefore, the lead agency is unable to provide a

scientific or regulatory-based conclusion in regard to whether the project's contribution to climate change is cumulatively considerable. In the short-term, the proposed project could result in minor increases in emission of greenhouse gases during the demolition process. Such an increase would not individually contribute to global climate change; however, it could contribute considerably to the cumulative or global emission of GHGs. The proposed project is consistent with the land use diagram and policy provisions of the City's General Plan.

a.-b.) The proposed project is the demolition of an existing residence, which is consistent with the land use diagram and policy provisions of the City's General Plan. As no replacement structures are proposed, the project would not result in any long-term source of greenhouse gas emissions. As such, no new impact would occur and this impact is considered less than significant.

Mitigation and Residual Impact: No mitigation measures are required.

Monitoring: Not applicable.

8. HAZARDS/HAZARDOUS MATERIALS Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?				X
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h. Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Environmental Setting: Human caused hazards often occur as a result of modern activities and technologies. These potential hazards can include the use of hazardous materials and buildings that may be unsafe during a strong earthquake. The existing improvements are proposed for removal with no replacement structures or improvements

proposed. The project site is not located in the vicinity of any known hazardous material sites and is not listed as having been a hazardous site. The project has not been associated with hazardous waste or materials disposal.

Impact Discussion: a.-b.) The release of fuel from temporary construction operations could potentially have a significant impact on the public or the environment; however, the Fire Department is responsible for responding to any hazardous materials spills. Procedures include collecting any spilled fuel or oil with containers and absorbing remaining liquids with an absorbent substance. The storm drains are also blocked to prevent liquids from entering the storm drain system. After the liquid has been collected, the material is deposited into approved hazardous materials containers and then properly disposed of depending upon the nature of the spill.

Demolition of existing structures that might possibly contain lead-based paint or asbestos building materials could cause the materials to be released as airborne particles or as particulate matter, which could affect construction workers and the general public. However, the project will be reviewed by the APCD for any impact that could be caused by the demolition. It is not likely that the size of the project will trigger additional requirements.

c.-f.) The project is not located within ¼ mile of a school or near any known hazardous material sites. It will not create any interference with emergency response plans, create any potential public health or safety hazard, or expose the public to hazards from oil or gas wells and pipeline facilities. The project does not include any activities which could result in contamination of a public water supply. The project would not expose the public or structures to a significant risk of loss, injury, or death involving wildland fires. Therefore, impacts would be less than significant.

Mitigation and Residual Impact: With the implementation of the City’s standard operating procedures, the potential impacts of hazards or hazardous materials that could result from the project would be less than significant levels.

Monitoring: Prior to issuance of demolition permits, evidence that the project has been reviewed by the APCD shall be submitted to the Public Services Department.

9. HYDROLOGY/WATER QUALITY	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements?			X	
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c. Substantially alter the existing drainage pattern on the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site?				X
d. Substantially alter the existing drainage pattern on the site or area, including through the alteration of the course of a stream or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?			X	
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
f. Otherwise substantially degrade water quality?			X	

g.	Place housing within a 100-year flood hazard area as mapped on a federal flood hazard boundary or flood insurance rate map or other flood hazard delineation map?				X
h.	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i.	Expose people or structures to a significant risk or loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j.	Inundation by seiche, tsunami, or mudflow?			X	

Environmental Setting:

The site is located in Morro Bay. The watershed of Morro Bay is approximately 48,450 acres and is bounded by the Santa Lucia Range on the north, Cerro Romauldo to the east and the San Luis Range to the south. Eventually draining to Morro Bay, the watershed houses two significant creek systems: Los Osos and Chorro Creeks. The Chorro Creek watershed drains approximately 27,670 acres, while Los Osos Creek drains 16,933 acres, the remaining area drains directly into the bay through small local tributaries or urban runoff facilities. Sixty percent of the Chorro Creek watershed is classified as rangeland, while twenty percent is brushland.

Morro Bay contains approximately 2,100 acres of water surface at low tide and approximately 6,500 acres at high tide, leaving approximately 980 acres of tidal mud flat and approximately 470 acres of salt marsh. The water quality of Morro Bay is affected by presence of nutrients, toxic substances, hydrocarbons, bacteria, heavy metals, suspended sediment, and turbidity. Studies by various authors also suggest that Morro Bay is subjected to a relatively rapid increase in sedimentation. Morro Bay, Los Osos and Chorro Creek are listed as “impaired waters” under the federal Clean Water Act, Section 303(d). These water areas, and the Morro Bay Estuary, are also listed as waters impaired by sedimentation/siltation, and are the subject of a Total Maximum Daily Load (TMDL), which is a calculation of the maximum amount of a pollutant that a water body can receive and still meet water quality standards.

Impact Discussion: a.) The project proposes only to demolish a residence so no new sewage will be generated or collected and disposed of in the City’s sewage system. As a result of the demolition, less runoff will be conveyed via storm drains to the bay since removal of the structure will increase the amount of impervious surface on-site and no replacement structure is proposed on-site.

b.) The project is the demolition of an existing residence and will not result in an increase in water usage. However, the City’s annual water report indicates that even if a new residence were proposed for construction, there would be sufficient water resources to satisfy the demand. In addition, the City’s predominant source of water to serve residences is obtained from the State Water Project. Therefore, substantial depletion of ground water would not occur as a result of the proposed project.

c., d.) The permeable surface of the site will be increased and the proposed project will be required to drain from the site in a non-erosive manner. Therefore, the proposed project would not substantially alter existing drainage on the site, nor result in substantial erosion or siltation on or off site.

e., f.) The proposed development would not result in an increase in runoff since the project proposes to demolish an existing residence and does not propose a replacement structure. Since the project site is less than one acre, a Construction Activities Storm Water General Permit is not required, per the Federal Clean Water Act. However, pursuant to the City’s demolition process, an erosion control plan will be required. This is a component of the permit process that can be relied upon to ensure that water quality issues associated with erosion will be suitably addressed.

g.-i.) The project site is not located in the 100-year flood zone and the proposed development would not subject people or structures to significant risk of loss, injury or death resulting from flooding.

j.) Since the project site is located near the coast, a potential hazard from tsunamis exists. There is not enough evidence, however, to predict recurrence intervals of tsunamis. The last known tsunami warning occurred in the mid-1960's. Although the sand dunes offer some protection from tsunamis and the potential for such a geohazard is low and past history suggests that the project site is still vulnerable to large tsunamis. As discussed in the Safety Element of the General Plan, the most feasible protection in the event of a tsunami is a warning system and evacuation plan. The warning is handled by the United States Weather Service and the Safety Element outlines safety preparedness measures. Therefore, the hazard presented by tsunamis is less than significant.

Mitigation and Residual Impact: No mitigation measures are required.

Monitoring: Not applicable.

10. LAND USE AND PLANNING	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?				X
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Environmental Setting: The project is located within southern Morro Bay, zoned Duplex Residential (R-2), and within the City's coastal permitting jurisdiction. The existing residence is an allowed use in the R-2 zoning district.

Impact Discussion: a., c.) The proposed project consists of the demolition of an existing residence and would not physically divide an established community. In addition, the City of Morro Bay does not have an adopted habitat conservation plan; therefore, the project would not conflict with applicable habitat conservation plan or a natural community conservation plan.

b.) The project cannot be approved unless found consistent with the General Plan, Zoning Ordinance, California Coastal Act, Local Coastal Program and Municipal Code. The project site is zoned R-2; however, the project is not proposing any new construction, only demolition of the existing residence. Therefore, the project will not conflict with any city adopted plan.

