



CITY OF MORRO BAY PLANNING COMMISSION AGENDA

*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, November 7, 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 October 17, 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 **Case No.:** #SP0-153
Site Location: 780 Quintana
Proposal: The applicant is seeking approval for a Sign Exception Permit to allow 159.35 square footage of signage for McDonald’s of which approximately 30 square feet will be new signage.
CEQA Determination: Categorically Exempt 15301, Class 1
Staff Recommendation: Conditionally approve sign exception permit #SP0-153
Staff Contact: Cindy Jacinth, Assistant Planner, (805) 772-6577

B-2 **Case No.:** #UP0-342
Site Location: 901-915 Embarcadero
Proposal: The applicant is requesting a Conditional Use Permit to modify an existing commercial facility, which includes a proposal to increase the land lease and water leases and add the following improvements: 1) construct a new retail unit; 2) remodel and enlarge two existing restrooms 3) convert the existing glass court enclosed outdoor dining area to general public seating; 4) enlarge the existing harbor walkway and add a view deck; 5) install six floating docks and a gangway; 6) remove an existing aggregate sidewalk and replace with a concrete sidewalk to connect to an existing sidewalk; 7) modify existing parking spaces; and 8) construct two new posts to support an extension of the existing awning across the front of the building.
CEQA Determination: Mitigated Negative Declaration, State Clearinghouse #2012091063
Staff Recommendation: Conditionally approve Conditional Use Permit #UP0-342 and adopt Mitigated Negative Declaration
Staff Contact: Mary Reents, Contract Planner, (805) 772-6270

B-3 **Case No.:** #CP0-363

Site Location: 460 Olive Street

Proposal: The applicant is seeking Coastal Development Permit approval to demolish an existing single family residence and detached garage and construct a single family home and secondary unit.

Staff Contact: Cindy Jacinth, Assistant Planner, (805) 772-6577

This item has been pulled from the agenda and is being processed as an Administrative Coastal Development permit.

C. UNFINISHED BUSINESS

C-1 Current and Advanced Planning Processing List

Staff Recommendation: Receive and file.

Upcoming Projects:

3072 Main – Coastal permit for Chevron removal of underground pipes

1215 Embarcadero – Precise Plan submittal

3202 Beachcomber – Coastal permit for New Single Family Home

Southern California Gas Company – Coastal Permits for Advance Metering Project

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, December 5, 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 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 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: November 7, 2012

ACTION: _____

SYNOPSIS MINUTES - MORRO BAY PLANNING COMMISSION
REGULAR MEETING – OCTOBER 17, 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 |
| | (via teleconference Haiku, HI) | |
| | Paul Nagy | Commissioner |
| | Jessica Napier | Commissioner |
| | John Fennacy | Commissioner |

| | | |
|--------|---------------|--------------------------|
| STAFF: | Rob Livick | Public Services Director |
| | Mary Reents | Contract Planner |
| | Cindy Jacinth | 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

A-1 Approval of minutes from Planning Commission meeting of September 19, 2012

Staff Recommendation: Approve minutes as submitted.

Commissioner Nagy stated his comments on page 3 are incorrect and he asked to have the minutes corrected to reflect his intention. He stated he was pointing out the impact that building three homes would have *if* that were the applicant's request.

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – OCTOBER 17, 2012

MOTION: Chairperson Grantham moved to approve the minutes as corrected. The motion passed unanimously. (5-0).

B. PUBLIC HEARINGS

B-1 **Case No:** Parking Exception #ADO-075

Site Location: 1000 Ridgeway Street

Proposal: The applicant is seeking a parking exception to construct a garage with a reduced setback of 11 feet rather than the required 20 feet setback.

CEQA Determination: Categorical Exemption Class 15303, Class 3.

Staff Recommendation: Conditionally Approve

Staff Contact: Cindy Jacinth, Assistant Planner (805) 772-6577

Jacinth presented the staff report.

Chairperson Grantham opened Public Comment period.

Ruel Czach, Applicant's architect, provided an overview of the lots, specifically relating to side yard setbacks. He provided several plans which illustrated the setback specifics. He noted other homes have different setbacks which, on average, are 11 feet and illustrated why the proposed project is not a special grant of privilege. He asked the Commission for approval of the variance.

Chairperson Grantham closed Public Comment period.

Commissioner Nagy asked staff to clarify whether the street section at the site will ever be widened. Livick clarified the paved travel way section at the site is as wide as it is going to get. He noted current City regulations do not require sidewalks in residential neighborhoods, so cars parked in the driveway would not be an obstruction. Commissioner Nagy stated that with the clarification, the proposed project would not cause harm to the neighborhood, and he supports the project.

Chairperson Grantham stated the project appears to be a special privilege and requires an exemption. He agreed that the project does meet the parking intent.

MOTION: Commissioner Nagy moved to adopt the findings included in Exhibit "A" and approve the modifications to the Parking Exception #ADO-075 and subject to the conditions included as Exhibit "B".

Commissioner Solu seconded the motion. Livick did a roll call vote and the motion passed unanimously. (5-0).

B-2 **Case No:** Conditional Use Permit #UP0-356

Site Location: 589 Morro Avenue

Proposal: The applicant is seeking to add a 465 square foot roof deck addition to an existing two story residence in a planned development overlay zone.

CEQA Determination: Categorical Exemption Class 15301, Class 1.

Staff Recommendation: Conditionally Approve

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – OCTOBER 17, 2012

Staff Contact: Cindy Jacinth, Assistant Planner (805) 772-6577

Jacinth presented the staff report.

Chairperson Grantham asked staff if other units would have access to the area, or if it would be for the sole use of the resident. Jacinth confirmed the roof deck would be only for the use of the property owner at 589 Morro.

Commissioner Nagy questioned the validity of a new height certificate given the average natural grade has changed significantly since the home was built. Jacinth confirmed a surveyor would provide a valid height certificate for the home at 589 Morro using the calculated average natural grade. Livick stated there is an existing topo map from the site's original development approvals in 2004 which the surveyor can use to establish the correct height.

Commissioner Solu asked staff to explain why the proposed project has been presented to the Planning Commission for review since it seems to meet all conformities. Livick explained the roof deck proposal is considered a major modification to the planned development approvals from 2004 which requires Planning Commission approval.

Chairperson Grantham opened Public Comment period.

Cody McLaughlin, Applicant's Representative, stated he is available to answer questions.

Chairperson Grantham closed Public Comment period.

Commissioners expressed support for the project.

MOTION: Commissioner Fennacy moved to adopt the findings included as Exhibit "A", to approve the Conditional Use Permit #UP0-356, subject to the conditions of approval included as Exhibit "B", and the site development plans dated September 10, 2012.

Commissioner Nagy seconded the motion. Roll call vote: (5-0). Motion passed unanimously.

B-3 Case No: Amendment to Conditional Use Permit #UP0-058

Site Location: 1185 Embarcadero

Proposal: The applicant is seeking an amendment of Conditional Use Permit UP0-058 to allow sport fishing as a permanent use at Great American Fish Company. Planning Commission previously approved Temporary Use Permit (UP0-319) to allow this use.

CEQA Determination: Categorical Exemption Class 15301, Class 1.

Staff Recommendation: Conditionally Approve.

Staff Contact: Mary Reents, Contract Planner (805)772-6270

Reents presented the staff report.

Commissioner Solu asked staff to clarify why this issue was being brought before the Commission.

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – OCTOBER 17, 2012

Reents clarified the issue must go before the Commission to decide whether the use should be permanent or temporary.

Commissioner Solu asked staff to discuss the safety issues associated with this project. Reents identified the findings included as Exhibit “A” which addressed some safety issues.

Chairperson Grantham opened Public Comment period.

Cathy Novak, Applicant’s Representative, discussed the importance of sport fishing in Morro Bay. She stated it is an integral part of Morro Bay’s identity as a working harbor. Novak noted that because GAFCO has traditional uses with both commercial and sport fishing operations, it is consistent with Measure D, as staff has noted in the report. This use has been approved by previous Planning Commissions, Councils, and Coastal Commissions, therefore she requested that the Commissioners approve the amendment to the conditional use permit. She addressed dock safety issues previously mentioned by Commissioners, she stated the permit conditions will not change regarding dock safety at the site, and she also stated GAFCO is in the process of repairing and replacing the docks. She noted the parking restrictions would be the same as those for the existing temporary permit.

Chairperson Grantham closed Public Comment period.

Commissioner Fennacy expressed support for maintaining its sport fishing fleet and sport fishing businesses, and also support for making permanent the temporary permit.

Chairperson Grantham confirmed with staff that necessary environmental studies have been completed for this particular plan. Reents confirmed the studies have been done and are covered in the original Master Plan.

Commissioner Nagy expressed support for the project.

Commissioner Solu asked staff to clarify whether safety issues are being addressed as part of the lease as improvements that need to occur.

Commissioner Napier asked Livick to clarify when the additional parking will be finalized. Livick and Rob Schultz, City Attorney noted the City has access to the parking.

Commissioner Solu asked Schultz to explain the legal rationale for hearing this item at the Planning Commission. Schultz stated that the Planning Commission examines the case from a land use standpoint, not a lease standpoint. The use has existed at the site for fifty years, and because it predates Measure D, Schultz stated the project is vested.

Novak clarified for Chairperson Grantham that she and her client are in the process of repairing the existing docks at the site. GAFCO has ordered the docks and is waiting for them to arrive.

MOTION: Commissioner Fennacy moved to conditionally approve the request for the Amendment to Conditional Use Permit #UP0-058 to allow sport fishing as a permanent use and adopt the findings included as Exhibit “A” and conditionally

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – OCTOBER 17, 2012

approve the amendment to Conditional Use Permit #UPO-058 subject to the conditions of approval included as Exhibit “B.”

Chairperson Grantham seconded the motion. Roll call vote: (5-0). Motion passed unanimously.

B-4 **Case No:** Conditional Use Permit #UPO-140

Site Location: 575 & 591 Embarcadero

Request: The applicant is requesting an amendment to Conditional Use Permit UPO-140 to correct the parking calculation in the original use permit UPO-140.

CEQA Determination: As approved with the original Conditional Use Permit #UPO-140 on August 28, 2007.

Staff Recommendation: Conditionally Approve.

Staff Contact: Rob Livick, Public Services Director, (805) 772-6569.

Livick presented the staff report.

Chairperson Grantham opened Public Comment period.

Cathy Novak, Applicant’s Representative, discussed previous Planning Commission resolutions for this project. She stated the City has a pattern of recognizing different entitlements and has granted the credits to projects that have either been remodeled or demolished. This policy is not limited to the Embarcadero but is community-wide. She asked for approval from the Commission to amend the permit.

Chairperson Grantham closed Public Comment period.

MOTION: Commissioner Nagy moved to adopt the findings included as Exhibit “A” and conditionally approve Conditional Use Permit #UPO-140 subject to the conditions included in Exhibit “B.”

Commissioner Solu seconded the motion. Roll call vote: (5-0). Motion passed unanimously.

UNFINISHED BUSINESS

C-1 Current and Advanced Planning Processing List

Staff Recommendation: Receive and file.

Upcoming Projects: 460 Olive – New Single Family Home
901-915 Embarcadero – Commercial Remodel Addition
Nutmeg Water Tanks – Mitigated Negative Declaration (Project to be permitted by County)

Staff reviewed the work plan with Commissioners.

NEW BUSINESS – None.

DECLARATION OF FUTURE AGENDA ITEMS - None

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – OCTOBER 17, 2012

ADJOURNMENT

The meeting adjourned at 7:20 pm to the next regularly scheduled Planning Commission meeting at the Veteran's Hall, 209 Surf Street, on Wednesday, November 7, 2012 at 6:00 pm.

Rick Grantham, Chairperson

ATTEST:

Rob Livick, Secretary



AGENDA NO: B-1

MEETING DATE: November 7th, 2012

Staff Report

TO: Planning Commissioners **DATE:** November 1, 2012

FROM: Cindy Jacinth, Assistant Planner
Erik Berg-Johansen, Intern Planner

SUBJECT: Sign Exception request (#SP0-153) for McDonald's restaurant at 780 Quintana Rd.

RECOMMENDATION:

CONDITIONALLY APPROVE THE PROJECT by making the following motion:

- A. Adopt the Findings included as Exhibit "A";
- B. Conditionally Approve Sign Exception Permit SP0-153 subject to the Finding attached as Exhibit "A" and the conditions included as Exhibit "B" and the sign plans dated October 24, 2012.

