



# CITY OF MORRO BAY PLANNING COMMISSION AGENDA

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*The City of Morro Bay is dedicated to the preservation and enhancement of the quality of life.  
The City shall be committed to this purpose and will provide a level of municipal service and safety  
consistent with and responsive to the needs of the public.*

**Regular Meeting - Wednesday, May 2, 2012  
Veteran's Memorial Building - 6:00 P.M.  
209 Surf Street, Morro Bay, CA**

Chairperson Rick Grantham

Vice-Chairperson John Solu  
Commissioner Paul Nagy

Commissioner John Fennacy  
Commissioner Jessica Napier

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

## PUBLIC COMMENT PERIOD

Members of the audience wishing to address the Commission on matters other than scheduled hearing items may do so at this time. 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 comments must observe the following rules to increase the effectiveness of the Public Comment Period:

- When recognized by the Chair, please come forward to the podium and state your name and address for the record. Commission meetings are audio and video recorded and this information is voluntary and desired for the preparation of minutes.
- Comments are to be limited to three minutes so keep your comments brief and to the point.
- All remarks shall be addressed to the Commission, as a whole, and not to any individual member thereof. Conversation or debate between a speaker at the podium and a member of the audience is not permitted.
- The Commission respectfully requests that you refrain from making slanderous, profane or personal remarks against any elected official, commission and/or staff.
- Please refrain from public displays or outbursts such as unsolicited applause, comments or cheering.
- Any disruptive activities that substantially interfere with the ability of the Commission to carry out its meeting will not be permitted and offenders will be requested to leave the meeting.
- Your participation in Commission meetings is welcome and your courtesy will be appreciated.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Public Services' Administrative Technician at (805) 772-6261. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. There are devices for the hearing impaired available upon request at the staff's table.

**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.

**A. CONSENT CALENDAR**

- A-1 Approval of minutes from Planning Commission meeting of April 4, 2012  
**Staff Recommendation:** Approve minutes as submitted.
  
- A-2 Approval of minutes from Planning Commission meeting of April 18, 2012  
**Staff Recommendation:** Approve minutes as submitted.

**B. PUBLIC HEARINGS**

Public testimony given for Public Hearing items will adhere to the rules noted above under the Public Comment Period. In addition, speak about the proposal and not about individuals, focusing testimony on the important parts of the proposal; not repeating points made by others.

- B-1 **CONTINUED FROM THE APRIL 18, 2012 MEETING**  
**Case No.:** #AD0-070 and #UP0-346  
**Site Location:** 2740 Dogwood Avenue  
**Applicant/Project Sponsor:** Shaun Olson  
**Request:** The applicant requests to a Parking Exception and a Conditional Use Permit in order to make an addition to a non-conforming structure. The structure does not meet setbacks, the detached garage does not meet the required 6 foot clearance between buildings and the carport was converted to habitable space without benefit of a permit. The parking exception requested is for an open and uncovered parking space adjacent to the detached garage to allow the converted carport to remain habitable space.  
**CEQA Determination:** Categorically Exempt, Section 15303, Class 3  
**Staff Recommendation:** Deny the parking exception and convert the carport back to a covered parking space for the residence.  
**Staff Contact:** Sierra Davis, Assistant Planner, (805) 772-6270
  
- B-2 **Case No.:** Zoning Text Amendment #A00-015  
**Site Location:** Citywide  
**Proposal:** The City of Morro Bay is proposing a Municipal Code Amendment modifying Section 17.68 "Signs". Recommendations from the previous sign workshops, sign survey results, previous work for the 2004 Planning Commission report and direction from City Council (2012) will be presented at the May 2, 2012 meeting. The Planning Commission will review these items, take public testimony and provide direction to staff.  
**CEQA Determination:** To be determined.  
**Staff Recommendation:** Review documentation, take public testimony and provide direction to staff.  
**Staff Contact:** Kathleen Wold, Planning and Building Manager, 805-772-6211

C. UNFINISHED BUSINESS

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

D. NEW BUSINESS

None

E. DECLARATION OF FUTURE AGENDA ITEMS

F. ADJOURNMENT

Adjourn to the next regularly scheduled Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on Wednesday, May 16, 2012 at 6:00 p.m.

**PLANNING COMMISSION MEETING PROCEDURES**

This Agenda is subject to amendment up to 72 hours prior to the date and time set for the meeting. Please refer to the Agenda posted at the Public Services Department, 955 Shasta Avenue, for any revisions or call the department at 772-6261 for further information.

Written testimony is encouraged so it can be distributed in the Agenda packet to the Commission. Material submitted by the public for Commission review prior to a scheduled hearing should be received by the Planning Division at the Public Services Department, 955 Shasta Avenue, no later than 5:00 P.M. the Tuesday (eight days) prior to the scheduled public hearing. Written testimony provided after the Agenda packet is published will be distributed to the Commission but there may not be enough time to fully consider the information. Mail should be directed to the Public Services Department, Planning Division. Materials related to an item on this Agenda are available for public inspection during normal business hours in the Public Services Department, at Mill's/ASAP, 495 Morro Bay Boulevard, or the Morro Bay Library, 695 Harbor, Morro Bay, CA 93442. Materials related to an item on this Agenda submitted to the Planning Commission after publication of the Agenda packet are available for inspection at the Public Services Department during normal business hours or at the scheduled meeting.

This Agenda may be found on the Internet at: [www.morro-bay.ca.us/planningcommission](http://www.morro-bay.ca.us/planningcommission) or you can subscribe to Notify Me for email notification when the Agenda is posted on the City's website. To subscribe, go to [www.morro-bay.ca.us/notifyme](http://www.morro-bay.ca.us/notifyme) and follow the instructions.

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

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

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

1. The Planning Division staff will present the staff report and recommendation on the proposal being heard and respond to questions from Commissioners.

2. The Chair will open the public hearing by first asking the project applicant/agent to present any points necessary for the Commission, as well as the public, to fully understand the proposal.
3. The Chair will then ask other interested persons to 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.

### **APPEALS**

If you are dissatisfied with an approval or denial of a project, you have the right to appeal this decision to the City Council up to 10 calendar days after the date of action. Pursuant to Government Code §65009, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Commission, at, or prior to, the public hearing. The appeal form is available at the 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 for those projects that are in their appeals jurisdiction. Exhaustion of appeals at the City is required prior to appealing the matter to the California Coastal Commission. The appeal to the City Council must be made to the City and the appeal to the California Coastal Commission must be made directly to the California Coastal Commission Office. These regulations provide the California Coastal Commission 10 working days following the expiration of the City appeal period to appeal the decision. This means that no construction permit shall be issued until both the City and Coastal Commission appeal period have expired without an appeal being filed. The Coastal Commission's Santa Cruz Office at (831) 427-4863 may be contacted for further information on appeal procedures.

AGENDA ITEM: A-1

DATE: May 2, 2012

ACTION: \_\_\_\_\_

SYNOPSIS MINUTES - MORRO BAY PLANNING COMMISSION  
REGULAR MEETING – APRIL 4, 2012  
VETERANS MEMORIAL HALL – 6:00 P.M.

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

PRESENT:	Rick Grantham	Chairperson
	John Solu	Vice-Chairperson
	Paul Nagy	Commissioner
	John Fennacy	Commissioner
STAFF:	Rob Livick	Public Services Director
	Kathleen Wold	Planning and Building Manager
	Sierra Davis	Assistant Planner

ESTABLISH QUORUM AND CALL TO ORDER

Chairperson Grantham noted the absence of Commissioner Jessica Napier.

MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE  
PLANNING COMMISSIONER ANNOUNCEMENTS

PUBLIC COMMENT

Chairperson Grantham opened Public Comment period.

Gary Hixson, resident of Morro Bay, stated the Planning Commission is doing a good job and announced his show, the Gary Tyler Moore Show.

Chairperson Grantham closed Public Comment period.

PRESENTATIONS – None.

Unless an item is pulled for separate action by the Planning Commission, the following actions are approved without discussion.

A. CONSENT CALENDAR

A-1 Approval of minutes from the Planning Commission meeting held on March 7, 2012

**STAFF RECOMMENDATION: Approve minutes as submitted.**

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION  
REGULAR MEETING – APRIL 4, 2012

**MOTION:** Commissioner Fennacy moved to approve the Consent Calendar. The motion was seconded by Chairperson Grantham and carried unanimously. (4-0)

B. PUBLIC HEARINGS

B-1 **Case No.:** #CP0-371

**Site Location:** 975, 983, 985 Shasta Avenue

**Applicant/Project Sponsor:** City of Morro Bay / Mike Wilcox

**Request:** The applicant requests to demolish three units on one parcel.

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

**Staff Recommendation:** Conditionally Approve Coastal Development Permit #CP0-371

**Staff Contact:** Sierra Davis, Assistant Planner (805) 772-6270

Sierra Davis presented the staff report.

No public comment.

**MOTION:** Chairperson Grantham moved to adopt the findings included as Exhibit “A” and conditionally approve Conditional Use Permit #CP0-371 subject to the conditions included in Exhibit “B”.

The motion was seconded by Commissioner Solu and carried unanimously. (4-0)

B-2 **Case No.:** #CP0-369

**Site Location:** Northeast corner of Quintana and South Bay Boulevard

**Applicant/Project Sponsor:** City of Morro Bay / Jarrod Whelan

**Request:** The applicant requests to upgrade the existing Lift Station #3 and sanitary sewer force main upgrades.

**CEQA Determination:** Categorically Exempt Section 15302, Class 2.

**Staff Recommendation:** Conditionally Approve Coastal Development Permit #CP0-369

**Staff Contact:** Kathleen Wold, Planning Manager, (805) 772-6211

Wold presented the staff report.

Public comment included Jarrod Whelan, Assistant Engineer and Dylan Wade, Capital Projects Manager. Jarrod Whelan further explained the proposed project details.

Commissioners had discussion with Jarrod Whelan regarding the existing piping, location and size of the lift station.

**MOTION:** Chairperson Grantham moved to approve the project and adopt the findings included as Exhibit “A” and conditionally approve Coastal Development Permit #CP0-369 subject to the conditions of approval included as Exhibit “B”.

Commissioner Fennacy seconded the motion and carried unanimously. (4-0)

B-3 **Case No.:** #UP0-345 & #AD0-071

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION  
REGULAR MEETING – APRIL 4, 2012

**Site Location:** 375 Las Vegas

**Applicant/Project Sponsor:** John and Rita Erwin

**Request:** The applicant requests an addition of 973 square feet to the property of the existing 989 square foot single family residence. The property will consist of the residence with an attached single car garage, lanai, one-car detached garage in tandem with the existing one car garage, and covered porch. The parcel is not located in the Coastal Commission Appeals Jurisdiction.

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

**Staff Recommendation:** Conditionally Approve Conditional Use Permit #UP0-345 and Parking Exception #AD0-071.

**Staff Contact:** Sierra Davis, Assistant Planner (805) 772-6270

Davis presented the staff report.

Chairperson Grantham opened Public Comment period and hearing no comment closed Public Comment period.

Commissioner Nagy stated support for the project and discussed with staff the location of the garage and how the regulations would differ whether it were attached or detached.

Chairperson Grantham stated support for the project.

Commissioner Solu stated support and suggested whether to condition the project to stipulate the detached garage remain as that use and not converted to habitable space in the future.

Commissioner Fennacy stated support for the project.

**MOTION:** Commissioner Solu moved to approve the project and adopt the findings included as Exhibit “A” and conditionally approve Conditional Use Permit #UP0-345 and Parking Exception #AD0-071 subject to the conditions included as Exhibit “B” and the site development plans dated March 12, 2012 with the following condition:

Prior to the issuance of a building permit, the applicant shall record a covenant on the property that prohibits the conversion of the detached garage into a living unit or habitable space.

Chairperson Grantham re-opened Public Comment period.

John Erwin, Applicant, stated he intends to use the garage as a workshop with no intended plumbing or sewer.

Chairperson Grantham closed Public Comment period.

Chairperson Grantham seconded the motion and carried unanimously. (4-0)

UNFINISHED BUSINESS

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION  
REGULAR MEETING – APRIL 4, 2012

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

Wold reviewed the Work Program with Commissioners.

NEW BUSINESS – None.

DECLARATION OF FUTURE AGENDA ITEMS - None.

ADJOURNMENT

The meeting adjourned at 6:42 pm to the next regularly scheduled Planning Commission meeting at the Veteran's Hall, 209 Surf Street, on Wednesday, April 18, 2012 at 6:00 pm.

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Rick Grantham, Chairperson

ATTEST:

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Rob Livick, Secretary

AGENDA ITEM: A-2

DATE: May 2, 2012

ACTION: \_\_\_\_\_

SYNOPSIS MINUTES - MORRO BAY PLANNING COMMISSION  
REGULAR MEETING – APRIL 18, 2012  
VETERANS MEMORIAL HALL – 6:00 P.M.

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

PRESENT:	Rick Grantham	Chairperson
	John Solu	Vice-Chairperson
	Paul Nagy	Commissioner
	Jessica Napier	Commissioner
	John Fennacy	Commissioner
STAFF:	Rob Livick	Public Services Director
	Kathleen Wold	Planning and Building Manager
	Sierra Davis	Assistant Planner

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

PUBLIC COMMENT

Chairperson Grantham opened Public Comment period and hearing none, closed Public Comment period.

PRESENTATIONS – None.

Unless an item is pulled for separate action by the Planning Commission, the following actions are approved without discussion.

A. CONSENT CALENDAR – None.

B. PUBLIC HEARINGS

B-1 **Case No.:** #AD0-070 and #UP0-346  
**Site Location:** 2740 Dogwood Avenue  
**Applicant/Project Sponsor:** Shaun Olson  
**Request:** The applicant requests a Parking Exception and a Conditional Use Permit in order to make an addition to a non-conforming structure. The structure does not meet setbacks, the detached garage does not meet the required 6 foot clearance between buildings and the carport was converted to habitable space without benefit of a permit.

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION  
REGULAR MEETING – APRIL 18, 2012

The parking exception requested is for an open and uncovered parking space adjacent to the detached garage to allow the converted carport to remain habitable space.

**CEQA Determination:** Categorically Exempt, Section 15303, Class 3

**Staff Recommendation:** Deny the parking exception and convert the carport back to a covered parking space for the residence.

**Staff Contact:** Sierra Davis, Assistant Planner, (805) 772-6270

Sierra Davis presented the staff report.

Chairperson Grantham opened Public Comment period.

Shaun Olson, Applicant, stated he requests to add an off street parking space to the Elm Street side of the property since his driveway on Dogwood is short by 2 inches. Also, if he is forced to convert his carport, the outcome would be a property with almost as much parking as habitable living area (572 square feet of parking versus 590 square feet of habitable living space) in addition to a reduced property value going from a two bedroom home to a one bedroom home noting there is no change in the footprint in the building.

Dana Francis, resident of Morro Bay and neighbor, spoke in support of the Applicant's request and requested the Commission consider the option of grandfathering in the converted carport use and consider the Applicant's investment in the property.

Chairperson Grantham closed Public Comment period.

Commissioner Napier stated this is an illegal conversion and the burden is on the buyer to research the property. Napier questioned whether the driveway shortage of two inches is something that can be worked with.

Commissioner Nagy stated this is a good example of balancing the City ordinances and the Municipal Code with property rights. Nagy addressed three issues of concern: the illegal carport conversion, the detached garage without the minimum 6 foot setback, and the parking exception request. Nagy also stated support for willing to work with the driveway shortage of 2 inches.

Commissioner Fennacy agreed with Nagy's position stating he identifies the same three areas and he also supports grandfathering. Although a violation of local codes cannot be supported, he expressed concern with causing a decrease in property value. He supports the converted carport if it is up to code.

Commissioner Solu asked staff to clarify what and when grandfathering can be done. Wold stated grandfathering only applies to legal established structures that are made non-conforming due to changes in the Municipal Code. The Commission can choose to grant the parking exception request, however the carport would still need to be brought up to current building codes.

Commissioner Solu discussed with Wold the issue of granting a parking exception and setting a precedent. Wold clarified that to date parking exceptions have not been granted to eliminate existing parking.

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION  
REGULAR MEETING – APRIL 18, 2012

Chairperson Grantham expressed concern over setting a precedent if the parking exception were approved.

Commissioner Nagy stated support for the Applicant's request.

Commissioner Napier stated bringing the carport up to current building code standards will be a financial burden and acknowledged that granting approval could set a precedent. She also acknowledged that the carport is not structurally sound citing her expertise as a structural engineer.

Commissioner Fennacy expressed support for evaluating these requests on a case by case basis. He supports granting the parking exception and then leave it to the homeowner to bring the carport up to code.

Commissioner Solu stated support for the parking exception. He stated that opening the door for illegal conversions could make them non-illegal. This might encourage property owners to come forward to make illegal units legal and thereby increase safety.

Livick stated since there are no findings in favor of granting the parking exception, he would recommend continuing the meeting to a date certain to allow staff to bring forward findings for approval of a parking exception. Wold requested direction on what basis to make findings.

Commissioner Nagy discussed with Wold the wording of findings to which Wold suggested that due to the longevity of the carport conversion that it is not a grant of special privilege. Additionally, that it is reasonably necessary because the previous owners have been able to enjoy the property as is, and it would create both a hardship and be punitive to deny the Applicant the use of the carport. Commissioner Nagy agreed.

**MOTION:** Commissioner Nagy moved to continue this hearing to the May 2, 2012 Planning Commission meeting and we ask staff to make the findings that because of the longevity of the existence of this illegal addition that we are not creating a special privilege and that it is necessary for the reasonable full enjoyment of the uses and that previous property owners have been assessed for this habitable space and that that habitable space would be necessary for the Applicant to get the full enjoyment of what he has been assessed over a long period.

The motion was seconded by Commissioner Solu and carried with Chairperson Grantham voting no. (4-1)

**B-2 Case No.:** Zoning Text Amendment #A00-014

**Site Location:** Citywide

**Request:** The amendment will modify Section 17.44.020.1 providing specific regulations as to when additional onsite parking will be required for existing commercial building converting from one use to another without new construction or additions for specific north Main Street commercial areas.

**CEQA Determination:** Negative Declaration State Clearinghouse #2012031058

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION  
REGULAR MEETING – APRIL 18, 2012

**Staff Recommendation:** Review and forward a recommendation to City Council.  
**Staff Contact:** Kathleen Wold, Planning and Building Manager, (805) 772-6211

Wold presented the staff report explaining proposed zoning amendment modifications. Livick clarified the next step in this process would be to forward the amendment to the City Council for a first and second reading of this ordinance. Once that is complete, it would be forwarded on to the Coastal Commission for ratification of this zoning ordinance change.

Commissioner Napier and Nagy stated support. Commissioners Solu and Fennacy had no comment.

Chairperson Grantham opened Public Comment period and hearing none closed Public Comment period.

**MOTION:** Commissioner Napier moved to adopt resolution number 19-12.

Commissioner Fennacy seconded the motion and carried unanimously. (5-0)

UNFINISHED BUSINESS

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

Wold and Livick reviewed the Work Program with Commissioners.

NEW BUSINESS

Commissioner Napier stated that as part of the Zoning Ordinance subcommittee among her, Councilmember Johnson and Commissioner Nagy, she will be shadowing planning applicants who are seeking administrative permits that do not come before the Planning Commission in order to help the public. Napier asked what the best way to implement this would be. Livick suggested this could be part of the Blue Ribbon Committee.

DECLARATION OF FUTURE AGENDA ITEMS - None.  
ADJOURNMENT

The meeting adjourned at 7:15 pm to the next regularly scheduled Planning Commission meeting at the Veteran's Hall, 209 Surf Street, on Wednesday, May 2, 2012 at 6:00 pm.

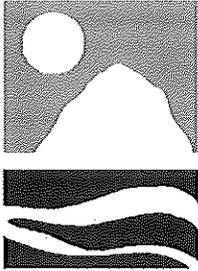
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Rick Grantham, Chairperson

ATTEST:

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Rob Livick, Secretary



AGENDA NO: B-1

MEETING DATE: May 2, 2012

## Memorandum

**TO:** PLANNING COMMISSION **DATE:** APRIL 26, 2012  
**FROM:** SIERRA DAVIS, ASSISTANT PLANNER  
**SUBJECT:** CONTINUANCE FROM THE APRIL 18, 2012 PLANNING COMMISSION MEETING OF CASE NO. #AD0-070 AND #UP0-346 FOR 2740 DOGWOOD AVENUE

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The Planning Commission continued this item from the April 18, 2012 Planning Commission Meeting and directed staff to return with findings for approval of the parking exception pursuant to the direction given at the Meeting.

### **Discussion**

The draft minutes are attached and provide a summary of the Planning Commission's concerns and comments. In addition, staff has provided a brief overview of the project issues.

#### *Parking*

The parking exception requested by the Applicant proposes the new open space to be provided at the rear of the property. In order to place the stall at the front of the property there would need to be 20 feet from the front property line. The survey submitted by the Applicant indicates that there is only 18 feet 8 inches. Staff contacted Mr. Pasquini regarding this survey. Mr Pasquini indicated that the survey was taken from the wall of the building and that there is not twenty feet from the building to the property line. Staff recommends that the open parking stall required when the parking exception is granted be provided in the rear of the property as shown on the site plan dated February 17, 2012.

#### *Issues*

During discussion of the project, and in particular on whether to grant a parking exception which would allow the applicant to legalize a convert carport, the Commission indicated the following:

1. They did not want to devalue the residence by making the Applicant convert the illegally converted carport back to a carport, thereby removing habitable space.

2. If other carports or garages have been converted without the proper permits that they would review each on a case by case basis as their support of this project should not be taken as precedent setting as it relates to other illegally converted carports or garages.

The Commissioners requested staff bring back findings for the parking exception in order to approve the project. Staff asked for a point of clarification on the findings and the Planning Commission clarified the three required findings that needed to be made in order to grant a parking exception. Planning staff noted that findings cannot be made based on monetary value; therefore devaluing the property is not an appropriate finding. The finding shall be based on special circumstances on the property.

Staff has brought back to the Commission findings for approval based on the Planning Commission's direction which was that the conversion occurred over 20 years ago and that property taxes have been paid on the square footage for over two decades. The Commission noted that with the above described situation that the habitable square footage in question is necessary for the property owner to have full enjoyment of the property for which he has paid taxes and that due to the longevity of the situation it created special circumstances and the granting of the exception would not be a special privilege.

The Findings and Conditions of Approval are attached in Exhibit A and B.

### **Conclusion**

With the findings and conditions attached as Exhibit A and Exhibit B the project can be approved. Staff recommends the following motion:

CONDITIONALLY APPROVE THE PROJECT by making the following motion:

1. Adopt the Findings included as Exhibit "A"; and
2. Approve Conditional Use Permit #UP0-346 and Parking Exception #AD0-070 subject to the Conditions included as Exhibit "B" and the site development plans dated February 17, 2012.

## **EXHIBIT A**

### **FINDINGS**

#### **SITE: 2740 DOGWOOD AVENUE CONDITIONAL USE PERMIT #UP0-346 AND PARKING EXCEPTION #AD0-070**

**PROJECT DESCRIPTION:** Parking Exception and a Conditional Use Permit in order to make an addition to a non-conforming structure. The structure does not meet setbacks, the detached garage does not meet the required 6 foot clearance between buildings and the carport was converted to habitable space without benefit of a permit. The parking exception requested is for an open and uncovered parking space adjacent to the detached garage to allow the converted carport to remain habitable space.

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

- A. Pursuant to the California Environmental Quality Act the project is categorically exempt pursuant Section 15303, Class 3 for the construction and location of limited number of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

#### **Parking Exception Findings**

- A. The parking exception will not constitute a grant of special privilege inconsistent with the driveway or parking limitations upon other properties in the vicinity and reduced parking or the alternative to the parking design standards of this chapter. The granting of the parking exception will not constitute a special privilege as special circumstances to exist. Those circumstances are the longevity (1985-2012) of the illegal addition and the fact that over these years different property owners have paid property taxes on the subject square footage as habitable space.
- B. The exception will not adversely affect the health, safety or general welfare of persons working or residing in the vicinity and no traffic safety problems will result from the proposed modification of parking standards; and
- C. The exception which would allow the converted garage to remain is reasonably necessary for the applicant's full enjoyment of single family use similar to those upon the adjoining real property. Previous property owners have been assessed for this habitable space and the habitable space would be necessary for the Applicant to get the full enjoyment of what he has been assessed over a long period of time.

### **Nonconforming Use Findings**

- A. The project as proposed is not in conformance with the Zoning Ordinance as the structure does not meet minimum setbacks, building separation, nor parking. A grant of the Parking Exception will bring the parking into conformance. The property will still be considered non-conforming and each addition or structural alteration shall require a conditional use permit.
- B. The grant of Parking Exception will satisfy the parking requirements and will meet the requirements of Zoning Ordinance Chapter 17.56 (Nonconforming Uses and Structures).
- C. The project shall be subject to Title 14 (Building Regulations) and reviewed for conformance with the requirements for a conforming use.
- D. The addition is suitable for conforming uses and will not impair the character of the zone in which it exists because the residence is not changing the height, setbacks or foot print of the existing residence.
- E. The Planning Commission finds that it is not feasible to make the structure conforming without major reconstruction of the existing structure.

### **Conditional Use Permit Findings**

- A. The project will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of the project in that a single family residence is allowed.
- B. The project will not be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the City.
- C. The project as proposed will be in conformance with the General Plan and Local Coastal Program. The Planning Commission shall accept findings for a Parking Exception in order to allow the conversion of the carport into habitable living space. With the granting of the exception the property will be considered conforming as it relates to parking. The property shall be considered non-conforming because the property does not meet minimum setback or building separation, and a Conditional Use Permit shall need to be secured in each case there is an addition or structural alteration. Each case shall be reviewed by the Planning Commission for conformance with the General Plan and Local Coastal Program.

## EXHIBIT B

### CONDITIONS OF APPROVAL

#### **SITE: 2740 DOGWOOD AVENUE CONDITIONAL USE PERMIT #UP0-346 AND PARKING EXCEPTION #AD0-070**

**PROJECT DESCRIPTION:** Parking Exception and a Conditional Use Permit in order to make an addition to a non-conforming structure. The structure does not meet setbacks, the detached garage does not meet the required 6 foot clearance between buildings and the carport was converted to habitable space without benefit of a permit. The parking exception requested is for an open and uncovered parking space adjacent to the detached garage to allow the converted carport to remain habitable space.

#### STANDARD CONDITIONS

1. This permit is granted for the land described in the staff report dated July 6, 2011, for the project depicted on plans dated January 14, 2011 on file with the Public Services Department, as modified by these conditions of approval, and more specifically described as follows:

Site development, including all buildings and other features, shall be located and designed substantially as shown on plans, unless otherwise specified herein.

2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this 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 (2) extensions for not more than one (1) additional year each. Said extensions may be granted by the Public Services Director, 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 Public Services Director. 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. Applicant understands and acknowledges that City is under no obligation to defend any legal actions challenging the City's actions with respect to the project. This condition and agreement shall be binding on all successors and assigns.
6. Compliance with Conditions: The Applicant's establishment of the use 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 Public Services Director 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. Compliance with Morro Bay Standards: This projects 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.
8. Conditions of Approval on Building Plans: Prior to the issuance of a Building Permit, the final Conditions of Approval shall be attached to the set of approved plans. The sheet containing Conditions of Approval shall be the same size as other plan sheets and shall be the last sheet in the set of Building Plans.