Mitigation and Residual Impact: No mitigation measures are required.

Monitoring: Not applicable.

11. MINERAL RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in the loss of availability of a known mineral resources that would be of value to the region and the residents of the state?				X

b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
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Environmental Setting: According to the California Geological Service, this area of the City is comprised of Quaternary deposits (marine and sand deposits). The General Plan and the Division of Oil, Gas, and Geothermal Resources do not delineate any resources in the area. Further, the State Mining and Geology Board has not designated or formally recognized the statewide or regional significance of any classified mineral resources in the County of San Luis Obispo.

Impact Discussion: a.-b.) The project is not proposed where significant sand and gravel mining has occurred or will occur and there are no oil wells within the area of the City, where the project is located. San Luis Obispo County has not been designated to be regionally significant with regard to mineral resources. In addition, the area is not delineated as a mineral resource recovery site in the general plan, any specific plan or other land use plan. This area of the city is fully built up and the general plan does not provide for mining. Therefore the project will not result in the loss of a known mineral resource of value to the region and impacts would be less than significant.

Mitigation and Residual Impact: No mitigation measures are required.

Monitoring: Not applicable.

12. NOISE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Expose people to, or generate, noise levels exceeding established standards in the local general plan, coastal plan, noise ordinance or other applicable standards of other agencies?			X	
b. Expose persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c. Cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d. Cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	

Environmental Setting: The most significant source of noise to the project is from traffic or transportation. The City's General Plan Noise Element threshold for traffic noise exposure is 60dB for most land uses. The City's Zoning Ordinance also contains noise limitations and specifies operational hours, review criteria, noise mitigation, and requirements for noise analyses. Sensitive receptors within the vicinity of the project include residential uses surrounding the site.

Impact Discussion: a.-d.) The project will not add noise levels that are inconsistent with the surrounding uses or in conflict with standards in the General Plan, Local Coastal Plan or Zoning Ordinance. However, construction noise represents a short-term impact related to the use of construction equipment including trucks, loaders, bulldozers, and backhoes. The potential noise levels are dependent on the location of the equipment on the site as well as the actual number and type of equipment used during construction. Standard construction conditions placed on the project will limit hours of construction and reduce the noise levels of equipment during construction. Therefore, no impacts to surrounding residences will occur. Title 17 table 17.52.030(1) provides performance standards as it relates to noise levels allowed to occur at the site. No additional mitigation is required.

Mitigation and Residual Impact: Because no significant impacts on noise would result, no mitigation measures are required. Therefore, there will be no residual impacts to surrounding properties.

Monitoring: Not applicable.

13. POPULATION AND HOUSING	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c. Induce substantial growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (e.g. through extension of roads or other infrastructure)?				X

Environmental Setting: The project site currently provides for one residential unit and is currently not occupied by permanent residents. The demolition of the residence will not result in growth inducing impacts.

Impact Discussion: a.-c.)The demolition of the existing residence will not increase the population and the project will not replace permanent housing or induce substantial growth. Therefore, the project would result in less than significant impacts to housing and population.

Mitigation and Residual Impact: Because no significant impacts on population and housing would result, no mitigation measures are required. The residual impact on population and housing would be less than significant.

Monitoring: Not applicable.

14. PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in a substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:				
a. Fire protection?				X
b. Police protection?				X
c. Schools?				X
d. Parks or other recreational facilities?				X
e. Other governmental services?				X

Environmental Setting: The project site lies within the sphere of influence of the City of Morro Bay; therefore the City of Morro Bay provides most of the public services, including Fire and Police protection. The San Luis Coastal Unified School District operates an elementary school and a high school within the City. The project is not expected to cause any change in governmental service levels or trigger the need for new facilities or equipment to maintain existing service levels. The project is within the density allowed and planned for and all existing services are considered adequate to serve the project.

Impact Discussion: a.) In the event of an emergency at the site during the removal of the structure, the Fire Department would be required to provide fire protection or other emergency services. The proposed project is not expected to require additional fire protection services since it is not replacing existing buildings nor is it anticipated that the Fire Department would be substantially affected during the demolition activities. The demolition of the existing residence will reduce the potential for additional fire services.

b.) Police protection services for the site during construction would be similar to those currently provided by the Morro Bay Police Department. Vandalism, theft of materials and equipment and burglary would be of potential concern.

c.-d.) The project does not involve the establishment of a residence, therefore there will be no demand for schools.

e.) No other governmental services will be affected.

Mitigation and Residual Impact: As proposed, City-provided services are not expected to be affected by the project. Because no significant impacts on public services would result, no mitigation measures are required. The residual impact on public services would be less than significant.

Monitoring: Not applicable.

15. RECREATION	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?				X

Environmental Setting: A variety of recreational activities including hiking, sightseeing, birdwatching, etc. are available within Morro Bay. Within the boundary of Morro Bay City limits, there are over 10 miles of ocean and bay front shoreline. Approximately 95% of the shoreline has public lateral access. These walkways provide active recreational activities for visitors and residents.

Impact Discussion: a.-b.)The removal of an existing residence is not growth inducing and will not impact existing park and recreational facilities. Therefore, the proposed project will not increase the use of recreational facilities.

Mitigation and Residual Impact: Because no significant impacts on recreation would result, no mitigation measures are required. The residual impact on recreation would be insignificant.

Monitoring: Not applicable.

16. TRANSPORTATION/CIRCULATION	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				

a.	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, street, highway and freeways, pedestrian and bicycle path, and mass transit?				X
b.	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the country congestion management agency for designated roads or highways?				X
c.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d.	Substantially increase hazards due to a design feature (e.g. limited sight visibility, sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X
e.	Result in inadequate emergency access?				X
f.	Conflicts with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities or otherwise decrease the performance or safety of such facilities?				X

Environmental Setting: The City of Morro Bay is primarily a residential and commercial community that is bisected by Highway 1, a major regional roadway. Another major roadway is Highway 41, which carries travelers east of the city. The two most used roadways are Highway 1 and Main Street. Most traffic generated in the city is on the local streets.

Impact Discussion: a.-b.) Any increase in traffic trips would be due to construction activity and equipment associated with the project, which will temporarily result in minor increases in traffic to and from the site.

c.) The proposed project will not have any impact on airborne traffic.

d.) The project will remain substantially the same and is consistent with uses in the area. The existing area conforms to acceptable design criteria that limit the potential for increased hazards due to limited sight visibility, sharp curves or dangerous intersections.

e.) The existing site currently meets emergency services access requirements. There are no additional structures or structural additions proposed on site, therefore emergency access will not change.

f.) The proposed project would not eliminate any parking on site and will not conflict with adopted policies supporting alternative transportation. Therefore, potential impacts would be less than significant.

Mitigation and Residual Impact: No significant impacts on transportation and circulation would result, therefore no mitigation measures are required. The residual impact on transportation and circulation would be insignificant.

Monitoring: Not applicable.

17. UTILITIES & SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g. Comply with federal, state, and local statutes and regulations related to solid waste?			X	

Environmental Setting: The proposed project would be served by the Morro Bay Wastewater Treatment Plant. The treatment plant is designed to accommodate up to 2.36 million gallons per day (MGD) of wastewater, and as of 2006, the plant receives 1.18 MGD of wastewater. The project would also be served by local waste collection services that dispose of waste at Cold Canyon Landfill, which has been expanded to take increased waste anticipated within its services area. To the extent feasible, demolished materials would be diverted to recycling facilities to minimize solid waste. The project will comply with federal, state, and local statutes and regulations related to solid waste.