APPLICANT/AGENT: Superior Electrical Advertising

LEGAL DESCRIPTION/APN (ADDRESS): 066-280-006

PROJECT DESCRIPTION:

The applicant requests a Sign Exception Permit to exceed the maximum aggregate sign area of 200 square feet for the Cypress Plaza Shopping Center, as well as their individual allowed sign area of 68.75 sq. feet.

Shopping centers in Morro Bay are allowed a total of 200 square feet for all businesses, and the existing signs in the Cypress Plaza shopping center far exceed the aggregate allowed area. Therefore, any new sign proposals in this shopping center automatically require approval from the Planning Commission. Furthermore, McDonald's is proposing 149.6 sq. ft. of signage. Due to a proposal consisting of both surface and monument signs, McDonald's is allowed sign square footage equal to their linear frontage of 68.75 ft. Their proposal exceeds the allowed sign area for individual businesses by 80.85 sq. ft. (149.6 – 68.75).

Prepared By: EBJ **Dept Review:** CJ

PROJECT SETTING:

| <u>Adjacent Zoning/Land Use</u> | | | |
|--|--|--------|--|
| North: | Agriculture (AG) | South: | Central Business District (C-1) / Mobile Home Park |
| East: | Central Business District (C-1)/ Burger King | West: | Central Business District (C-1)/ Shopping Center |

| <u>Site Characteristics</u> | |
|------------------------------------|--|
| Site Area | 20,375 Sq. Ft. |
| Existing Use | McDonald's Restaurant |
| Terrain | Graded, flat site |
| Vegetation/Wildlife | Vegetation in parking lot |
| Archaeological Resources | Property not located within 300 feet of an archaeological site |
| Access | Quintana Road |

| <u>General Plan, Zoning Ordinance & Local Coastal Plan Designations</u> | |
|--|---|
| General Plan/Coastal Plan Land Use Designation | Central Commercial |
| Base Zone District | Central Commercial (C-1) |
| Zoning Overlay District | N/A |
| Special Treatment Area | N/A |
| Combining District | N/A |
| Specific Plan Area | N/A |
| Coastal Zone | Yes, but not located in the original or appeals jurisdiction. |

PROJECT ANALYSIS:

Background

The existing shopping center on the property was approved in 1992 for the demolition of an existing 35,000 square foot shopping center and to be replaced with a 104,000 square foot shopping center. The existing shopping center was approved as a comprehensive project on various parcels with a common access easement agreement. The original project was approved as a Coastal Development Permit, Conditional Use Permit and Tentative Map. The current owner has operated this McDonald's restaurant for the past 17 years.

On August 15, 2012 the Planning Commission approved an addition and remodel of the McDonald's restaurant. They are currently in the process of obtaining a building permit in

order to begin construction. The new sign program will be consistent with the remodel of the building and create a new image for McDonald's as consistent with other franchises nationally.

Environmental Determination

Pursuant to the California Environmental Quality Act the project as proposed is Categorically Exempt Section 15301, Class 1. The project as proposed is classified as a minor alteration to an existing private structure.

Project Specifics

The applicant requests implementation of the following signs: (2) 32.8 sq. ft. channel letter signs reading "McDonald's" on the North and East sides of the building. (3) 14 sq. ft. channel arch signs consisting of the McDonald's logo on the North, West, and East sides of the building. (1) 42 sq. ft. Monument sign consisting of the McDonald's logo and text reading "DRIVE-THRU 24 HOURS" placed on the northeast portion of the property along Quintana Road.

PUBLIC NOTICE:

Notice of this item was published in the San Luis Obispo Tribune newspaper on October 26, 2012, and all property owners of record within 300 feet of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application.

CONCLUSION:

As proposed, staff recommends approval of Sign Exception SP0-153 for McDonald's at 780 Quintana Rd. As a business located at the corner of Cypress Plaza shopping center, McDonalds is flanked by the two primary entrances to the shopping center. Granting an exception to the individual allowable sign area will give McDonalds the opportunity to attract motorists, bicyclists, and pedestrians from all four sides. Although McDonalds technically has one frontage on Quintana Rd. (and the allowable sign area was calculated accordingly), motorists and pedestrians commonly have a view of all four frontages. The North, South, and East sides of the restaurant are visible to drivers traveling on Quintana Rd. The West side is visible to those who park in, or walk through the shopping center's parking lot. Keeping drivers within the parking area and walking between businesses will limit excessive traffic on Quintana Rd.

Attracting customers to McDonalds will bring consumers into the shared shopping center parking lot, increasing activity in the shopping center as a whole. This increase of potential consumerism could improve the economic viability of the shopping center as a whole. This, along with the fact that the proposed signs are not excessive for the scale of the structure has led staff to believe this project should be approved.

As far as an exception to the aggregate allowable sign area for the shopping center, it is apparent that this component of the sign ordinance is outdated. The 200 sq. ft. total allowed area for shopping centers does not consider the increasing scale of shopping centers in modern Morro Bay. Staff recommends that McDonald's should be granted an exception to this regulation.

ATTACHMENTS:

1. Findings, Exhibit A
2. Conditions, Exhibit B
3. Graphics/Plan Reductions, Exhibit C
4. Public Correspondence Received, Exhibit D

EXHIBIT A

FINDINGS

SITE: 780 QUINTANA

SIGN EXCEPTION PERMIT SP0-153

California Environmental Quality Act (CEQA)

- A. Pursuant to the California Environmental Quality Act the project as proposed is Categorically Exempt Section 15301, Class 1. The project as proposed is classified as a minor alteration to an existing private structure.

Sign Exception Findings

- A. Due to the size and colors of the signs it is has been determined that they will not be distracting to motorists. The sign is of comparable color, shape, and size to the existing shopping center, therefore the sign will not negatively affect the safety of traveling motorists.
- B. The signs are not excessive or poorly designed, and do not have a negative impact on residents and visitors.
- C. The signs clearly represent the type of business and services being offered by McDonalds, and provides important information to the public regarding the business.
- D. The signs are consistent with both the City's General Plan and certified Local Coastal program. The visual environment is important to the property values and pleasant, enjoyable quality of life for residents. The sign maintains aesthetics comparable to commercial signs in the area while balancing the need for appropriate publicity for the business, therefore, the sign will not degrade the environment or affect the welfare of the public. In fact, the proposed signs could potentially attract greater amounts of consumers to the shopping center.

EXHIBIT B

CONDITIONS OF APPROVAL

SITE: 780 QUINTANA

SIGN EXCEPTION PERMIT SP0-153

STANDARD CONDITIONS

1. This permit is granted for the signs described in the staff report dated October 25, 2012, for the project depicted on plans dated October 24, 2012 on file with the Public Services Department, as modified by these conditions of approval, and more specifically described as follows:

Signs shall be located and designed according to what is 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 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.

McDonald's

Store #15090, 780 Quintana Blvd., Morro Bay, CA



superior
electrical advertising

1700 West Anaheim Street
Long Beach, California
90813-1105
Phone: 562.495.3808
Facsimile: 562.435.1867
www.superiorsigns.com

Project:
McDonald's # 15090

Address:
780 Quintana Blvd.,
Morro Bay, CA

Account Manager:
S. Janocha

Designer:
L. Ramirez 3.50

Scale: AS NOTED

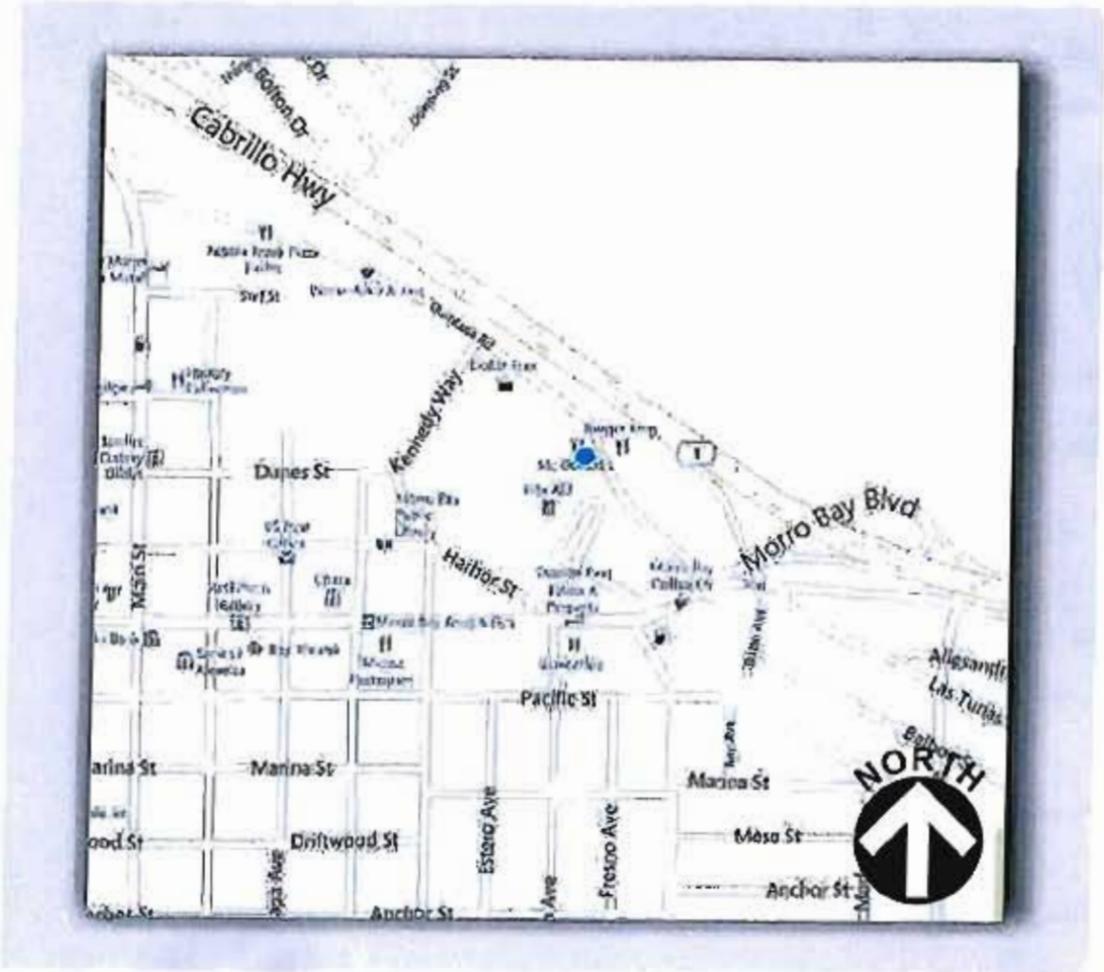
Design No.: 12-06-5064-03 P

Date: 06.20.12

Reg. No.: **218643**

Revisions:
R1 6/25/12 LR add existing signage call out (1.75)
R2 10/3/12 LR New site plan, ope pre-set, mon. reface (1.75)
R3 10/24/17 LR Use next gen (1)

| SIGN SCHEDULE - McDONALD'S SIGNAGE | | | | | |
|------------------------------------|--------------------|--------|-------|--------|--------------|
| NO. | DESCRIPTION | ILLUM. | AREA | QUANT. | TOTAL |
| A | CHANNEL LETTERS | Y | 32.8 | 2 | 65.6 |
| B | CHANNEL ARCH | Y | 14.0 | 3 | 42.0 |
| C | | | | | |
| D | "WELCOME" LETTERS | N | 3.0 | 2 | -- |
| E | WINDOW BANNER | N | -- | 1 | -- |
| F | WINDOW BANNER | N | -- | 1 | -- |
| G | OPO MENUBOARD | Y | 40.0 | 1 | -- |
| H | C.O.D. CANOPY SIGN | Y | -- | 1 | -- |
| I | OPO PRESELL | Y | 11.06 | 1 | -- |
| J | GATEWAY CLEARANCE | N | -- | 1 | -- |
| TOTAL SQ. FOOTAGE = | | | | | 107.6 |



① VICINITY MAP
Scale: N.T.S.