### **BUILDING CONDITIONS**

1. Construction: Prior to construction, the Applicant shall obtain a building permit for the proposed scope of work.

### **PLANNING CONDITIONS**

1. Parking surface: The open parking space shall be constructed in compliance with engineering and material standards available at the planning and building department, asphalt or concrete paving is required for the surface. Optional surfacing material such as brick or ecoblock, which meet design requirements for parking, may be approved by the City Engineer.



AGENDA NO: B-2

MEETING DATE: May 2, 2011

## Planning Commission Staff Report

**TO:** Planning Commission **DATE:** April 26, 2011  
**FROM:** Kathleen Wold, Planning and Building Manager  
**SUBJECT:** Zoning Text Amendment A00-015 modifying Municipal Code Amendment Section 17.68 "Signs".

### **RECOMMENDATION:**

Staff recommends that the Planning Commission review all materials, recommendations from previous sign workshops, sign survey results, the 2004 Planning Commission report and the direction from City Council (2012), take public testimony and provide direction to staff.

### **BACKGROUND/DISSION:**

Over the last couple of years staff, at the direction of Council, staff has been working on a Zoning Text Amendment for Section 17.68 "Signs". After two public workshops, two sign surveys, previous work from the 2004 Planning Commission, the adopted 2005 Sign Ordinance and direction from the current City Council, staff is bringing forward the project for Planning Commission consideration. Staff has provided as attachment to this report all the background reports, surveys and materials. These materials will serve as a guide for the remaining process as they will assist you with framing the issues and formulating your recommendations.

Per City Council direction the Planning Commission should review these materials and Council direction and begin formulating an ordinance which will become your recommendation to Council. Staff recommends that the Planning Commission consider breaking down the amendment to various components to provide small workable sections. Our recommendation is as follows:

- Section 1. Temporary/prohibited signs/signs exempt from a sign permit.
- Section 2. Defining three to four separate commercial areas such as North Main Street, Downtown, Embarcadero and Quintana for individual sign criteria.
- Section 3. Sign criteria for commercial areas.
- Section 4. Sign criteria for residential areas
- Section 5. Sign criteria for industrial areas.

Prepared By: \_\_\_\_\_

Planning Manager Review: \_\_\_\_\_

Director Review: \_\_\_\_\_

City Attorney Review (If Applicable): \_\_\_\_\_

Section 5. General sign criteria.

Section 6. Procedures

Section 7. Maintenance, Nonconforming and Abandonment.

Staff feels that there is consensus on the following:

1. That the sign allowance for commercial signs shall be 2 square feet per lineal foot of building frontage without penalty for multiple types of signage.
2. Utilizing the graphics and definitions within the 2005 Zoning Ordinance Sign section.
3. Purpose and Intent of the Sign Ordinance.
4. Findings.
5. Advertising on City property.

If the Planning Commission agrees with the above, then these consensus items will be incorporated into the ordinance via staff. Once a framework is established by the Commission staff will bring back a working draft ordinance with topical headings and printed in format which will allow for comments and notes.

**Attachments:**

Attachment 1: 2004 Planning Workshop materials

Attachment 2: Package of Sign Materials from Sign Workshops.

Attachment 3: The Current Chapter 17.68 Sign Regulations

Attachment 4: The adopted 2005 Sign Ordinance

Attachment 5: Staff report and minutes from the January 10, 2012 City Council meeting.

# Attachment 1

## Sign Committee Team

- Planning Commissioners John Barta & Don Doubledee
- Public Works Advisory Board member Coe Reily
- Merchant's Association and Chamber of Commerce representatives Lori Noble & Ali Arnold.

## Who are the Interest Groups & Where Are Conflicts?

- Business – More is Better, Bigger is Better, Outta My Face!
- Non-Business Residents – No Signs is Good Signs. Attractive Community
- Visitors – Where Am I? How do I get to?
- Government – Health, Safety, Liability, Simplify Process, Keep Cost Down
- Enforcement - "X" is Legal, "Y" Illegal, No ladders, No tape measures
- Art & Culture – Art, Preservation, Aesthetics

## Why have a sign ordinance?

- Signs are critical to the survival of businesses
- Signs are the most cost-effective means of advertising.
- Business owners should have a free hand as to the coverage of signage below a minimum threshold.
- An excess of signage reduces sign effectiveness
- A large excess of signage makes the community ugly and undesirable to visitors and residents alike.
- If business owners were given a completely free hand, some will abuse it to the detriment of the community.

## What's wrong with the current ordinance?

- Current ordinance is hard to enforce and costly.
- Current ordinance is difficult for users to understand.
- Current ordinance does not include contemporary trends in signage.
- Current ordinance ignores the fact that different districts have different signage needs.
- Current ordinance does not acknowledge the value of kiosks, A-frame, projecting signs, and other diverse methods of advertising.
- Current ordinance bases the allowed signage solely on lineal frontages.
- Current ordinance ignores the fact that different types of businesses have different needs.
- Current ordinance doesn't encourage sign consolidation.
- Current ordinance doesn't address municipal, public, or mandated safety and directional signage.
- Many of the prohibitions in the current sign ordinance are outdated and need to be reworked to provide diverse and visually pleasing signs to compliment our community.

# Attachment 1

## What Did We Discover?

- A variety of signage can be beneficially used in our community.
- Different AREAS (districts) have differing sign needs.
  - Pedestrian-oriented/Embarcadero
  - Pedestrian-oriented/Old Town
  - Automobile-oriented/Quintana-North Main St.
  - Automobile-oriented with large parking lots (e.g. supermarkets)
- Different TYPES OF BUSINESSES have different signage needs. (motel vs. coffee house)
- A-frame signs can be important and effective to small businesses.
- Projecting signs are effective and desirable in areas catering to pedestrian traffic.
- Kiosks are effective for municipal and private (advertising) signage. They also develop a theme.
- Banners can be an important tool for theme development
- Different SIGN CONSTRUCTION TYPES will vary in preference with the area of town and type of business.
- There are a number of GENERAL CLASSES of signs into which any given sign may be classified. These are:
  - Business signage
  - Traffic signs- recommendations may be appropriate, but state may have set standards
  - Visitor information signs
  - Safety-related signs (non-traffic) – we need more info on these (fire, pub works, engineer)
  - Temporary signs
- Pedestrian oriented signs are part of a "package" which includes public art & furnishings

# Attachment 1

## What do we suggest for the new ordinance?

The amount of a given type of signage that should be allowed is a variable depending on the location of the business, as well as type of business.

Amount of Signage It is more appropriate to have a tiered allowance with:

- Threshold allowable amount
- Frontage/Side - based amount
- Cap on larger frontages that is less than the frontage/side-based amount.

Sign Ordinance Manual

- make the ordinance more understandable, especially to business owners
- usable for enforcement
- usable for permit processing

Ordinance should encourage

- Integration of signage into architecture
- Consolidation of many signs into fewer signs where appropriate
- Encourage the incorporation of public art into sign motif and vice versa.
- Artistically attractive signage as opposed to "manufactured" or mass-produced signs.
- Ordinance should discourage converting of window space into a "frame for signage"
- Discourage use of vehicles as billboards

Enforcement

- Ordinance will fail if not enforced. Town and all interest groups will suffer
- Must be workable for enforcement personnel
- Should be financially self-supporting.
- Escalating penalties in stubborn cases

One Idea

Enforcement initially to be on the basis of an excess signage fee. The amount of the fee should be raised over time. This should help make enforcement financially self-sustaining and avoid the problems associated with traditional infraction enforcement methods. Those who maintain excess signage for long periods should be subject to the traditional enforcement process

Permit Process

- Self-regulation as much as possible, including self-assessment, informal review.
- Tiered permit process
  - No formal permit required if signage below minimum threshold
  - Over-the-counter in routine cases. Appeals to PC
  - PC Cases - tough cases, appeal cases, cases where sign type is discouraged but not illegal

Permanent Sign Review Board ?

- Informal process to help get good results w/o needing formal process. Expertise develops over time.
- If doesn't succeed – utilize formal process. Either applicant or staff can initiate formal process.
- Run by Merchant's Association, Chamber, other group, subcommittee like water bill review committee?

Grandfather & Grandmother Cases

- Signs that are currently legal and conforming, but which become non-conforming under the new ordinance should be grandfathered in a manner that will allow more recent signage to have a relatively longer period before phasing out.
- Older, currently non-conforming signs, should be grandfathered out on an accelerated basis
- Eventually, all signage must conform to ordinance.

# Attachment 1

## Sign Manual

### Sign Manual Should Include

- Statements of findings and purposes of the ordinance
- Visual aids in the form of drawings, diagrams, photos, etc
- Sign Assessment Form where boxes are filled and checked

### Sign Assessment Form

Sign Owner can determine the gross allowance by reference to parcel measurements  
A table of relative community values regarding

- District where sign is located
- Distinction between the needs of different types of businesses
- Type of construction or appearance of the sign
- Location of the sign on the site itself

Adjustments for desirable and undesirable features

- Discouragement of a large number of signs. Preference for consolidation
- Encouragement of incorporation with art and public furnishings, etc.
- Other Pluses and minuses yet to be determined

# ATTACHMENT 1

## Signs of a Better Community

### *A New Sign Ordinance for Morro Bay*

Morro Bay Planning Commission  
January, 2004

## Sign Committee Team

- Planning Commissioners
  - John Barta & Don Doubledee
- Public Works Advisory Board
  - Coe Reiley
- Merchant's Association
  - Ali Arnold
- Chamber of Commerce
  - Lori Noble
- Code Enforcement
  - Steve Grinrod

Who are the Interest Groups & Where Are Conflicts?

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## How Resolve These Conflicts?

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Understand Our Goals

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# ATTACHMENT 1

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Compromise !

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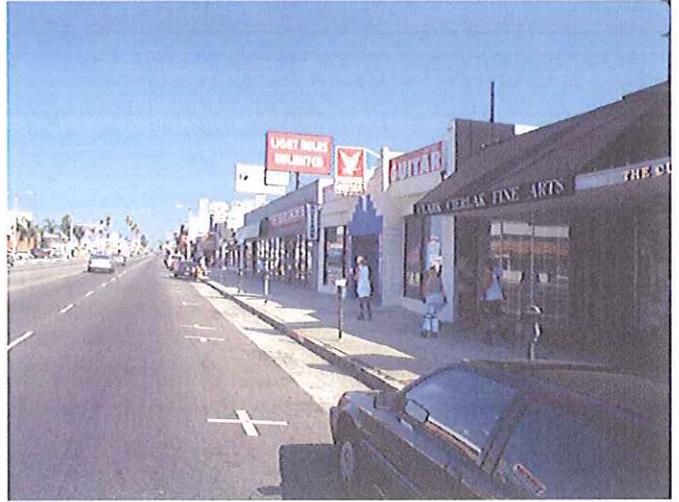
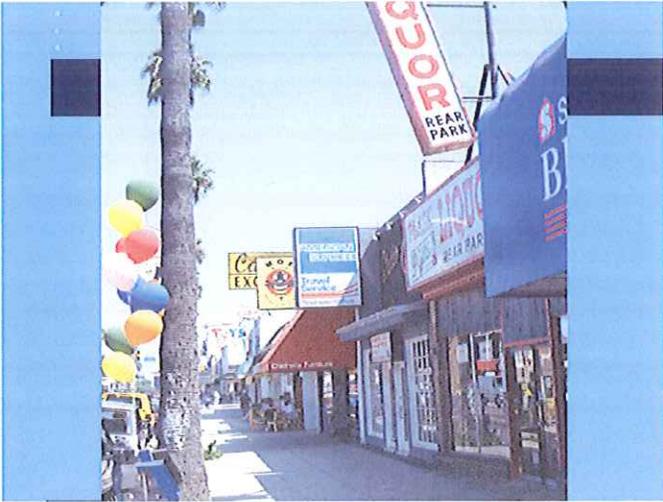
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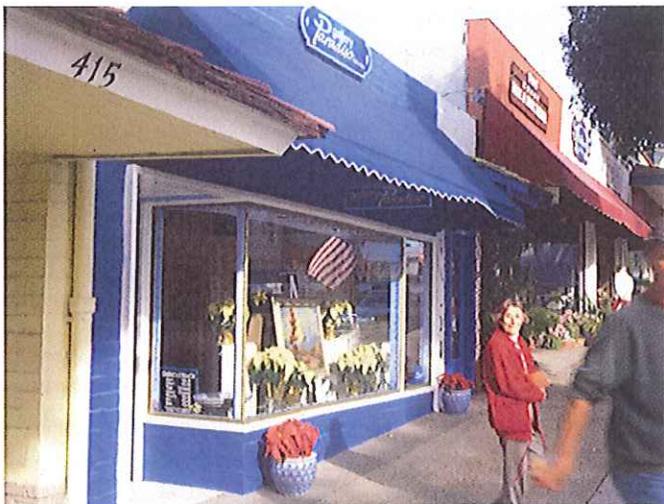
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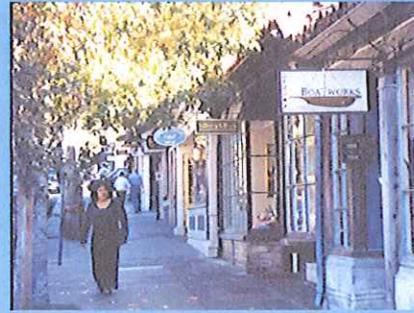
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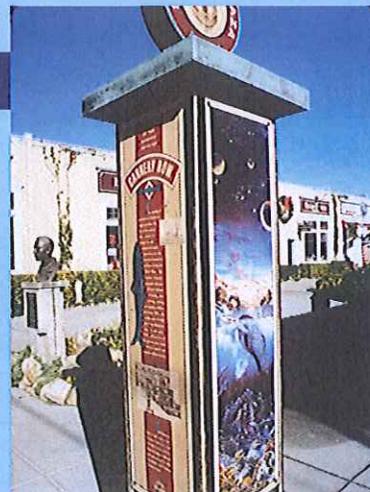
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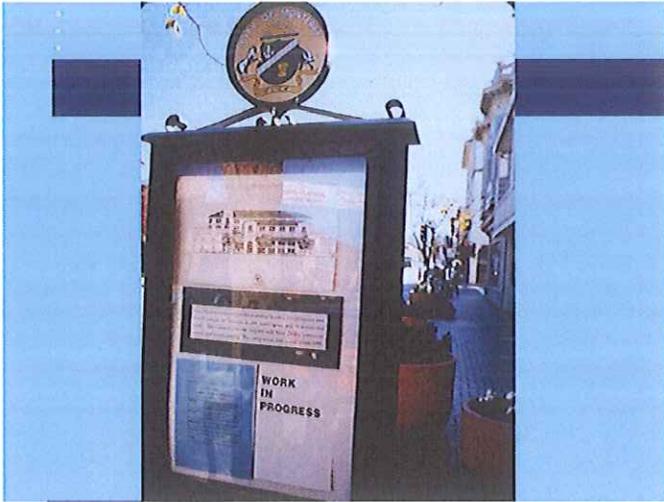


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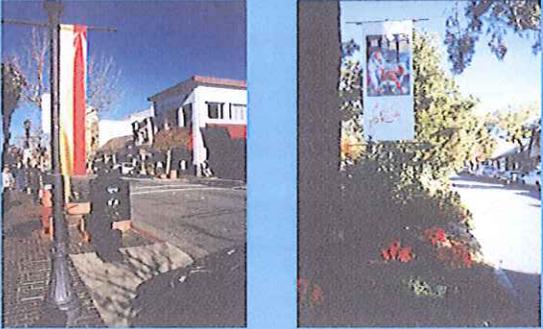


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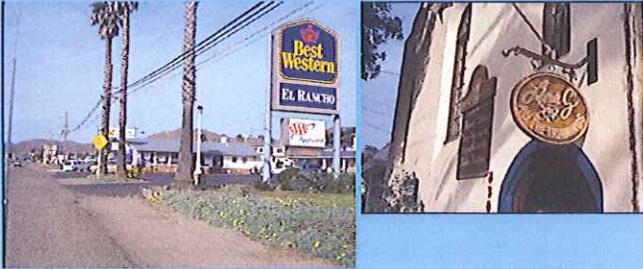
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  - Vehicle-Based Signage

## Vehicle-Based Signage



# ATTACHMENT 1

## Temporary Signs



## Safety Related Signs



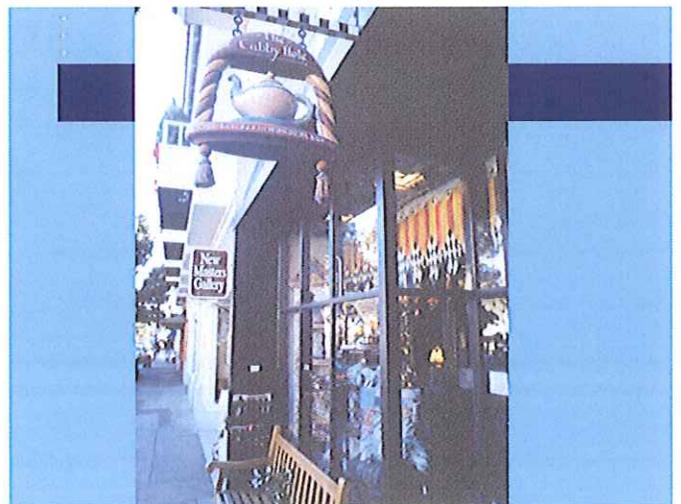
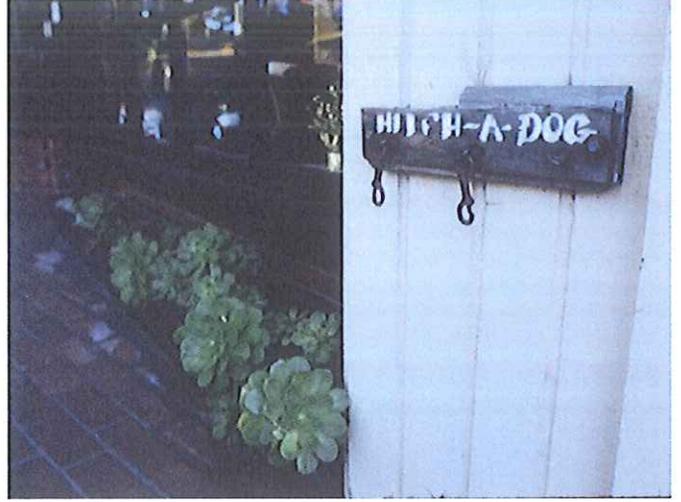
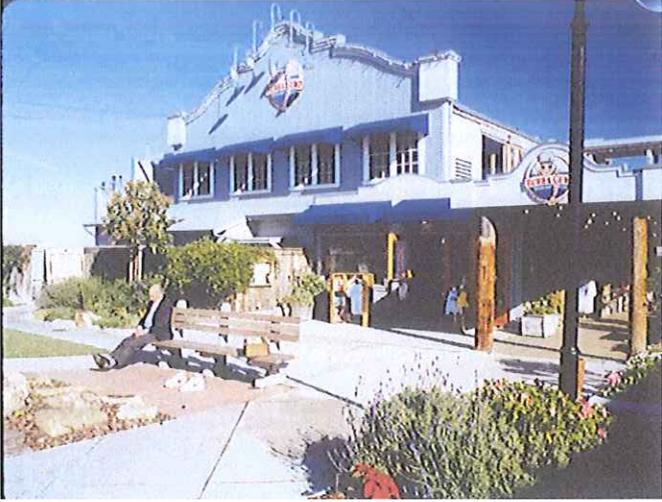
## Visitor Information Signs



## What Did We Discover ?

Pedestrian oriented signs are part of a "package" which includes public art & furnishings.

# ATTACHMENT 1



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## What Do We Recommend ?

The amount of a given type of signage that should be allowed will depend on:

- Size of property frontage

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The amount of a given type of signage that should be allowed depends upon:

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- Location of sign on premises

## Amount of Signage by Frontage

- Threshold minimum allowable amount
- Frontage/Side - based amount
- Cap on larger frontages that is less than the frontage/side-based amount.

## Sign Ordinance Booklet/Manual

- freely available
- make the ordinance more understandable for everyone, especially business owners
- usable for enforcement
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# ATTACHMENT 1

## Ordinance Provides

- Business owners to have range of options where they can decide which option is best for their situation
- Community values will help encourage choices that benefit community as a whole
- Maximum amount of self-regulation
- Enforceability when necessary

## Ordinance Encourages

- Integration of signage into architecture



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## Ordinance Encourages

- Consolidation of many signs into fewer



# ATTACHMENT 1

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## Ordinance Encourages

- Integration with Public Art / Furnishings



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# ATTACHMENT 1

## Ordinance Encourages

- Integration with Public Art / Furnishings



## Ordinance Encourages

- Integration with Public Art / Furnishings



## Ordinance Encourages

- Integration with Public Art / Furnishings



## Ordinance Encourages

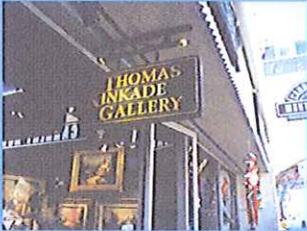
- Integration with Public Art / Furnishings



# ATTACHMENT 1

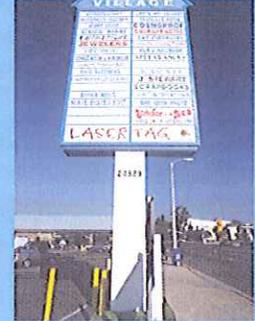
## Ordinance Encourages

- Artistically attractive vs. "manufactured"



## Ordinance Encourages

- Artistically attractive vs. "manufactured"



## Ordinance Discourages

- Use of Windows as "frame for signage"



## Ordinance Discourages

- Use of Windows as "frame for signage"



# ATTACHMENT 1

## Ordinance Discourages

- Use of Windows as "frame for signage"



## Ordinance Discourages

- Vehicles as billboards



## Enforcement

- Ordinance will fail if not enforced.
  - Town and all interest groups will suffer
- Must be workable for enforcement personnel
  - Maximize self-regulation
  - Objective standards applied (through manual), or
  - Review for subjective cases (hearing process)
- Should be financially self-supporting
- Escalating penalties/fees in stubborn cases

## Permit Process

- Self-regulation as much as possible, including self-assessment, informal review.
- Tiered permit process
  - No formal permit required if signage below minimum threshold
  - Over-the-counter in routine cases. Appeals to PC
  - PC Cases - tough cases, appeal cases, cases where sign type is highly discouraged but not illegal

# ATTACHMENT 1

## Review Board or Committee

- Through local business group (Chamber or Merchants Association, create new organization?) or as committee under a board (PWAB committee or PC committee - like water billing dispute committee)
- Informal process to help get good results w/o needing formal process. Expertise develops over time.
- If doesn't succeed – utilize formal process. Either applicant or staff can initiate formal process.

## Preexisting (Grandfathered) Signs

- Signs that are currently legal and conforming, but which become non-conforming under the new ordinance should be grandfathered in a manner that will allow more recent signage to have a relatively longer period before phasing out.
- Older, currently non-conforming signs, should be grandfathered out on an accelerated basis
- Eventually, all signage must conform to ordinance.

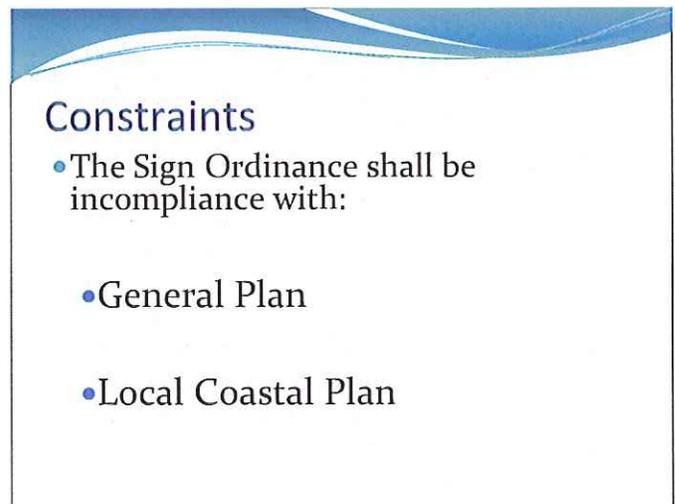
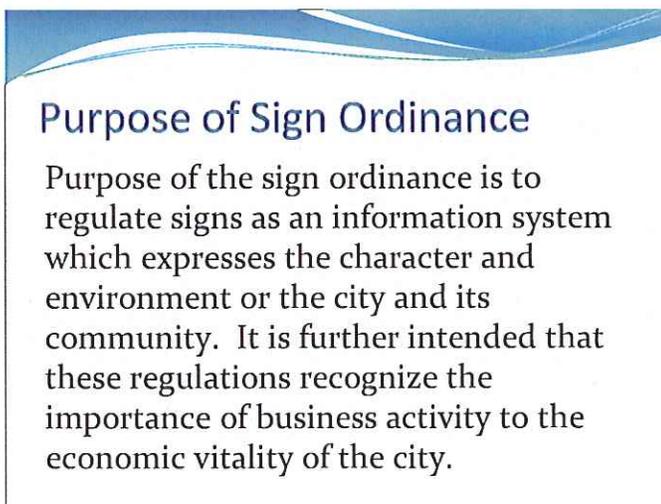
## Sign Booklet/Manual

Introduction  
Purpose, Findings & Goals - Including Visual Aids  
Who Should Reference This Manual?  
Sign Ordinance itself  
Table Definitions & Instructions  
District 1, 2, 3, 4 Tables  
Calculations - Form  
Adjustments - Form  
Relevant Definitions  
Additional Information Contacts

*“You don’t get a second chance to make a good first impression.”*

- In any relationship, a good first impression yields powerful benefits. Likewise, a poor first impression results in feelings which must be overcome. This is not only true for individuals, but also for businesses and communities.
- This ordinance is designed to give all who visit, live and work in Morro Bay a positive impression of our town and businesses. We want our local businesses to succeed as we strive towards preserving and enhancing our community charm.

# ATTACHMENT 2



# ATTACHMENT 2

## Existing Code

- Contained within the Municipal Code,
  - Title 17, Zoning Ordinance
  - Chapter 17.68, Signs
- Chapter 17.68 contains 18 sections and multiple subsections.

## Our Goals

What are your goals and objectives for the sign ordinance?

## Timeline of Sign Ordinance

- Council directed staff to separate the sign ordinance from 2005 Zoning Ordinance and update and process separately.
- April 12, 2010 – City Council Directed staff to forward 2005 Ordinance to Planning Commission for review and forward recommendation to City Council
- May 11, 2011 – Planning Commission recommended that staff conduct public workshops to evaluate the sign ordinance.
- Sign Ordinance workshop conducted September 29 and October 6, 2011.