Impact Discussion:

a.-g.) The project does not propose to construct a replacement residence. The demolition project will not induce the need to expand existing utility and service systems in the City of Morro Bay. The City water and sewer systems have been reviewed pursuant to capacity studies that have determined that there is sufficient capacity for build out.

Mitigation and Residual Impact: No significant impacts on utilities and service systems would result, therefore no mitigation measures are required. The residual impact on utilities will be insignificant.

Monitoring: Not applicable.

**IV. INFORMATION SOURCES:**

**A. County/City/Federal Departments Consulted:**

City of Morro Bay Public Works Department, Fire Department, Building Division, City Engineer.

San Luis Obispo Air Pollution Control District

**B. General Plan**

x	Land Use Element	x	Conservation Element
x	Circulation Element	x	Noise Element
x	Seismic Safety/Safety Element	x	Local Coastal Plan and Maps
x	Zoning Ordinance		

**C. Other Sources of Information**

x	Field work/Site Visit		Ag. Preserve Maps
	Calculations	x	Flood Control Maps
x	Project Plans		Other studies, reports
	Traffic Study	x	Zoning Maps
x	Records	x	Soils Maps/Reports
	Grading Plans		Plant maps
x	Elevations/architectural renderings	x	Archaeological maps and reports
x	Published geological maps		
x	Topographic maps		
		x	Other: County of San Luis Obispo Air Pollution Control District, CEQA Air Quality Handbook, adopted December 2009

## V. MANDATORY FINDINGS OF SIGNIFICANCE (Section 15065)

A project may have a significant effect on the environment and thereby require a focused or full environmental impact report to be prepared for the project where any of the following conditions occur (CEQA Sec. 15065):

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Potential to degrade:</b> Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
<b>Cumulative:</b> Does the project have impacts that are individually limited but cumulatively considerable? (Cumulatively considerable means that incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
<b>Substantial adverse:</b> Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Impact Discussion: The project is consistent with the Local Coastal Program, including the General Plan, Local Coastal Plan and Zoning Ordinance. As such, the project, as mitigated, does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below a self-sustaining level, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory as evidenced in the preceding discussions.

## VI. DETERMINATION

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

I find that the proposed project MAY have limited and specific significant effect on the environment, and a **FOCUSED ENVIRONMENTAL IMPACT REPORT** is required.

I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

With Public Hearing

Without Public Hearing

**Previous Document:** N/A

**Project Evaluator:** Kathleen Wold, Environmental Coordinator

\_\_\_\_\_  
Signature

August 4, 2010  
Initial Study Date

Kathleen Wold, Planning Manager  
Printed Name

City of Morro Bay  
Lead Agency

## VII. ATTACHMENTS

A – Summary of Mitigation Measures and Applicant’s Consent to Incorporate Mitigation into the Project Description.

## Attachment A

### SUMMARY OF REQUIRED MITIGATION MEASURES

#### CULTURAL RESOURCES

1. Archaeological monitoring shall occur for all ground disturbing activities in the development area by a qualified archaeologist and qualified local indigenous cultural monitor. Collection of historic and prehistoric cultural remains deemed significant shall occur, and if necessary, analysis of any features encountered including but not limited to historic refuse dumps and diagnostic prehistoric habitation deposits shall occur. Selection and processing of prehistoric marine shell for radiocarbon dating shall also occur.
2. The applicant/property owner shall provide an archaeological monitoring evaluation plan prepared by a qualified archaeologist for all construction excavations associated with demolition activity. The plan shall identify all the ground disturbance activity monitored including dates the archaeologist and culturally affiliated, indigenous individual recognized by the Native American Heritage Commission were present. The evaluation report shall describe all the densities or features of artifacts associated with a particular activity encountered. Any isolated human remains encountered during construction shall be protected and their disposition be undertaken consistent with Public Resources Code 5097.98.
3. The following actions must be taken immediately upon the discovery of human remains:  
Stop immediately and contact the County Coroner. The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods. If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or; If the owner does not accept the descendent's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission Discuss and confer means the meaningful and timely discussion careful consideration of the views of each party.

#### Acceptance of Mitigation Measures by Project Applicant:

Josh Seffert                      9/16/10  
Applicant                                      Date



AGENDA ITEM: XC  
ACTION: \_\_\_\_\_

# CITY OF MORRO BAY PLANNING COMMISSION

September 20, 2010

**PROJECT SUMMARY**

The applicant requests a variance for an existing 1'2" encroachment of the garage into the front yard setback.

**FILE NUMBERS**

AD0-057

**SITE ADDRESS**

470 Sunset Court

**APN(S)**

068-321-009

**APPLICANT:**

Doug and Kathy Claassen

**AGENT:**

A.M. Scott Construction



Vicinity Map

**ATTACHMENTS**

- 1. Findings, Exhibit A
- 2. Conditions, Exhibit B
- 3. Graphics/Plan reductions, Exhibit C

**STAFF RECOMMENDATION**

*CONDITIONALLY APPROVE THE VARIANCE* allowing the existing 1'2" extension of the western corner of the garage into the front yard setback by adopting a motion including the following action(s):

- A. Adopt the Findings included as Exhibit "A", including findings required by the California Environmental Quality Act (CEQA); and
- B. Approve Conditional Use Permit, subject to the Conditions included as Exhibit "B" and the site development plans dated August 27, 2010.

**ENVIRONMENTAL DETERMINATION**

Pursuant to the California Environmental Quality Act the project is Categorical Exempt under class 1, section 15301, for existing facilities. Class 1 consists of the operation, repair,

maintenance, permitting, leasing, licensing, or minor alteration of existing public facilities or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

### **BACKGROUND**

Plans for an addition to an existing house were submitted to the Public Services department on July 27, 2010 for an approximately 110 square foot addition to an existing house. Planning staff routinely reviews the historic file in order to determine if there are any special circumstances on the property or structures on site. Staff reviewed the file and discovered a discrepancy in two approved building plans dated October 1991 and October 10, 1997.

The plans dated October 1981 show a proposal for three additions to an existing house which included an extension of the front of the garage, a patio cover, and extension of an enclosed rear porch. The building plans show the extension of the garage conforming to the required 20 foot front yard setback. However, plans dated October 10, 1997, for a master bedroom and bathroom addition, show an encroachment of the garage into the front yard setback that was a result of the 1981 addition. The plans in 1997 were approved, even though the portion of the garage encroached into the front yard setback.

The encroachment into the front yard setback is not considered non-conforming, because the plans showed the addition as conforming and as a result of field conditions the house was not built to the plans. The applicant has submitted plans from a licensed land surveyor, who concluded that the front yard encroachment is a result of an incorrect survey done in 1981.

### **PROJECT DESCRIPTION**

The planning review process of the building permit revealed the discrepancy of garage on the lot and requested the site be surveyed by a licensed land surveyor to accurately depict the garage on the lot. The site was surveyed and a report was submitted to the Public Services Department. The report stated that the garage encroached into the front yard setback a maximum of 1'2". The property was not granted a variance to encroach into the front yard setback, therefore the applicant has applied for a variance that would make the encroachment legal if the variance is granted. In order to make any future additions or alterations to the existing house the variance will have to be granted. Or the garage will have to be altered to conform to the required 20 foot setback.