• APPROVALS •

FOR JOB CHECK DATE

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FOR CONSTRUCTION DATE

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Design

Production

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Page: 01 Of: 10

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1 SITE PLAN
Scale: N.T.S



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1700 West Anaheim Street
Long Beach, California
90813-1195
Phone: 562.495.3808
Facsimile: 562.435.1867
www.superiorsigns.com

Project:
McDonald's # 15090

Address:
**780 Quintana Blvd.,
Morro Bay, CA**

Account Manager:
S. Janocha

Designer:
L. Ramirez 3.50

Scale: **AS NOTED**

Design No.: **12-06-5064-03 P**

Date: **06.20.12**

Reg. No.: **218643**

Revisions:
R1 6/25/12 LR add existing signage call outs (.75)
R2 10/3/12 LR New site plan, o/po presell, mon, reface (1.75)
R3 10/24/17 LR Use next gen (1)

• APPROVALS •

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Design

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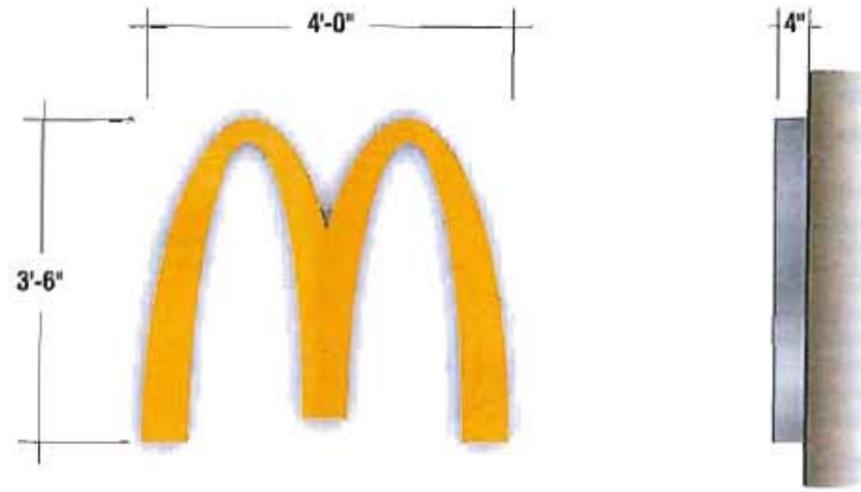
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B1
B2
B3

LED ILLUMINATED CHANNEL LOGO

Quantity: Three (3) Required

14.0 Sq. Ft.

Scale: 1/2" = 1'-0"

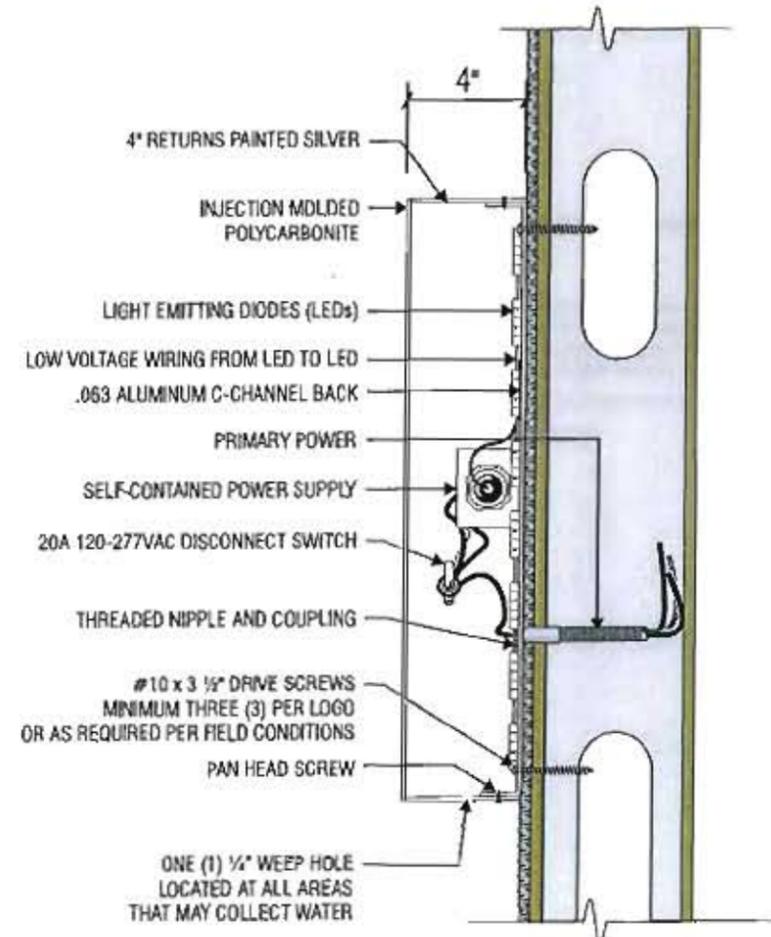
SPECIFICATIONS:

LOGO: INJECTION MOLDED YELLOW POLYCARBONITE
RETURNS: OPAQUE POLYCARBONITE PAINTED SILVER
ILLUMINATION: WARM WHITE LED'S
POWER REQ: 1.3 AMPS
NOTE:

Note to All Contractors

120 Sign Voltage

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign. All wall penetrations to be sealed with UL Listed silicone sealant.



1 TYPICAL SECTION DETAIL - SELF-CONTAINED BUILDING LOGO
 Scale: n.t.s



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S. Janocha
 Designer:
L. Ramirez 3.50
 Scale: **AS NOTED**
 Design No.: **12-06-5064-03 P**
 Date: **06.20.12**
 Reg. No.: **218643**

Revisions:
 R1 6/25/12 LR add existing signage call outs (.75)
 R2 10/3/12 LR New site plan, opp presett, mon. reface (1.75)
 R3 10/24/17 LR Use next gen (1)

• APPROVALS •

FOR JOB CHECK DATE

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FOR CONSTRUCTION DATE

Acct. Mgr.

Design

Production

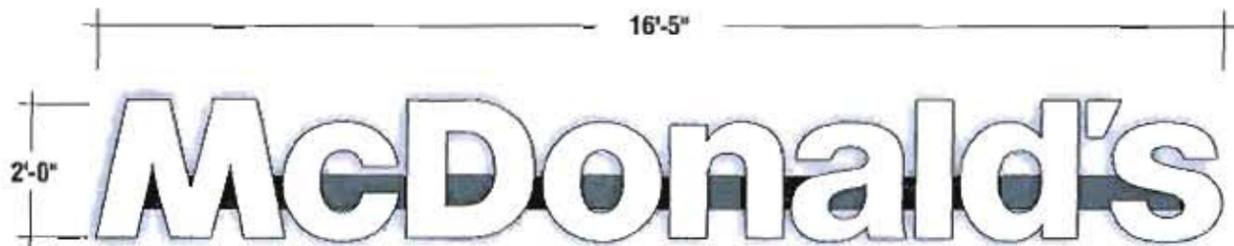
FOR INSTALL ONLY DATE

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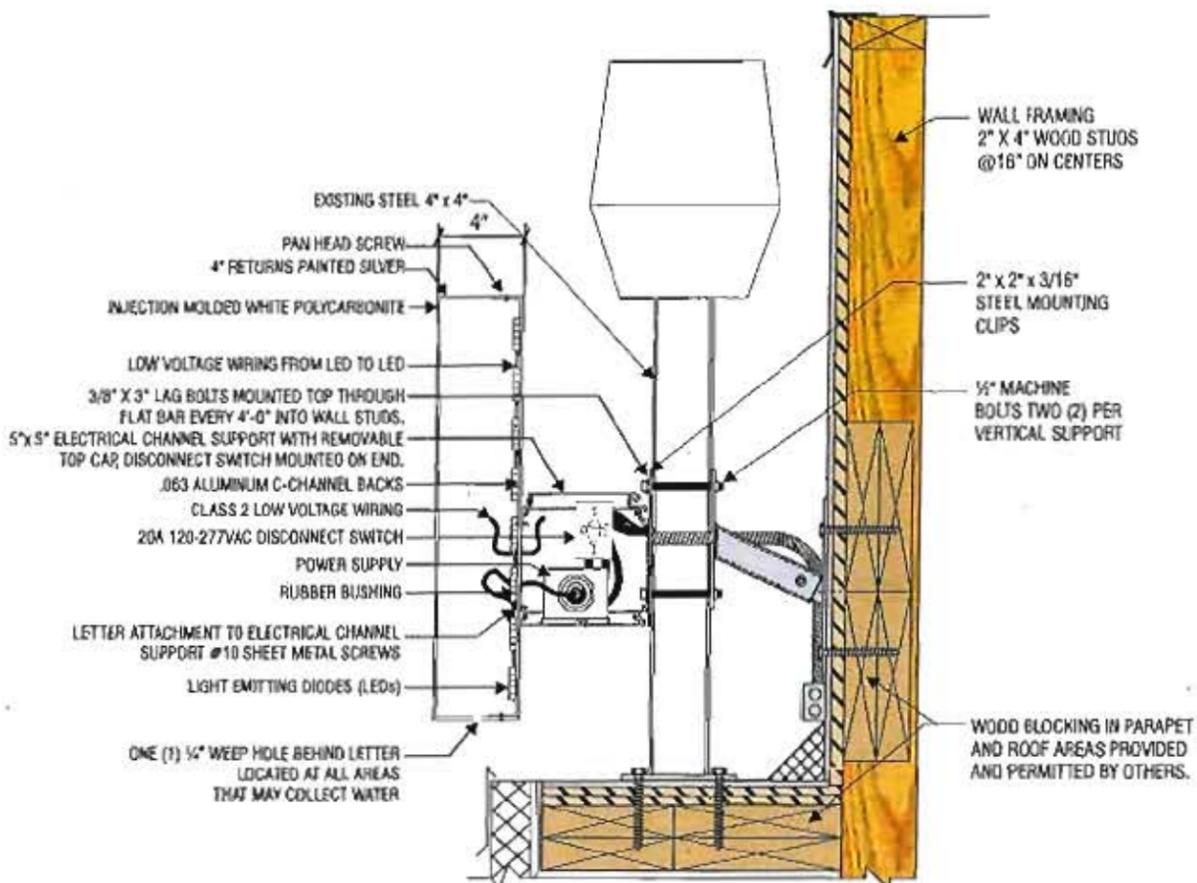
A1 A2 LED ILLUMINATED CHANNEL LETTERS / ELECTRICAL CHANNEL SUPPORT 32.8 Sq. Ft.
 Quantity: Two (2) Required Scale: 3/8" = 1'-0"

SPECIFICATIONS:

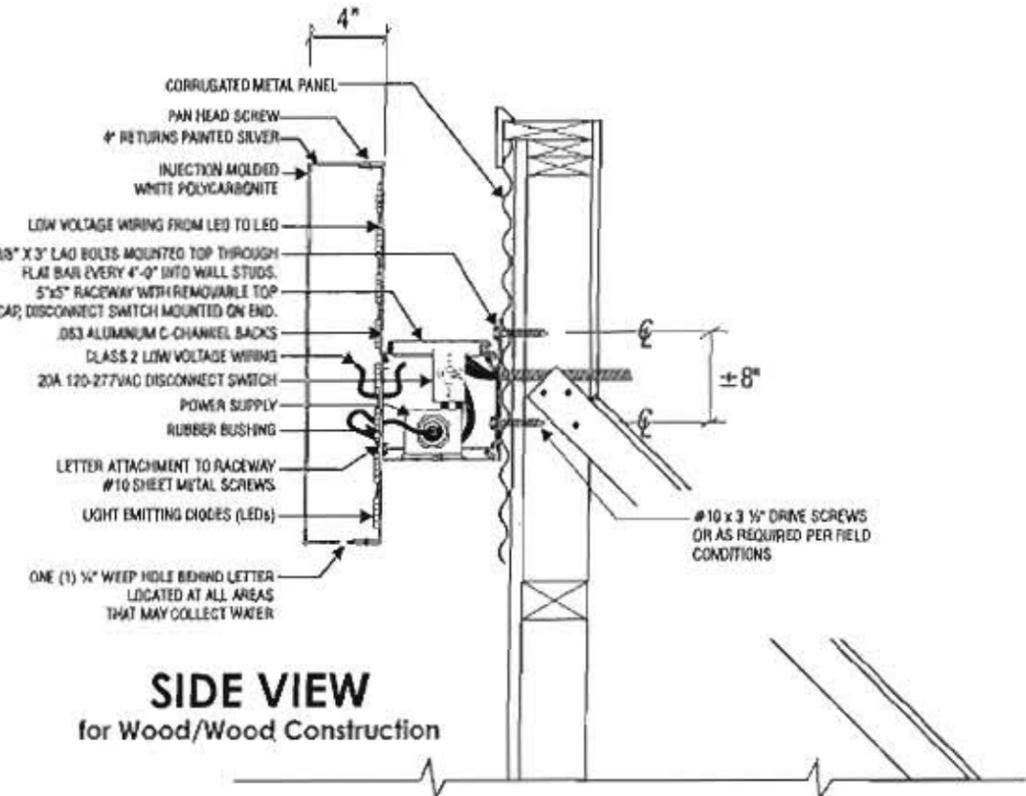
LETTERS: INJECTION MOLDED WHITE POLYCARBONITE
 RETURNS: OPAQUE POLYCARBONITE PAINTED SILVER
 ILLUMINATION: WHITE LED'S
 CHANNEL SUPPORT: 5" x 5" ALUMINUM CONSTRUCTION PAINTED SILVER
 POWER REQ: 1.6 AMPS
 NOTE:

Note to All Contractors

120 Sign Voltage
 This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign. All wall penetrations to be sealed with UL Listed silicone sealant.