# ATTACHMENT 2

## Signs



Awning Sign



Pub/Projecting Sign

MINUTES - MORRO BAY CITY COUNCIL  
CLOSED SESSION – MAY 24, 2011  
CITY HALL CONFERENCE ROOM - 4:00 P.M.

Mayor Yates called the meeting to order at 4:00 p.m.

PRESENT:	William Yates	Mayor
	Carla Borchard	Councilmember
	Nancy Johnson	Councilmember
	George Leage	Councilmember
	Noah Smukler	Councilmember
STAFF:	Andrea Lueker	City Manager
	Robert Schultz	City Attorney

CLOSED SESSION

MOTION: Councilmember Smukler moved the meeting be adjourned to Closed Session. The motion was seconded by Councilmember Leage and unanimously carried. (5-0)

Mayor Yates read the Closed Session Statement.

**CS-1 GOVERNMENT CODE SECTION 54957.6; CONFERENCE WITH LABOR NEGOTIATOR.** Conference with City Manager, the City's Designated Representative, for the purpose of reviewing the City's position regarding the terms and compensation paid to the City Employees and giving instructions to the Designated Representative.

**CS-2 GOVERNMENT CODE SECTION 54956.8; REAL PROPERTY TRANSACTIONS.** Instructing City's real property negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease of real property as to three (3) parcels:

- Property: Embarcadero Grill - Lease Site 86-86W  
Negotiating Parties: Caldwell and City of Morro Bay.  
Negotiations: Sub Lease Terms and Conditions.
- Property: Lease Site 65-66/65W-66W, 571 Embarcadero,  
Negotiating Parties: Imani and City of Morro Bay.  
Negotiations: Lease Terms and Conditions.
- Property: Sea One Solutions; Lease Site 124-128/124W-128W and 113W,  
1215 Embarcadero.  
Negotiating Parties: Sea One Solutions, LLC and City of Morro Bay.  
Negotiations: Lease Terms and Conditions.

The meeting adjourned at 4:50 p.m.

The City Council adjourned to a Special Open Session meeting to hold interviews to fill vacancies on the City's Planning Commission, Public Works Advisory Board and Community Promotions Committee. The interviews started at 5:00 p.m. and were located at the Veterans' Memorial Building, 209 Surf Street, Morro Bay, CA

MINUTES - MORRO BAY CITY COUNCIL  
REGULAR MEETING – MAY 24, 2011  
VETERANS MEMORIAL HALL - 6:00 P.M.

Mayor Yates called the meeting to order at 6:20 p.m.

PRESENT:	William Yates	Mayor
	Carla Borchard	Councilmember
	Nancy Johnson	Councilmember
	George Leage	Councilmember
	Noah Smukler	Councilmember
STAFF:	Andrea Lueker	City Manager
	Robert Schultz	City Attorney
	Bridgett Kessler	City Clerk
	Eric Endersby	Harbor Operations Manager
	Rob Livick	Public Services Director
	Tim Olivas	Police Chief
	Mike Pond	Fire Chief
	Susan Slayton	Administrative Services Director
	Joe Woods	Recreation & Parks Director

ESTABLISH QUORUM AND CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

MAYOR AND COUNCIL MEMBERS REPORTS, ANNOUNCEMENTS &  
PRESENTATIONS

CLOSED SESSION REPORT - City Attorney Robert Schultz reported the City Council met in Closed Session; no reportable action under the Brown Act was taken on Item CS-1.

The following action was taken on Item CS-2:

- Property: Embarcadero Grill - Lease Site 86-86W  
Negotiating Parties: Caldwell and City of Morro Bay.  
Negotiations: Sub Lease Terms and Conditions.

Councilmember Leage was excused from this discussion due to a conflict of interest; and, no action under the Brown Act was taken on Lease Site 86-86W.

- Property: Lease Site 65-66/65W-66W, 571 Embarcadero,  
Negotiating Parties: Imani and City of Morro Bay.  
Negotiations: Lease Terms and Conditions.
- Property: Sea One Solutions; Lease Site 124-128/124W-128W and 113W, 1215  
Embarcadero.  
Negotiating Parties: Sea One Solutions, LLC and City of Morro Bay.  
Negotiations: Lease Terms and Conditions.

Action was taken to correct the administrative error under Section 2.04 (Percentage Rent) to bring the lease agreements in conformance with the Master Lease format for Lease Sites 65-66/65W-66W, and Lease Site 124-128/124W-128W and 113W.

MINUTES - MORRO BAY CITY COUNCIL  
REGULAR MEETING – MAY 24, 2011

PUBLIC COMMENT

Jeff Eckles, owner of Morro Bay House of Jerky, stated this is a new store on the Embarcadero which carries five different flavors of jerky, as well as a variety of other goods.

Gary Hixson promoted the Gary (Tyler Moore) Hixson Show, and he supports having a Film Commission in Morro Bay. Mr. Hixson spoke on various issues in the City.

Dan Glesmann addressed an article in the *Tribune* regarding the budget woes in San Luis Obispo. He addressed Morro Bay's upcoming budget and requested the City Council get control of personnel costs and preserve the City's infrastructure.

Stan Trapp thanked the City for its efforts in sprucing up the Embarcadero. He addressed Item A-5 (Resolution Authorizing Monthly Payment Option for Embarcadero Leaseholders) and expressed gratitude to staff for recommending monthly payments for leaseholders. Mr. Trapp also addressed Item B-1 (Consideration of Adoption of Interim Urgency Ordinance Establishing Rules Regulating the Approval Process and Construction of Projecting Signs Pending Completion of Studies and the Preparation of an Update to the City's Zoning Code) and supported the recommendation for approval of Ordinance No. 568 which will bring uniformity to the signs around the City.

Nancy Castle thanked the City for its support of the Central Coast Maritime Museum Association for the display across from the Great American Fish Company which is a part of the history of Morro Bay.

John Weiss discussed the Eco-Rotary Program where the goal is to recycle the food products and reduce the amount of water used at the three local golf courses in the county. He said there will be meetings every second and fourth Tuesdays at the Morro Bay Golf Course regarding this program.

Virginia Hiramatsu announced Relay for Life of Morro Bay will be held on August 6 and 7, 2011 at Morro Bay High School. She said the funds raised at this event will stay to assist victims of cancer in Morro Bay.

George Ross, CPA stated the pension liabilities in the City are the biggest concern and the two-tiered pension benefit is a good idea on reducing future pension liabilities. He said another hole in the City governance is the issuance of business licenses which needs to be enforced. Mr. Ross also stated another annoyance is the theft of recycling goods which could lead to identity theft. He also expressed the need to pursue compliance on the removal of A-frame signs.

MINUTES - MORRO BAY CITY COUNCIL  
REGULAR MEETING – MAY 24, 2011

Betty Winholtz addressed Item A-4 (Adoption of Ordinance No. 567 Repealing, Amending and Reenacting Chapter 14.48 of the City of Morro Bay Municipal Code, Entitled Illicit Discharge and Stormwater Management Control) stating there is not an educational component to this Ordinance, and there needs to be some directive to educate the public. She also noted although the improvements to the Embarcadero are nice, North Main Street also deserves the same improvements to attract customers to the businesses in this part of the City.

Joan Solu addressed Council's future review on tourism and requested the City Council pay close attention to some of the suggestions, and noted there are several visitor-serving contracts. She said tourism brings in \$70-80 million in business revenue annually to the City, and the City does not have a leader or strategy and needs a Director of Tourism. Ms. Solu stated the Morro Bay Tourism Business Improvement District would be happy to discuss paying an administrative fee in place of the Visitor Center contract.

John Barta thanked the City for the removal of the news racks. He referred to Item A-4 and noted the City has no downstream communities that would be caused any harm from storm water pollution. Mr. Barta stated the City should be required to have small traps that will clean storm water discharge however anything larger than that is unnecessary.

Brian Stacy requested the City consider providing assistance to fishermen by giving them an extension on slip rent during salmon season.

Kim Vanerstrand, business owner on Main Street, expressed concern with the City's proposed signage regulations and how it may affect stores off the beaten path.

Mayor Yates closed the hearing for public comment.

A. CONSENT CALENDAR

Unless an item is pulled for separate action by the City Council, the following actions are approved without discussion.

A-1 APPROVAL OF MINUTES FOR THE REGULAR CITY COUNCIL MEETING OF MAY 10, 2011; (ADMINISTRATION)

**RECOMMENDATION: Approve as submitted.**

A-2 APPROVAL OF CONTRACT WITH BARNETT COX & ASSOCIATES FOR ADVERTISING AND MARKETING SERVICES; (CITY ATTORNEY)

**RECOMMENDATION: Approve and authorize the Mayor to execute the contract.**

MINUTES - MORRO BAY CITY COUNCIL  
REGULAR MEETING – MAY 24, 2011

A-3 RESOLUTION NO. 35-11 AUTHORIZING SAN LUIS OBISPO COUNTY ASSESSOR TO ASSESS AMOUNTS DUE ON DELINQUENT SOLID WASTE COLLECTION ACCOUNTS AS TAX LIENS AGAINST THE PROPERTIES; (ADMINISTRATIVE SERVICES)

**RECOMMENDATION: Adopt Resolution No. 35-11.**

A-4 ADOPTION OF ORDINANCE NO. 567 REPEALING, AMENDING AND REENACTING CHAPTER 14.48 OF THE CITY OF MORRO BAY MUNICIPAL CODE, ENTITLED ILLICIT DISCHARGE AND STORMWATER MANAGEMENT CONTROL; (PUBLIC SERVICES)

**RECOMMENDATION: Adopt Ordinance No. 567.**

A-5 RESOLUTION AUTHORIZING MONTHLY PAYMENT OPTION FOR EMBARCADERO LEASEHOLDERS; (HARBOR)

**RECOMMENDATION: Adopt Resolution No. 37-11.**

A-6 RESOLUTION AUTHORIZING EXECUTION OF THE "DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES" FOR THE CITY'S APPLICATION FOR CALIFORNIA DISASTER ASSISTANCE ACT PROGRAM; (HARBOR)

**RECOMMENDATION: Adopt Resolution No. 38-11.**

Councilmember Leage pulled Item A-3 from the Consent Calendar; Councilmember Borchard pulled Item A-4.

MOTION: Councilmember Borchard moved the City Council approve the Consent Calendar with the exception of Items A-3 and A-4. The motion was seconded by Councilmember Johnson and carried unanimously. (5-0)

A-3 RESOLUTION NO. 35-11 AUTHORIZING SAN LUIS OBISPO COUNTY ASSESSOR TO ASSESS AMOUNTS DUE ON DELINQUENT SOLID WASTE COLLECTION ACCOUNTS AS TAX LIENS AGAINST THE PROPERTIES; (ADMINISTRATIVE SERVICES)

Councilmember Leage asked if there is any other way to collect on a delinquent bill other than placing a lien against property. He said he would prefer another way of collecting on a bill, such as a collection agency rather than attaching the property; Mayor Yates agreed.

MINUTES - MORRO BAY CITY COUNCIL  
REGULAR MEETING – MAY 24, 2011

Administrative Services Director Susan Slayton responded garbage liens are placed only on homeowners based on the delinquency of the bill at the end of the year. She said the Garbage Company makes an effort to collect on the garbage bill and when the bill has been neglected for a long period of time, the Garbage Company has the ability to assess their collection through the property tax bill. Ms. Slayton stated the City receives a 2% administration fee for pursuing the assessment.

MOTION: Councilmember Borchard moved the City Council approve Item A-3 of the Consent Calendar. The motion was seconded by Councilmember Smukler and carried with Councilmember Leage and Mayor Yates voting no. (3-2)

A-4 ADOPTION OF ORDINANCE NO. 567 REPEALING, AMENDING AND REENACTING CHAPTER 14.48 OF THE CITY OF MORRO BAY MUNICIPAL CODE, ENTITLED ILLICIT DISCHARGE AND STORMWATER MANAGEMENT CONTROL; (PUBLIC SERVICES)

Councilmember Borchard clarified from her statement at the last City Council meeting instead of “minimum rainfall requirements”, she meant “minimum required hydromodification and Low Impact Development Control measures allowed under the City’s storm water permit requirements.

MOTION: Councilmember Borchard moved the City Council approve Item A-3 of the Consent Calendar. The motion was seconded by Councilmember Smukler and carried with Mayor Yates voting no. (4-1)

Mayor Yates called for a break at 7:22 p.m.; the meeting resumed at 7:37 p.m.

B. PUBLIC HEARINGS, REPORTS & APPEARANCES

B-1 REVIEW OF DRAFT SIGN ORDINANCE AND CONSIDERATION OF ADOPTION OF INTERIM URGENCY ORDINANCE ESTABLISHING RULES REGULATING THE APPROVAL PROCESS AND CONSTRUCTION OF PROJECTING SIGNS PENDING COMPLETION OF STUDIES AND THE PREPARATION OF AN UPDATE TO THE CITY'S ZONING CODE; (CITY ATTORNEY/PUBLIC SERVICES DIRECTOR)

City Attorney Robert Schultz stated staff is beginning to enforce the A-Frame Sign regulations and there have been discussions regarding allowing “Projecting Signs” (commonly referred to as “Pub” signs) to replace A-frame signs. The purpose of this Ordinance is to allow for the issuance of sign permits for projecting signs. Mr. Schultz recommended the City Council adopt Interim Urgency Ordinance No. 568 which would establish interim rules regulating the approval process and construction of projecting signs pending completion of studies and the preparation of an update to the City's zoning code.

MINUTES - MORRO BAY CITY COUNCIL  
REGULAR MEETING – MAY 24, 2011

Mayor Yates opened the hearing for public comment.

John Barta expressed support for the adoption of Interim Urgency Ordinance No. 568.

Mayor Yates closed the hearing for public comment.

MOTION: Mayor Yates moved the City Council adopt Interim Urgency Ordinance No. 568 which would establish interim rules regulating the approval process and construction of projecting signs pending completion of studies and the preparation of an update to the City's zoning code. The motion was seconded by Councilmember Borchard and carried unanimously. (5-0)

City Manager Andrea Lueker read Interim Urgency Ordinance No. 568 by number and title only.

Public Services Director Rob Livick stated the Draft Sign Ordinance is fundamentally the same ordinance approved within the Comprehensive Zoning Ordinance Update 2004; changes have been made to the Sign Ordinance to allow it to be integrated into the existing Ordinance. He said the current and proposed ordinance limits the amount of signage each building and/or business can permanently affix to a building as such a determination should be made if further changes need to be addressed to achieve the Council's goal as they pertain to projecting signs. Mr. Livick recommended the City Council review the Draft Ordinance and changes proposed by the Planning Commission and provide direction to staff regarding the final revised Sign Ordinance.

Council agreed that more work is needed on this Draft Ordinance, and a workshop would be beneficial to receive input from the business community.

Mayor Yates opened the hearing for public comment.

John Barta stated years ago when he served on the Planning Commission, it took several years to develop the concept of the Sign Ordinance. He said he would be happy to share the PowerPoint presentation he has with the information from that time period.

John Weiss, President of Chamber of Commerce, stated it is agreed that the business community would like to reduce clutter; the need of communicating what and where businesses are; the adoption of modest fees; and, it meets the needs of the business as well as City standards. He said a workshop is a great idea.

Mayor Yates closed the hearing for public comment.

Councilmember Smukler stated he would like a better dialogue with the Chamber of Commerce and other interest groups, and that they have an opportunity for input.

MINUTES - MORRO BAY CITY COUNCIL  
REGULAR MEETING – MAY 24, 2011

Councilmember Johnson made the following suggestions: 1) no A-frame signs anywhere in the City; 2) projecting public signs allowed in all parts of the City; 3) kiosks should be allowed at the corner of Beach and Front Street, along the waterfront and on the corners of Old Town; and 4) feather flags should be allowed in North Morro Bay and Quintana Road. She also noted signs on pick-up trucks should not be allowed and should be enforced.

Mayor Yates stated he agrees there should be no A-frame signs allowed anywhere in town noting there are alternative signs.

Councilmember Borchard stated she would like to exhaust the fact that there are areas that could have alternative signage before disallowing A-frame signs. She said she would like the Planning Commission PowerPoint presentation from 2004 be part of the workshop which could give Council alternative ideas. Councilmember Borchard requested Council consider the appointment of a Sign Review Board.

Council directed staff to schedule a public workshop on the Draft Sign Ordinance within six months, or by the first meeting in November.

No further action was taken on the Draft Sign Ordinance.

B-2 REVIEW AND ADOPTION OF A REVISED TEEN CENTER MASTER PLAN; (RECREATION & PARKS)

Recreation & Parks Director Joe Woods stated the Teen Center Master Plan process started in 2004 with public workshops and concluded in 2006 with a City Council approved Concept Plan. Recent workshops have been held to not only update the Master Plan, but also to fulfill Proposition 84 requirements for public input. Staff held three workshops at the Teen Center in late February 2011. The Recreation & Parks Commission reviewed four resulting options and requested staff to develop additional options which combined two of the proposed. As a result, Options 5 and 6 are presented to City Council for consideration. At the conclusion of this process, staff will be submitting a grant application to the State Parks Department with the intent to obtain Proposition 84 funding. Mr. Woods recommended the City Council review and discuss the proposed options for the Teen Center Master Plan and adopt either Option 5 or 6 based on public input and consensus.

Mayor Yates opened the hearing for public comment.

Jake stated he has been going to the Teen Center for a few years and it has been a great experience, and he believes this upgrade will be beneficial for future teens. He said Option 6 would provide a lot of space for the community.

MINUTES - MORRO BAY CITY COUNCIL  
REGULAR MEETING – MAY 24, 2011

John Gutierrez, Program Director for Teen Center, stated this is a home away from home for a lot of teens. He said as part of the Teen Advisory Committee, there are teens that put a lot of time into this Master Plan. Mr. Gutierrez stated he prefers Option 6 generally as the better plan.

Taylor Newton stated he mentors the Gorilla Gardening Club who is mostly teens who are excited about getting involved in the landscape portion of this plan as well as the skate park and fitness area. He stated he prefers Option 6 especially with the fitness center and internet access.

Karen Croley, Recreation & Parks Commissioner, stated she prefers Option 6 which is more family-oriented with something for different age groups to do in a confined space. She said crime studies show that between 3:00 pm - 5:00 pm is when crime rates are highest because teens are home unsupervised with nothing to do.

Mayor Yates closed the hearing for public comment.

Councilmember Borchard stated she is adamant that this is a Youth Center with multi-age access and recognizing an area for teens. She expressed concern with the maintenance of the skate park area under the trees. Councilmember Borchard also has concern with the unprojected cost of this plan.

Councilmember Johnson stated she prefers Option 6; however, she expressed concern with the placement of the modular skate park in the back and the concrete skate park in the front of the Center. She said she would like the climbing area to be opened to preteens. Councilmember Johnson stated she would like the Center to be renamed because it is intimidating to preteens. She also has concerns with the unprojected costs.

Mayor Yates stated he supports approval of the Master Teen Center Plan (Option 6) as proposed; Councilmember Leage agreed.

Councilmember Smukler stated he supports Option 6 because it gives a buffer from the neighboring property owner. He said he would like renewable energy and water recycling to be included in this plan.

MOTION: Councilmember Smukler moved the City Council adopt Option 6 of the Master Teen Center Plan. The motion was seconded by Councilmember Borchard and carried with Councilmember Johnson voting no. (4-1)

C. UNFINISHED BUSINESS – NONE.

MINUTES - MORRO BAY CITY COUNCIL  
REGULAR MEETING – MAY 24, 2011

D. NEW BUSINESS

- D-1 RESOLUTION NO. 36-11 APPROVING A COOPERATION AGREEMENT BETWEEN THE COUNTY OF SAN LUIS OBISPO AND THE CITY OF MORRO BAY FOR JOINT PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, THE EMERGENCY SOLUTIONS GRANT PROGRAM AND THE HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS PROGRAM FOR FISCAL YEARS 2012-2014; (ADMINISTRATION)

City Manager Andrea Lueker stated the City of Morro Bay has the opportunity to participate with other cities and the County of San Luis Obispo in qualifying as an “Urban County” for fiscal years ending 2012-2014. An Urban County receives annual, formal-based grants from the federal Department of Housing and Urban Development (HUD) under the Community Development Block Grant (CDBG), Home Investment Partnership Act (HOME) and Emergency Solutions Grants (ESG) programs. For the next 3-year cycle, staff’s recommendation is that the City of Morro Bay joins the Urban County rather than apply for funds as an individual city. This recommendation is due to staff reallocations and budget reductions over the past few years. Staff believes this move will provide more funding overall to the City and its residents, than the City attempting to apply for funds as an individual City. If the City decides to become part of the Urban County, the City will receive its CDBG allocation through the county. The estimated amount of the CDGB funding is \$87,000 - 100,000. Ms. Lueker recommended the City Council adopt Resolution No. 36-11 approving a Cooperation Agreement between the County of San Luis Obispo and the City of Morro Bay for Joint Participation in the Community Development Block Grant Program, the Emergency Solutions Grant Program, and the Housing Opportunities for Persons with Aids Program for Fiscal Years 2012-2014.

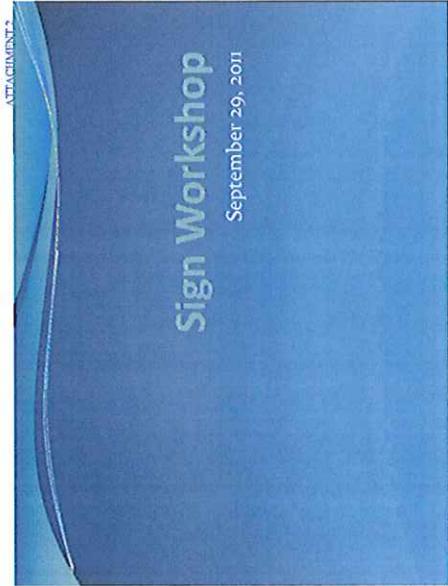
MOTION: Councilmember Leage moved the City Council adopt Resolution No. 36-11 approving a Cooperation Agreement between the County of San Luis Obispo and the City of Morro Bay for Joint Participation in the Community Development Block Grant Program, the Emergency Solutions Grant Program, and the Housing Opportunities for Persons with Aids Program for Fiscal Years 2012-2014. The motion was seconded by Councilmember Borchard and carried unanimously. (5-0)

E. DECLARATION OF FUTURE AGENDA ITEMS – NONE.

ADJOURNMENT - The meeting adjourned at 9:19 P.M.

Recorded by:

Bridgett Kessling  
City Clerk



## Welcome and Introductions

- City Staff
  - Andrea Leuker, City Manager
  - Rob Livick, Public Services Director
  - Kathleen Wold, Planning Manager
  - Sierra Davis, Assistant Planner
- Workshop Facilitator
  - Chuck Anders

## Purpose of Sign Ordinance

Purpose of the sign ordinance is to regulate signs as an information system which expresses the character and environment of the city and its community. It is further intended that these regulations recognize the importance of business activity to the economic vitality of the city.

## Constraints

- The Sign Ordinance shall be in compliance with:
  - General Plan
  - Local Coastal Plan

## Existing Code

- Contained within the Municipal Code,
  - Title 17, Zoning Ordinance
  - Chapter 17.68, Signs
- Chapter 17.68 contains 18 sections and multiple subsections.

## Our Goals

# What are your goals and objectives for the sign ordinance?

## Timeline of Sign Ordinance

- Council directed staff to separate the sign ordinance from 2005 Zoning Ordinance and update and process separately.
- April 12, 2010 – City Council Directed staff to forward 2005 Ordinance to Planning Commission for review and forward recommendation to City Council
- May 11, 2011 – Planning Commission recommended that staff conduct public workshops to evaluate the sign ordinance.
- Sign Ordinance workshop conducted September 29 and October 6, 2011.

## Signs



Flag Signs



Banner Sign

## Signs



Illuminated/Neon Signs



A-Frame Sign

## Signs



Wall Sign



Off-Premise Sign

## Signs

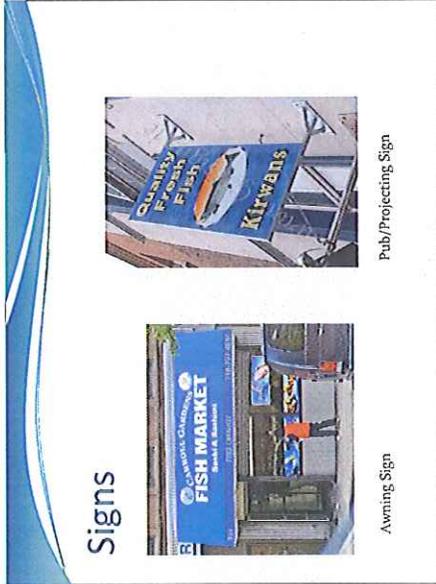


Pole Sign



Marquee/Changeable Copy Sign





### Morro Bay Sign Ordinance Workshop

Thursday  
September 29, 2011

### Morro Bay Sign Ordinance Workshop

Meeting Facilitator  
Chuck Anders  
Strategic Initiatives

### Morro Bay Sign Ordinance Workshop

- Understand Sign Ordinance and Issues
- Get opinions on key issues
- Evaluate alternatives

### Workshop Guidelines

- Be positive and respectful of others
- Listen - avoid side conversations
- Silence cell phones - take calls outside
- Stay on topic / Be concise
- Raise hand to speak
- Always "Us" (avoid judging others)

### Who's Here?

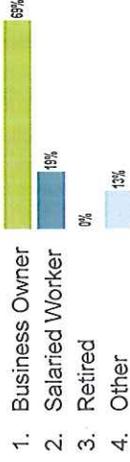
What is your gender?



Are you a Morro Bay resident?



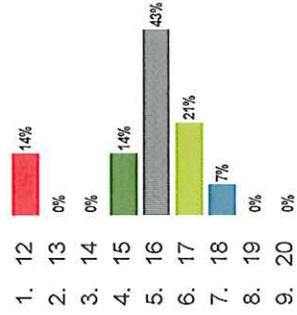
Which best describes your role in this workshop?



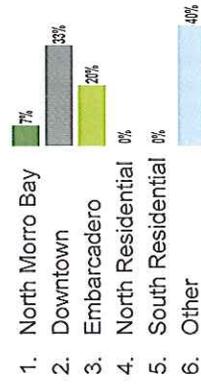
Did you see a gorilla?



How many times did the people in the white shirts pass the basketball?



What geographic area of Morro Bay do you represent?



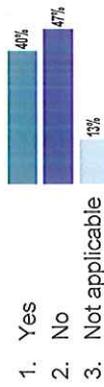
Is the existing sign ordinance working for you?



Are you happy with how the signs in Morro Bay look right now?



Do you feel that you have enough signage?



Do you want uniformity in the appearance of signs and businesses throughout the community?

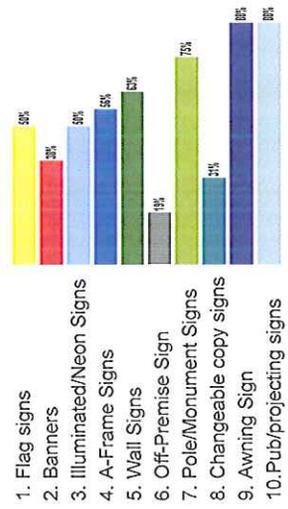


Do you believe there should be different rules for different areas of the community?