The applicant is also pursuing building permit for approximately 110 square foot addition to the back of the residence which conforms to the lot coverage, height and setbacks for the duplex residential zoning district. If the variance is not granted, the 110 square foot addition to the back of the house will be conditioned to the garage into conformity with the approved 1981 building plans.

### **Variance**

Pursuant to section 17.60.060 of the Morro Bay Municipal Code the Planning Commission must make the following findings based on the information provided by the applicant and research staff has provided.

*A. Not a Special Privilege. That any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zoning district in which the subject property is situation; and*

Granting a variance at this time would not constitute a special privilege for the applicant or the site, because the original addition was done with the best intentions. The site was surveyed at the time of the first addition and the report given to the applicant was incorrect. The applicant is in the process of making the site a legal conforming site, and not asking for additional encroachments into standard setbacks. The applicant relied on the survey provided by a professional land surveyor which erroneously identified the property line creating a unique situation for the property owner. Therefore this variance will not create a special privilege.

*B. Special Circumstances with Property. That because of special circumstance applicable to subject property, including size, shape, topography, location or surroundings, the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications; and*

The structure on site is in substantial conformance with the setbacks on site, with the exception of the front west corner of the garage, which encroaches 1'2" into the front yard setback. The encroachment is a result of an addition to the garage in which an incorrect land survey was used to determine the front yard setback. The property is located on a circular street and the land survey was based on a reference point that was not located in the correct spot. The applicant did not intentionally place the garage in the front yard setback and is in the process of correcting past mistakes, by making the site legal.

*C. Consistent with General Plan and LCP. That the variance is found consistent with the intent of the general plan and land use plan of the local coastal program.*

Staff has reviewed this project and found the structure to be in substantial conformance with the intent of the general plan and land use plan of the local coastal program. The structure with the exception of the garage conforms to all setbacks, height restrictions, lot coverage, and parking requirements.

<b>Adjacent Zoning/Land Use</b>			
North:	Single Family Residential (R-1/S.2)	South	Mixed Use/Multi-Family Residential (MCR/R-4/PD/SP) & Commercial (C-1/C-2)
East:	Single Family Residential (R-1) & Multi Family Residential (R-4/PD)	West:	Mixed Use/Multi-Family Residential (MCR/R-4/SP)

<b><u>Site Characteristics</u></b>	
Existing Use	Residential Development.
Terrain	Graded, flat.
Vegetation/Wildlife	Landscaped.
Archaeological Resources	No archaeological resources.
Access	Sunset Court

<b><u>General Plan, Zoning Ordinance &amp; Local Coastal Plan Designations</u></b>	
General Plan/Coastal Plan Land Use Designation	Medium Density Residential
Base Zone District	Duplex Residential
Zoning Overlay District	n/a
Special Treatment Area	n/a
Combining District	n/a
Specific Plan Area	n/a
Coastal Zone	Not located in the Coastal Commissions Appeal Jurisdiction.

**GENERAL PLAN AND LOCAL COASTAL PLAN CONSISTENCY**

Commission must review the project for consistency with the Municipal Code, Local Coastal Plan, California Coastal Act and Waterfront Master Plan. Staff has reviewed the proposal and found the variance for the existing residential unit encroachment into the front yard setback to be consistent with the above mentioned documents and City standards.

**PUBLIC NOTICE**

Notice of this item was published in the San Luis Obispo Tribune newspaper on September 10, 2010, and all property owners of record within 300 feet of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application.

**CONCLUSION**

The proposed project would be consistent with applicable development standards of the zoning ordinance and all applicable provisions of the General Plan and Local Coastal Plan with the incorporation of recommended conditions. The project is not located within the California Coastal Commission appeals jurisdiction.

Report prepared by: Sierra Davis, Assistant Planner

## EXHIBIT A

### FINDINGS

#### CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

- A. That for purposes of the California Environmental Quality Act, Case No. UP0-299 is subject to a Categorical Exemption under class 1, section 15301, for existing facilities. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public facilities or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

#### VARIANCE FINDINGS

- B. Not a Special Privilege. The variance requested for the encroachment of an existing garage into the front yard setback shall be subject to the conditions in Exhibit B of the Staff Report dated September 20, 2010 and such conditions will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zoning district in which the subject property is situated because the previous garage addition was based on an erroneous land survey report causing a unique circumstance for the property;
- C. Special Circumstances with Property. That because of special circumstance applicable to subject property, including size, shape, topography, location or surroundings, the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications; and
- D. Consistent with General Plan and LCP. That the variance is found consistent with the intent of the general plan and land use plan of the local coastal program.