A1 CHANNEL LETTER / ELECTRICAL CHANNEL SUPPORT - COLUMN ATTACHMENT
 Scale: n.t.s



A2 CHANNEL LETTER - CORRUGATED METAL WALL ATTACHMENT
 Scale: n.t.s

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Project:
 McDonald's # 15090

Address:
 780 Quintana Blvd.,
 Morro Bay, CA

Account Manager:
 S. Janocha

Designer:
 L. Ramirez 3.50

Scale: AS NOTED

Design No.: 12-06-5064-03 P

Date: 06.20.12

Reg. No.: 218643

Revisions:
 R1 8/25/12 LR add existing signage call outs (1.75)
 R2 10/3/12 LR New site plan, cpo presell, mon. reface (1.75)
 R3 10/24/12 LR Use next gen (1)

APPROVALS

FOR JOB CHECK DATE

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Design

Production

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Page: 05 Of: 10

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Morro Bay, CA

Account Manager:
S. Janocha

Designer:
L. Ramirez 3.50

Scale: AS NOTED

Design No.: 12-06-5084-03 P

Date: 06.20.12

Reg. No.: 218643

Revisions:
R1 6/25/12 LR add existing signage call outs (.75)
R2 10/3/12 LR New site plan, opp present, mon. refice (1.75)
R3 10/26/12 LR Use next gen (1)

• APPROVALS •

FOR JOB CHECK DATE

Acct. Mgr.

FOR CONSTRUCTION DATE

Acct. Mgr.

Design

Production

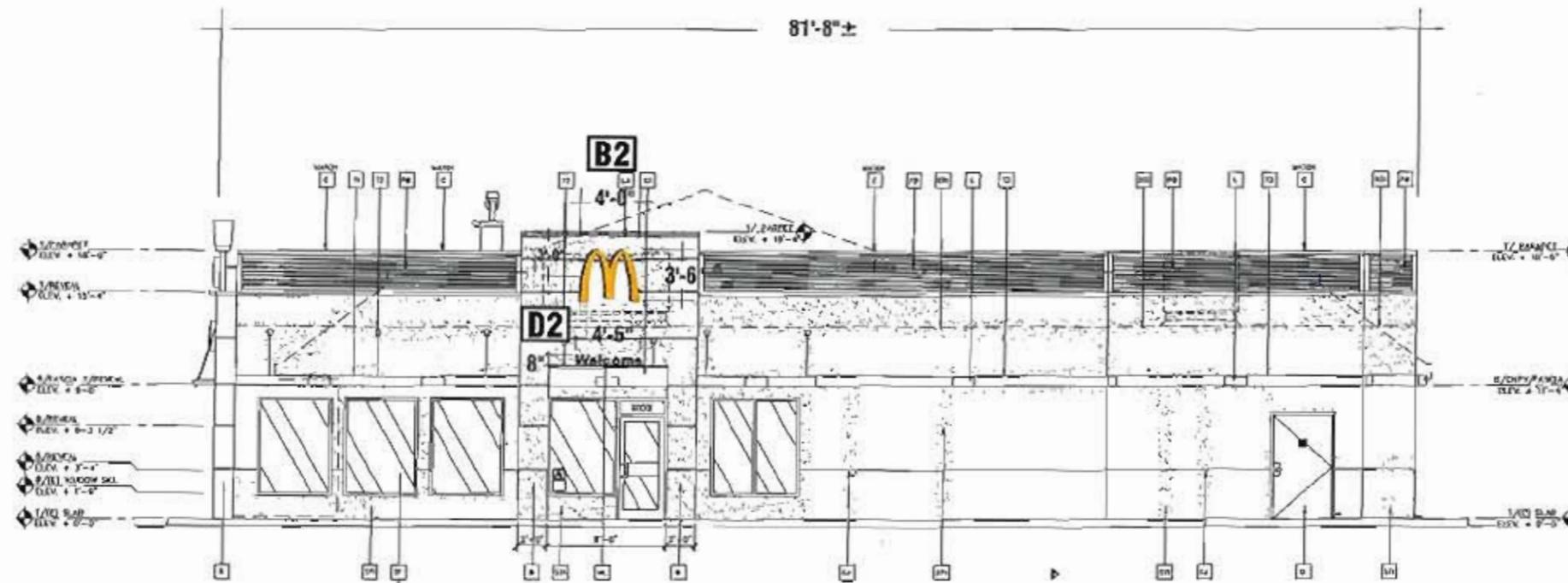
FOR INSTALL ONLY DATE

Acct. Mgr.

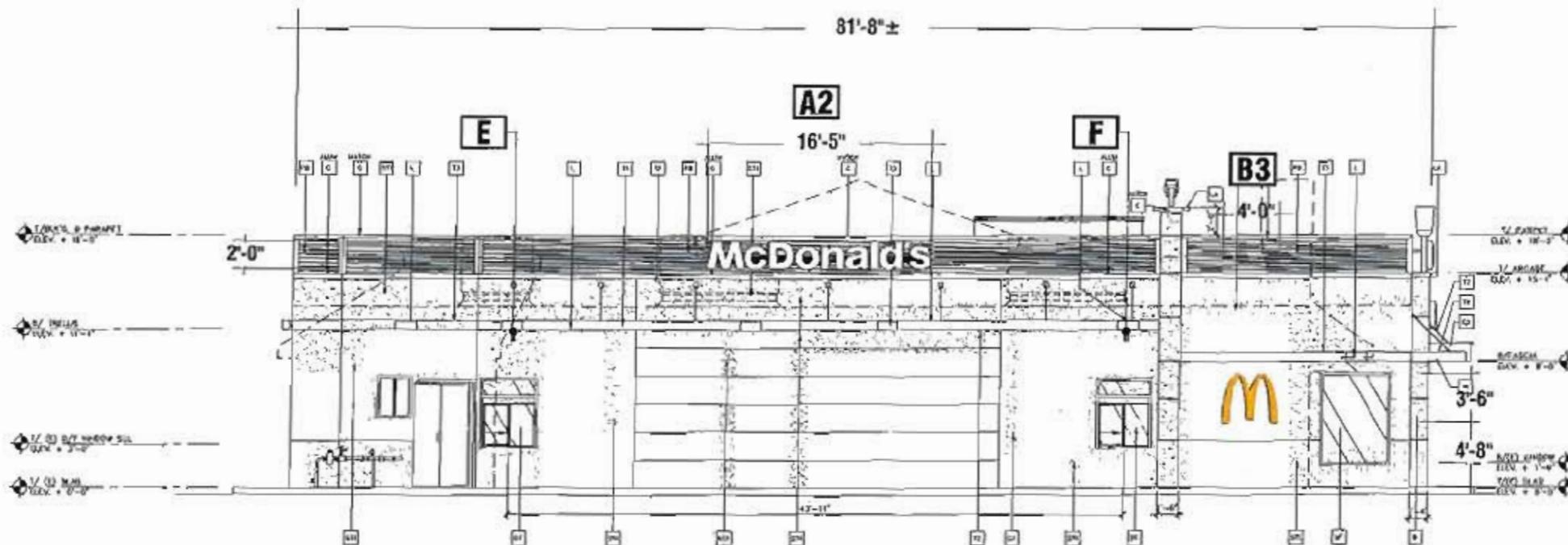
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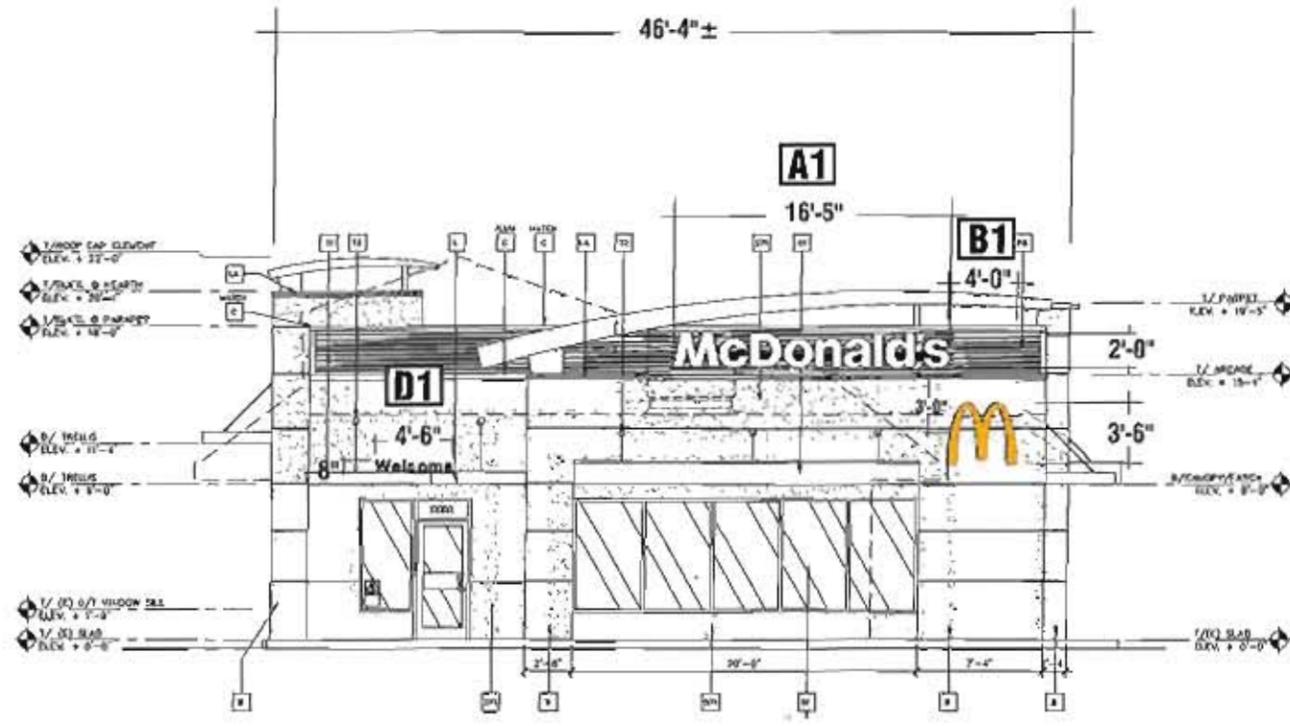
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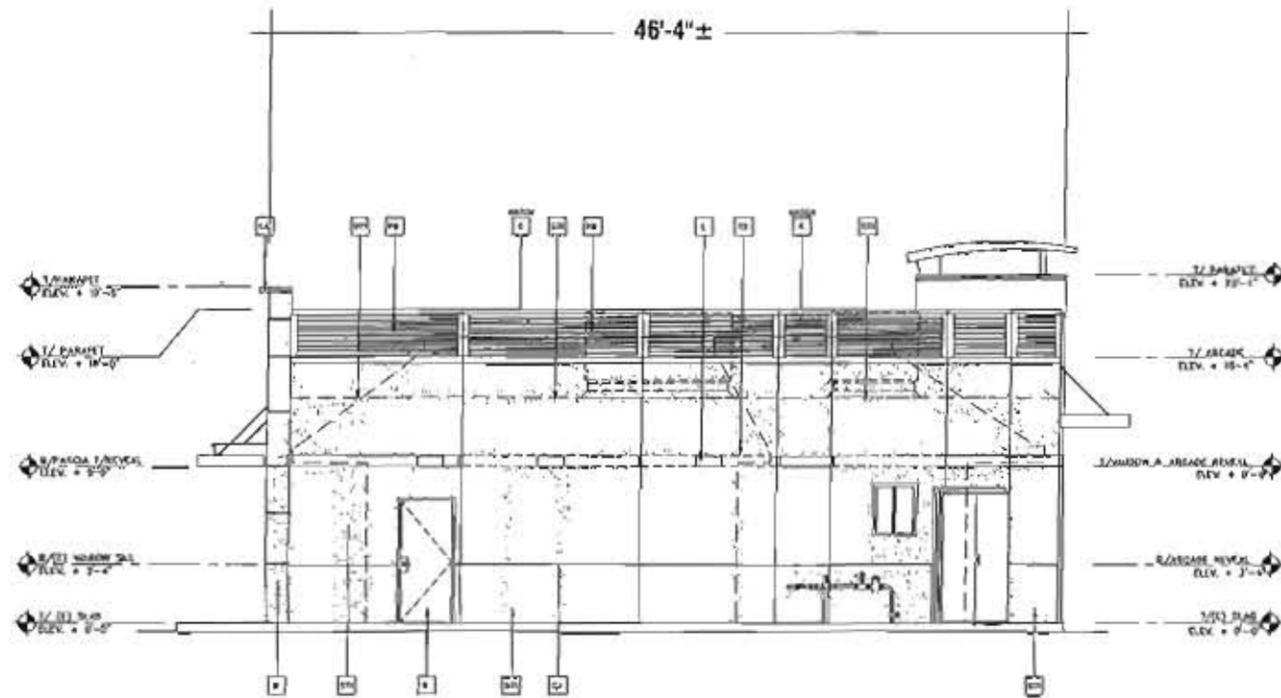
3 NON-DRIVE THRU ELEVATION - WEST
Scale: 3/32" = 1'-0"