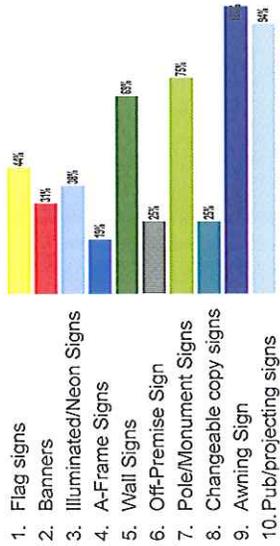
(No. Morro Bay – along Hwy 1, Downtown, Embarcadero, Residential)



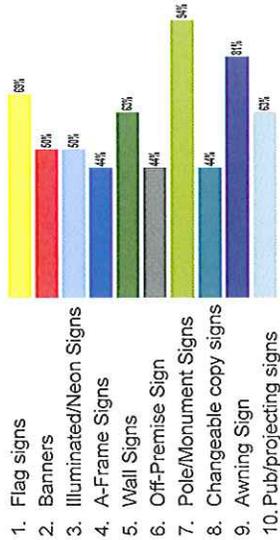
Which of the following types of signs should be allowed in the Downtown Area? (select all that apply)



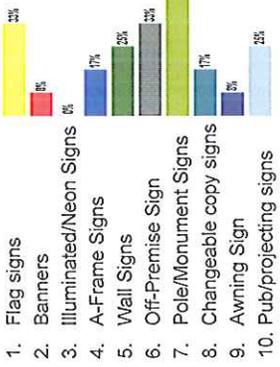
Which of the following types of signs should be allowed in Embarcadero Area?  
(select all that apply)



Which of the following types of signs should be allowed in Highway-Oriented Commercial Areas?  
(select all that apply)



Which of the following types of signs should be allowed in Residential Areas?  
(select all that apply)



Should multiple types of signs be allowed without penalty?



Do you consider murals to be signs?



Should signage in residential areas be allowed for:  
(select all that apply)



Should businesses be guaranteed a minimum size sign regardless of frontage size?



Should there be special allowances?



Are you satisfied with the current rules for reader boards?



Are sign materials important?



ATTACHMENT 4  
Morro Bay Sign Ordinance Workshop - Poll



Question	Response	Response Percent	Response Count
1. Did you find the workshop materials, referenced in <a href="http://morro-bay.ca.us/index.aspx?file=706_telpoll">http://morro-bay.ca.us/index.aspx?file=706_telpoll</a> helpful?	Yes	40.0%	2
	No	40.0%	2
	I attended the workshop	20.0%	1
answered question			5
	skipped question		0
2. Please provide the following information. Contact information will not be distributed. The contact information will only be used should we need to contact you for clarification of your responses.	Name:	100.0%	5
	Company:	80.0%	4
	City/Town:	100.0%	5
	Email Address:	80.0%	4
	Phone Number:	80.0%	4
	answered question		5
	skipped question		0

Question	Response	Response Percent	Response Count
3. What is your gender?	Male	60.0%	3
	Female	40.0%	2
	answered question		5
skipped question			0
			0
4. Are you a Morro Bay resident?	Yes	40.0%	2
	No	60.0%	3
	answered question		5
skipped question			0
			0

5. What geographic area of Morro Bay do you represent?

	Response Percent	Response Count
North Morro Bay	0.0%	0
Downtown	0.0%	0
Embarcadero	40.0%	2
North Residential	0.0%	0
South Residential	0.0%	0
Other (please specify)	60.0%	3
	answered question	5
	skipped question	0

6. Which best describes your role?

	Response Percent	Response Count
Business Owner	80.0%	4
Spouse/Worker	0.0%	0
Retired	20.0%	1
Other (please specify)	0.0%	0
	answered question	5
	skipped question	0

3 of 12

7. Is the existing sign ordinance working for you?

	Response Percent	Response Count
Yes	40.0%	2
No	60.0%	3
	answered question	5
	skipped question	0

8. Are you happy with how the signs in Morro Bay look right now?

	Response Percent	Response Count
Yes	20.0%	1
No	80.0%	4
	answered question	5
	skipped question	0

9. Do you feel that you have enough signage?

	Response Percent	Response Count
Yes	20.0%	1
No	80.0%	4
N/A	0.0%	0
	answered question	5
	skipped question	0

4 of 12

10. Do you want uniformity in the appearance of signs and businesses throughout the community?

	Response Percent	Response Count
Yes	60.0%	3
No	40.0%	2
	answered question	5
	skipped question	0

11. Do you believe there should be different rules for different areas of the community? (No. Morro Bay - along Hwy 1, Downtown, Embarcadero, Residential)

	Response Percent	Response Count
Yes	60.0%	3
No	40.0%	2
	answered question	5
	skipped question	0

5 of 12

12. Which of the following types of signs should be allowed in the Downtown Area? (select all that apply)

	Response Percent	Response Count
Flag Signs	60.0%	3
Banners	40.0%	2
Illuminated/Neon Signs	60.0%	3
A-Frame Signs	40.0%	2
Wall Signs	80.0%	4
Off-Franchise Sign	0.0%	0
Podium/Mounted Signs	40.0%	2
Changeable copy signs	80.0%	4
Awning Sign	80.0%	4
Projecting signs	100.0%	5
Other (please specify)	0.0%	0
	answered question	5
	skipped question	0

6 of 12

13. Which of the following types of signs should be allowed in Embarcadero Area? (select all that apply)

	Response Percent	Response Count
Flag Signs	60.0%	3
Banners	40.0%	2
Illuminated/Neon Signs	60.0%	3
A-Frame Signs	0.0%	0
Wall Signs	80.0%	4
Off-Franchise Sign	0.0%	0
Podium/Mounted Signs	40.0%	2
Changeable copy signs	40.0%	2
Awning Sign	80.0%	4
Projecting signs	100.0%	5
Other (please specify)	20.0%	1
	answered question	5
	skipped question	0

7 of 12

14. Which of the following types of signs should be allowed in Highway-Oriented Commercial Areas? (select all that apply)

	Response Percent	Response Count
Flag Signs	80.0%	4
Banners	0.0%	0
Illuminated/Neon Signs	80.0%	4
A-Frame Signs	20.0%	1
Wall Signs	80.0%	4
Off-Franchise Sign	60.0%	3
Podium/Mounted Signs	80.0%	4
Changeable copy signs	60.0%	3
Awning Sign	40.0%	2
Projecting signs	100.0%	5
Other (please specify)	0.0%	0
	answered question	5
	skipped question	0

8 of 12



### Morro Bay Sign Ordinance Workshop

Thursday  
October 6, 2011

### Morro Bay Sign Ordinance Workshop

*Meeting Facilitator*  
*Chuck Anders*  
*Strategic Initiatives*

### Morro Bay Sign Ordinance Workshop

- Review results from first workshop
- Review and discuss preliminary sign ordinance concepts
- Next steps

### Workshop Guidelines

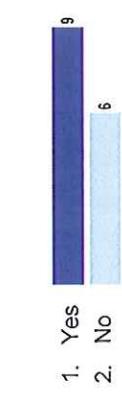
- Be positive and respectful of others
- Listen - avoid side conversations
- Silence cell phones - take calls outside
- Stay on topic / Be concise
- Raise hand to speak
- Always "Us" (avoid judging others)

### What is your gender?

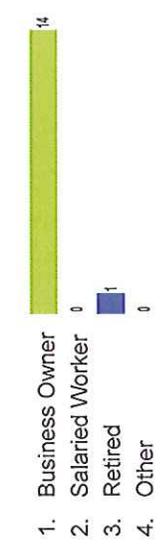


### Who's Here?

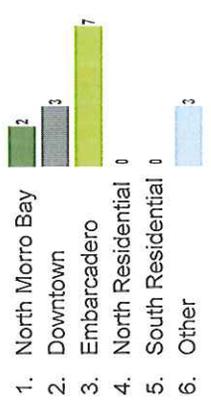
Are you a Morro Bay resident?



Which best describes your role in this workshop?



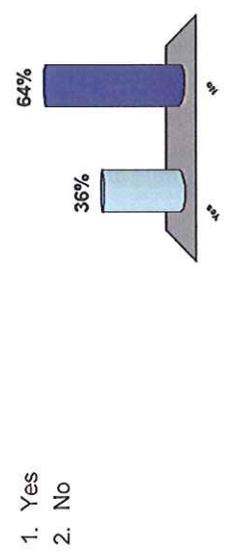
What geographic area of Morro Bay do you represent?



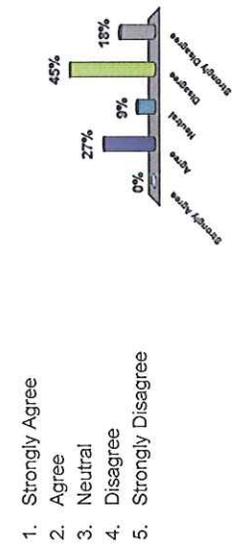
Did you attend the first workshop on September 29th?



Is a distinction between internal or external illumination important?



To what extent do you support or oppose the preliminary sign ordinance for the Downtown Area  
(as presented in preliminary sign matrix)





City Sign Ordinance Survey  
Cross Tab Report

City Sign Ordinance Survey  
Cross Tab Report

Date: 11/21/2011 1:03 PM PST  
File: No filter applied

Date: 11/21/2011 1:14 PM PST  
File: No filter applied

With regards to business closures in the Entertainment area, which of the following signs would you want to see reappearing? (Check all that apply)

With regards to business closures in the North Metro Bay/Quintana area, which of the following signs would you reappearing? (Check all that apply)

	Total	Downtown	Collaboration	North Metro Bay/Quintana	Other, please specify
A Frame Signs	31	25.0%	8	9	40.0%
Awning Signs	76.4%	67.7%	79.2%	88.2%	86.7%
Banners as a Sign	24	33.3%	23.2%	4	46.7%
Billboard	31.3%	33.3%	23.2%	4	46.7%
Bus Signs	58	20	13	14	73.3%
Canopy Signs	65.2%	64.2%	54.2%	82.0%	73.3%
Flag	53.4%	46	13	76.3%	33.3%
Gateway Sign	49	17	12	10	66.7%
Sign at the Home of the Business	55.1%	54.6%	50.0%	58.8%	66.7%
Signage that announces the business	63	74.2%	18	13	60.0%
Interactivity	55	20	14	14	46.7%
Marquee Signs	63.8%	64.0%	56.2%	82.0%	73.3%
For business, conference facilities	47	15	12	11	60.0%
Monument Signs	41	17	10	9	33.3%
Off Premise Signs	37	9	8	7	20.0%
Pole Signs	46.7%	46.4%	45.8%	64.7%	26.7%
Post Signs	47	13	12	14	53.3%
Wall Signs	65.3%	64.5%	75.0%	76.3%	53.3%
Window Signs	72	25	18	17	80.0%

City Sign Ordinance Survey  
Cross Tab Report

City Sign Ordinance Survey  
Cross Tab Report

Date: 11/21/2011 1:14 PM PST  
File: No filter applied

With regards to business closures in the North Metro Bay/Quintana area, which of the following signs would you reappearing? (Check all that apply)

	Total	Downtown	Collaboration	North Metro Bay/Quintana	Other, please specify
A Frame Signs	52	17	12	11	73.3%
Awning Signs	77.3%	80.0%	78.2%	73.4%	86.7%
Banners as a Sign	36	32	34.8%	8	53.3%
Billboard	40.6%	40.0%	42.1%	8	53.3%
Bus Signs	61.8%	53.3%	73.0%	14	60.0%
Canopy Signs	54	21	14	10	60.0%
Sign at the Home of the Business	60.7%	70.0%	60.0%	52.6%	60.0%
Signage that announces the business	71.0%	73.2%	82.0%	73.7%	60.0%
Interactivity	59	22	16	13	53.3%
Marquee Signs	64.3%	73.3%	69.0%	68.6%	53.3%
For business, conference facilities	65.2%	70.2%	69.0%	63.2%	60.0%
Monument Signs	49	20	12	6	53.3%
Off Premise Signs	40.2%	50.0%	47.8%	36.6%	20.0%
Pole Signs	50	15	14	14	46.7%
Post Signs	57.2%	53.2%	66.0%	73.2%	46.7%
Wall Signs	62	23	10	14	73.3%
Window Signs	83.1%	80.0%	82.6%	100.0%	60.0%

# *Sign Workshop*

## *Discussion Summary*

### *September 29, 2011*

#### *What are your goals/expectations?*

##### *(Individual responses)*

- Want A-Frames
- General signage cleaned up/less tacky
- Clean up trees so signs can be seen
- Different areas, different types of signs
- Simplify and shorten ordinance
- No fees for signs
- Some fees ok
- Feather flag/banners allowed
- Business point of view
- Need equal enforcement

#### *Other Areas Represented*

- Quintana/Highway Commercial
- The whole City

#### *Sign Ordinance Working for You?*

- A-Frame – signifies business open for business
- A-Frames capture visitor business
- Different signs work in different areas
- A-Frames off premise for businesses that have moved to a new location
- No-enforcement of existing sign ordinance
- Need proper signage, not necessarily A-Frame
- Ordinance very old
  - 1974
  - Done by CP Students
  - Different trends in signage
  - Not for a beach community

#### *Are you happy with the way sign look?*

- Personality of signs gone/lack of personality
- Alternative to A-Frame
- Directional signs small and faded
- Signs need to be clean and vibrant
- A-Frame not appropriate
  - Messy, need professional sign
- Need theme for town

#### *Different Areas/Signs*

- 100% Yes
- A-Frame on the waterfront is bad and dangerous
- Need appropriate signs
- Density of businesses in the commercial district, signage should be adjusted to what makes sense
- Ordinance is one size fits all/Generic
- Uniformity, clean, functional, presentable, usable
- Uniform –lose personality; theme is ok

#### *Signs in the Downtown Area*

- Likes: Awnings, Pub
- Ability to have multiple sign types
- Movie Theater – changeable copy
  - Not in other business downtown
  - Maybe for tire store/industrial
- Off premise signs

#### *Signs on Embarcadero*

- Likes: Pub, Awning, Pole, Monument
- Keep sidewalk /pedestrian area clear
- Awning/Pub walking area hard to see from car
- Attract attention/Customers – options
- Safety of signs/flag signs on the Embarcadero (appropriate signs)

#### *Signs along Highway*

- Likes: Flag, Pole, Awning
- 55 mph/highway
- 40 mph/Main Street
- Need to catch visitors
- Different needs than other commercial areas
- Entrance to Morro Bay, signs need to be uniform, make the signs nicer
- Directional signs need to be for all of Morro Bay – all signs point to the Embarcadero
- Need signs with movement and bold

#### *Signs in Residential Area*

- Likes: Pole, Monument
- None – do not like signs in residential
- Need real estate signs 100% yes
- Vacation Rentals – size regulations
- Temporary Sign – ok

***Types of Signs [should have been included on polling list]***

- Car signs
- Window signs
- Directional signs

***Window Signs***

- Temporary, ok
- Not attractive
- Address in ordinance

***Multiple Signs Without Penalty?***

- No penalty within reason
  - Problems with too many signs
- Options
- Ratio, multiple types

***Murals Considered Signs?***

- Murals not signs
- No process for reviewing murals (current)
- Different agencies regulate murals
- Murals should not fall under the sign ordinance
- If murals relate to business then it is a sign
- Anti-Graffiti movement
- Historic murals of the town, character of the City

***Minimum Size Sign Guaranteed***

- Should be a ratio
- Some minimum for tiny stores
- Small frontage has sign area (ratio)
- Long business names need more area

***Allow Special Exceptions***

- Necessary for special circumstances

***Reader Boards***

- Specific to hotels
- Putting price creates price wars
- Restaurants

***Materials***

- Condition of materials is important (i.e. flag signs)
- Maintenance
- Signs up to business owner for maintenance
  - if they look bad, business owners issue
  - City micro managing if enforce maintenance of signs
- Some enforcement o.k.
- Want to allow creativity of sign materials
- Needs to be quality materials

## Preliminary Sign Options

	Downtown Area		Embarcadero		North Morro Bay	
<b>General Sign Area Calculations</b>	2 square feet for each 1 foot of linear building frontage	<i>This represents a 100% increase in signage allowed when utilizing multiple types of signage.</i>	2 square feet for each 1 foot of linear building frontage for single tenant buildings	<i>In addition to the 2 square feet allowed all Multi tenant buildings shall be allowed to have one 16 square foot in size sign facing the Embarcadero identifying the building such as "Marina Square"</i>	2 square feet for each 1 foot of linear building frontage	
<b>A Frame Signs</b>	Not Allowed		Not Allowed		Not Allowed	
<b>Awning Signs</b>	Allowed		Allowed		Allowed	
<b>Signage</b>	Not Allowed		Not Allowed		Not allowed	
<b>Dock signs</b>	Not Allowed		Entrances to dock facilities shall be allowed signage to advertise businesses being run from the dock such as commercial fishing and tourist cruises.		Not Allowed	
<b>Flag</b>	Not Allowed	See Pub Signs	Not Allowed	See Pub Signs	Not allowed	See Pub Signs
<b>Gateway Signs</b>	Concepted would be to allow a type of sign at the entrance at Morro Bay Blvd to annouce the downtown area		Concepted would be to allow a type of sign at the entrance to the Embarcadero to identify the area		Concepted would be to allow a gateway type of sign at the entrance to North Morro Bay.	
<b>Illuminated, Internally</b>	Not Allowed		Not Allowed		Allowed	
<b>Illuminated, Externally</b>	Allowed		Allowed		Allowed	

<b>Marquee Signs</b>	Allowed for Theatres, nightclubs, conference facilities		Allowed for Theatres, nightclubs, conference facilities		Allowed for Theatres, nightclubs, conference facilities	
<b>Monument Signs</b>	Allowed, externally illuminated, only		Allowed externally illuminated, only		Allowed internally or externally illuminated	
<b>Off Premise Signs</b>	Not Allowed except for community business directory kiosks and City Directional Signs.		Not Allowed except for community business directory kiosks and City Directional Signs.		Not Allowed except for community business directory kiosks and City Directional Signs.	
<b>Pole Signs</b>	Not allowed		Not allowed		Allowed	
<b>Pub Signs</b>	Allowed, non illuminated or externally illuminated	Can be utilized to note open or closed and capture visitor business	Allowed, non illuminated or externally illuminated	Can be utilized to note open or closed and capture visitor business	Allowed, non illuminated or externally illuminated	Can be utilized to note open or closed and capture visitor business
<b>Wall Signs</b>	Allowed Downtown with exterior illuminated (such as gooseneck or nonilluminated)		Allowed Embarcadero with exterior illuminated (such as gooseneck or nonilluminated)		Allowed	
<b>Window Signs</b>	Allowed for relocating businesses with the permission of property owner for a period not to exceed 30 days.		Allowed for relocating businesses with the permission of property owner for a period not to exceed 30 days.		Allowed for relocating businesses with the permission of property owner for a period not to exceed 30 days.	
<b>Time limits for nonconforming signs</b>	Remove Section 17.68.155		Remove Section 17.68.155		Remove Section 17.68.155	

# ATTACHMENT 3

Morro Bay, California, Code of Ordinances >> Title 17 - ZONING\* >> Chapter 17.68 - SIGNS >>

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## Chapter 17.68 - SIGNS

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### Sections:

- [17.68.010 - Purpose and intent.](#)
- [17.68.015 - Findings.](#)
- [17.68.020 - Definitions.](#)
- [17.68.030 - Prohibited signs.](#)
- [17.68.040 - Advertising on city property.](#)
- [17.68.050 - Miscellaneous specifications.](#)
- [17.68.060 - Permits.](#)
- [17.68.070 - Exceptions.](#)
- [17.68.080 - Minor adjustments.](#)
- [17.68.090 - Planning commission interpretation.](#)
- [17.68.100 - Exception permits.](#)
- [17.68.110 - Signs in various zones.](#)
- [17.68.120 - Miscellaneous signs and their regulations.](#)
- [17.68.130 - Maintenance.](#)
- [17.68.140 - Abandoned signs.](#)
- [17.68.150 - Existing nonconforming signs.](#)
- [17.68.155 - Time limits for nonconforming signs.](#)
- [17.68.160 - Penalties for violation.](#)

### **17.68.010 - Purpose and intent.**

It is the purpose of this chapter to regulate signs as an information system which expresses the character and environment of the city and its community. It is further intended that these regulations recognize the importance of business activity to the economic vitality of the city. Standards shall attempt to:

- A. Encourage communications which aid orientation and identify activities;
- B. Preserve and enhance the aesthetic character of the surroundings;
- C. Relate signing to basic principles of good design, encouraging pleasing community appearance; and
- D. Restrict signs which overload the public's capacity to receive information, violate privacy or which increase the probability of accidents by distracting attention or obstructing vision.

*(Ord. 445 § 3 (part), 1995)*

### **17.68.015 - Findings.**

In adopting the regulations for signs, the city council does find the following:

- A. That an excessive amount of signage, both in terms of number and size, as well as improper shape or design, can be distracting to motorists and pedestrians and this condition adversely effects the public safety by creating a potential traffic hazard;

- B. That excessive and poorly designed signs are confusing and reduce the effectiveness of all signs; this condition reduces the ability of residents and visitors to readily locate public facilities as well as businesses and services. Consequently, this condition not only adversely affects public safety by interfering with safe travel but also affects the public welfare by reducing convenience to residents and visitors and the viability of commercial districts;
- C. That signs provide important information to the public for a variety of purposes: excessive and poorly designed signs interfere with the effective transmitting of this information to the detriment of the public welfare;
- D. That excessive and poorly designed signs detract from the city's appearance and visual environment: this fact is recognized both in the city's general plan as well as its certified local coastal program. The visual environment is important to the property values and pleasant, enjoyable quality of life for residents and, therefore, signs which degrade that environment adversely affect the public welfare. Furthermore, the visual quality of the coastal zone, which encompasses virtually the entire city, is recognized in the California Coastal Act as a resource of statewide importance and, therefore, regulation of the size, shape, design and other features of signs which become part of the visual environment and which can detract from it if not carefully controlled is important for protecting this public resource. Also, the visual quality of the city enhances its appeal to the tourists who contribute significantly to the local economy; therefore, protection and enhancement of the visual environment is important to the vitality of the local economy.

*(Ord. 445 § 3 (part), 1995)*

#### **17.68.020 - Definitions.**

For purposes of this chapter, the following definitions shall apply:

"Area of sign" means and shall be computed as the entire area measured in square feet, within a single continuous perimeter enclosing the extreme limits of lettering, representations, emblems, logos or any figure or integral part of the display or used to differentiate such sign from the background against which it is placed (exclusive of a background panel the same color as the wall to which it is attached). Only one face of a double-faced sign shall be considered in determining sign area provided both sides are of essentially similar design and not more than twelve inches apart and on planes parallel to each other. The support, uprights or structure on which any sign is supported shall not be included in determining the sign area unless such supports, uprights or structures are designed in such a manner as to form an integral part of the sign display. Where a sign consists of a series of individual letters, numerals, symbols or other similar components and is painted or attached flat against the wall of a building or structure, and where such components are without integrated background definition and are not within a circumscribed or framed area, the total area of the sign shall be defined as the sum of the area within not more than eight straight lines enclosing such components plus twenty percent of the area within the lines. Stripes or designs on the building whose principal purpose is to accentuate, highlight or exaggerate sign(s) shall be construed as part of such sign(s) when calculating area of sign(s).

"Attraction board" means a device used to display information regarding conveniences, services and rates currently offered by facilities providing temporary accommodation.

"Bench sign" means a sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.

"Billboard" means the same as outdoor off-site freestanding sign.

"Canopy" means an ornamental rooflike structure upon which a sign may be attached or otherwise affixed which is usually located over gasoline pumps.

"Changeable copy sign" means a sign designed so that characters, letters or illustrations can be changed or rearranged without substantially altering the face or the surface of the sign.

"Director" means the community development director or his authorized representative(s).

"Display structures" for pedestrian viewing mean and include enclosed display of products sold, bulletin type advertising stands such as racks or directory signs as defined in this section.

"Display surface" means the area made available by the sign structure for the purpose of making visible the advertising message.

"Freestanding sign" means any sign which is supported by one or more uprights, poles or braces in or upon the ground which are not a part of any building or enclosed within the exterior walls of any building, and are separated therefrom by a distance of at least six inches.

"Frontage" means, for purposes of computing allowable sign area, the linear measurement in feet of the property line directly fronting on a public street, or other public right-of-way to which such sign is oriented, excluding California State Highway One.

"Height of a sign" means the greatest vertical distance measured from the ground level directly beneath the sign to the top of the sign or from the nearest property line fronting on a public street, whichever is lower.

"Illuminated sign" means a sign which uses an artificial light source to make the message readable.

"Marquee" means a permanent roof structure attached to and supported by a building and projecting therefrom. A "marquee sign" is any sign affixed to a marquee.

"Monument sign" means a freestanding sign not exceeding eight feet in height and relating to the design and building materials and the architectural theme of the buildings on the same property.

"Outdoor-off-site freestanding sign" means a sign placed for the purpose of advertising products or services that are not produced, stored or sold on the property or any other subject not related to the property or use of the property, upon which the sign is located.

"Pole sign" means any freestanding sign exceeding eight feet in height.

"Projecting sign" or "pedestrian sign" means a sign other than a surface sign which extends outwards, suspended from or supported by a building or structure.

"Roof sign" means a sign erected upon, over or above the roof of a building or structure, or any sign affixed to the wall of a building so that it projects above the eave line of a roof.

"Sign" means any medium, including its structure and component parts, which is primarily used for, or having the effect of attracting attention from streets, parking lots, sidewalks or other outside public private areas.

"Temporary sign" means any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard, paper or other light materials, with or without frames, intended to be displayed for a limited period of time only.

"Wall sign" means any sign attached to, erected against or painted upon the wall of a building or structure, the face of which is in a single plane parallel to the plane of the wall. Such sign shall not project from the building more than twelve inches, or extend above the roofline or parapet line.

"Wind sign" means banners or objects of plastic or other light material designed to move and attract attention for purposes of advertising upon being subjected to pressure by wind or breeze.

"Window sign" means any sign placed inside or upon a window facing the outside and which is intended to be seen from the exterior.