## EXHIBIT B

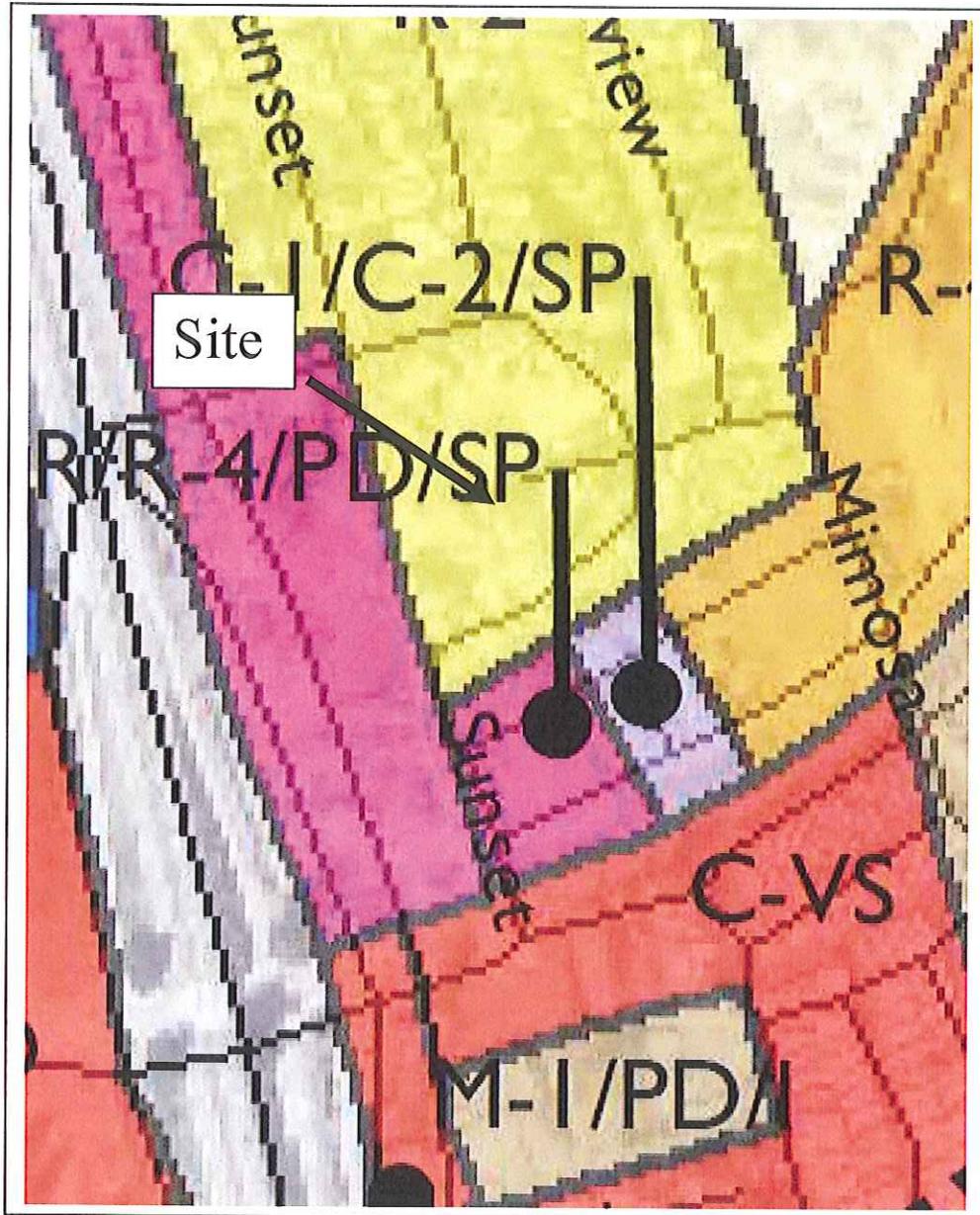
### CONDITIONS OF APPROVAL

#### STANDARD CONDITIONS

1. This permit is granted for the land described in the staff report referenced above, dated September 20, 2010 for the project depicted on the attached plans labeled "Exhibit C", dated August 27, 2010, on file with the Public Services Department, as modified by these conditions of approval, and more specifically described as follows:
2. Changes: Minor changes to the project description and/or conditions of approval shall be subject to review and approval by the Director of Public Services. Any changes to this approved permit determined not to be minor by the Director 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, City of Morro Bay, 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 Morro Bay Municipal Code, and shall be consistent with all programs and policies contained in the certified Coastal Land Use Plan and General Plan for the City of Morro Bay.
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. This condition and agreement shall be binding on all successors and assigns.
5. Compliance with Conditions: The applicant's establishment of the use and/or development of the subject property constitutes acknowledgement and acceptance of all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Director of Public Services and/or as authorized by the Planning Commission. Failure to comply with these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the Morro Bay Municipal Code and is a misdemeanor.
6. Acceptance of Conditions: Prior to obtaining a building permit the applicant shall file with the Director of Public Services written acceptance of the conditions stated herein.

EXHIBIT C

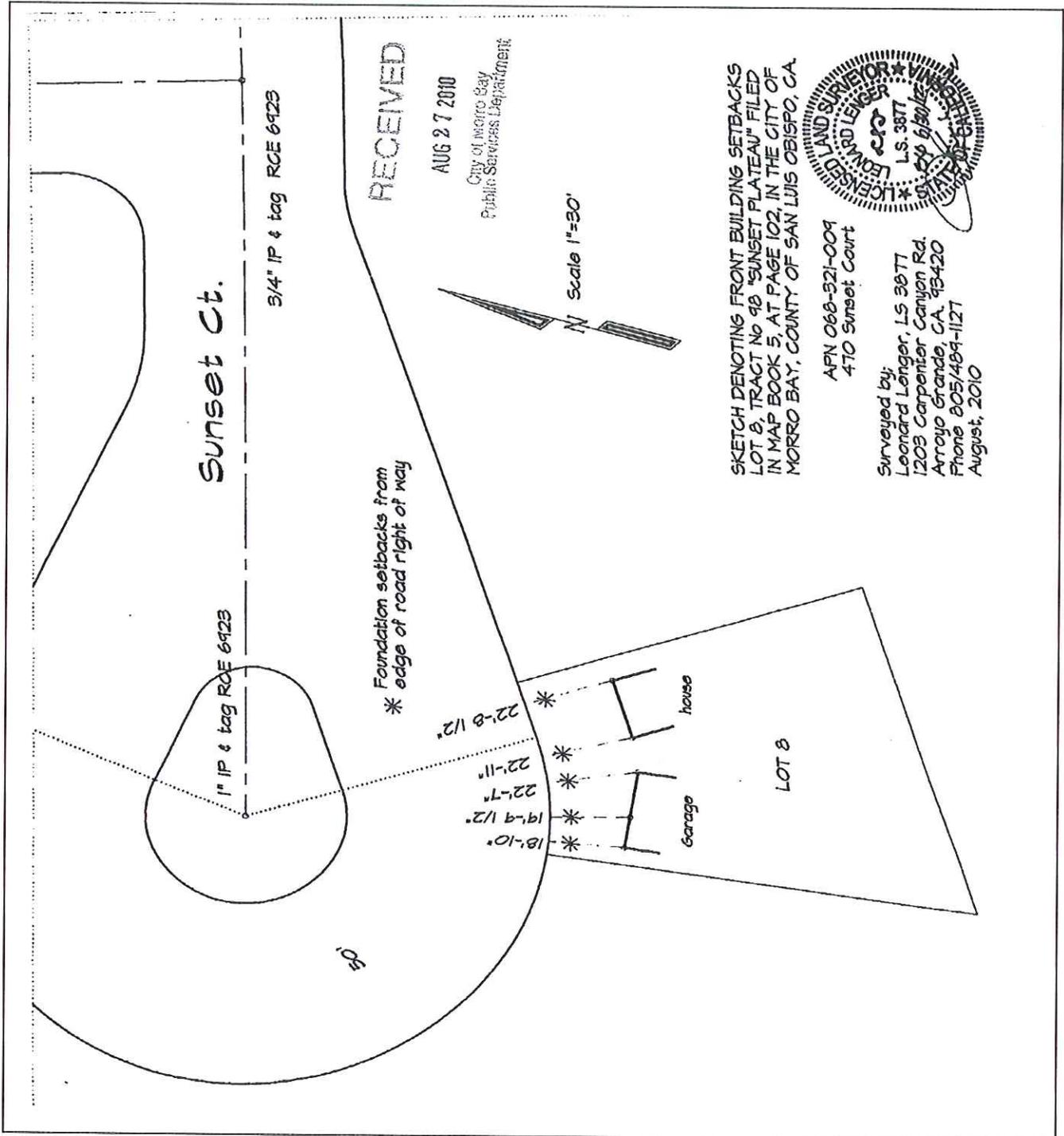
GRAPHICS/PLAN REDUCTIONS



Planning Commission  
470 Sunset Court

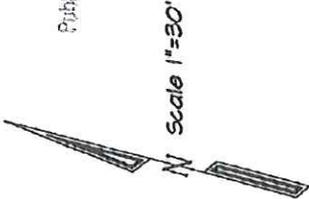


ZONING MAP



RECEIVED

AUG 27 2010  
 City of Morro Bay  
 Public Services Department



SKETCH DENOTING FRONT BUILDING SETBACKS  
 LOT 8, TRACT No 98 "SUNSET PLATEAU" FILED  
 IN MAP BOOK 5, AT PAGE 102, IN THE CITY OF  
 MORRO BAY, COUNTY OF SAN LUIS OBISPO, CA.

AFN 068-321-009  
 470 Sunset Court

Surveyed by:  
 Leonard Lenger, LS 3877  
 1203 Carpenter Canyon Rd,  
 Arroyo Grande, CA 93420  
 Phone 805/489-1127  
 August, 2010

Foundation setbacks from  
 \* edge of road right of way

- \* 22'-8 1/2"
- \* 22'-11"
- \* 22'-7"
- \* 19'-9 1/2"
- \* 18'-10"

house  
 Garage

LOT 8

Planning Commission  
 470 Sunset Court



LAND SURVEY



# City of Morro Bay Public Services Current Project Tracking Sheet

New items or items which have been recently updated are italicized. Approved projects are deleted on next version of log.