4 DRIVE THRU ELEVATION - EAST
Scale: 3/32" = 1'-0"



① FRONT ELEVATION - NORTH
Scale: 3/32" = 1'-0"



② REAR ELEVATION - SOUTH
Scale: 3/32" = 1'-0"



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Designer:
L. Ramirez 3.50

Scale: AS NOTED

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Date: 06.20.12

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Revisions:
R1 6/25/12 LR add existing signage call outs (.75)
R2 10/9/12 LR New site plan, opp process, mon. reface (1.75)
R3 10/24/12 LR Use next gen (1)

• APPROVALS •

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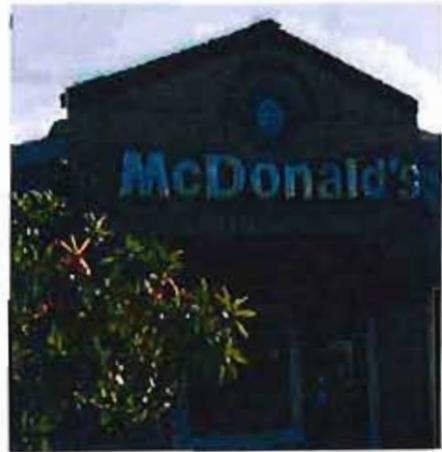
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1 MONUMENT - 6'-0" x 7'-0"
Scale: n.t.s



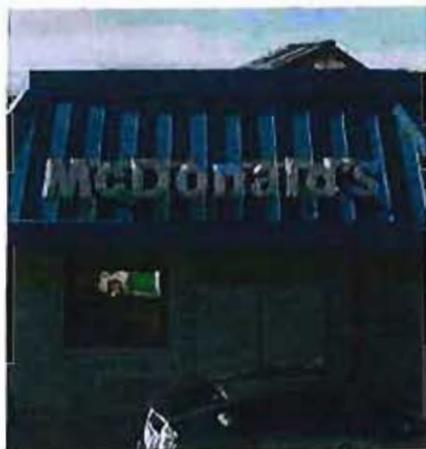
4 ILLUMINATED CHANNEL ARCH - 3'-4" x 4'-0"
Scale: n.t.s



2 ILLUMINATED CHANNEL LETTERS - 2'-0" x 18'-0"
Scale: n.t.s



5 ILLUMINATED DIRECTIONAL - 3'-3" x 3'-0"
Scale: n.t.s



3 ILLUMINATED CHANNEL LETTERS - 1'-5" x 13'-0"
Scale: n.t.s

6 ILLUMINATED MENUBOARD - 6'-9" x 8'-3"
Scale: n.t.s



4 AERIAL VIEW
Scale: n.t.s



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L. Ramirez 3.50

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Date: 06.20.12

Reg. No.: 218643

Revisions:
R1 6/25/12 LR add existing signage
call outs (.75)
R2 10/3/12 LR New site plan, opp prenat,
mon. reface (1.75)
R3 10/24/12 LR Use next gen (1)

• APPROVALS •

FOR JOB CHECK DATE

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Production

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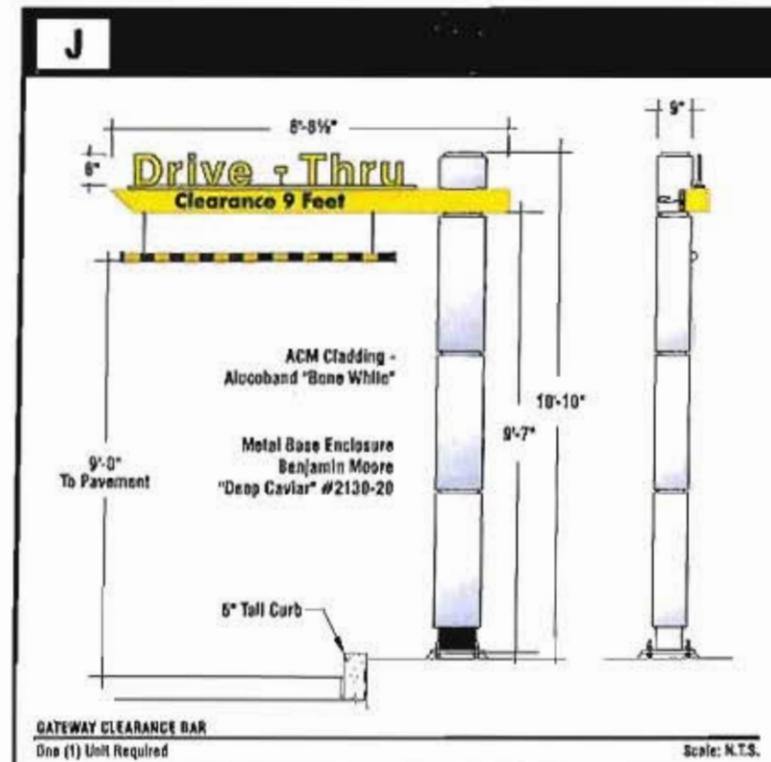
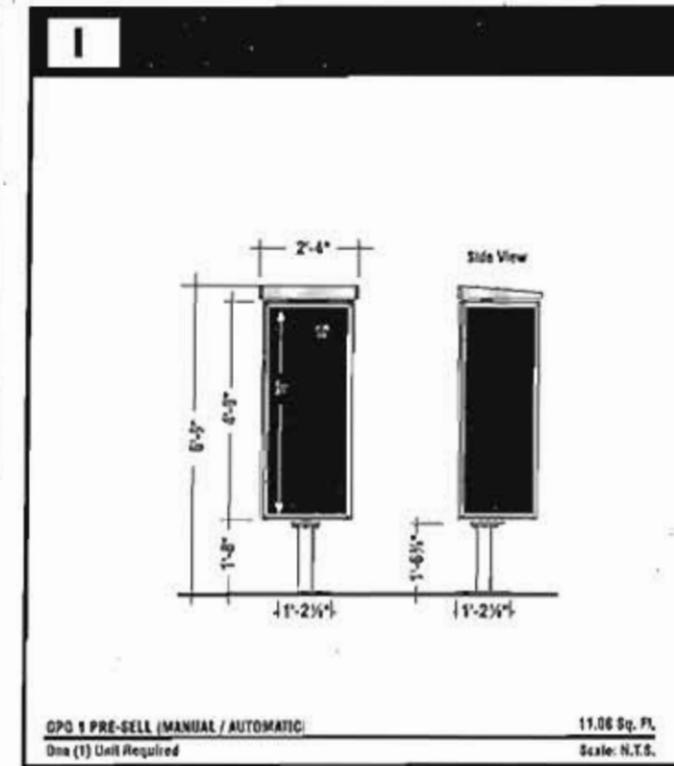
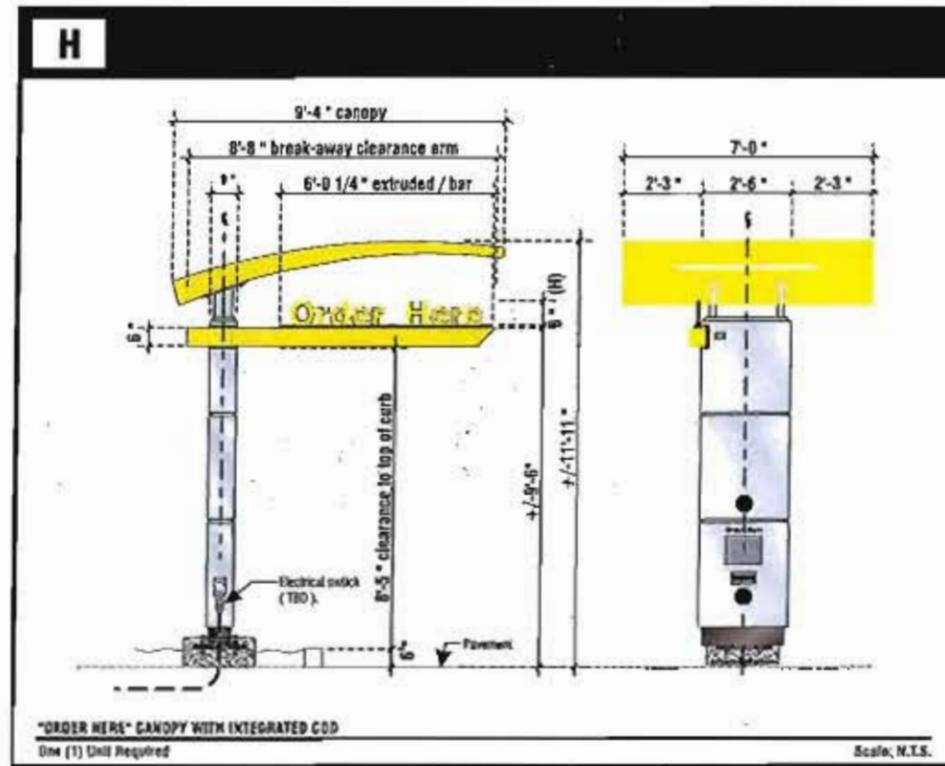
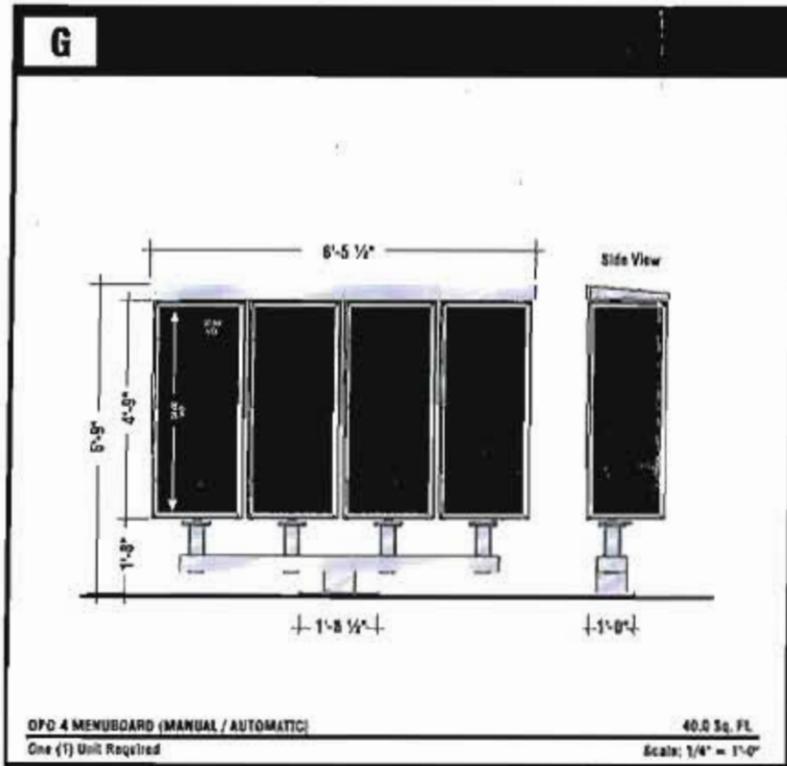
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**** ALL FOOTINGS BY THE GENERAL CONTRACTOR ****
(for signs on this page)



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FOR JOB CHECK DATE
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Acct. Mgr.