*(Ord. 445 § 3 (part), 1995)*

### **17.68.030 - Prohibited signs.**

The following types of signs are prohibited:

- A. Roof signs, except as otherwise provided in this section;
- B. Signs which incorporate, in any manner, any flashing, moving, pulsating or intermittent lighting, with the exception of approved time and temperature displays;
- C. Signs in connection with any home occupation;
- D. Bench signs or advertising signs located on other similar structures provided for the use of passengers along the route of a bus, not including plaques containing the names of persons or organizations which have made gifts or donations of such street furniture;
- E. Signs which make noise;
- F. Signs placed or displayed on vehicles parked in a conspicuous location to be used for on-site or off-site advertising, with the exception of signs advertising such vehicles for sale and vehicle identification signs in locations where sale of vehicles is permitted;
- G. Billboards;
- H. Tire stacks;
- I. Signs incorporating the words "stop," "look," or "danger;"
- J. Illuminated signs of red, green or yellow within a view of a signalized intersection, or any unofficial sign, signal or device which purports to be or is an imitation of or resembles, any official traffic sign or signal, or which attempts to direct the movement of traffic, or which interferes with the visibility of any official traffic control device or warning signal;
- K. Sandwich board or A-frame signs, and other portable signs or posters of a miscellaneous or temporary character which are tacked, painted, pasted or otherwise placed or affixed and made visible from a public way, on the walls of buildings, on barns, sheds, trees, fences, utility poles or other structures, sidewalks or patios, except as otherwise provided in this section;

- L. Signs which move or rotate in whole or in part, except for barber poles or clocks;
- M. Signs, banners, pennants, valances or any other advertising display constructed of cloth, canvas, light fabric, paper, cardboard, wallboard or other light materials except for awnings and temporary signs as provided for in this chapter;
- N. Signs on fences or free standing walls not part of a building.

*(Ord. 445 § 3 (part), 1995)*

#### **17.68.040 - Advertising on city property.**

No person, except a public officer in performance of a public duty, shall paste, post, print, nail, tack, suspend or otherwise affix or place any card, banner, handbill, sign, poster, flag, advertisement or notice of any kind over any sidewalk, alley, street, land, park or other public place or property of the city, except as may be required by other city, county, state or national regulations, or without first obtaining the approval of the planning director. Application for such approval shall be made in writing stating the manner of intended use the method of erection and the purpose of intended use and the length of time requested. The director may require an exception permit or such other required permit prior to approving such uses.

*(Ord. 445 § 3 (part), 1995)*

#### **17.68.050 - Miscellaneous specifications.**

- A. **Obstruction to Exits.** No sign shall be erected so as to obstruct any fire escape, required exit, window or door opening intended as a means of egress.
- B. **Obstruction to Ventilation.** No sign shall be erected which interferes with any opening required for ventilation.
- C. **Clearance from Electrical Power Lines and Communication Lines.** Signs shall maintain all clearances from electrical conductors in accordance with the regulations of the California Public Utilities Commission and the orders of the Division of Industrial Safety, state of California, and from all communications equipment or lines located within the city.
- D. **Clearance from Surface and Underground Facilities.** Signs and their supporting structures shall maintain clearance and noninterference with all surface and underground facilities and conduits for water, sewage, gas, electricity and communications equipment or lines. Signs shall not be placed in public utility easements unless express written permission from the affected public utility is obtained for the sign.
- E. **Drainage.** The roofs of canopies or marquees exceeding twenty-five square feet shall be drained to prevent dripping or flow onto public sidewalks or streets and shall be connected to an approved disposal source of adequate conductors.
- F. **Visible Supports.** Visible angle iron or other frames supporting projecting signs and canopy signs as well as chain supports are prohibited, except those structures of an artistic nature which are integral to the sign's aesthetic design.
- G. **Glare Prohibited.** No sign shall be permitted to emit undue reflection or glare on surrounding property. No sign shall emit or reflect light exceeding ten foot-candle power at ten feet from the face of the sign.
- H. **Sign Orientation.** No sign shall be permitted which is so oriented as to be viewed primarily across an adjacent private property line; all signs must be visible directly from a public right-of-way, other public open space or parking lot or courtyard on the same site as the sign,

without view lines extending over private property different from that on which the sign is located.

- I. Lighting. Light sources shall be steady and stationary. Lighting shall not be distracting to pedestrians, motorists and neighboring property. No sign shall emit or reflect light exceeding ten foot-candle power at ten feet from the face of the sign.
- J. Projecting Signs and Rooflines. No projecting sign shall extend above the roofline or parapet of the building or structure to which it is attached.

(Ord. 445 § 3 (part), 1995)

### 17.68.060 - Permits.

- A. Required. No sign shall be erected or altered, including painted signs, without first obtaining a permit to do so from the director or his authorized representative, except as otherwise provided in this chapter. No permit shall be issued for any sign which does not conform to adopted sections of the Uniform Building Code and Uniform Sign Code and to other applicable provisions of the construction standards of the city. The director may apply reasonable conditions to the approval of a sign permit to help ensure compliance with this chapter.
- B. Application. Application for a sign permit shall be made in writing upon forms furnished by the community development department. Such application shall include a sign plan as required in this section.
- C. Fees. Applications for a sign permit shall be accompanied by a fee in the amount set by resolution of the city council.
- D. Sign Plan Required. Application for a sign permit as required by this chapter shall be accompanied by a plan or plans drawn to scale, which includes the following:
  - 1. The proposed design, dimensions, copy, color, lighting methods and location of the sign on the property, including the dimensions of the sign's supporting members, and details of all connections, guy lines, supports and footings, and materials to be used;
  - 2. The maximum and minimum height of the sign;
  - 3. The method of attachment to any structure;
  - 4. The position (orientation) of the proposed sign and its relation to adjacent buildings and structures, property lines and public rights-of-way;
  - 5. The size and color relationships of such sign to the appearance and design of existing or proposed buildings and structures on the property;
  - 6. The location of off-street parking facilities, including major points of entry and exit for motor vehicles where directional signs are proposed;
  - 7. The sizes and dimensions of all other signs existing on the property;
  - 8. The location and size of any building(s) or structure(s) on the property, both existing and proposed;
  - 9. A statement of sign valuation;
  - 10. Such other information as the community development director may reasonably require to secure compliance with this chapter and the ordinances of the city;
  - 11. Where the scale and scope of the sign proposal so warrants, the director may waive some of the informational requirements above, provided all information necessary for adequate review of the proposal is submitted.
- E. Sign Review Criteria. The allowed number and area of signs as outlined in this chapter are intended to be maximum standards which do not necessarily ensure architectural

compatibility. Therefore, in addition to the enumerated standards, consideration shall be given to a sign's relationship to the overall appearance of the subject property. Simplicity and sign effectiveness shall be considered along with the following criteria in review of signs. In approving a sign permit or sign exception permit as provided for in Section 17.68.070 the reviewing body must find that these criteria are met:

1. The sign is consistent with the intent and purpose of this chapter;
2. The sign does not constitute a detriment to public health, safety and welfare;
3. The size, shape, color, materials, design and location of the sign are compatible with and bear harmonious relationship to all signs on a parcel and to the use, as well as to the neighborhood and surroundings;
4. Signs on all proposed buildings or new additions to existing buildings are designed as an integral part of the total building design;
5. The location of the proposed sign and the design of its visual elements (lettering, words, figures, colors, decorative motifs, spacing and proportions) are legible under normal viewing conditions prevailing where the sign is to be installed;
6. The location and design of the proposed sign does not obscure from view or unduly detract from existing or adjacent signs;
7. The location and design of the proposed sign, its size, shape, illumination, and color does not detract from or interfere with or intrude upon adjacent properties or their occupants;
8. The location and design of a proposed sign in close proximity to any residential district does not adversely affect the value or character of the adjacent residential district;
9. Review of signs at city entryways as defined in the city's scenic highway element shall also be subject to the following provisions:
  - a. Sign area, height and location shall be designed so as not to interfere with view corridors as defined and specified in the coastal plan/coastal element;
  - b. Freestanding signs shall not exceed eight feet in height except within two hundred feet of Highway One or Highway 41 where the provisions of Section 17.68.110 shall apply. Where feasible, all freestanding signs within or along city entryways shall be placed within a landscaped planter.

*(Ord. 445 § 3 (part), 1995)*

### **17.68.070 - Exceptions.**

The following signs or modifications to signs shall not require a sign permit. These exceptions shall not be construed as relieving the owner of the sign from the responsibility of its safe erection and safe and attractive maintenance, and its compliance with applicable provisions of this chapter or any other law or chapter regulating same:

- A. Changing Copy. The changing of the advertising copy or message of an approved sign specifically designed for the use of replaceable copy;
- B. Maintenance. The electrical, repainting or cleaning maintenance of a sign;
- C. Nameplates. Signs not exceeding one square foot in area and bearing only property numbers, post box numbers, or names of the occupants of premises;
- D. Government Flags. Flags and insignia of any government, except when displayed in connection with commercial promotion;
- E. Legal Notices. Legal notices, identification information, or directional signs erected by government bodies;

- F. Architectural Features. Integral decorative or architectural features of buildings except letters, trademarks, moving parts or lights;
- G. Traffic Direction Signs. Signs directing and guiding traffic and parking on private property, not exceeding three square feet in area but bearing no advertising matter;
- H. Announcement Signs. One sign per street frontage on real property where construction, structural alteration or repair is to take place, or is taking place, which contains information regarding the purpose for which the building is intended and the individuals connected with the project, including names of architects, engineers, contractors, developers, finances and tenants, provided the area of such sign shall not exceed sixteen square feet in area;
- I. Real Estate and "Open House" Signs. During the period which real estate is offered for sale or lease, one sign per frontage not exceeding four square feet in area in R-1 or R-2 residential districts, or eight square feet in other districts, advertising the sale, lease, or rent of the property upon which it is located and the identification of the person or firm (agent) handling such sale, lease or rental. Such signs shall not exceed six feet in height. No flags or banners are permitted. One off-site "Open House" sign, not to exceed eighteen inches by twenty-four inches in area for providing direction to real estate which is available for inspection and sale, during daylight hours only, for a period not to exceed thirty days and with permission of property-owners of site on which such sign is placed;
- J. Subdivision Signs. One sign per street frontage, signs not exceeding fifty square feet in aggregate area, for the advertising of the sale of a subdivision may be displayed on the site of the subdivision upon approval of a final map and initiation of construction for a period of one year. The display period may be extended by written approval of the planning director for a reasonable period of time, not to exceed one year at any one time;
- K. Plaques. Commemorative plaques placed by historical agencies recognized by the city of Morro Bay and county of San Luis Obispo or the state of California, consisting of noncombustible material (e.g. bronze or stone);
- L. Political Campaign Signs. Political campaign signs not to exceed sixty-four square feet in area per site shall be permitted only on private property;
- M. Signs on Awnings, Etc. Painted, nonilluminated or indirectly lighted signs may be permitted on the borders of canopies, awnings, arcades or similar attachments or structures if located and, erected in a manner satisfactory to the director or an authorized representative. Such signs shall be included in the total permitted sign area;
- N. Decorative Wind Socks. Decorative wind socks not exceeding six feet in length, not advertising any location, business, goods or services and not extending over public property. Such signs extending over public property shall obtain a sign permit prior to installation;
- O. Garage Sale Signs. One unlighted sign shall be permitted for garage sales, provided such sign shall not exceed four square feet in area and shall be displayed on the property where such sale shall take place and only on the day of said sale.

*(Ord. 493, 2002; Ord. 445 § 3 (part), 1995)*

#### **17.68.080 - Minor adjustments.**

The director may grant for either new or existing signs, minor adjustments to sign colors, landscaping requirements or height, or authorize deviations from sign area not to exceed twenty percent; and on sloping roofs, the allowance of roof signs not to extend above the ridge line, for existing buildings only, when it is determined that no other possible, reasonable method of sign is available. In granting adjustments, the director may apply reasonable conditions to help ensure that the provisions of this chapter are met.

*(Ord. 445 § 3 (part), 1995)*

#### **17.68.090 - Planning commission interpretation.**

The planning commission shall have authority and duty to interpret the provisions of this chapter at the request of the planning director, or when a written appeal from a decision of the director is filed with the planning commission. Decisions made by the planning commission may be appealed to the city council within ten days of that decision.

*(Ord. 445 § 3 (part), 1995)*

#### **17.68.100 - Exception permits.**

Exception permits for signs not conforming with the provisions of this chapter may be granted by the planning commission, pursuant to the following provisions:

- A. Application. Application for an exception permit shall be made by the sign owner or by the lessee if approved by the property owner in writing, on a form prescribed by the city, and shall be accompanied by a fee as established by resolution of the city council;
- B. Public Hearing. Upon receipt of the required application and fee, a public hearing shall be held by the planning commission. Notice of such hearing shall be given by publication in the official newspaper of the city at least ten days prior to the hearing and by mailing the notice, postage prepaid, at least five days prior to the hearing to all property owners whose names and addresses appear on the latest adopted tax roll as owning property within a distance of three hundred feet from the exterior boundaries of the applicant's property;
- C. Provisions for Granting. Exception permits may be granted if the commission finds that the sign will not be contrary to the purposes of this chapter, will not be materially detrimental to the health, safety, comfort or general welfare of persons residing in the neighborhood or detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the city, and that adverse effects can be prevented with the imposition of conditions. The planning commission may impose conditions on the approval of a sign exception permit to ensure that the above listed provisions are met;
- D. Imitating Traffic Signs. Exception permits shall not be granted for signs imitating traffic signs or affecting visibility of traffic-control devices, as prohibited in this chapter. No exception permit shall be granted for illuminated signs of red, green or yellow within view of a signalized intersection;
- E. Appeal. In cases where the applicant or any other person is not satisfied with the action of the planning commission, they may within ten days, appeal the decision of the commission to the city council on forms provided by the city. Notice shall be given to the planning commission of such appeal and the commission shall submit a report

to the city council setting forth the reasons for the action taken. The city council shall render its decision within sixty days after the filing of such appeal.

(Ord. 445 § 3 (part), 1995)

### 17.68.110 - Signs in various zones.

The following regulations regarding signs shall apply to the specified zoning districts as provided below: sign permits shall be required for the sign types described in the following zones unless expressly exempted:

- A. Agriculture Zone. One unlighted sign per street frontage for the purpose of advertising the sale of products grown on the premises may be allowed in the agriculture zone and shall not require a sign permit. The aggregate area of such signs shall not exceed eight square feet per property.
- B. Residential Zones. The following signs may be permitted in residential zones:
  - 1. Surface Signs. One identification surface sign not to exceed twenty square feet in area shall be permitted on any multifamily dwelling of more than four attached units;
  - 2. One surface sign or monument sign not to exceed .5 square feet per one linear foot of frontage or twenty-four square feet, whichever is less, shall be permitted for other allowable nonresidential uses, except as otherwise provided in this chapter;
  - 3. For hotels, motels and bed and breakfast establishments in R-4 districts, signs may be permitted in accordance with the provisions for commercial and industrial zones as provided in subsection I of this section as well as attraction boards as provided in Section 17.68.120
  - 4. For bed and breakfast establishments in R-3 districts, one surface sign or monument sign not to exceed .5 square feet for each linear foot of frontage, and attraction boards as provided in the Section 17.68.120
  - 5. Subdivision or Tract Name Signs. One nonilluminated sign not to exceed twenty-four square feet in area or one nonilluminated sign not to exceed twelve square feet each per exclusive entrance to a subdivision or tract name with a maximum of four per tract shall be permitted;
  - 6. Mobile Home Parks. A mobilehome park may be allowed one externally illuminated or nonilluminated identification sign, not to exceed the equivalent of one square foot of sign area per ten linear feet of frontage on each right-of-way upon which it takes vehicular access. No sign shall have a surface area of greater than thirty square feet or be erected at right angles to the right-of-way. Such signs shall not exceed eight feet in height.
- C. Commercial and Industrial Zones. The following signs may be permitted in commercial and industrial zones, except the G-O zone:
  - 1. Surface signs and aggregate allowable area per site:
    - a. Provided no other types of signs are erected on the property, surface signs may be permitted to a maximum area of two square feet for each one linear foot of building frontage on the site.
    - b. Where surface signs are used in conjunction with other types of signs on the same site, the aggregate area allowed for all signs shall not exceed one square foot for each one linear foot of building frontage on the site.

- c. Any sign, or the aggregate of all signs for any one property shall require an exception permit if such signs exceed two hundred square feet in area, or except if the sign program is approved pursuant to a conditional use permit or coastal development permit.
  2. Monument Signs. One monument identification sign not to exceed six feet six inches in height may be permitted per site. Monument signs set back at least five feet from the property line(s) may be eight feet in height provided, however, such sign is placed in a landscaped planter or berm subject to approval by the director. Monument signs may be placed in required setback areas but must be a minimum of one foot from the property line. Monument signs shall not interfere with safety sight angles on corners and at driveways. As a condition of any sign permit for a monument sign, additional landscaping of the site may be required to better integrate sign appearance with the site.
  3. Projecting Signs. The total area of a projecting identification sign shall not exceed one square foot for each one linear foot of building frontage on the site. No projecting sign shall encroach more than twelve inches over a public right-of-way. In addition such signs shall be a minimum of eight feet in height above a sidewalk or other public pedestrian right-of-way and shall otherwise comply with applicable provisions of Title 14 of this code.
  4. Pole Signs. One pole sign for identification purposes only may be allowed per business site or per shopping center, subject to the following conditions:
    - a. For a shopping center the total area of the sign shall not exceed one square foot for each linear foot of property frontage, or one hundred square feet, whichever is less;
    - b. Such signs shall not encroach more than twelve inches over a public right-of-way;
    - c. Such signs shall not exceed fifteen feet in height; except within two hundred feet of Highway One where twenty-five feet may be approved subject to a conditional use permit approved pursuant to Chapter 17.60
    - d. Such signs shall be placed within a landscaped planter;
    - e. As a condition of any sign permit for a pole sign additional landscaping of the property may be required where needed to better integrate sign appearance with the site through scale and softening effects;
    - f. Such signs and their supporting elements shall be designed so as to be harmonious with any building or structures on the site, including architectural style, colors and scale;
    - g. Other provisions of this section notwithstanding, no pole sign shall be permitted on a property which fronts on a street right-of-way (excluding Highway One) which directly faces an R-1, R-2 or R-3 zoning district.
  5. Marquee Signs. One marquee sign may be permitted in conjunction with theaters, museums, galleries and similar uses subject to obtaining a sign exception permit. One identification sign not to exceed twelve inches in the vertical dimension or six inches in thickness (width) may be placed immediately below the marquee sign. Such sign shall not project beyond the marquee face, nor be less than eight feet above a sidewalk or other public pedestrian right-of-way. Removable copy may be changed on the face of permitted marquee signs without securing a sign permit;
  - 6.

- Restaurant Menus. In addition to those signs permitted by this chapter, a restaurant may display a sign not to exceed three square feet in area on a wall or window, which displays the menu and/or daily specials;
7. Temporary Signs within Window Area. Temporary informational signs and posters including sale, special events and other similar signs, which do not exceed twenty-five percent of the window area, or ten square feet, whichever is greater may be located on the inside of the window, or painted on said window for a period not to exceed thirty days;
  8. Frontage and Placement.
    - a. A business in a building facing on more than one public right-of-way shall be allowed the full authorized sign area on one street and one-half the authorized sign area on the other street(s);
    - b. Any sign shall be oriented toward the public street on which they are located, or where no such public right-of-way exists, signs shall orient towards a common use parking lot or interior courtyard;
    - c. Where the principal sign for a business is located so that it cannot be seen by pedestrian traffic, an identification sign, in addition to that otherwise allowed by this chapter may be permitted by the director.
  - D. General Office Zone. The following signs may be permitted in the general office (G-O) zone: Monument or surface signs may be permitted as provided in subsection C of this section, except that the total area of all signs on a site shall not exceed one square foot per one linear foot of frontage, and provided however, freestanding signs exceeding eight feet in height are expressly prohibited.

*(Ord. 445 § 3 (part), 1995)*

### **17.68.120 - Miscellaneous signs and their regulations.**

- A. Display Structure. Display structures for pedestrian viewing as defined in this chapter shall be permitted in any commercial district upon granting of an exception permit as provided in this chapter. Such display structures shall comply with building setback requirements, shall have a total area not to exceed fifty percent of the sign area requirements as prescribed in the section on commercial and industry zones for surface signs and shall be illuminated only by indirect light, semidirect light or diffused light.
- B. Special Private Event Displays and Grand Opening Signs. Temporary signs and wind signs may be erected on the premises of an establishment having a grand opening or special event, provided that such signs shall be displayed for a period not to exceed thirty calendar days previous to such event. Such signs shall be removed within seven days after the event. Such signs may be used for not more than two periods each calendar year for any property or business.
- C. Directional and Community Promotional Display Programs. Directional and community promotion sign programs advertising, directing or informing pedestrian of business service or community events and services not related to or located on the site shall be permitted on private property in commercial use areas of the city, and on public lands or rights-of-way upon granting of an exception permit.
- D. Civic Event Signs on Private Property. Temporary signs not to exceed thirty-two square feet in area announcing a campaign drive or event of a civic, public, quasi-public, philanthropic, educational or religious organization shall be permitted on private property for a period not to exceed thirty days. Such signs shall be removed within fifteen days after the event.

- E. **Civic Event Signs on Public Property.** Temporary signs announcing a civic, public, quasi public, philanthropic, educational or religious organization purposes may extend over public property subject to obtaining an exception permit as provided in this chapter. Such signs may extend across a public street only by permission of the city council and shall maintain a minimum vertical clearance of fourteen feet six inches. No temporary sign may be displayed for a period exceeding thirty days, for each of two periods each calendar year.
- F. **Attraction Boards for Hotels, Motels and Bed and Breakfast Establishments.** An attraction board may be included in the design and allowable sign area for a hotel, motel, or bed and breakfast establishment, subject to the following:
1. The attraction board shall be designed and located so that it is made an integral part of the principal sign except as provided in this section;
  2. If the principal sign is designed and located on a building or in such a manner that an attached attraction board sign would detract from the appearance of the sign, a detached attraction board sign shall be allowed provided:
    - a. That the size of the detached attraction board sign shall be counted as pan of the total allowable sign area;
    - b. That the maximum allowed size for a detached attraction board sign shall be five square feet;
    - c. The name of the hotel or motel shall not be indicated on the attraction board sign.
  3. The following information shall be allowed on an attraction board sign:
    - a. Winter rate (excluding amount);
    - b. Vacancy;
    - c. Credit cards;
    - d. TV;
    - e. Pool;
    - f. Air conditioning;
    - g. Continental Breakfast;
    - h. Any other information as approved by the Director.
- G. **Signs on Awnings and Similar Overhangs.** Painted, nonilluminated or indirectly lighted signs may be permitted on the borders of marquees, canopies, awnings, arcades or similar attachments or structures, but not including mansard-style roofs or eaves, if located and erected in a manner satisfactory to the planning director or an authorized representative. Such signs shall be included in the total permitted sign area.

*(Ord. 445 § 3 (part), 1995)*

### **17.68.130 - Maintenance.**

Every sign, including those signs for which no permit is required, together with all supports braces, guys and anchors shall be maintained in a safe, presentable and good structural condition at all times. The display surfaces of all signs shall be kept neatly painted, posted or otherwise maintained at all times. The owner of property on which the sign is located shall be responsible for the condition of the area in the vicinity of the sign, and shall be required to keep this area clear, sanitary and free from noxious or offensive substances, rubbish and flammable waste materials.

*(Ord. 445 § 3 (part), 1995)*

**17.68.140 - Abandoned signs.** 

Any sign which is located on property that becomes vacant and is unoccupied for a period of three months or longer, or any sign which was erected for an occupant or business unrelated to the present occupant or business, except existing, nonconforming outdoor off-site freestanding signs, or any sign which pertains to a time, event or purpose which no longer exists shall be presumed to be abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of six months or more. An abandoned sign is prohibited and shall be removed, such removal shall be the responsibility of the property owner. Abandoned signs are found to be a public nuisance due to their misleading and distracting nature and due to their contributing to visual blight, detrimental to surrounding areas and the community generally.

*(Ord. 445 § 3 (part), 1995)*

**17.68.150 - Existing nonconforming signs.** 

Signs existing at the time of adoption of the ordinance codified in this chapter, which do not comply with the provisions hereof but which were legally erected pursuant to applicable state and city ordinances and policies in effect at the time of construction, shall be regarded as nonconforming signs, and are subject to the following:

- A. Whenever there occurs a change in the type of business or use with which a sign is associated, such existing signs for the prior business shall be removed or otherwise made to conform to the provisions of this chapter.
- B. A nonconforming sign may not be expanded, extended, reconstructed, or altered in any way in its location or orientation to enable it to be read or viewed from a different direction than its original position, except in the following cases:
  - 1. Such sign may be removed for purposes of repair and routine maintenance, including painting, provided such sign is replaced within sixty days of its removal;
  - 2. Minor sign face changes not involving changes in graphic design or color are permitted;
  - 3. Such sign may be removed for the purpose of remodeling a building provided replacement occurs within thirty days after remodeling is completed;
  - 4. If change of ownership of the business occurs, and no change to the type of business advertised by any nonconforming sign, the new owner may change any name or names on such sign provided there is no change in the sign size, configuration or orientation.
- C. A nonconforming sign destroyed by the elements, fire or other accidental cause, to an extent exceeding fifty percent of its original valuation shall not be replaced as a nonconforming sign.

*(Ord. 445 § 3 (part), 1995)*

**17.68.155 - Time limits for nonconforming signs.** 

The city council incorporates the time limits for compliance for nonconforming signs as originally adopted by ordinance and modified by Ordinance 242:

- A. Time Limits. There are declared to be the following time periods commencing six months from October 1, 1972, within which all nonconforming signs within the city shall be altered, removed, or otherwise made to comply with the provisions of this chapter:
1. All signs not in conformance with the requirements provided by Chapter 14.64 as in effect on October 1, 1972, eleven years from said October 1, 1972.
  2. Exception: The following time period shall apply to signs legally erected pursuant to a valid sign permit issued within two years immediately preceding October 1, 1972: All signs not in conformance with Chapter 14.64 as in effect on October 1, 1972, fifteen years from permit date.
- B. List of Nonconforming Signs.
1. Within six months of October 1, 1972, the building official shall compile a list of signs which as of said date do not conform to the provisions of this Chapter 14.64 and are subject to amortization in accordance with subsection A of this section, and file the same in his office.
  2. Notification.
    - a. Within three months after the filing, the building official shall cause to be mailed to the owners of property and the proprietor of premises on which nonconforming signs are located, notice of the existence of such nonconforming signs and the time within which the same must be made to conform or be abated;
    - b. For purposes of such notification, the last known name and address of the owner of the property in question shall be used, as shown on the last equalized assessment roll of the county of San Luis Obispo;
    - c. Notification to such owner of the property shall be deemed to be notification to the owner of the sign in question;
    - d. The mailing of such notice shall be done by certified mail. The failure of the owner to receive the same shall in no way impair the effectiveness of the provisions of this section or the validity of any proceedings taken for the abatement of any such sign.
- C. Abatement.
1. Nonconforming signs listed in subsection A of this section, shall either be made to conform with the provisions of this chapter, or abated within the applicable period of time set forth in subsection A of this section.
  2. In the event a sign is not abated in accordance with subsection (C)(1) of this section the building official shall order the same abated by the owner of the property and any other person known to be responsible for the maintenance of the sign. It is thereafter unlawful for any such person to maintain or suffer to be maintained any such sign on any property owned or controlled by him.
  3. Unless some other mode of abatement is approved by the building official in writing, abatement of nonconforming signs shall be accomplished in the following manner
    - a. Movable Signs—Rotations Exceeding Eight R.P.M. By reducing rate of rotation to eight r.p.m. or less or by removing the sign.
    - b. Other Signs. By removal of the sign, including its dependent structures and supports; or pursuant to a sign permit duly issued, by modification,

alteration or replacement thereto, in conformity with the provisions of this chapter.