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
<b>Hearing or Action Ready</b>							
1	Robert Tefft	395 Acacia	11/10/09	CP0-320	<i>SFR demolition. Incomplete letter sent 12/31/09. Resubmittal 3/15/10. Comments 4/22/10. Applicant filed an appeal on the environmental decision 4/28/10. Appeal withdrawn. Initial Study and Mitigated Negative Declaration out for 30 day review. Scheduled for 9/20/10 PC Meeting.</i>	KW	AD
2	Woodmansee	307 Morro Bay Blvd	9/2/10	UP0-299	<i>Winetasting Room and Retail.</i>	SD	PC
3	Claassen	470 Sunset Court	8/30/10	AD0-057	<i>Addition to Nonconforming Residence.</i>	SD	PC
<b>30 -Day Review, Incomplete or Additional Submittal Review</b>							
4	Valley and Crafton	430 Olive	11/23/09	S00-102	<i>Lot Line Adjustment. Incomplete letter sent 12/23/09. Resubmittal 4/16/10. Project does not meet Zoning Standards, letter sent indicating the project is deficient. Applicant will resubmit new drawing.</i>	SD	AD
5	David Foote	235 Atascadero	12/16/09	CP0-322	<i>CUP and Coastal Development Permit. Solar Arrays. Solar arrays located on carport structures at Morro Bay High School. Incomplete letter sent . 1/15/10. Mtg follow up letter sent 1/29/10. Resubmittal - change in project description 3/16/10. Comments sent 4/16/10. Resubmittal 5/18/2010. Project deemed complete for processing 5/25/2010. Agent indicates that the project has been revised so that no trees will be removed. Resubmittal 6/29/10.</i>	KW	PC
6	James Maul	530, 532, Morro Ave 534	3/12/10	SP0-323 & UP0-282	<i>Parcel Map. CDP &amp; CUP for 3 townhomes. Incomplete letter sent 4/20/10. Met with applicant 5/25/10.</i>	KW	PC
7	Giovanni DeGarimore	1001 Front	3/22/10	UP0-284	<i>Floating Dock. CUP to reconfigure existing side tie floating dock to include 4 new finger floating docks, 50 ft. x 4 ft. Incomplete letter sent 4/26/10. Resubmittal 6/10/10. Resubmittal 6/29/10. Incomplete Letter 7/29/10. Resubmittal 7/30/10. Incomplete Letter and Request for Addition funds 8/24/10.</i>	SD	PC
8	Walter & Karen Roza	595 Driftwood	3/30/10	UP0-285 S00- 103 CP0-325	<i>Coastal Development Permit, Use Permit, Parcel Map Demo Reconstruct SFR &amp; 2nd Unit. VPM, CUP &amp; CDP. Pending resubmittal. Resubmittal 9/1/10.</i>	KW	PC
9	Debbie Dover	500 Quintana	4/21/10	UP0-289	<i>UP0-289, Use Permit Outdoor Fitness Classes. Incomplete letter sent 5/11/010. Applicant resubmitted 5/14/2010. Spoke to Ginger 6/3/10 discussed project. Comment letter 6/3/10. Project Noticed for Admin Action 6/16/10. Waiting on addition information.</i>	SD	AD
10	Hamrick Associates	1129 Market	6/10/10	UP0-291	<i>Remodel and Addition. Incomplete letter 6/23/10. Submitted additional information 6/30/10. Submitted additional information 7/7/10. Building Comments. 7/9/10. Met with agent 7/15/10. Applicant will resubmit addressing fire/building comments.</i>	SD	PC

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
11	Dan Reddell	550 Morro Bay Blvd	6/14/10	UP0-293	<b>Farmer's Market.</b> Conditional Use Permit for vendors and events. Resubmittal 6/17/10. Scheduled for 9/20/10 PC Mtg. Met with agent 8/24/10 and discussed feasibility of project, needs to be revised.	SD	PC
12	Robert and Elizabeth Mastro	582 Zanzibar	6/29/10	CP0-332	<b>New SFR.</b> Incomplete Letter 7/29/10. Resubmittal 9/3/10. Incomplete letter 9/10/10.	SD	AD
13	Jerry and Nancy Weber	505 Bernardo	7/22/10	CP0-333	<b>New SFR.</b> Incomplete letter 8/20/10. Resubmittal 9/1/10. Incomplete letter 9/7/10. Complete 9/13/10.	SD	AD
14	Doug Hoppe	505 Yerba Buena	8/17/10	CP0-334	<b>New SFR.</b> Incomplete letter 8/25/10. Resubmittal 9/10/2010.	SD	AD
15	DeGarimore	1001 Front	9/2/10	UP0-300	<b>Temp Use for Booths.</b> Noticed 9/8/10.	SD	AD
<b>Projects in Process</b>							
16	Rudolph Kubes	1181 Main & Bonita	11/23/06	UP0-086 & CP0-130	<b>Morro Mist 20 Lot SFR Subdivision.</b> Submitted 11/23/06, SRB 3/15/06, Staff requested information Resubmitted 8/16/06 MND analysis needed MIND Complete 7/20 PC 8/20/07 Continued date uncertain revised project smaller units still 100% residential. Applicant has redesigned project and resubmitted on June 1, 2009. Project under review. Letter sent to applicant regarding issues on 7/2009. Subsequent meeting with applicant team 8/2009. Staff has had additional correspondence with the applicant. Project tentatively scheduled for Planning Commission late February/early March 2010. Applicant considering redesign of project. Change in agent. Project resubmitted on June 29, 2010, project routine to various divisions for comments and conditions. Resubmittal 7/6/10. Initial Study needs to be revised to reflect new project submitted.	KW	PC
17	Frank Loving	247 Main	10/27/07	UP0-192	<b>Docking for Vessels.</b> Submitted 10/29/07, Incomplete 11/19/07 PC 2/4/08, Continued to PC 3/17/08, continued to PC 9/15/08 Applicant has indicated to staff that they wish to move ahead with the project. Met with applicant 5/24/10.	KW	PC
18	City of Morro Bay & Cayucos	160 Atascadero	7/1/08	EIR	<b>WWTP Upgrade.</b> Submitted 7/1/08, Preparing Notice of Preparation, Staff reviewing Ad Min Draft EIR. Modifications to project description underway and subsequent renoticing. Staff reviewing screencheck document.	RL	PC/CC/RW OCB
19	Dan Reddell	1 Jordan Terrance	7/25/08	UP0-223 & CP0-285	<b>New SFR.</b> Submitted 7/25/08, Inc. Later 8/19/08; resubmitted 2/24/09, project under review. Letter sent to agent regarding issues. Applicant and staff met 1/20/10 on site to further discuss issues. Resubmittal 2/16/10. Administrative Draft Initial Study complete. Comment review period ends 6/22/10. Comments recieved on MND.	JH/KW	PC
20	California State Park	201 State Park Drive	2/11/09	CP0-303 & UP0-254	<b>Solar Panels</b> at the State Park with the addition of one carport structure for support of the panels. Coastal Development Permit and Conditional Use Permit. Comments sent 3/23/10.	SD/KW	PC
21	Tank Farm	1290 Embarcadero	2/27/10	N/A	<b>Tank Demo.</b> Demo of seven tanks at the Morro Bay Power Plant. Materials submitted and under review. All materials submitted to date have been reviewed and sent back to the applicant	SD	AD
22	City of Morro Bay	Citywide	5/1/10	AD0-047	<b>Text Amendment</b> modifying Section 17.68 "Signs". Planning Commission placed the ordinance on hold pending additional work on definitions and temporary signs.-5/17/2010	KW	PC/CC