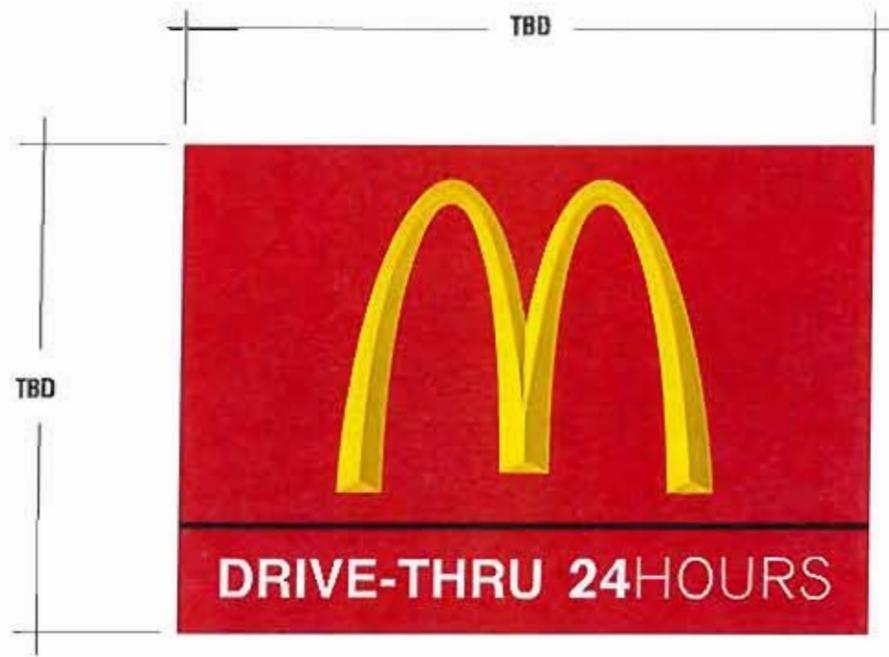
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Z REFACE EXISTING DOUBLE FACE ILLUMINATED MONUMENT
 Quantity: Two (2) Faces Required Scale: N.T.S.

SPECIFICATIONS:

- **FACE:** FLAT CLEAR TUFFGLASS WITH VACUUM FORMED ARCH BACKSPRAYED McD RED, YELLOW, AND WHITE
- **DIVIDER BAR:** VINYL PAINTED TO MATCH CABINET
- **NOTE:** JOB CHECK REQUIRED BEFORE FABRICATION



1 EXISTING FACE
 Scale: N.T.S.



2 PROPOSED FACE
 Scale: N.T.S.

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• APPROVALS •

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Page: 08 Of: 10

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Scale: **AS NOTED**

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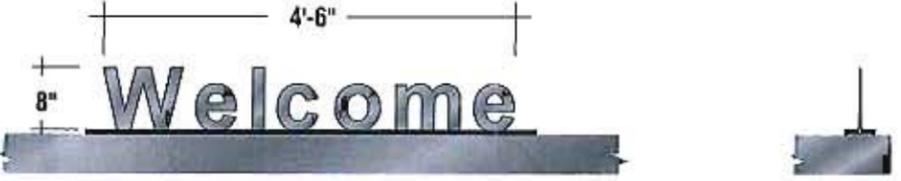
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• APPROVALS •

| FOR JOB CHECK | DATE |
|------------------|---------------|
| Acct. Mgr. | |
| FOR CONSTRUCTION | DATE |
| Acct. Mgr. | |
| Design | |
| Production | |
| FOR INSTALL ONLY | DATE |
| Acct. Mgr. | |
| Page: 07 | Of: 10 |

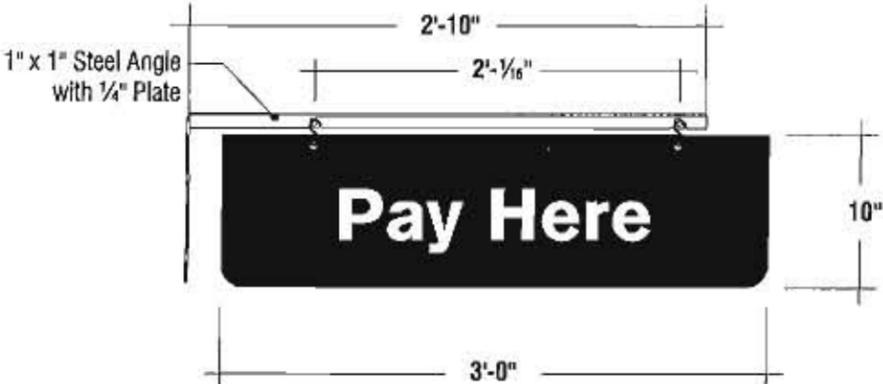
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D1 D2 **NON-ILLUMINATED FREESTANDING FLAT CUT OUT LETTERS** **3.0 Sq. Ft.**
Quantity: Two (2) Required Scale: 1/2" = 1'-0"

SPECIFICATIONS:

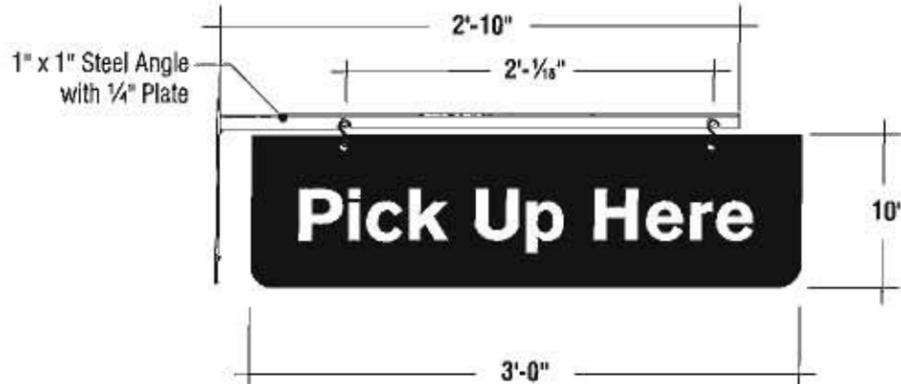
- **LETTERS:** FLAT CUT OUT ALUMINUM PAINTED BLACK WITH GRAY VINYL INSET ON FACE
- **RAIL:** ALUMINUM PAINTED BLACK MOUNTED TO AWNING SUPPORT WITH 1/4" -20 SELF DRILLING SCREWS FOUR (4) PLACES



E **SINGLE FACE NON-ILLUMINATED WINDOW POSITION PANEL W/MOUNTING BRACKET** **2.49 Sq. Ft.**
Quantity: One (1) Required Scale: 1" = 1'-0"

SPECIFICATIONS:

- 1/8" PAINTED ALUMINUM WITH VINYL OVERLAY
- TWO (2) STAINLESS STEEL S-HOOKS AT TOP SO TO CONNECT TO EYEBOLTS ABOVE
- **PANEL:** GRAY
- **COPY:** WHITE
- **MOUNTING BRACKET:** 1" X 1" STEEL ANGLE AND PLATE PAINTED BLACK



F **SINGLE FACE NON-ILLUMINATED WINDOW POSITION PANEL W/MOUNTING BRACKET** **2.49 Sq. Ft.**
Quantity: One (1) Required Scale: 1" = 1'-0"

SPECIFICATIONS:

- 1/8" PAINTED ALUMINUM WITH VINYL OVERLAY
- TWO (2) STAINLESS STEEL S-HOOKS AT TOP SO TO CONNECT TO EYEBOLTS ABOVE
- **PANEL:** GRAY
- **COPY:** WHITE
- **MOUNTING BRACKET:** 1" X 1" STEEL ANGLE AND PLATE PAINTED BLACK

Marian Joe

901 Morro Bay Blvd #16

Morro Bay CA 93442

OCT 30 2012

RECEIVED

Oct 29, 2012

City of Morro Bay

Public Services Department

To: Planning Commissioners

RE - 30sq FT additional sewage for Mc D's

Dear Commissioners

I am 100% against an addition 30sq ft of
sewage in connection with a very small
addition to the McDonald's business. As I see
it as I walk by it everyday - with the existing
sewage there is NO WAY you can maintain 24 hrs
it has enough. This is a nice lovely and
fosteful community lets not add more stress
cases! Especially for a few feet of an addition
Marian Joe



AGENDA NO:

MEETING DATE: November 7, 2012

Staff Report

TO: Planning Commissioners

DATE: October 31, 2012

FROM: Mary Reents, Contract Planner

SUBJECT: UP0-342; 901-915 Embarcadero

RECOMMENDATION:

Staff recommends that the Planning Commission Conditionally Approve the UPO-342 Concept Plan, subject to the findings contained in Exhibit A and the Conditions of Approval in Exhibit B.

PROJECT DESCRIPTION:

The applicant (Held Family Trust) is requesting a Conditional Use Permit for their concept plan to modify and add to an existing structure which includes a proposal to 1) construct a new retail unit, 2) remodel and enlarge two existing restrooms, 3) convert an existing glass court enclosed outdoor dining area to general public seating, 4) enlarge the existing harbor walkway and add a new harbor walkway and view deck, 5) install six floating docks and a gangway, 6) remove and replace an existing sidewalk to connect to an existing sidewalk, 7) restripe existing parking spaces and 8) construct two new posts to support an extension of the existing awning across the front of the building. The concept plan application also includes expansion of the land and water leases, but this requires separate City Council approval. Concept plans are found in Exhibit E and visual simulations of the proposed building improvements are shown on Exhibit F.

The proposed project is located on the west side Embarcadero Road, directly northwest of Harbor Street, within the City of Morro Bay. The project is within the Waterfront/Harbor zone with a Planned Development Overlay (WF PD/S.4). Surrounding land uses include visitor serving and retail land uses to the south, north, and east, and Morro Bay to the west. The project site is currently developed by the Hofbrau restaurant, indoor and outdoor seating areas, Poppy retail shop, restrooms, public walkway and view deck, and parking area.

The project will result in the disturbance of approximately 7,642 sf (0.17 acre) including approximately 802 sf (building), 640 sf (walkway), and up to 6,200 sf for sidewalk removal and replacement. No cut or fill is proposed.

Prepared By: _____

Department Review: _____

LEGAL DESCRIPTION

APN(S) 066-322-001; City Lease Sites #93-95 and 93W-95W
ZONING Waterfront/Harbor with a Planned Development overlay (W-F/H, PD/S.4)
GENERAL PLAN Mixed Uses (Harbor)

APPLICANT: Smith Held
PO Box 225
Cayucos, CA 93430

AGENTS: Cathy Novak
PO Box 296
Morro Bay, CA 93442

Lease Areas

The proposal includes increasing an existing 6,210 square foot land lease by 93 sf, resulting in a total land lease area of 6,303 sf and increasing an existing 4,502 sf water lease by 4,310 sf, resulting in a total water lease area of 8,812 sf. The land lease line adjustment is proposed to incorporate a portion of the existing building on the southern side, which was originally constructed outside the lease boundaries.

The existing water lease would be extended to a point where the new dock head float would be within the current boundaries. In order to provide for additional berthing space, the applicant is proposing a lease line adjustment of 44 feet west of the existing lease line to accommodate the finger-style slips. This lease line adjustment would be inside the dedicated navigation channel by six feet. Additionally, the southern lease line would be adjusted with a triangle shaped area approximately 5 feet on the west side to approximately 3 feet on the east side.

Existing Land Structure Improvements

The existing structure is primarily one-story, 17.1 feet in height, 6,481-square feet in area (6,252-sf main story, 229-sf upper storage area), including the Hofbrau restaurant, Crills II and Poppy retail stores, and seating areas. The existing walkway is 556 sf. The proposed modifications and additional construction would result in a total floor area of 8,868 sf (8,639-sf main floor, 229-sf upper floor), and total walkway area of 1,196 sf.

The proposal includes the following actions: 1) construct a new 590-square foot (sf) retail unit; 2) remodel (ADA) and enlarge two existing restrooms by 212 sf; 3) convert the existing 132-sf glass

court enclosed outdoor dining area to general public seating; 4) enlarge the existing harbor walkway by 640 sf and add a new harbor walkway and view deck; 5) install six floating docks (1,488 sf) and a gangway; 6) remove an existing aggregate sidewalk and replace with a concrete sidewalk to connect to an existing sidewalk; 7) re-stripe seven existing parking spaces to provide five compact, two regular spaces; and 8) construct two new posts to support an extension of the existing awning across the front of the building.