*(Ord. 445 § 3 (part), 1995)*

**17.68.160 - Penalties for violation.** 

- A. Whenever a sign is found to be erected or maintained in violation of any provision of this chapter or of any other chapter or law, the director shall order that such sign be altered, repaired, reconstructed, demolished or removed as may be appropriate to abate such condition. Any work required to be done shall be completed within ten days of the date of such order, unless otherwise specified in writing.
- B. Failure, neglect or refusal to comply with such order of the director shall be sufficient basis for the revocation of any permit granted under this chapter.
- C. The director shall have the power and authority to remove or cause to be removed, at the owner's expense, any sign erected or maintained in violation of the provisions of this chapter.
- D. The installation and/or maintenance of a sign in violation of this chapter or in violation of any conditions affixed to a sign permit shall be deemed a misdemeanor.

*(Ord. 445 § 3 (part), 1995)*

# ATTACHMENT 4

*Division III – Regulations Applying in Some or All Districts*

## Chapter 17.22 Sign Regulations

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### Sections:

17.22.010	Purpose
17.22.020	Exempt Signs
17.22.030	Prohibited Signs
17.22.040	General Sign Standards
17.22.050	Regulations for Residential Districts
17.22.060	Regulations for Commercial Districts, Mixed-Use and Industrial Districts
17.22.070	Specific Sign Types and Standards
17.22.080	General Design Principles
17.22.090	Zoning Clearance or Sign Permit Required
17.22.100	Master Sign Program
17.22.110	Maintenance, Abandonment, and Removal
17.22.120	Provisions for Nonconforming and Illegal Signs
17.22.130	Appeals

### 17.22.010 Purpose

The purpose of this Chapter is to regulate signs as an information system that expresses the character and environment of the City of Morro Bay and its community. These regulations recognize the importance of business activity to the economic vitality of the City. Specifically, these regulations are intended to:

- A. Encourage communications which aid orientation and identify businesses and activities.
- B. Preserve and enhance the aesthetic character of the City.
- C. Apply basic principles of good design and sensitivity to community appearance to signage.
- D. Restrict signs that overload the public's capacity to receive information, violate privacy, or increase the probability of accidents by distracting drivers' attention or obstructing drivers' vision.

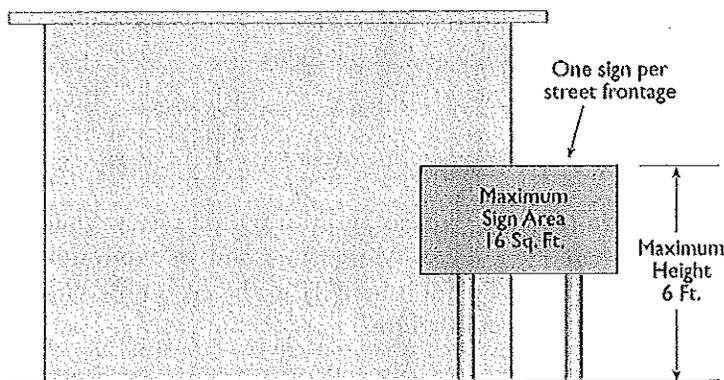
### 17.22.020 Exempt Signs

The following signs or modifications to signs do not require zoning conformance review, nor shall the area of such signs be included in the maximum allowable sign area measurement for the purposes of this Chapter. These exceptions shall not be construed as relieving the owner of a sign from the responsibility of the safe erection and safe and attractive maintenance of the sign, of obtaining a building permit where applicable, or

of compliance with applicable provisions of this Chapter or any other requirement of this Title.

- A. **Announcement Signs.** One sign, not exceeding 16 square feet in area and 6 feet in height, per street frontage on real property where construction, structural alteration or repair is to take place, or is taking place, which contains information regarding the purpose for which the building is intended and the individuals connected with the project, including names of architects, engineers, contractors, developers, finances and tenants. Announcement signs are exempt only for the duration of the construction of the building and shall be removed prior to issuance of a certificate of occupancy.

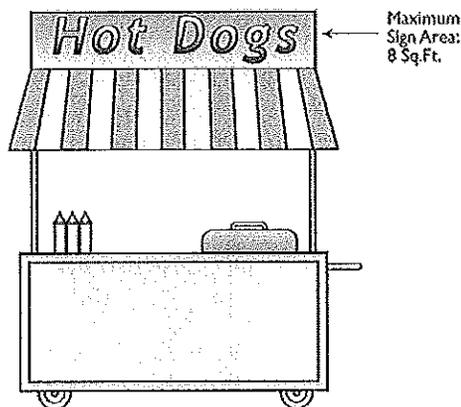
FIGURE 17.22-A: ANNOUNCEMENT SIGN STANDARDS



- B. **Change of Business Signs.** A temporary attachment or covering of wood, plastic, or canvas over a permanent sign indicating a change of ownership or activity may be displayed no longer than 30 days following the change of ownership or activity for which the sign is intended, or up to 90 days following issuance of a building permit. The sign shall be no larger than the previously permitted permanent sign.
- C. **Equipment Signs.** Signs, not more than eight square feet in sign area, incorporated into displays, machinery, or equipment by a manufacturer, distributor, or vendor that identify or advertise only the product or service dispensed by the machine or equipment, such as signs customarily fixed to automated teller machines (ATMs), gasoline pumps, menu boards, and umbrellas. If a vending machine is visible from the street, the sign area shall be included in the total sign area allowed for the use.
- D. **Flags.** Flags and insignia of any government, except when displayed in connection with commercial promotion.

- E. **Garage Sale Signs.** One unlighted sign is permitted for garage sales, provided such sign does not exceed four square feet in area and is displayed on the property where such sale shall take place only on the day of the sale.
- F. **Mobile Vendor (Non-permanent Vendor) Signs.** Signs fixed to mobile vending carts that identify or advertise the name, product, or service provided by the vendor. Each mobile vending cart is limited to a maximum sign area of eight square feet.

FIGURE 17.22-B: MOBILE VENDOR SIGN STANDARDS

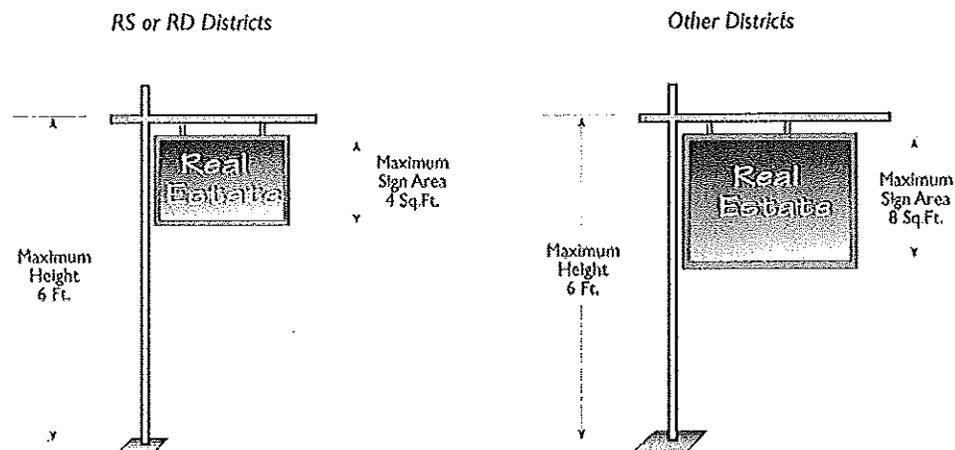


- G. **Official Government Signs and Legal Notices.** Official notices issued by a court, public body or office and posted in the performance of a public duty; notices posted by a utility or other quasi-public agent in the performance of a public duty; historical markers erected by a governmental body; identification information; directional signs erected by government bodies; or other signs required or authorized by law.
- H. **Parking and Directional Signs.** On-site parking and directional signs, not exceeding eight square feet in sign area and five feet in height, that do not include any advertising messages or symbols.
- I. **Political Campaign Signs.** One political campaign sign not to exceed 16 square feet in area, per site shall be permitted on private property, for a period not to exceed 60 days preceding an election. Such signs shall be removed within seven days after the election.
- J. **Real Estate and "Open House" Signs.** Signs conveying information about the sale, rental, or lease of a property and the identification of the person or firm (agent) handling such sale, lease or rental, provided they comply with the

following standards. Real estate and open house signs are exempt only during the period for which the property is offered for sale or lease.

1. *Maximum Number:* One on-site per frontage.
2. *Maximum Sign Area:*
  - a. *RS or RD Districts:* 4 square feet.
  - b. *Other Districts:* 8 square feet.
3. *Maximum Height:* 6 feet.

FIGURE 17.22-C: REAL ESTATE SIGN STANDARDS



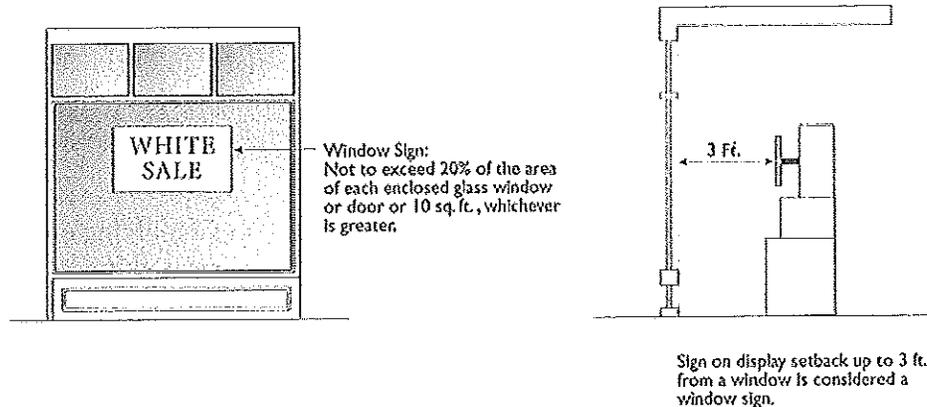
- K. **Off-Site Directional Sign.** One off-site sign not to exceed 36 square feet, providing direction to real estate available for sale or lease, during daylight hours only. Permission from the property owners of the site where the sign is placed is required.
- L. **Small Signs.** Any sign no larger than eight square feet in area, attached to a freestanding sign structure no higher than five feet, a window, or a building wall. This exception may include, but is not limited to, commercial and non-commercial signs, freedom of speech signs, organization identification signs, and commemorative plaques within the required size limits.
- M. **Subdivision Signs.** One sign per frontage, advertising the sale of a subdivision may be displayed on the site of the subdivision upon approval of a final map and initiation of construction for a period of one year. The display period may be

extended with written approval of the Director for a reasonable period of time, not to exceed one year at any one time.

TABLE 17.22 – A: SUBDIVISION SIGNS	
Maximum Height	8 ft.
Maximum Sign Area	24 sq. ft.
Maximum Number per Subdivision or Tract	4

- N. **Window Signs.** Window signs not exceeding 20 percent coverage of each glass window or glass door to which the sign is attached or 10 square feet, whichever is greater. Any sign that is hung within three feet of a window, attached to a display located within three feet of a window, or painted on the window is considered a window sign. For temporary window signs, refer to Section 17.22.070 (C)(2).

FIGURE 17.22-D: WINDOW SIGNS



#### 17.22.030 Prohibited Signs

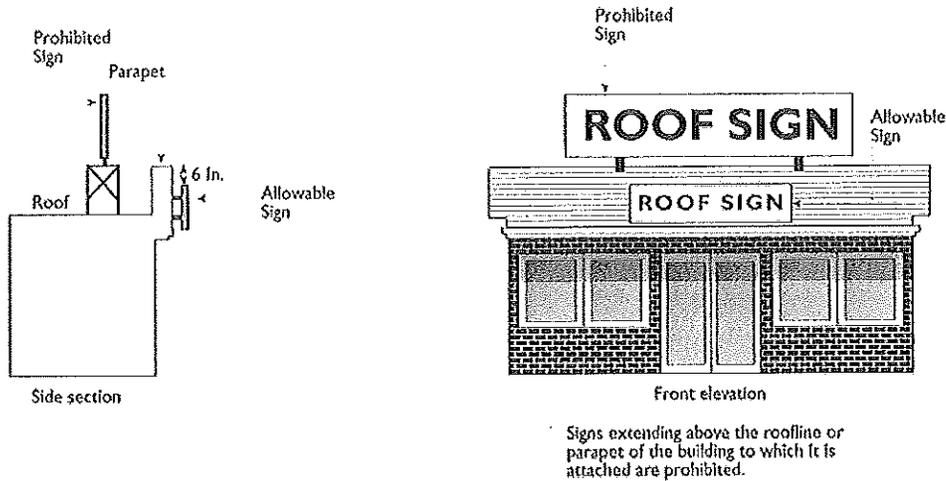
The following types of signs, materials, designs, messages, and locations are prohibited:

- A. **Animated and Moving Signs.** Signs that incorporate, in any manner, any flashing, moving, rotating, pulsating or intermittent lighting, with the exception of approved time and temperature displays.
- B. **Banners, Streamers, or Pennants.** Signs, banners, pennants, valances or any other advertising display constructed of cloth, canvas, light fabric, paper,

cardboard, wallboard or other light materials except for awnings and temporary signs as provided for in this Chapter.

- C. **Billboards.** Off premises outdoor advertising signs.
- D. **Emissions.** Signs that produce noise or sounds in excess of 40 decibels, excluding voice units at drive-through facilities, and signs that emit visible smoke, vapor, particles, or odor.
- E. **Fence Signs.** Signs on fences or free-standing walls, not part of a building.
- F. **Obscenities.** Signs that depict, describe, or relate to “specified sexual activities” or “specified anatomical areas” as defined in Chapter 17.41: Terms and Definitions.
- G. **Obstruction to Exits.** Signs that obstruct any fire escape, required exit, window or door opening intended as a means of egress.
- H. **Obstruction to Ventilation.** Signs that interfere with any opening required for ventilation.
- I. **Posters and Snipe Signs.** Posters of a miscellaneous or temporary character that are tacked, painted, pasted or otherwise placed or affixed and made visible from a public way, on the walls of buildings, on barns, sheds, trees, fences, utility poles or other structures, sidewalks or patios, except as otherwise provided in this Chapter.
- J. **Roof Signs.** Signs erected upon, over or above the roof of a building or structure, or any sign affixed to the wall of a building so that it projects above the eave line of a roof. No projecting sign shall extend above the roofline or parapet of the building or structure to which it is attached.

FIGURE 17.22-E: PROHIBITED ROOF SIGNS



- K. **Signs Creating Traffic Hazards.** Signs located in such a manner as to constitute a traffic hazard or obstruct the view of any authorized traffic sign or signal device, or signs that may be confused with any authorized traffic sign, signal, or device; or that makes use of the words “stop”, “look”, “danger”, or any other word, phrase, symbol, or character that interferes with, misleads, or confuses vehicular drivers.
- L. **Signs on Public Bus Shelters or Benches.** Signs located on bus shelters, benches, or similar structures provided for the use of passengers along the route of a bus, not including plaques containing the names of persons or organizations which have made gifts or donations of such street furniture.
- M. **Vehicle Displays.** Signs placed or displayed on vehicles parked in a conspicuous location to be used for on-site or off-site advertising, with the exception of signs advertising such vehicles for sale and vehicle identification signs in locations where sale of vehicles is permitted.

#### 17.22.040 General Sign Standards

This Section establishes rules for measuring sign area, general physical standards, and requirements applicable to all signs and the districts in which they are located. More detailed standards applicable to specific sign types (e.g. building mounted, freestanding, and other sign types) in each zoning districts follow this Section.

- A. **Maximum Allowable Sign Area.** The maximum allowable total sign area per property shall be as specified under the regulations in Section 17.22.050 and 17.22.060 for specific districts, unless a different limit is approved under a

Master Sign Program (see Section 17.22.100) or approved by the Planning Commission.

B. Computation of Sign Area. The methodology for computing the sign area of all sign types shall be as follows:

1. *Single-faced Signs.* The sign area of signs with sign faces on a single plane and viewable from only one side of the plane shall be measured as the entire area within a single continuous perimeter composed of squares or rectangles that enclose the extreme limits of all sign elements including, but not limited to, sign structures or borders, written copy, logos, symbols, illustrations, and color.
2. *Double-faced Signs.* Double-faced signs with sign faces that are parallel (back-to-back) and a distance of less than three feet apart, or sign faces that have an interior angle of 45 degrees or less, shall be counted as a single sign with only one face measured in calculating sign area. Where the faces are not equal in size, the larger sign face shall be used as the basis for calculating sign area.
3. *Multi-faced Signs.* The sign area of signs with three or more sign faces, or signs with two sign faces with a distance greater than three feet apart or an interior angle greater than 45 degrees, shall be calculated as the sum of all the sign faces.
4. *Three-dimensional Signs.* Signs that consist of, or have attached to them, one or more three-dimensional objects (i.e., balls, cubes, clusters of objects, sculpture, or statue-like trademarks), shall have a sign area of the sum of two adjacent sides or sign faces.

FIGURE 17.22-F: MEASUREMENT OF SIGN AREA

Sign Area = Height x Width

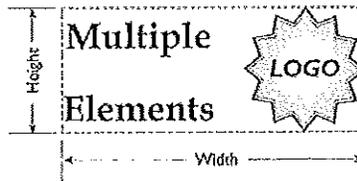
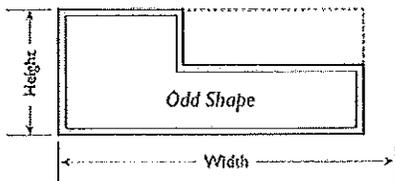
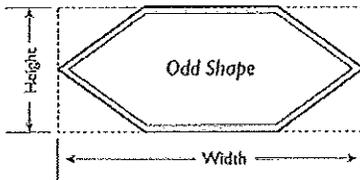
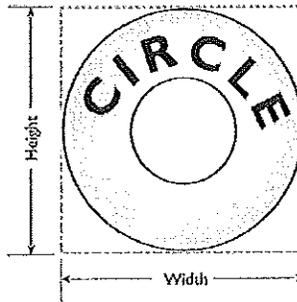
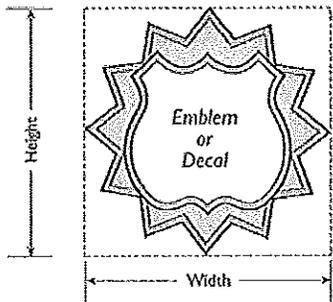
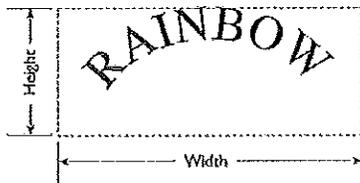


FIGURE 17.22-G: MEASUREMENT OF DOUBLE AND MULTI-FACED SIGN AREA

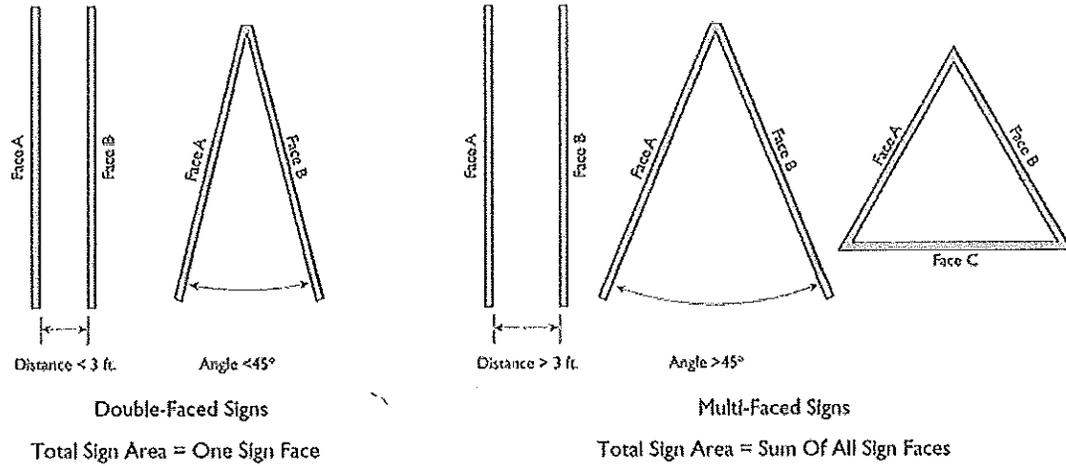
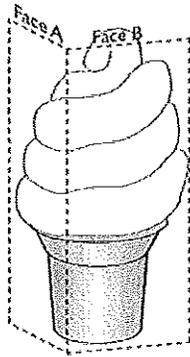


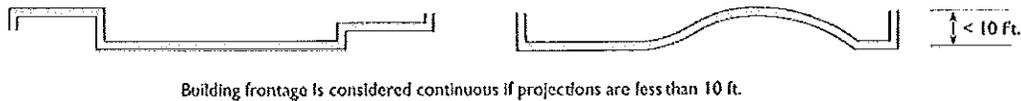
FIGURE 17.22-H: MEASUREMENT OF THREE-DIMENSIONAL SIGNS

Sign Area = Sum of two adjacent sides



- C. **Building Frontage.** A building's frontage is considered continuous if projections or recesses in a building wall do not exceed ten feet in any direction.

FIGURE 17.22-1: BUILDING FRONTAGE



- D. **Materials.** Paper, cardboard, or other material subject to rapid deterioration shall be limited to signs displayed for no more than 30 days.
- E. **Illumination.** Signs may be illuminated subject to all of the following standards:
1. All lighting is subject to necessary electrical permits.
  2. Freestanding and building-mounted signs adjacent to an R district shall be illuminated only during hours when the establishment is open for business.
  3. External lighting shall be properly shielded to prevent glare upon an adjacent public right-of-way or adjacent property.
  4. Illumination shall be constant in intensity and color and shall not consist of flashing, animated or changing lights.
- F. **Changeable Copy.** Changeable copy shall cover no more than 25 percent of the total sign area, except for the following uses, which are exempt from this restriction: churches and establishments for religious assembly, cinemas, gas station gas price signs, indoor theaters, schools, colleges, and signs that flash the time and temperature.
- G. **Construction and Maintenance.**
1. Unless exempt, signs and supporting structures shall be installed in accordance with the Building Code.
  2. All signs, together with all supporting structures, shall be maintained in the following manner:
    - a. Signs shall be kept free of rust, dirt, and chipped, cracked or peeling paint.

- b. All hanging, dangling, torn or frayed parts of signs shall be promptly repaired and graffiti and unauthorized attachments shall be removed.
  - c. Burned-out illumination shall be promptly replaced.
  - d. Sign areas shall be kept free and clear of all noxious substances, rubbish, and weeds.
- 3. If a sign is removed from its supporting structure for longer than 90 days, the supporting structure shall be removed.
- H. **Abandoned Signs.** Sign faces shall be removed or made blank within 60 days after the activity, product, business, service or other use which was being advertised has ceased or vacated the premises. Any signs not removed or made blank within this time shall be removed pursuant to the removal procedures set forth in Section 17.22.110 of this Chapter.
- I. **Substitution of Sign Message.** The owner of a permitted sign may substitute a non-commercial message for a commercial message or a commercial message for a non-commercial message.
- J. **Encroachment Into Public Street or Sidewalk.** Any sign projecting over a public street or sidewalk requires approval of the Director or City Engineer, except that projecting signs and pole signs are allowed a maximum encroachment of 12 inches over a public street or sidewalk subject to approval of an encroachment permit.
- K. **Clearance From Utilities.** Signs and their supporting structures shall maintain clearance and not interfere with electrical conductors, communications equipment or lines, surface and underground facilities and conduits for water, sewage, gas, electricity and communications equipment or lines. Signs shall not be placed in public utility easements unless express written permission from the affected public utility is obtained.
- L. **Drainage.** The roofs of canopies or marquees exceeding 25 square feet shall be drained to prevent dripping or flow onto public sidewalks or streets and shall be connected to an approved disposal source of adequate conductors.
- M. **Sign Orientation.** No sign, other than a projecting sign, shall be permitted that is so oriented as to be viewed primarily across an adjacent private property line. All signs must be visible directly from a public right-of-way, other public open space or parking lot or courtyard on the same site as the sign, without view lines extending over private property different from that on which the sign is located.

- N. **Lighting.** Light sources shall be steady, and stationary lighting shall not be distracting to pedestrians, motorists and neighboring property. No sign shall emit or reflect light exceeding ten foot-candle power at ten feet from the face of the sign.

17.22.050 Regulations for Residential Districts

The following regulations shall apply to all R districts, as well as residential dwellings located in nonresidential districts. Sign permits shall be required for the sign types described in the following zones unless expressly exempted.

- A. **Multi-family Dwellings.** One building-mounted sign or monument sign per multi-family dwelling complex of four or more units is permitted, with a maximum sign area of 20 square feet.
- B. **Hotels, Motels, and Bed and Breakfast Establishments.**
1. *RD Districts.* One surface sign or monument sign per bed and breakfast establishment and attraction boards as provided in the Section 17.22.070(C)(5) are permitted with a maximum sign area of 0.5 square feet per linear foot of building frontage.
  2. *RM Districts.* Signs may be permitted in accordance with the provisions for commercial zones as provided in Section 17.22.060 below as well as attraction boards as provided in Section 17.22.070(C)(5).
- C. **Subdivision or Tract Name Signs.** One non-illuminated sign not to exceed 24 square feet in area or one non-illuminated sign not to exceed 12 square feet in area, per exclusive entrance to a subdivision or tract name with a maximum of four per tract is permitted.
1. *Maximum Sign Area.* 30 square feet.
  2. *Maximum Height.* 8 feet.
- D. **Mobile Home Parks.** A mobile home park may be allowed one externally illuminated or non-illuminated identification sign, not to exceed the equivalent of one square foot of sign area per ten linear feet of frontage on each right-of-way upon which it takes vehicular access. No sign shall have a surface area of greater than 30 square feet or be erected at right angles to the right-of-way.
1. *Maximum Sign Area.* 30 square feet.
  2. *Maximum Height.* 8 feet.

- E. **Non-residential Uses.** One building-mounted sign or monument sign per each allowable non-residential uses is permitted.
  - 1. *Maximum Sign Area.* 0.5 square feet per linear foot of building frontage up to 24 square feet.
  - 2. *Maximum Height.* 15 feet above finished grade for building-mounted signs and eight feet for monument signs.

**17.22.060 Regulations for Commercial, Mixed-Use and Industrial Districts**

The following standards apply to signs in commercial, mixed-use and industrial zones.

- A. **Sign Area and Allowable Signs.** Signage in Commercial, Mixed-Use, and Industrial zoning districts shall comply with the standards in Table 17.22 – B.
  - 1. *Calculation of Sign Area.* For individual signs, the sign area of the proposed sign shall be multiplied by the sign factor specified in Table 17.22 – B to calculate the sign area to be applied towards the maximum sign area allowed.
  - 2. *Minimum Sign Area.* All commercial, mixed-use, and industrial uses shall be allowed a minimum sign area of 20 square feet.
- B. **Sign Placement.** Signs shall be oriented towards the public street or the harbor frontage on which they are located, or where no such public right-of-way or harbor frontage exists, signs shall be oriented towards a common use parking lot or interior courtyard. Where the principal sign for a business is located so that it cannot be seen by pedestrian traffic, an identification sign, in addition to that otherwise allowed by this Chapter, may be permitted.