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
<b>Environmental Review</b>							
23	Chevron	3072 Main	12/31/08	C90-301	<b>Remove Underground Pipes.</b> Submitted 12/31/08, environmental reports submitted for review 5/8/09. Project under review. Project routed to other agencies for comment. Environmental being processed. Requested additional documentation 4/29/10.	SD	PC
24	Larry Newland	Embarcadero	11/21/05	UP0-092 & CP0-139	<b>Embarcadero-Maritime Museum (Larry Newland).</b> Submitted 11/21/05, Incomplete 12/15/05 Resubmitted 10/5/06, tentative CC for landowner consent 1/22/07 Landowner consent granted. Incomplete 3/7/07. Resubmitted 5/25/07 Incomplete Letter sent 6/27/07 Met to discuss status 10/4/07 Incomplete 2/4/08. Met with applicants on 3/3/09 regarding inc. later. Applicant resubmitted additional material on 9/30/2009. Met with applicants on 2/19/2010. Environmental documents being prepared.	KW	PC
<b>Coordinating with Other Jurisdictions</b>							
25	Burt Caldwell	801 Embarcadero	5/15/08	UP0-212	<b>Conference Center.</b> Submitted 5/15/08, Inc Ltr 5/23 Resubmitted MND Circulating 7/15/08 PC 9/2 Approved, CC 9/22/08 Approved, CDP granted by CCC. Waiting for Precise Plan submittal.	SD	PC/CC/CCC
26	City of Morro Bay	887 Atascadero	3/9/09	N/A	<b>Nutmeg Water Tank Upgrade (City of Morro Bay CIP project).</b> Oversight of County of San Luis Obispo application process. Preapplication meeting 3/9/09. Consultant coordination meeting 3/12/09.	KW	SLO County
27	John King	60 Lower State Park	7/2/08		<b>Lower parking lot resurface and construction of 2 new stairways.</b> Submitted 7/02/08, PC Tent 10/6, PC Date TBD Applicant coordinating w/ CCC 10/20/08.	KW	PC
<b>Projects Continued Indefinitely or No Response to Date on Incomplete Letter</b>							
28	SLO County	60 Lower State Park	09/28/04	CP0-063	<b>Master Plan for Golf Course.</b> Submitted 9/28/04, On hold per applicant, project to be amended. Resubmitted 2/9/07 Tentative PC 3/19/07 Continued, date uncertain; Planting trees.	KW	PC/CC
29	Cameron Financial	399 Quintana	04/11/07	CP0-233	<b>New Commercial Building.</b> Submitted 4/11/07, Inc. Letter 5/09/07. Sent letter 1/25/2010 to applicant requesting direction, letter returned not deliverable	KW	AD
30	West Millennium Homes	895 Monterey	7/10/07	CUP-151 S00-067 & CP0-215	<b>Mixed-use building.</b> 16 residential units and 3 commercial units, Submitted 7/10/07, Inc Later 7/25 Resubmitted 1/14/08 SRB 3/10/08.	KW	PC
31	Kenneth & Lisa Blackwell	2740 Dogwood	07/20/07	UP0-178	<b>Addition to nonconforming residence.</b> Submitted 7/20/07, Complete, tentative PC 9/17/07 Continued, date uncertain Resubmitted 10/31/07, PC 12/17/07 Continued, date uncertain.	KW	PC
32	Jeff Gregory	1295 Morro	09/25/07	CP0-254	<b>Coastal Development Permit to allow a second single family residence on lot with an existing home.</b> Incomplete letter sent 10/9/2007. Intent to Deem Application Withdrawn Letter sent 12/29/09. Response from applicant 1/8/10 keep file open indefinitely.	KW	AD
33	Nicki Fazio	360 Cerrito	08/15/07	CP0-246	<b>Appeal of Demo/Rebuild SFR and 2 trees removal.</b> Continued to a date uncertain.	KW	PC
34	Cathy Novak	263 Main Street	09/12/07	CP0-258/S00-078	<b>Lot line Adjustment.</b> Application has had no activity from the applicant since 2007. A Parcel Map was finalized for the property.	SD	AD

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
35	Ron McIntosh	190 Olive	8/26/08	UP0-232 & CP0-288	<b>New SFR.</b> Submitted 8/26/08, Inc. Letter 9/24/08; Resubmitted 12/10/08, 1/9/09 request for more information. Applicant resubmitted on 2/06/09. Environmental under review. Applicant and City agree to continuance. Applicant put project on hold.	SD	PC
36	Pina Noran	2176 Main	10/3/08	CUP-35-99 & CDP-66-99R	<b>Convert commercial space to residential use.</b> Submitted 10/03/08, Inc. Later 10/22/08, resubmitted 2/5/09. Project still missing vital information for processing 11/30/09. Called applicant 3/22/10 and requested information. Applicant is considering a redesign of the project.	KW	PC
37	Candy Botich	206 MainWater Lease Site 34 Main & Oak St.	6/17/09	CP0-310	<b>New Parking.</b> Project under review. Agent given DRT comments July 10, 2009. Applicant submitted redesigned project 9/30/2009. Associated application submitted for a parking exception for the lease site generating the parking demand.	KW	PC/CC
38	Bob Crizer	206 Main Street, water lease site 34	11/9/09	AD0-047	<b>Oak Street Parking Exception.</b> Also see 206 Main Street (Botich). Request to allow parking spaces to be placed on Oak Street to replace parking currently provided at 206 Main Street. Waiting for parties to resolve issue of ownership.	KW	PC/CC
<b>Projects in Building Plan Check</b>							
39	John & Alair Hough	285 Main	2/16/10	Building	<b>SFR Addition.</b> Second unit over detached garage. Comments sent 3/19/10. Resubmittal 6/10/10. Comments sent 6/16/10. Resubmittal 9/8/10.	SD	N/A
40	Lou McGonagill	690 Olive	6/7/10	Building	<b>SFR Addition.</b> 1,000 sf. addition with garage. Incomplete letter 6/28/10.	SD	N/A
41	Taurus Sulaitis	540 Fresno	6/23/10	Building	<b>SFR Addition.</b> Incomplete letter 7/13/10.	SD	N/A
42	William Fraker	575 Acacia	7/19/10	Building	<b>SFR Alteration.</b> Express Check. Incomplete Letter 8/6/10. Resubmittal 8/24/10. Sent covenant 9/8/10. Waiting for covenant to be recorded.	SD	N/A
43	Pam & Bob Hyland	2754 Indigo Circle	7/22/10	Building	<b>New SFR. CP0299/UP0-248 ISSUANCE BY PC ON MARCH 2, 2009.</b> Incomplete Letter 8/24/10.	SD	N/A
44	Jerry and Nancy Weber	505 Bernardo	7/22/10	Building	<b>New SFR.</b> Incomplete letter 8/20/10. Resubmittal 9/1/10. Incomplete letter 9/7/10. Resubmittal 9/8/10.	SD	N/A
45	Rick Smith	387 Bernardo	7/27/10	Building	<b>Rear Yard Retaining Wall.</b> Express Check. Incomplete Letter 8/6/10. Resubmittal 8/24/10.	SD	N/A
46	Rick Smith	375 Bernardo	7/27/10	Building	<b>Rear Yard Retaining Wall.</b> Express Check. Incomplete Letter 8/6/10. Resubmittal 8/24/10.	SD	N/A
47	Doug and Karen Classen	470 Sunset Court	7/27/10	Building	<b>SF Additiona and Remodel.</b> Incomplete Letter 8/6/10.	SD	N/A
48	Greg and Kathy Kircher	350 Java	7/29/10	Building	<b>SFR Addition.</b> Incomplete Letter 8/24/10.	SD	N/A
50	David Pabinquit	760 Alta Court	8/18/10	Building	<b>SFR Addition/Remodel.</b> Incomplete Letter 8/25/10.	SD	N/A
51	Steve & Tammy Wark	399 Tulare	8/23/10	Building	<b>Demo/Addition.</b> Incomplete letter 9/2/10.	SD	N/A
52	Mike Wilson	957 Pacific	8/24/10	Building	<b>Demo/Rebuild.</b> Incomplete letter 8/26/10.	SD	N/A
53	Bob and Janet Bradford	3025 Ironwood	9/1/10	Building	<b>New SFR.</b> Contacted agent, requested CC&Rs 9/7/10.	SD	N/A