Restrooms

There are two existing restrooms on-site. However, they are limited to Harbor Center patrons only. The two new unisex restrooms will meet ADA standards and will be open to the general public. A private shower with a security gate is also proposed and will be limited to boaters berthing at the site. An addition of 216 square feet is proposed to construct the two restrooms and shower area.

Walkway

The current site has a walkway on the bay side; however, it is only 5 feet 3 inches in width for the portion adjacent to the existing outdoor dining area and it is not consistent with the existing Harbor Walk. The proposed project will add nearly three feet in this area to widen the walkway to match other areas of the Harbor Walk. Approximately 32 square feet of the northern section of the existing outdoor dining area will be removed to allow for a wider access on the Harbor Walk in this location. Additionally, a new approximately 14’ by 12’ deck section will be constructed augmenting the existing public view deck area located in the mid-section of the site.

| <u>BUILDING CHARACTERISTICS</u> | | |
|--|-------------------------|-------------------------|
| | EXISTING | PROPOSED |
| <i>Total Land Lease</i> | <i>6,210 sf</i> | <i>6,303 sf</i> |
| <i>Water Lease</i> | <i>4,502 sf</i> | <i>8,812 sf</i> |
| <i>Total Land and Water Lease</i> | <i>10,712 sf</i> | <i>15,115 sf</i> |
| BUILDING | | |
| Existing First Floor Building | 6,252 sf | 6,252 sf |
| Proposed Retail Addition | | 590 sf |
| Approx Hallway and Restroom Addition | | 212 sf |
| Upper Floor Storage | 229 | 229 |
| Total Building | | 7,283 sf |
| Existing Porches | 358 sf | 358 sf |
| Walkways | | |
| Existing Walkway to Remain | 556 sf | 556 sf |
| Proposed new walkway | | 640 sf |
| Total Walkways | | 1,196 sf |

| | | |
|---|----------|--------------------------------------|
| Total Building Footprint including Walkways | | 8,868 sf |
| Sidewalk Removal/Replacement | 6,200 sf | 6,200 sf |
| Outdoor Dining behind windscreen) to be reduced | 344 sf | 284 sf |
| Glass Court Seating | 132 sf | 132 sf |
| Floating Dock | | 1,448 sf |
| Lot Coverage (excludes floating dock or gangway) includes increased lease site | 77.8% | 60.4% |
| Building Height | 17.1 ft | 17.1 ft (new addition 15.2ft) |

The Harbor Walk will continue northward approximately 11 feet in width connecting to the adjacent lease site and walkway. The new walkway will be ADA compliant and also provide an ADA compliant connection to the adjacent site. The proposed walkway will be constructed of fiberglass grating material that will allow for light to penetrate for the Eelgrass below.

Marine-Related Improvements

The proposed marine related improvements include the construction of a head float approximately 8 by 80 feet with three finger style slips (two 4 by 40 feet and one 5 by 40 feet) and the installation of six steel main pilings and two bumper piles. Four steel piles will be set at the end of each finger dock and three piles adjacent to Harbor Walk. The two bumper piles will be set between the finger docks on the west side. The pilings and docks will be constructed using a barge and crane. The applicant proposes to drive the piles by using a vibratory hammer or a convention piling hammer that is designed to ensure that underwater noise generated by pile driving activities is minimized to the maximum extent feasible and does not exceed (1) an accumulated 187 dB SEL as measured 5 meters from the source; and (2) peak dB above 208 dB as measured 10 meters from the source. Five existing wood pilings near the existing Harbor Walk are proposed for removal. In addition, there will be a four foot by 33 ½-foot gangway installed to access the new docks. The proposed gangway entrance will have a 48 by 60-inch landing and a locked security gate.

The applicant proposes to use the new dockage for general berthing; no commercial sport fishing uses are proposed at this time.

Parking

There are currently seven parking spaces along Harbor Street; however, one parking space is located in the red zone and is also part way into the ADA curb return. The project as proposed will retain these existing spaces but restripe the parking spaces and achieve the following per City request:

- Provide seven parking spaces
- Provide two spaces at 10' by 20'
- Modify five spaces to be compact at 9'x18'

- Provide wheel stops two feet from the curb to prevent cars from encroaching into the sidewalk.

Awning and Windscreen

The existing windscreen on the bay side of the outdoor dining area will remain in place. The windscreen material will be frosted, partially frosted or another visually permeable barrier design in order to minimize bird strikes.

Two new posts are proposed in front of the existing Crills II building. These posts will be used to support an extension of the existing awning across the front of the building. The awning addition will tie the architecture together in the front and result in a better overall design.

The project will result in the disturbance of approximately 7,642 sf (0.17 acre) including approximately 802 sf (building), 640 sf (walkway), and up to 6,200 sf for sidewalk removal and replacement. No cut or fill is proposed.

Signage

Coastal Access signs are proposed to be mounted at each end of the new walkway as well as the entrance from the walkway between the buildings. These signs would be consistent with several previously approved projects on the Embarcadero by the City and Coastal Commission.

BACKGROUND:

The existing Harbor Center is a new enough construction that it does not warrant demolition. However, the City requires renovation work on-site in order to renew the waterfront lease as per the City's Master Lease Policy. The lease will be up for renewal in a few years so the applicant is proposing a project to meet the City guidelines for a long term lease.

Also, the site previously had a single side-tie floating dock. This dock was condemned by the City and ultimately removed. This proposal would replace the previous dock with expanded uses. The expansion would increase the boat dockage in the bay.

The proposal is within the Waterfront Master Plan and is within Planning Area 3: Embarcadero Visitor Area. This area encompasses the Embarcadero from Beach Street to South Street between the bluff and the waterfront. This portion of the Embarcadero contains the majority of the shopping and eating establishments as well as the most intense mix of pedestrian and automotive activity. It has what most visitors and residents consider a positive mix of shops, waterfront and pedestrian activity, combined with direct views of the bay, sand spit and Morro Rock. The Harbor Master Plan includes guidance for development of Area 3, including observation and information areas explaining the natural wonders of the bay, lateral access along the bay front of commercial retail buildings that connect to lateral access components of adjacent buildings and or the stub street perpendicular to the building site, preservation of scenic vistas at street ends, with pedestrian

amenities, lighting, haul-out improvements to existing facilities, bluff stabilization and beautification plans. The proposed project contains all of the elements requested in Area 3 proposals, including observation areas and signage, lateral access and connection to the Harbor Walk designed in consistency with adjacent portions of the Harbor Walk, access to stub street and preservation of visibility of the bay, and upgrade of building front to enhance visitor experience in this portion of the Embarcadero.

Harbor Master Plan design guidelines have been established, and based on the guidelines, the project meets the following:

- Existing view corridors will remain and change of glassed in corridor to a public walkway will increase pedestrian access
- Building heights are consistent with the existing facility and height limitations for a Planned Development may be allowed up to a maximum of 25 feet. The existing structure is 17.1 feet in height and the proposed additions are consistent with the existing building heights.
- The building coverage shall be 70 percent of the land portion of the properties. Existing lot coverage was over this amount at 77.8% and because of the requested new land lease areas and water lease areas, lot coverage, excluding the floating dock or gangway is reduced to 60.4%.
- The proposed additions and building changes will assist in continuing the fishing village atmosphere and would increase the physical and visual cohesiveness for the area.
- The project is consistent with area wide design compatibility by adding to a continuous pedestrian linkage along the waterfront, and linking the proposed additions to the architectural character of the neighboring buildings.
- The project preserves and enhances existing viewsheds of the bay by providing additional opportunities to view the bay and makes a positive contribution to the working fishing village character and quality of the Embarcadero area.
- The project enhances water dependent uses by replacing lost dockage that can be used for general berthing. The project is not replacing dockage for sport fishing uses; however, the project is not within Measure D guidelines and sport fishing is an allowed use south of Beach Street.

ENVIRONMENTAL DETERMINATION:

A Mitigated Negative Declaration (MND) was prepared pursuant to the California Environmental Quality Act. The MND was submitted to the California State Clearinghouse for public and agency review on September 24, 2012, and the public review period ended on October 24, 2012. No comments were received by the California State Clearinghouse from noticed agencies and no written comments have been received to date from the public on the MND. The environmental impacts identified in the MND that were mitigated to insignificance with the mitigation measures incorporated into the project by the applicant were Aesthetics, Air Quality, Biological Resources, Cultural Resources, Hazards/Hazardous Materials and Noise. Exhibit C attached is a copy of the initial study. Background reports are available for public review at the Public Works Department, 955 Harbor Street, Morro Bay, CA 93442.

COASTAL DEVELOPMENT PERMIT:

The project is within original jurisdiction of the California Coastal Commission. A Coastal Development Permit would be required prior to issuance of a building permit for this project.

PROJECT SETTING AND DESCRIPTION:

The proposed project is located on the Embarcadero, on the west side of Embarcadero Road, directly northwest of Harbor Street, within the City of Morro Bay Surrounding land uses include visitor serving and retail land uses to the south, north, and east, and the Bay to the west. The project site is currently developed by the Hofbrau restaurant, indoor and outdoor seating areas, Poppy retail shop, restrooms, public walkway and view deck, and parking area.

| <u>Site Characteristics</u> | |
|------------------------------------|--|
| Existing Use | Hofbrau restaurant, Poppy (retail), Crills II, restrooms, public walkway, view deck and parking area |
| Terrain | Flat; developed |
| Vegetation/Wildlife | Landscaping |
| Archaeological Resources | None known |
| Access | Restaurant entrance is from Embarcadero Road via existing parking lot |

| <u>General Plan, Zoning Ordinance & Local Coastal Plan Designations</u> | |
|--|---|
| General Plan/Coastal Plan Land Use Designation | Mixed Uses, Harbor |
| Base Zoning District | Harbor/Waterfront |
| Zoning Overlay District | Planned Development Overlay |
| Special Treatment Area | n/a |
| Combining District | n/a |
| Specific Plan Area | n/a |
| Coastal Zone | Yes, Original Jurisdiction; Coastal Commission responsible for Coastal Development Permit |

ANALYSIS:

Lease Areas: The proposed expansion of the lease area is under discussion with the City. The proposed expansion of the lease areas are provided as information only at this point and any approvals with regard to uses on or within the proposed land and water lease expansion areas would be conditioned upon obtaining the necessary lease agreements with the City.

Proposed Uses: The proposed uses are consistent with the existing uses; the intent is to upgrade the existing facilities consistent with upgrades along the Embarcadero. The proposed walkway improvements upgrade the walkways to be consistent with the remainder of the Harbor Walk. The new walkway section ties into the existing Harbor Walk on the north. The proposed retail space is adjacent to the walkway addition and would serve as an attraction to visitors along the Harbor Walk and would visually tie in the existing uses along the harbor front. These improvements are consistent with the vision for the harbor front.

In addition, the proposal for walkway improvements, restroom improvements, signage and increased visitor access are consistent with increasing visitor serving uses mandated under the California Coastal Act. The proposal provides for public restrooms instead of the current private restrooms, provides the existing glassed in seating area for public access and seating, and signage would direct the public to the new walkways and the Harbor Walk.

The requests for two new posts in front of the existing Crills II building to support the extension of the awning across the front of the building will also add to the visual continuity of the buildings and aid in providing the visual upgrades and overall architectural design that will improve the public's enjoyment of the Embarcadero area.

Parking: A parking analysis has been conducted to determine if the proposed improvements require additional parking or in lieu fees. The attached table, Exhibit C, provides a comparison of the allocated parking to the existing businesses on the project site and the parking requirements for the proposed project. To summarize, the applicant will have a credit of 4.5 parking spaces after implementation of the project.

Consistency with Waterfront Master Plan

Based on the review of background data given above, the project appears consistent with General Plan, Local Coastal Plan and Waterfront Master Plan goals, policies and implementation measures. The proposed improvements will increase the visitor's enjoyment of the Harbor Walk, the waterfront and Embarcadero experience.

PUBLIC NOTICE:

Notice of this item was published in the San Luis Obispo Telegram-Tribune newspaper on October 26, 2012, and all property owners of record within 300 feet of the project site were notified on this evening's public hearing and invited to voice any concerns on this application.