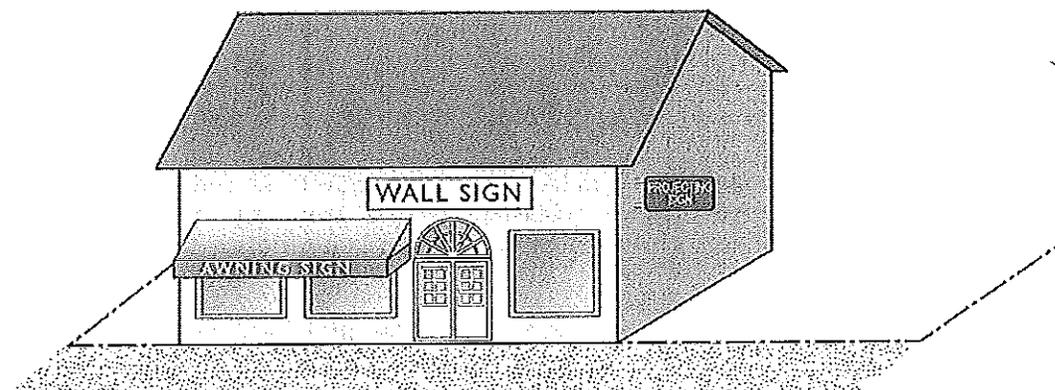
TABLE 17.22 – B: SIGN AREA AND SIGN STANDARDS FOR COMMERCIAL, MIXED-USE, AND INDUSTRIAL DISTRICTS									
Zoning Districts	Sign Area Allowed (sq. ft. per 1 linear ft. of building frontage)		Total Maximum Sign Area (sq. ft.)	Permitted Sign Types	Sign Type Factor	Maximum Number of Signs	Maximum Sign Area Per Sign (sq. ft.)	Additional Regulations	Frontage:
	Primary	Secondary <sup>1</sup>							
CC-P, CVS, MX	0.5		100	Awning and Canopy	1	--	24	Section 17.22.070(A)(1)	
				Projecting	1	1 per frontage	16; 8 under a canopy or awning	Section 17.22.070(A)(3)	
				Wall	2	2 per frontage	24	Section 17.22.070(A)(4)	
				Marquee	1	1 per site	1.5 per linear ft. of building frontage	Section 17.22.070(A)(2)	
				Monument	3	1 per site	24	Section 17.22.070(B)(1)	
				Temporary Sidewalk	1	1 per site	12	Section 17.22.070(B)(3)	
CC-A, CF, IG, ICD	2	1	200	Awning and Canopy	1	n/a	60	Section 17.22.070(A)(1)	
				Wall	1	1 per building or tenant space	25	Section 17.22.070(A)(4)	

TABLE 17.22 - B: SIGN AREA AND SIGN STANDARDS FOR COMMERCIAL, MIXED-USE, AND INDUSTRIAL DISTRICTS										
Zoning Districts	Sign Area Allowed (sq. ft. per 1 linear ft. of building frontage)		Total Maximum Sign Area (sq. ft.)	Permitted Sign Types	Sign Type Factor	Maximum Number of Signs	Maximum Sign Area Per Sign (sq. ft.)	Additional Regulations		
	Primary	Secondary								
Frontage: CC-A, CF, EG, ICD (continued)				Window	2	2 per frontage		Section 17.22.070(A)		
				Monument	2	1 per frontage	60	Section 17.22.070(B)(1)		
				Pole	3	1 per site or shopping center	60	Section 17.22.070(B)(2)		
I. For buildings facing on more than one public right-of-way										

17.22.070 Specific Sign Types and Standards

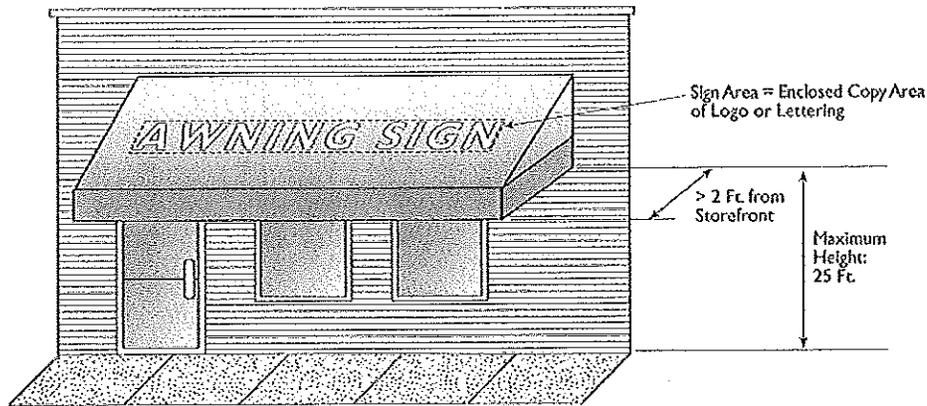
- A. **Building-Mounted Signs.** Building-mounted signs consist of wall signs, awning and canopy signs, projecting signs, and marquee signs. There is no limit on the maximum number of building mounted signs, provided that the total size of all such signs does not exceed the total maximum signage area permitted for all signs in the zoning district where the sign is located, established by Sections 17.22.050 and 17.22.060.

FIGURE 17.22-J: BUILDING-MOUNTED SIGN TYPES



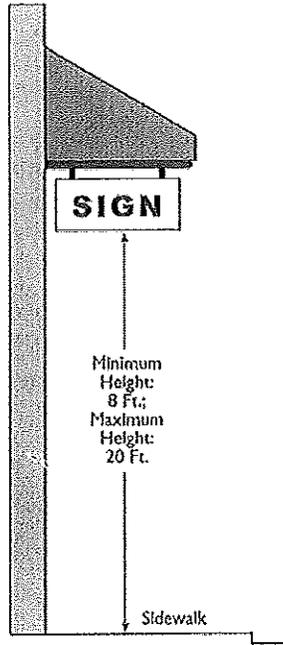
1. ***Awning and Canopy Signs.*** Signs painted on awnings, canopies, arcades, or similar attachments or structures. Sign area for awning and canopy signs is calculated as the area within a single continuous enclosure around only the copy area of the lettering or logo of the sign. Awning and canopy signs are also subject to the specific zoning district standards in 17.22.050 and 17.22.060.
  - a. ***Maximum Height.*** 25 feet above a sidewalk or public right-of-way.
2. ***Marquee Signs.*** A sign permanently affixed to a marquee is allowed in conjunction with theaters, museums, galleries, and similar uses. Removable copy may be changed on the face of permitted marquee signs without securing a sign permit. Marquee signs are subject to the specific zoning district standards in 17.22.050 and 17.22.060.
  - a. ***Maximum Height.*** Marquee signs may not project above the marquee face.

FIGURE 17.22-K: AWNING AND CANOPY SIGNS



3. *Projecting Signs.* Signs under canopies or covers in conjunction with pedestrian walkways, or signs projecting from the building wall. Projecting signs are subject to the specific zoning district standards in 17.22.080.
  - a. *Minimum Height.* 8 feet above a sidewalk or other public right-of-way.
  - b. *Maximum Height.* 20 ft. above a sidewalk or other public right-of-way, but not above an eave or roof.

FIGURE 17.22-L: PROJECTING SIGNS



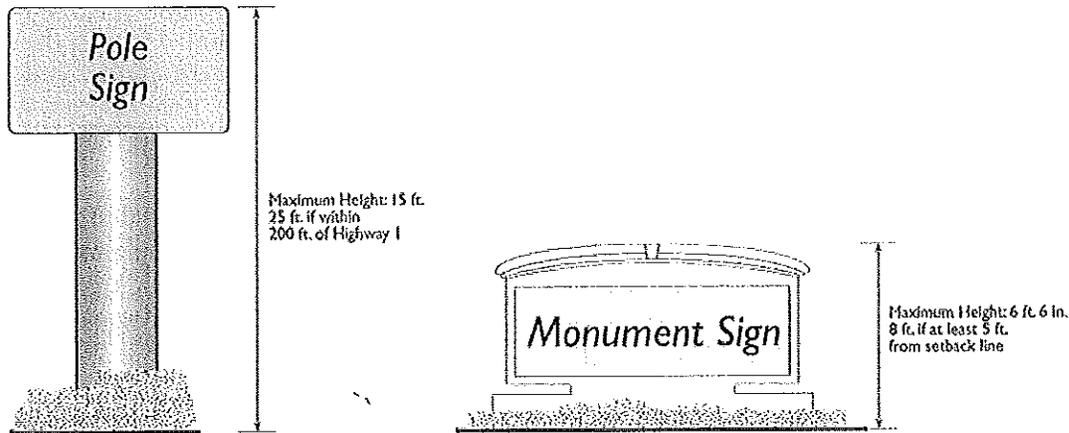
Projecting Under Awning Sign

4. **Wall Surface Signs ("Wall" Signs).** Wall surface signs include any sign attached to, erected against or painted upon the wall of a building or structure, the face of which is in a single plane parallel to the plane of the wall. Wall signs also include signs on a false or mansard roof. Wall signs are subject to the standards in Table 17.22 – C. No wall surface sign may cover wholly or partially any required wall opening. Wall signs are also subject to the specific zoning district standards in 17.22.050 and 17.22.060.

TABLE 17.22 – C: WALL SURFACE SIGN STANDARDS	
Minimum Horizontal and Vertical Separation Between Signs	3 ft.
Maximum Projection from Surface of Building	12 in.
Minimum Vertical Separation Between Sign and Roof Line	1 ft. (8 inches on a fascia or mansard roof)
Maximum Height	20 ft. above a sidewalk or above public right-of-way.

- B. **Freestanding Signs.** Freestanding signs consist of signs not attached to a building or structure, including monument signs and pole signs. Freestanding signs shall not interfere with safety sight angles on corners and at driveways. No more than one freestanding sign is allowed on a site.
1. **Monument Signs.** Freestanding signs erected on the ground or on a monument base designed as an architectural unit. Monument signs are also subject to the specific zoning district standards in 17.22.050 and 17.22.060.
    - a. **Maximum Height.** six feet six inches, eight feet if setback a minimum of five feet from property line.
    - b. **Minimum Setbacks – CC-P, CVS, and MX Districts.** one foot from setback line.
    - c. **Landscaping.** Signs higher than six feet six inches shall be placed in a landscaped planter or berm. As a condition of any sign permit for a monument sign, additional landscaping of the site may be required to better integrate sign appearance with the site.
  2. **Pole Signs.**
    - a. **Landscaping.** Pole signs shall be placed within a landscaped planter with at least 28 square feet of planting area. As a condition of any sign permit for a pole sign, additional landscaping of the property may be required where needed to better integrate sign appearance with the site through scale and softening effects.
    - b. **Design.** Such signs and their supporting elements shall be designed so as to be harmonious with any building or structures on the site, including architectural style, colors and scale.
    - c. **Maximum Height.** 15 feet; 25 feet within 200 feet of Highway 1, subject to approval of a conditional use permit.
    - d. **Other Requirements.** Pole signs are subject to the specific zoning district standards in 17.22.050 and 17.22.060.
  3. **Temporary Sidewalk Signs.** Signs not permanently attached to the ground or any other permanent supporting structure, such as “A-frame” or sandwich type sign, and sidewalk or curb signs. Temporary sidewalk signs shall not impede safe pedestrian circulation. Temporary sidewalk signs are subject to the specific zoning district standards in 17.22.050 and 17.22.060.

FIGURE 17.22-M: FREESTANDING SIGN TYPES



C. Other Sign Types.

1. *Display Structures.* Display structures for pedestrian viewing, as defined in this Chapter, are permitted in any commercial district. Such display structures must comply with building setback requirements, and shall be illuminated only by indirect light or diffused light. The maximum sign area is 50 percent of the maximum building-mounted sign area allowance for the building and frontage with which they are associated.
2. *Special Private Event Displays and Grand Opening Signs.* Temporary signs and window signs may be erected on the premises of an establishment having a grand opening or special event provided that such signs shall be displayed for a period not to exceed thirty calendar days prior to such event. These signs shall be removed within seven days after the event, and such signs may be used for not more than two periods each calendar year for any property or business.
3. *Directional and Community Promotional Display Programs.* Directional and community promotion sign programs advertising, directing or informing pedestrian of business service or community events and services not related to or located on the site shall be permitted on private property in C districts, and on public land with the granting of an encroachment permit.
4. *Civic Event Signs.* Temporary signs announcing a campaign drive or event of a civic, public, quasi-public, philanthropic, educational or religious organization.
  - a. *Maximum Sign Area:* 32 square feet.

- b. *Maximum Time Period:* 30 days. Civic event signs shall be removed within 15 days after the event.
- 5. *Attraction Boards for Hotels, Motels and Bed and Breakfast Establishments.* An attached or detached attraction board, not to exceed five square feet in sign area, is allowed, provided it is included within the calculation of the maximum allowable sign area for a hotel, motel, or bed and breakfast establishment.

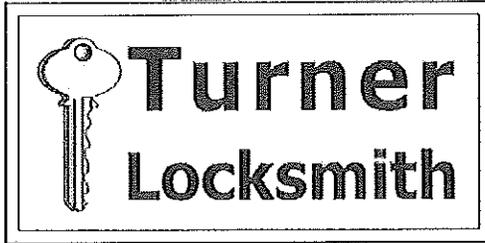
17.22.080 General Design Principles

The following principles are general criteria that should be considered in the design of all signs. Creative design is strongly encouraged, and signs should make a positive contribution to the aesthetic appearance of the street or commercial area where they are located. These principles will be used in reviewing and approving proposed signs and Master Sign Programs (see Section 17.22.100).

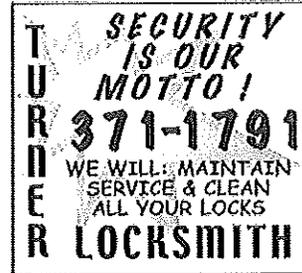
- A. *Visibility.* A sign shall be conspicuous and readily distinguished from its surroundings.
- B. *Legibility.* The size and proportion of the elements of the sign's message, including logos, letters, icons and other graphic images, shall be selected based on the average distance and average travel speed of the viewer. Sign messages oriented towards pedestrians may be smaller than those oriented towards automobile drivers. Colors chosen for the sign text and/or graphics shall have sufficient contrast with the sign background in order to be easily read during both day and night hours.
- C. *Readability.* A sign message should be easily recognized and designed in a clear, unambiguous and concise manner, so that a viewer can understand or make sense of what appears on the sign. Excessive use of large areas of several colors can create competition for the eye and significantly reduce readability.

FIGURE 17.22-N: VISIBILITY AND LEGIBILITY

This:



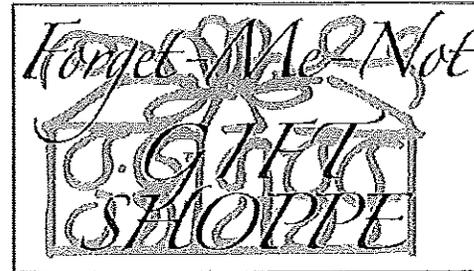
Not This:



This:

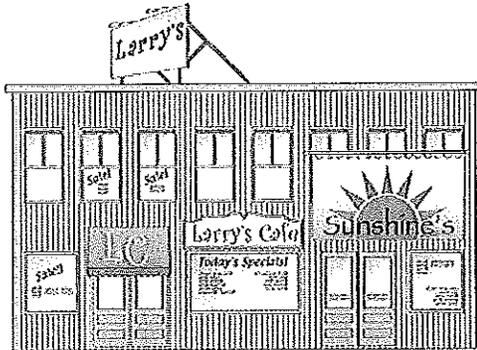


Not This:

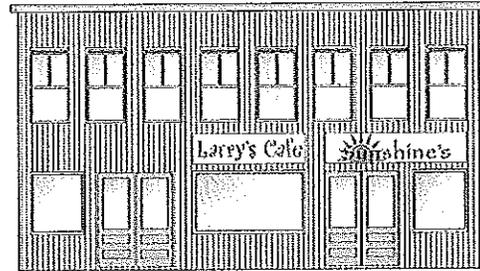


- D. **Architectural Compatibility.** A sign (including its supporting structure, if any) shall be designed as an integral design element of a building's architecture, and shall be architecturally compatible, including color and scale, with any building to which the sign is to be attached and with surrounding structures. A sign which covers a window, or which spills over "natural" boundaries or architectural features and obliterates parts of upper floors of buildings is detrimental to visual order and may not be permitted.
- E. **Consistency with Area Character.** A sign should be consistent with distinct area or district characteristics and incorporate common design elements such as sign materials or themes. Where signs are located in close proximity to a residential area, they should be designed and located so that they have little or no impact on adjacent residential neighborhoods.

FIGURE 17.22-O: ARCHITECTURAL COMPATIBILITY



These signs block building's elements and create a chaotic image.



These signs complement the building's form and create a more orderly appearance.

#### 17.22.090 Zoning Clearance or Sign Permit Required

- A. **Authority.** No sign, other than an exempt sign, shall be erected or altered, without first obtaining a zoning clearance or sign permit from the Director. The Director may attach reasonable conditions on the approval of the sign permit to help ensure compliance with this Chapter. These conditions may require the removal, modification or relocation of existing signs where the proposed sign(s) would be located on sites where existing signs are nonconforming.
- B. **Application Requirements.** Applications for a sign permit shall be made in writing upon forms furnished by the Director, accompanied by the required fee and plans drawn to scale and with all of the following information. Where the scale and scope of the sign proposal so warrants, the Director may waive some of the informational requirements listed below, provided all information necessary for adequate review of the proposal is submitted.
1. The proposed design, dimensions, copy, color, lighting methods and location of the sign on the site, including the dimensions of the sign's supporting members, and details of all connections, guy lines, supports and footings, and materials to be used.
  2. The maximum and minimum height of the sign.
  3. The location of off-street parking facilities, including entries and exits where directional signs are proposed.
  4. The size and dimension of all signs existing on the site.
  5. The location and horizontal frontage of any building(s) on the property, both existing and proposed.

6. Any other information deemed necessary by the Director.

C. Required Findings. In approving a sign permit, the Director must find that:

1. The size, shape, color, materials, design and location of the sign conforms to the design principles and standards of this Chapter.
2. Signs on all proposed buildings or new additions to existing buildings are designed as an integral part of the total building design.
3. The location of the proposed sign and the design of its visual elements (lettering, words, figures, colors, decorative motifs, spacing and proportions) are legible under normal viewing conditions that prevail where the sign is to be installed.
4. Review of signs at city entryways as defined in the Scenic Highway Element of the General Plan, shall also be subject to the following provisions:
  - a. Sign area, height and location of signs shall be designed so as not to interfere with view corridors as defined and specified in the General Plan/Local Coastal Plan.
  - b. Freestanding signs shall not exceed eight feet in height except within two hundred feet of Highway 1 or Highway 41. Where feasible, all freestanding signs within or along city entryways shall be placed within a landscaped planter.

17.22.100 Master Sign Program

- A. **Applicability.** Any site having four or more non-residential occupants shall submit a master sign program to be reviewed and approved by the decision-making authority for the use (e.g. the Director or the Planning Commission). Any site having three or fewer non-residential occupants may submit a master sign program to be reviewed and approved by the Director. Additionally, projects involving construction or renovation of more than 25,000 square feet of space in the commercial and mixed use districts shall submit a master sign program, which must be approved prior to issuance of any occupancy permit.
- B. **Application Requirements.** Applications for approval of a master sign program shall be submitted to the Director and shall include the following:
  1. *Master Sign Program.* A Master Sign Program, drawn to scale, delineating the site proposed to be included within the sign program and the general location of all signs.

2. *Drawings and Sketches.* Drawings and/or sketches indicating the exterior surface details of all buildings on the site on which wall signs, directory signs, ground signs or projecting signs are proposed.
  3. *Statement for Modifications.* A statement of the reasons for any requested modifications to the regulations or standards of this Chapter.
  4. *Sign Standards.* A written program specifying sign standards, including color, size, construction details, placement, and necessity for City review for distribution to future tenants.
- C. **Allowable Modifications.** A Master Sign Program may provide for additional sign area and other deviations from the standards of this Chapter, provided that the Master Sign Program is consistent with the provisions of Sections 17.22.040 and 17.22.080.
- D. **Required Findings.** In approving a Master Sign Program, the decision-making authority shall find that all of the following are met:
1. The proposed signs are compatible in style and character with any building to which the signs are to be attached, any surrounding structures, and any adjoining signage on the site;
  2. Future tenants will be provided adequate opportunities to construct, erect or maintain a sign for identification; and
  3. Directional signage and building addressing is adequate for pedestrian and vehicular circulation and emergency vehicle access.
- E. **Conditions of Approval.** The Planning Commission may attach any reasonable conditions necessary to carry out the intent of the Master Sign Program requirement, while still permitting each sign user opportunities for effective identification and communication.
- F. **Administrative Approval of Signs Consistent with Master Sign Program.** Following approval of a Master Sign Program, the Director is authorized to issue building permits or other permits, as deemed necessary, to install signs that conform to an approved Master Sign Program. Minor modifications of individual sign area may be approved, provided the maximum allowed by an approved Master Sign Program is not exceeded.

17.22.110 Maintenance, Abandonment and Removal

- A. **Maintenance.** Every sign, including those signs for which no permit is required, together with all supports braces, guys and anchors shall be maintained in a safe, presentable and good structural condition at all times. The display surfaces of all

signs shall be kept neatly painted, posted or otherwise maintained at all times. The owner of property on which the sign is located shall be responsible for the condition of the area in the vicinity of the sign, and shall be required to keep this area clear, sanitary and free from noxious or offensive substances, rubbish and flammable waste materials.

B. **Abandonment.** The following signs shall be presumed to be abandoned:

1. *Located on Vacant Property.* Any sign that is located on property that becomes vacant and is unoccupied for a period of three months or longer.
2. *Unrelated to Property.* Any sign that was erected for an occupant or business unrelated to the present occupant or business, except existing, nonconforming outdoor off-site freestanding signs.
3. *Time, Event or Purpose Sign.* Any sign that pertains to a time, event or purpose that no longer exists.
4. *Temporarily Suspended Business.* Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of six months or more.

C. **Removal.** Abandoned signs are found to be a public nuisance due to their misleading and distracting nature and due to their contributing to visual blight, detrimental to surrounding areas and the community generally. An abandoned sign is prohibited and shall be removed by the property owner.

#### 17.22.120 Provisions for Nonconforming and Illegal Signs

A. **Existing Non-conforming Signs.** Signs existing at the time of adoption of this Title, that do not comply with the provisions of this Chapter but that were legally erected pursuant to applicable state and city ordinances in effect at the time of construction, shall be regarded as nonconforming signs, subject to the following:

1. *Use Change.* Whenever the type of business or use with which a nonconforming sign is associated changes, the nonconforming sign associated with business shall be removed or otherwise made to conform to the provisions of this Chapter.
2. *Limited Expansion.* A nonconforming sign may not be expanded, extended, reconstructed, or altered in any way in its location or orientation to enable it to be read or viewed from a different direction than its original position, except in the following cases:

- a. Such sign may be removed for purposes of repair and routine maintenance, including painting, provided such sign is replaced within 60 days of its removal;
  - b. Changes in sign face, copy, graphic design or color are permitted.
  - c. Such sign may be removed for the purpose of remodeling a building provided replacement occurs within 30 days after remodeling is completed.
  - d. If change in ownership of the business occurs, without any change to the type of business advertised by a nonconforming sign, the new owner may change any name or names on such sign provided that there is no change in the sign size, configuration or orientation.
3. *Other Requirements.* Nonconforming signs are also subject to the provisions of Chapter 17.26: Nonconforming Uses and Structures.
- B. **Illegal Signs.** Whenever a sign is found to be erected or maintained in violation of any provision of this Chapter, this Title, or any other federal, state, or local law, and such sign is not a nonconforming sign (e.g. it was a legal sign under the sign regulations in effect prior to adoption of the ordinance codified in this Chapter), the Director shall order that such sign be altered, repaired, reconstructed, demolished or removed, as may be appropriate, to abate such condition or the Director may initiate proceedings to abate the sign as a public nuisance under the provisions of the Business and Professional Code (Sections 5499.1 to 5499.16). Any work required to be done shall be completed within ten days of the date of such order, unless otherwise specified in writing.

#### 17.22.130 Appeals

The provisions of Chapter 17.36: Appeals apply.



- One A-frame sign per business per frontage during business hours only.
- A-frame or feather sign to be allowed.
- Fee shall be waived until June 2012 for the A-frame signs whereby it would be set at \$40 as a onetime permit fee.
- Allow for provisions for directional pole signage as brought by Mr. Schmidt of the Chamber of Commerce to include in this ordinance.
- To include corrections of the projection signs section from 12 to 24 inches.
- Include vacation rentals under the Real Estate section.

At the April 19, 2011 City Council meeting an item was brought forth by Mayor Yates and Councilperson Borchard concerning the enforcement of the code prohibiting A-frame signs. At this meeting the Council directed staff to enforce the Sign Ordinance prohibiting A-frame signs and on May 3, 2011 a letter was sent to all businesses within Morro Bay detailing that A-frame signs are prohibited and describing the process by which the City will be enforcing the ordinance.

The draft sign ordinance was scheduled for the May 10, 2011 meeting as a new business item, but at that meeting it was continued to the May 24, 2011 meeting as a public hearing item. At the May 24, 2011 City council held a public hearing and discussed issues regarding the sign ordinance. The City Council adopted an urgency ordinance allowing that established interim rules regulating the approval process and construction of projecting signs pending completion of studies and the preparation of an update to the City's zoning code. Additionally the Council directed staff to hold public workshops and bring the sign ordinance back to the Council for further direction before presenting the proposed sign ordinance to the Planning Commission.

#### **DISCUSSION:**

Public Services staff engaged the services of Chuck Anders of Strategic Initiatives to facilitate two consecutive workshops regarding the sign issues in Morro Bay. The meetings were held on September 29 and October 6, 2011 at the Veteran's Memorial Building. The workshops were attended by representatives of the business community, Chamber and citizens at large. In addition to materials presented at the workshops all of the materials were made available on the City's Website at <http://morro-bay.ca.us/index.aspx?nid=708>.

At the first workshop on September 29<sup>th</sup>, the following items were discussed at the workshop:

- Review history of the existing sign ordinance.
- Discuss structure of ordinance.
- Review the key issues that have been raised in the past.
- Discuss constraints (CCC, general plan, other).
- Review the results from the Tourism Workshop and how BCA is presenting the community.
- Sign ordinance should be aligned with how the community wants to be perceived.
- Discuss how perspectives influence perceptions.
- Poll each questions to focus discussion on subject.
- Provided some time at end for public comment on related issues.
- Discuss ten different types of signs.