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
<b>Aging Building Permits - No response from applicant in more than 90 days.</b>							
54	Don Doubledee	360 Morro Bay Blvd	5/15/09	Building	Mixed Use Project - Ciano. Comments sent 2/25/10.	SD	N/A
55	Valori	2800 Birch Ave	2/10/10	Building	Remodel/Repair. Sunroom, garage, and study. Comments sent 2/24/10	SD	N/A
56	Jon Wickstrom	401 Panay	2/5/10	Building	SFR Addition. 1,000 sf. addition. Comments sent 3/17/10.	SD	N/A
57	Colhover	2800 Dogwood	3/8/10	Building	New SFR. Comments sent 3/25/10.	SD	N/A
58	Ronald Stuard	490 Avalon	4/22/10	Building	SFR Addition. 79 sf. bedroom addition. Comments sent 4/27/10.	SD	N/A
59	Joe Silva	570 Avalon	5/12/10	Building	SFR Addition. 84 sf. addition. Comments sent 5/17/10.	SD	N/A
<b>Projects &amp; Permits with Final Action</b>							
60	Studio Design Group	962 Piney	10/15/09	CP0-314 & UP0-281	Preapplication Demo, addition and remodel of existing church., application taken to DRT. Incomplete letter sent 12/4/09. Resubmittal 2/8/10. Incomplete letter sent 4/12/10. Resubmittal 6/15/10. Clarification Letter 7/20/10. Scheduled for 8/16/10 PC Mtg.	SD	PC
61	City of Morro Bay	10 State Park Drive	11/10/09	UP0-278	Marina Dredging. Addendum to the previously certified EIR for the dredging of the State Park Marina.	KW	PC
62	Mark Reisnick	691 Ponderosa	3/17/10	CP0-324	Granny Unit & Garage. CDP for 900 sf unit & 504 sf garage. Incomplete Letter sent 4/19/10. Resubmittal 7/7/10. Incomplete letter 7/13/10. Resubmittal 7/26/10. Deemed complete for noticing 7/29/10. Noticed 8/2/10.	SD	AD
63	Mark Reisnick	691 Ponderosa	3/17/10	Building	Granny Unit & Garage. CDP for 900 sf unit & 504 sf garage. Comments sent 4/19/10. Talked to applicant 7/2/10. Resubmittal 7/7/10. Incomplete letter 7/13/10. Resubmittal 7/26/10. Deemed complete for noticing 7/27/10. Noticed for CDP 8/2/10.	SD	N/A
64	Kleinhammer	160, 190 Anchor	7/29/08	S00-100, UP0-279 and CP0-311	Parcel Map dividing one parcel into two with Right of Way abandonment. Incomplete letter sent 8/25/09. Met with applicant's representative regarding a redesign of the project. Pre-application submitted on 3/15/10 for compact infill development. Mtg with applicant 3/25/10. Applicant's agent has indicated the project will be withdrawn. Applicant submitted letter withdrawing application	KW	PC/CC
65	City of Morro Bay	781 Market	8/5/10	LLA	Lot Line Adjustment. Approved 8/19/10, issued paperwork.	KW	AD
66	Mark Hanson	2736 Birch Ave	7/19/10	Building	New SFR. Incomplete Letter 8/2/10. Resubmittal 8/19/10. Deemed complete 8/20/10.	SD	N/A
67	Morgan Jane	2480 Laurel	8/2/10	Building	Patio Enclosure. Express Check. Deemed complete 8/20/10	SD	N/A
68	Tricia Knight	1478 Quintana	3/12/10	Building	MetroPCS Telecom Site on Rock Harbor Church. Comments sent 4/12/10. Resubmittal 8/10/10. Deemed Complete 9/1/10.	SD	N/A
69	Steve & Nancy Barragar	976 Ridgeway	7/14/10	Building	SFR Addition/Remodel. Express Check. Incomplete Letter 8/24/10. Resubmittal 9/8/10. Deemed complete 9/10/10.	SD	N/A
70	John Christie	2330 Hemlock	8/17/10	Building	SFR Partial Demo/Addition. Deemed Complete 8/20/10. Applicant needs to file covenant. Covenant sent to applicant 8/25/10. Has to file covenant before building permit issued. Covenant recorded.	SD	N/A
71	Robert Romero	2536 Koa	8/26/10	CP0-335	New SFR. Deemed complete 9/1/10. Noticed 9/2/10.	SD	AD
72	Romero	2536 Koa	8/31/10	Building	New SFR. Noticed CDP 9/2/10. Building Plans Deemed complete.	SD	N/A
73	Todd Schnack	2248 Emerald	2/17/10	Building	New Guesthouse Cloisters. Comments sent 3/22/10. Resubmittal 3/30/10. Waiting for recorded covenant to record - 4/22/10. Covenant recorded and returned to PS Dept 9/10/10.	SD	N/A



City of Morro Bay  
 Public Services  
 Advanced Planning Work Program

Work Item	Planning Commission	City Council	Coastal Commission	Comments	Estimated Staff Hours
Neighborhood Compatibility Standards	TBD	TBD			120 to 160
Strategic plan for managing the greening process					200 to 300
	Annual Updates	Annual Updates			
AB811	continuing with updates				120 to 160
Safety Element	Approved	TBD			20 to 40
Draft Urban Forest Management Plan	TBD	TBD			200 to 300
CEQA Implementation Guidelines	TBD	TBD	NA		120 to 160
Update CEQA checklist pursuant to SWMP (2/2011)	TBD	TBD			120 to 160
Downtown Visioning	TBD	TBD			120 to 160
PD Overlay	TBD	TBD			80
Annexation Proceeding for Public Facilities		TBD			TBD
Sign Ordinance Update	Continued to hold workshop	TBD			50 to 100
<i>Planning Commission Generated Items</i>					
Work Item	Requesting Body				Estimated Staff Hours
Pedestrian Plan	Planning Commission				TBD
<i>Items Requiring Further Analysis When Received Back From The Coastal Commission</i>					
Work Item	Plng. Comm.	City Council	Coastal Comm.		Estimated Staff Hours
Updated Zoning Ordinance	TBD	TBD			1,800
Updated General Plan/LCP	TBD	TBD			1,800