- Current sign rules
- Present results of previous Planning Commission Sign Committee activities.
- Summarize observations and “Takeaways”.
- Discuss next steps
  - Staff prepares conceptual/preliminary proposals.
  - Review alternative concepts and next workshop.
  - Discuss implementation methods and timelines.

During the workshop and through the “Survey Monkey” survey tool the consensus of the participants indicated the following:

- The current sign ordinance is not working.
- Not happy with the appearance of signs in Morro Bay.
- Mixed results from respondents regarding having enough signage.
- One hundred percent desired different sign rules for different areas.
- A-Frame signs may be appropriate for some areas.
- Minimize signs in residential areas.
- Allow for exceptions to the sign ordinance for special circumstances.
- Sign materials can be important.

Based on the polling results from the first workshop, staff developed a strategy for a palette of different sign types for different areas in the community, ie Embarcadero, Downtown, and North Morro Bay. North Morro Bay was later designated as “Highway Commercial” to include Quintana Road, which also fronts on Highway 1.

The October 6<sup>th</sup> workshop built upon the work started at the September 29<sup>th</sup> workshop and consisted of the following items:

- Perspective - The sign ordinance should reinforce “The Morro Bay Experience” and promote Morro Bay businesses.
- Reviewed results from first workshop.
- Presented alternative sign ordinance concepts.
- Poll opinions about alternative sign ordinance concepts to focus discussion on pros and cons of alternative concepts:
  - Embarcadero Area.
  - Downtown.
  - North Morro Bay/Highway Commercial (Quintana).
- Presentation by former planning commissioner regarding previous Planning Commission research.
- Conclusions.

In addition to the polling that occurred at the meeting, the Morro Bay Chamber of Commerce assisted staff by polling the entire membership. Ninety-one or 21.6-percent of those (421) emailed responded to the survey. Of those, 10-percent attended both workshops, 80-percent or 73 attended none. One-third of those responding provided comments with their answers.

Again based on the results of the workshop and polling the participants indicated:

- Desire for different rules for different geographical areas
- A-Frame and Banners may be appropriate for some areas
- No difference between internal and external illumination of signs

Modification of the sign ordinance will require staff time for the writing of new code language and performing the required environmental review. Currently the Planning Division's priority is to focus on current planning activities, i.e. projects that are planned for construction in the near future. In order move the sign ordinance to a higher priority, either a temporary increase in Planning staffing levels or a reprioritization of work load is required; which could result in current projects being delayed.

### **CONCLUSION**

Based on the approximately 100 plus or minus participants in the sign workshops and survey process, staff can conclude that there is a strong desire for modifications to the sign ordinance to include different rules for different geographical areas, there is still a desire from some participants to allow provisions in the ordinance for A-Frame and flag signs in the "Highway Commercial" areas of North Main and Quintana Road. Staff will refine the sign ordinance based on Council direction and present the revised ordinance to the Planning Commission for their review and consideration. The sign ordinance will then move on to City Council for approval then to the California Coastal Commission for approval. Once all approvals have been received the new sign ordinance can be used and enforced.

### **ATTACHMENTS**

1. City Council Meeting Minutes from May 24, 2011
2. Presentation from Workshop#1
3. Sign Ordinance Workshop #1 Polling Results
4. City (SurveyMonkey) Survey results from Workshop #1
5. Preliminary Sign Program Prepared for Workshop #2
6. Sign Ordinance Workshop #2 Polling Results
7. Chamber of Commerce (Zoomerang) Survey Results from Workshop #2

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A-5 FINANCIAL RECONCILIATION OF THE HARBORWALK PROJECT AND REALLOCATION OF EXCESS REVENUES; (PUBLIC SERVICES)

Councilmember Smukler asked staff to explain the reallocation of funds – are there steps of restoration?

Utilities/Capital Projects Manager Dylan Wade responded by going over the excess revenues/reallocations of revenues as well as restoration efforts the City has made on this project.

MOTION: Councilmember Smukler moved the City Council approve Item A-5 of the Consent Calendar. The motion was seconded by Councilmember Borchard and carried unanimously. (5-0)

A-7 APPROVAL OF A SUBLEASE AGREEMENT FOR A PORTION OF LEASE SITE 87-88/87W-88W, LOCATED AT 833 EMARCADERO BETWEEN VIOLET LEAGE AND BARRY LAMBERT, DOING BUSINESS AS THE CANNERY RESTAURANT; (HARBOR)

Mayor Yates pulled this item in order for Councilmember Leage to step down due to a conflict of interest.

Councilmember Leage stepped down from the dais.

MOTION: Councilmember Johnson moved the City Council approve Item A-5 of the Consent Calendar. The motion was seconded by Councilmember Borchard and carried with Councilmember Leage abstaining. (4-0-1)

Mayor Yates called for a break at 6:56 p.m.; the meeting resumed at 7:17 p.m.

B. PUBLIC HEARINGS, REPORTS & APPEARANCES

B-1 B-1 REVIEW AND PROVIDE RECOMMENDATIONS FOR THE CITY OF MORRO BAY SIGN CODE BASED ON WORKSHOP AND SURVEY RESULTS; CONTINUED FROM DECEMBER 13, 2011; (PUBLIC SERVICES)

This item was continued from the December 13, 2011 City Council meeting. Public Services Director Rob Livick stated that it was staff's goal to get direction from the City Council before taking this item back to the Planning Commission for Ordinance development. Results from the Sign Ordinance workshops held last Fall suggested the following: most people feel the current Ordinance isn't working; there should be different rules for different geographical areas in the City; minimize signs in residential areas; A-frame signs and banners might be appropriate in certain areas of the City; there should be an allowance for

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multiple types of signs; and, signs should promote the Morro Bay experience and as well as promote Morro Bay businesses.

Mayor Yates opened the hearing for public comment.

John Barta, a former City Planning Commissioner, wanted to make 2 points: we do have an Ordinance that is capable of being enforced; and, signage is critical to Morro Bay, it is how we are going to be perceived for decades. He thinks there are 2 models we can choose from: take the existing Ordinance and try to fix it up OR start something brand new and make a better product in the end. He also suggested not getting into all the small details tonight, instead direct staff to take the 2004 Planning Commission report and work on it piece by piece, on a schedule, and then bring back for review on a periodic basis.

Kim VanNordstom wondered if we would be enforcing the Sign Ordinance with City signage as well.

Mayor Yates closed the hearing for public comment.

Mayor Yates feels that the cleaner the town, the more inviting it will be and as such is a proponent of enforcing the Sign Ordinance that we have. He feels we need to remove all banners, especially from view sheds. He would like to focus the evening discussion on banners; he feels the banners are out of control downtown. He would also like to discuss zones. As far as the rest of it, send it to the Planning Commission to work out the details.

Councilmember Smukler attended the site workshops and received input from the public. He is concerned that if we attempt to enforce the existing Ordinance, we will be throwing fuel on the fire – “one size doesn’t fit all”. One major conclusion he has is that each district has different needs, if we enforce the existing ordinance, we will have problems. He also suggests finding a place that we can have a community bulletin board to give local organizations the opportunity to advertise their events.

Councilmember Leage disagrees. He was happy to see the removal of the A-frame signs and feels that we will get the same thanks if we also remove the banners. He feels that they cheapen the town.

Councilmember Johnson wants to ensure we have an Ordinance that is clear and simple enough to understand and enforce; feels it would help the process to have it become a part of the building permit process; would like public banner spaces for Morro Bay Non-profits only; wants to address informational signs; agrees that A-frame signs were clutter and is happy to see them gone; and, has divided the City into 3 areas/districts – Highway Commercial, North Morro Bay/Quintana Road and the Embarcadero. In the Highway Commercial District she would like to see business directory signs, awning signs, wall signs, and/or feather signs which could be tied to the Business License process to ensure they are

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being kept in good condition. In the North Morro Bay/Quintana District she would like to see the opportunity for signage such as pub signs, awning signs, wall signs and/or business directory signs based on business type and or location in the City. On the Embarcadero she would like to see pub signs, wall signs awning signs and business directional signs. Monument signs – sometimes called Statuary signs – that aren't obstructive should be allowed because they bring people into their businesses. Corner signs should be permitted but don't want to have on every corner; window signs need to be limited as to allow people to see inside; and she doesn't feel you should be able to park a vehicle advertising a business on the street for advertising purposes only.

Councilmember Borchard doesn't want selective enforcement. While she has a problem with banners, we need guidelines for enforcement. Doesn't feel it is right to only enforce the banner section when there are many other sign enforcement issues to look into. Does feel it was very good to have the A-frame signs removed. She thinks that anything from the workshops that received minimal or less than 50% support, don't get Council consideration. She feels it would be beneficial for business owners if the City had a sign manual to hand out, maybe during the business license process, that would give an applicant information so that they don't spend money unnecessarily. With Council support, she would like to include a discussion on boat signs. Loves the concept of business directory signage.

Mayor Yates agreed that selective enforcement isn't the answer. He would be a proponent of enforcing a "no" banner rule with the exception of a twice a year for 30 days to advertise something special as is currently allowed. He is not supportive of any "moving" signs. He is in agreement that any advertising of events should be for Morro Bay events only. He also feels that we have the enforcement resources to enforce the banner/flag/moving sign portion of the Ordinance. He also has always had the feeling that Morro Bay should be divided into 4 zones, not 3 zones: Quintana, North Morro Bay, Downtown and the Embarcadero.

Councilmember Smukler isn't comfortable with enforcing an Ordinance that we haven't even created yet. Would also rather leave the zone issue on the table and allow the Planning Commission to make those recommendations. He would be willing to talk about non-profit advertising in public spaces.

There is majority support from Council to have staff send out a letter to business owners regarding the enforcement of the entire Sign Ordinance.

**MOTION:** Councilmember Johnson moved the City Council, based on the recommendations of the workshop, the survey results, the recommendations that were made tonight, as well as the information from the 2004 Planning Commission Report, forward the Sign Ordinance to the Planning Commission and Public Services Department for a rewrite. The motion was seconded by Mayor Yates unanimously. (5-0)



City of Morro Bay  
 Public Services/Planning Division  
 Current Project Tracking Sheet  
 This tracking sheet shows the status of the work being processed by the Planning Division  
 New items or items which have been recently updated are italicized. Approved projects are deleted on next version of log.

Agenda No: C-1  
 Meeting  
 Date: 5/2/2012

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations
<b>Hearing or Action Ready</b>									
1	Olson	2740 Dogwood	2/17/12	UP0-346 & AD0-070	Applicant requesting a parking exception to the standard requirement of 2 enclosed parking spaces and an addition to a nonconforming structure	<i>SD-Letter sent 2/7/2012 deeming the project incomplete for processing</i>	building comments received 2/29/12	comments 3/19/12	No Comments to date
2	City of Morro Bay	Citywide	5/1/2010	AD0-047	<b>Text Amendment Modifying Section 17.68 "Signs"</b> . Planning Commission placed the ordinance on hold pending additional work on definitions and temporary signs. 5/17/2010. Planning Commission made recommendations and forwarded to Council. Anticipate a City Council public hearing on the draft ordinance on May 2011. Scheduled for 5/10/11 CC meeting, item was continued. Item heard at 5/24/11 City Council Meeting. Interim Urgency Ordinance approved to allow projecting signs.	KW--A report on the status of this project brought to PC on 2/7/2011. The item shall be brought back to City Council first meeting in November. Workshops scheduled September 29, 2011 and October 6, 2011. Workshop results going to City Council December 13, 2011. Continued to 1/10/12 CC meeting. Staff Report to PC.	Not applicable	Not applicable	Not applicable
<b>30 -Day Review, Incomplete or Additional Submittal Review</b>									
3	Perry	3202 Beachcomber	9/8/11	AD0-067	<b>Variance.</b> Demo/Reconstruct. New home with basement in S2.A overlay.	KW--Planning requested status of CDP for house and LLA for parcels	Fire comments 10/24/2011, Building 12/23/11	BR--Public Works requested flood study.	No Comments to date
4	Valley	460 Olive	10/24/11	CP0-363	<b>Demo/Rebuild.</b> Resubmittal 11/11/11.	<i>KW-- Incomplete letter 1/18/11. Need Phase 1 Arch Report.</i>	No Comments to date	comments submitted 11/22/11	No Comments to date
5	Loomis	660 Bay	10/27/11	UP0-340 & AD0-069	<b>Remodel and Addition with a Parking Exception.</b>	SD--Incomplete letter 11/23/11. 3/28/2012 still incomplete for processing	Fire-11/23/11 conditional approval	conditional approval 11/29/11	No Comments to date
6	McDonalds	780 Quintana	10/31/11	CP0-364 & UP0-341	<b>Remodel and Addition.</b>	SD--Incomplete letter 1/19/12. still incomplete	Fire comments-11/8/11. Building comments 11/21/11	comments received 11/29/11	No Comments to date
7	LaPlante	3093 Beachcomber	11/3/11	CP0-365	<b>New SFR.</b> Resubmittal and Phase 1 Arch report 2/6/12.	SD-- Incomplete Letter 12/12/11. Phase 1 Arch Report required and Environmental Document. Environmental in process. Letter sent 4/11/2012 requesting environmental study.	No Comments to date	comments submitted 1/18/2012	No Comments to date
8 4/18/2012	Dynergy	7/13/03 Embarcadero	12/21/11	Permit Well	955 Shasta Avenue Morro Bay Ca	<i>KW-Project had previous problems with Coastal</i>			

#	Applicant/ Property Owner	Project Address		Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations
9	Sequoia Court Estates	670	Sequoia	4/3/12	UP0-349 & S00-112	Tract Map and Use Permit for 5 Lot Subdivision.				
10	Hough	281	Main	3/19/12	UP0- 348/cP0-372	New Single family residence. With removal of two existing eucalyptus trees.	SD-Met with applicant on 4/18th	Building Comments-- 3/28/2012. NO FIRE	PW-Comments-4/2/2012	
11	Giovanni	1001	Front			Precise Plan review for Docks				
<b>Projects in Process</b>										
10	Chevron Pipeline	4600	Hwy1	7/11/11	S00-110	<b>Certificate of Compliance.</b>	KW-- Waiting on applicant to submit property owner authorization. Received authorization 3/22/12	Not applicable	No Comments to date	Not applicable
11	Held	901-915	Embarcadero	7/21/11	UP0-342	<b>Application for improvements to existing building.</b> Proposes new unit, bathroom and water improvements. Project routed for initial review.	SD--Met with applicant on September 2011 and again in November 2011. Letter sent to applicant with corrections.	Building comments 3/7/12- disapproved. Fire comments 3/12/12 conditional approval	Comments submitted 3/8/12	No Comments to date
12	City of Morro Bay		Nutmeg	1/18/12	UP0-344	<b>Environmental.</b> Permit number for tracking purposes only County issuing permit. Demo existing and replace with two larger reservoirs. City handling environmental review	KW--Environmental contracted out to SWCA estimated to be complete on 4/27/2012	Not applicable	Not applicable	Not applicable
13	Morro Mist	2400	Main Street	1/0/2012		Applicant requested compliance check to conditions of approval. Minor Amendment Required.	KW--Project modified beyond conditions of approval	Deemed in substantial conformance to original approvals. Fire indicated insufficient number of hydrants	indicated submittal was OK	No Comments to date

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<b>Environmental Review</b>									
9	Larry Newland	Embarcadero	11/21/05	UP0-092 & CP0-139	<b>Embarcadero-Maritime Museum (Larry Newland)</b> . Submitted 11/21/05. Resubmitted 10/5/06, tentative CC for landowner consent 1/22/07 Landowner consent granted. Resubmitted 5/25/07. Applicant resubmitted additional material on 9/30/2009. Applicant working with City Staff regarding an lease for the subject site. Applicants enter into an agreement with City Council on project. Applicant to provide revised site plan. Staff is processing a "Summary Vacation (abandonment)" for a portion of Surf Street. Staff waiting on applicant's resubmittal. Meeting held with applicant on 2/23/2011. Staff met with applicant on January 27, 2011 and reviewed new drawings, left meeting with the applicant indicating they would be resubmitting new plans based on our discussions.	KW--Incomplete 12/15/05. Incomplete 3/7/07. 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. Met with applicants on 2/19/2010. Environmental documents being prepared. Meeting held with city staff and applicants on 2/3/2011.	Not applicable	An abandonment of Front street necessary. To be scheduled for CC mtg.	Not applicable
10	Chevron	3072 Main (West of Del Mar Park)	12/31/08	CP0-301	<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 Information submitted 2/9/11. Submitted requested documents 2/9/11. Applicant returned comments 12/7/11. Staff will address comments. Document to applicant for review 1/19/12. Agent said Chevron is working on how to address alternative fuel mitigation measures, 2/22/12. They will follow up with the City.	SD--Requested additional documentation 4/29/10. Contacted consulting firm to process environmental document. Consulting firm responded in the process of putting together proposal 6/20/11. Accepted proposal 6/29/11. Staff mail request letter for fees 7/19/11. Received Environmental Document and is under review 9/16/11. Sent document back for comments and corrections 10/14/11. Consulting firm making final changes and corrections 10/24/11. APCD submitted comments 11/1/2011. Sent to applicant for review 11/7/11. Comments sent to consultant 1/10/12. Document returned to staff 1/12/12. Applicant challenging the	Not applicable	Not applicable	Not applicable

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<b>Project requiring coordination with another jurisdiction</b>									
11	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. Public draft out for review and comments. Comment period open until 11/4/2010. Project scheduled for 12-6-2010 P.C. Project rescheduled for 12/20/2010. City Council Meeting on January 11, 2011. Project heard before CCC on March 11, 2011, and additional studies and materials are required. City working with consultant to provide information. Workshops held on 6/27/2011 and 6/28/2011 to receive comments on the proposed Wastewater Treatment Plant (WWTP) Upgrade Project alternatives analysis process, candidate evaluation criteria, and preliminary site identification. Adm. draft of fine screen analysis completed. Staff and consultants currently working with CCC staff for De Novo hearing tentatively scheduled for May/June 2012	Planning portion of project complete	Not applicable	No Comments to date	No Comments to date
12	City of Morro Bay	N/A	2/1/12	Grant	<b>Sustainable Communities Grant.</b> The City of Morro Bay is applying for a Sustainable Communities Grant to help fund the General Plan/LCP update.	KW-Grant application submitted to state	Not applicable	Not applicable	Not applicable
<b>Projects Continued Indefinitely, No Response to Date on Incomplete Letter or inactive</b>									
13	Nicki Fazio	360 Cerrito	08/15/07	CP0-246	<b>Appeal of Demo/Rebuild SFR and 2 trees removal.</b> Planning Commission continued to a date uncertain. Project folder given to Rob S.				

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14	Burt Caldwell, (Embarcadero 801 LLC)	801 Embarcadero	5/15/08	UP0-212	Conference Center.	KW--Submitted 5/15/08. Resubmitted MND Circulating 7/15/08 PC 9/2 Approved, CC 9/22/08 Approved, CDP granted by CCC. Waiting for Precise Plan submittal. Applicant has submitted a request for a time extension on November 4, 2010. Extension granted, now expires 12/11/11. No active submittal. Applicant has requested a second one year extension which is scheduled for action at the 12/7/2011 P.C. meeting. Planning Commission approved time extension, will expire on December 11, 2012.			
15	Ron McIntosh	190 Olive	8/26/08	UP0-232 &CP0-288	<b>New SFR.</b> Submitted 8/26/08. Resubmitted 12/10/08. Applicant resubmitted on 2/06/09. Environmental under review. Applicant and City agree to continuance. Applicant put project on hold.	KW--Inc. Letter 9/24/08. 1/9/09 request for more information.			
16	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. Resubmitted 2/5/09. Applicant is considering a redesign of the project.	KW--Incomplete Letter 10/22/08. Project still missing vital information for processing 11/30/09. Called applicant 3/22/10 and requested information.			
17	James Maul	530, 532, Morro Ave 534	3/12/10	SP0-323 & UP0-282	<b>Parcel Map.</b> CDP & CUP for 3 townhomes. Resubmittal 11/8/10. Resubmittal did not address all issues identified in correction letter.	KW--Incomplete letter sent 4/20/10. Met with applicant 5/25/10.			
18	Hamrick Associates	1129 Market	6/10/10	UP0-291	<b>Remodel and Addition.</b> Submitted additional information 6/30/10. Submitted additional information 7/7/10. Applicant will resubmit addressing fire/building comments.	SD--Incomplete letter 6/23/10. Building Comments. 7/9/10. Met with agent 7/15/10.			
19	Frantz	499 Nevis	9/27/2010, resubmittal date of 1/3/12	CP0-337	<b>New SFR.</b> Applicant has indicated that he is redesigning project-project, placed on hold. Applicant resubmitted building permit plans but has not completed the submittal for the Coastal Development Permit 11/14/11. Payment received 1/3/12. Plans received 1/3/12.	SD--Incomplete Letter 10/7/10. Meeting with applicant's representative on 11/16/2010. Incomplete letter, applicant needs to submit for CDP and pay associated fees 12/13/11. Comment letter sent 2/6/2012. Applicant indicated to staff no longer using Agent Novak	No Comments to date	Comments submitted 1/18/2011	No Comments to date

4/18/2012

955 Shasta Avenue Morro Bay Ca 93442 805-772-6270

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20	Hoover/Hough	301 Main	7/6/11	S00-108	<b>Lot Line Adjustment.</b> Received letter from agent requesting to place project on hold.	KW--Letter sent indicating project can not be supported as submittal advised to redesign 9/21/11.			
21	Randell	300 Piney	7/20/11	S00-111	<b>Tentative Parcel Map.</b> 4 lot subdivision.	SD--SRB. Incomplete letter 10/4/11.			
<b>Projects in Building Plan Check</b>									
22	Frantz	499 Nevis	9/27/10	Building	<b>New SFR.</b> Resubmitted 11/14/11. Resubmitted CDP plans and paid monies.	KW--Incomplete Memo 10/7/10. Coastal Development Permit Required. Incomplete Letter sent 12/13/11 requesting CDP submittal.			
23	Rowland	2630 Maple	4/14/11	Building	<b>Elevator.</b> Resubmittal 5/25/11.	SD--Denied project because elevator was located in 20'x20' garage, where 2 covered and enclosed parking spaces are required, letter sent 4/18/11. Incomplete memo 6/9/11.			
24	Olson	2740 Dogwood	5/4/11	Building	<b>SFR Remodel and Addition. Applicant submitted for a Conditional Use Permit on 2/21/2012</b>	SD--Incomplete Memo 5/17/11. Incomplete Memo 12/12/11. Letter sent to applicant requesting action on open planning permit.			
25	Hoover	301 Main	9/13/11	Building	<b>Single Family Addition to a non-conforming property.</b> Lot Line adjustment in process, not shown on plans. Resubmittal 11/9/11. Multiple	SD--Incomplete memo 10/18/11. Met with the applicant and agent to			
26	Williams	2920 Cedar	10/27/11	Building	<b>SFR Addition.</b> Does not conform to existing approvals/permits on file.	SD--Incomplete Memo 11/14/11.			
27	LaPlante	3093 Beachcomber	11/3/11	Building	<b>New SFR.</b>	SD--Incomplete Letter 12/12/11. Phase 1 Arch Report required and Environmental Document. Incomplete letter sent 2/2012			
28	Moscardi	2768 Alder	11/10/11	Building	<b>New SFR. Applicant resubmitted on 2/28/2012. Submittal only included a few sheets</b>	SD-- Incomplete memo 1/18/11. Incomplete memo 3/16/12.			
29	Burger King	781 Quintana	11/29/11	Building	<b>Parking Lot.</b> Resubmittal 4/5/12.	SD--Incomplete Memo 12/19/11.			
30	Swanson	690 Sequoia	12/7/11	Building	<b>6ft Extension to an Existing Upper and Lower Deck.</b>	SD--Requested 2 sets of the most recent plans in order to issue permit 2/21/12.			
31	Carlstrom	482 Kern	12/21/11	Building	<b>SFR Demo/Reconstruct.</b> Resubmittal 4/4/12.	SD--Incomplete Memo 1/33/12			

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32	Romero	291 Shasta Ave	12/29/11	Building	<b>New single family residence.</b> Applicant resubmitted on 12/29/2011. Ready to be noticed 2/22/12.	SD--Incomplete Letter 2/18/11.			
33	Mission Linen	399 Errol	2/14/12	Building	<b>Exterior Awning.</b> Need parcel merger or lot tie agreement in order to approve building permit.	SD--Incomplete memo 2/16/12.			
34	Morro Del Mar	1885 Ironwood	2/22/12	Building	Applicant submitted for grading and retaining walls. DRT meeting 4/8/12.	KW--Under review			
35	Fennacy	500 Morro Bay	3/15/12	Building	Applicant adding walk up window to existing building	SD-under review			
36	Stewart	370 Kern	4/4/12	Building	SFR Addition.	SD-under review			
<b>Aging Building Permits - No response from applicant in more than 90 days.</b>									
37	Valori	2800 Birch Ave	2/10/10	Building	<b>Remodel/Repair.</b> Sunroom, garage, and study.	SD--Comments sent 2/24/10			
38	Colhover	2800 Dogwood	3/8/10	Building	<b>New SFR.</b>	SD--Comments sent 3/25/10.			
39	Hall	2234 Emerald Circle	12/2/10	Building	<b>New SFR.</b>	SD--Incomplete Memo 12/21/10.			
40	Markowity	589 Morro Avenue	8/17/11	Building	<b>Roof Deck.</b> Resubmittal 9/20/11. A major modification shall be pursued.	SD--Plans returned to Brian, because the plans were incomplete. Incomplete memo 10/3/11.			
<b>Final Map Under Review</b>									
41	Zinngarde	1305 Teresa	5/9/11	Map	<b>Final Map.</b> Public Works review of the final map, CCR's and conditions of approval. Plans 8/5/11. Applicant resubmitted CCRS. Incomplete submittal as of 1/23/12.	KW--Comments given to applicant, held meeting on 9/27/2011 regarding comments. Biological being review by applicant to address drainage issues			
42	Medina	3390 Main	10/7/11	Map	<b>Final Map.</b> Issues with ESH restoration. Applicant placed processing of final map on hold by proposing an amendment to the approved tentative map and coastal development permit. Applicant proposed administrative amendment. Elevated to PC, approved 1/4/12. Appealed, scheduled for 2/14/12 CC Meeting. Appeal upheld by City Council, and project with denied 2/14/12.	SD--Meeting with applicant regarding ESH Area and Biological Study.			
<b>Projects &amp; Permits with Final Action</b>									
43	City of Morro Bay	Corner of Quintana/S. Bay	1/9/12	CP0-369	<b>Upgrade Lift Station 3 facilities.</b>	SD--Verbal to Dylan, need elevations and parking space 1/31/12. Elevations submitted and site plan revised 2/29/12. Project exempt CEQA.	Fire comments submitted 2/6/12	Comments submitted 2/27/12	No Comments to date
44	City of Morro Bay	975 Shasta Ave	3/5/12	CP0-371	<b>Triplex Demo.</b> Scheduled for 4/4/12 PC Meeting.	Project requires a Coastal Development permit for demolition (over 2 units)	No Comments to date	No Comments to date	No Comments to date