CONCLUSION:

The proposed project, as conditioned, would be consistent with all applicable development standards of the Zoning Ordinance, and applicable provisions of the General Plan and Local Coastal Plan, and Waterfront Master Plan. No modifications or exceptions to City development requirements are proposed.

RECOMMENDATION:

Staff recommends that the Planning Commission make the following approvals:

1. Approve and certify the Mitigated Negative Declaration and approve the monitoring program that is attached to the Mitigated Negative Declaration (Exhibit D).
2. Recommend that the City Council Approve UP0-342, which is a Conditional Use Permit for their concept plan to modify and add to an existing structure which includes a proposal to 1) construct a new retail unit, 2) remodel and enlarge two existing restrooms, 3) convert an existing glass court enclosed outdoor dining area to general public seating, 4) enlarge the existing harbor walkway and add a new harbor walkway and view deck, 5) install six floating docks and a gangway, 6) remove and replace an existing sidewalk to connect to an existing sidewalk, 7) restripe existing parking spaces and 8) construct two new posts to support an extension of the existing awning across the front of the building.

If approved, the land and water lease expansion that is part of the concept plan will require separate action by the City Council to amend lease site boundaries.

Report prepared by: Mary Reents, Contract Planner

Attachments:

1. Findings-Exhibit A
2. Conditions of Approval-Exhibit B
3. Mitigated Negative Declaration-Exhibit C
4. Parking Analysis-Exhibit D
5. Development Plans-Exhibit E
6. Visual Simulations-Exhibit F

EXHIBIT A: FINDINGS

UP0-032 Harbor Center Project; 901-915 Embarcadero

Request for a Conditional Use Permit to modify and add to an existing structure which includes a proposal to 1) construct a new retail unit, 2) remodel and enlarge two existing restrooms, 3) convert an existing glass court enclosed outdoor dining area to general public seating, 4) enlarge the existing harbor walkway and add a new harbor walkway and view deck, 5) install six floating docks and a gangway, 6) remove and replace an existing sidewalk to connect to an existing sidewalk, 7) restripe existing parking spaces and 8) construct two new posts to support an extension of the existing awning across the front of the building.

California Environmental Quality Act (CEQA)

- A. That for purposes of the California Environmental Quality Act, Case No. CP0-320 is subject to a Mitigated Negative Declaration based upon potentially significant impacts to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Hazards/Hazardous Materials and Noise. With the implementation of required conditions of approval included in the Mitigated Negative Declaration, the environmental impact of the proposed development will be less than significant.
- B. Changes have been incorporated into the project which avoid or substantially lessen the significant environmental effect, and have been included as conditions of approval, given herein as Exhibit B.

Conditional Use Permit Findings

- C. The project will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working along the Embarcadero in that the proposed Harbor Center is a permitted use within the zoning district applicable to the project site and said structure, walkway, restroom, and dockage improvements comply with all applicable project conditions and City regulations.
- D. The project will not be injurious or detrimental to property and improvements along the Embarcadero and the general welfare of the City in that the proposed Harbor Center improvements will provide additional public benefit and is consistent with the character of the existing development.
- E. The project will not be detrimental to the health, safety, morals, comfort and general welfare of the City in that the Harbor Center improvements are a permitted use within the zoning district applicable to the project site and said structure complies with all applicable project conditions and City regulations.

Waterfront Master Plan Findings

- F. The proposed project makes a positive contribution to the visual accessibility to the bay and rock while increasing visitor serving and waterfront activities:
- a. As conditioned, meets the Waterfront plan height limit and maximum building coverage, bulk, and scale requirements in that the proposed project does not exceed the maximum height allowed and articulation breaks up the bulk and scale.
 - b. In the case of granting height greater than 17 feet for the proposed additions, the proposed project also provides significant public benefit pursuant to the Planned Development Overlay zone requirements in that the proposed project provides pedestrian access to the proposed bay front lateral access, two public American with Disabilities Act (ADA) compliant restrooms, establishes wider sidewalks to increase pedestrian circulation, creates a view corridor where no such corridor currently exists, adds landscaping, and redevelops land and water lease sites that currently have visually unappealing, aging structures or lack facilities.
 - c. The proposed project provides the amenities identified in the WaterFront Master Plan, facilitates pedestrian visual and physical access to the waterfront, and takes advantage of outward views and characteristics of the topography in that the design provides a wide public view corridor, public lateral access and pedestrian amenities.
 - d. The proposed project makes a positive contribution to the working fishing village character and quality of the Embarcadero area in that the new project will add to the pedestrian orientation while maintaining the commercial fishing character of the Embarcadero.
 - e. The design recognizes the pedestrian orientation of the Embarcadero and provides an interesting and varied frontage that will enhance the pedestrian experience in that the new building will open up to the passing pedestrians along the Harbor Walk and draws individual's attention to the natural beauty of the bay.
 - f. The project contains the elements of harmony, continuity, proportion, simplicity, and balance, and its appearance matches its function and the uses proposed in that the new structure will provide more horizontal and vertical articulation, and the public will be invited into the space via a new view corridor from the Harbor Walk and will be directed through the glassed in corridor to the Harbor Walk by access signage. The proposed project does not diminish, either directly or by cumulative impact of several similar projects, the use, enjoyment, or attractiveness of adjacent buildings and provides a visual and pedestrian transition to its immediate neighbor in that the existing and new construction of both the building additions, restrooms and new walkways is in keeping with the architectural style, massing, materials, scale, and use of its surroundings.

EXHIBIT B

CONDITIONS OF APPROVAL UP0-032 Harbor Center Project; 901-915 Embarcadero

Request for a Conditional Use Permit to modify and add to an existing structure which includes a proposal to 1) construct a new retail unit, 2) remodel and enlarge two existing restrooms, 3) convert an existing glass court enclosed outdoor dining area to general public seating, 4) enlarge the existing harbor walkway and add a new harbor walkway and view deck, 5) install six floating docks and a gangway, 6) remove and replace an existing sidewalk to connect to an existing sidewalk, 7) restripe existing parking spaces and 8) construct two new posts to support an extension of the existing awning across the front of the building.

STANDARD CONDITIONS

1. **Permit:** This permit is granted for the land described in the staff report referenced above, and all attachments thereto, dated October 31, 2012, for the project depicted on the attached plans labeled "Exhibit E", dated October 31, 2012, on file with the Public Services Department, as modified by these conditions of approval.
2. **Inaugurate Within Two Years:** Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this approval and is diligently pursued thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Said extensions may be granted by the 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. 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 herein 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. Undergrounding of Utilities: Pursuant to MBMC Section 17.48.050, prior to final occupancy clearance, all on-site utilities associated with the building improvements, including electrical, telephone and cable television shall be installed underground.
8. Construction Hours: Pursuant to MBMC Section 9.28.030 (I), noise-generating construction related activities shall be limited to the hours of seven a.m. to seven p.m. during the weekdays and eight a.m. and seven p.m. during the weekends, unless an exception is granted by the Building Official pursuant to the terms of this regulation.

FIRE CONDITIONS

9. Sprinkler Plans: The applicant must submit sprinkler plans, in accordance with NFPA 13, to Public Services Division for review.
10. Fire Protection for Wharves and Docks: Firefighting appliances and equipment shall be provided and maintained in an operable manner for all commercially operated marinas and dock facilities, as specified by ordinances of the City, and all installations shall be subject to the approval of the chief of the fire department (MBMC 14.52.060).
11. Fire Protection Equipment-Standpipes. Marinas and boatyards shall be equipped throughout with standpipe systems, in accordance with NFPA 303. Systems shall be provided with hose connections located such that no point on the marina pier or float system exceeds 150 feet from a standpipe hose connection (CFC 4502.2).
12. Knox Key Box: The applicant shall provide two exterior mounted boxes, one located on the Embarcadero frontage, the west side (waterside) of the structure, and one Knox Remote Electrical Power Shutdown Station (4506 series), to be located next to the Trash/Utility Room (south side) (CFC 506.1) A Knox Box application shall be obtained from the Morro Bay Fire Department and approved prior to occupancy.

BUILDING DIVISION CONDITIONS

13. **Building Permit Application**: Prior to construction, the applicant shall submit a complete application to the building department and obtain the required building permit.

PUBLIC WORKS CONDITIONS

None.

PLANNING DEPARTMENT

14. **Lease Area**: Prior to commencement of any activities within the proposed lease expansion area, the owner or designee shall obtain approval from the City to expand both the land and water leases, consistent with the proposal shown on Exhibit E, dated October 31, 2012.
15. **Precise Plan**: Upon approval of the City Council of the concept plan, a precise plan of development shall be submitted to the planning commission consistent with code section 17.040.030G.
16. **Precise Plan Sheet**: All conditions of approval, including the required MND mitigation measures shall be included in the precise plan, as a separate sheet attached to the plan set.
17. **Environmental Fees**: Within four days of certification of the Mitigated Negative Declaration, the applicant shall submit a check made payable to the County Clerk for the following fees: \$2,101.50 for the California Department of Fish and Wildlife, plus the \$50 County Clerk filing fee for the Notice of Completion, for a total of 2151.50. The City of Morro Bay shall file the Notice of Completion with the County Clerk to comply with state requirements.
18. **Signage**: The applicant shall provide a signage program, including coastal access signs, as part of the precise plan.
19. **Architectural Design and Color Palette**: The applicant shall submit a design for the awnings and new building addition, and a color palette for the overall project at the precise plan stage.

ENVIRONMENTAL CONDITIONS

20. **Conditions**: The applicant shall incorporate the environmental mitigation measures agreed upon to mitigate the project to a level of insignificance; these conditions are listed in the attached "Attachment A" following this condition. In addition, the applicant shall conduct the required monitoring as established for each mitigation measure and confirm compliance with these conditions to the satisfaction of the Environmental Coordinator.

EXHIBIT C
PARKING ANALYSIS

901 Embarcadero

| | Area | Use | Parking/sf | Req'd parking |
|--|--------------------|--------------|---------------------------------------|---------------------|
| EXISTING | | | | |
| Crills II | 1337 gross | Retail | 1 per 300 | 4.46 |
| Poppy | 1465 gross | Retail | 1 per 300 | 4.88 |
| Total Retail | 2802 | | | 9.34 |
| Hofbrau: | | | | |
| Inside | 1043 | Restaurant | 1 per 60 | 17.38 |
| Outdoor dining and behind wind screen | 344 | Restaurant | 125 sq. ft. none required/ 1 per 120 | 1.8 |
| Enclosed dining - glass court | 132 | Restaurant | One per use/ 1 per 60 | 2.2 |
| Total restaurant | 1500 | | | 21.38 |
| Previous parking from CUP 24-86 | | | | 1.5 |
| Dock Parking (Includes Sport Fishing) | | | | 8.5 |
| Total existing parking | | | | 40.72 spaces |
| PROPOSED | | | | |
| Crills II | 1337 gross | Retail | 1 per 300 | 4.46 |
| Poppy | 1465 gross | Retail | 1 per 300 | 4.88 |
| New Unit | 590 gross | Retail | 1 per 300 | 1.97 |
| Total Retail | 3392 | | 1 per 300 | 11.31 |
| Hofbrau: | | | | |
| Inside | 1043 | Restaurant | 1 per 60 | 17.38 |
| Outdoor dining behind wind screen | 252 | Restaurant | 125 sq. ft. none required/ 1 per 60 | 1 |
| (Glass Court parking spaces deleted from proposed because will change to general public seating and no parking required) | | | | |
| Total restaurant | | | | 18.78 |
| Total Docks | 240 ln. ft. | Docks | 1 per 35 ln. ft. tie down area | 6.86 |
| Total required parking | | | | 36.95 spaces |

Credits: Reduction in outdoor dining areas gained .8 space; reduction in dock usage and no sportfishing dockage gained 1.5 spaces and change of glass court gained 2.2 spaces, equalling 4.5 spaces. Note also that the project is credited with a parking ratio of 1 space for every 6.5 feet of boat length. The San Mateo boat was historically moored at the site and was 46 feet long; the parking credit is 7 spaces.

Note that the 1997 rule for calculating commercial parking use is different than current rule.



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

October 25, 2012

Mary Reents
City of Morro Bay
955 Shasta Avenue
Morro Bay, CA 93442

Subject: Held Harbor Center Conditional Use Permit UPO-342
SCH#: 2012091063

Dear Mary Reents:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on October 24, 2012, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

RECEIVED
OCT 29 2012
City of Morro Bay
Public Services Department

Document Details Report
State Clearinghouse Data Base

SCH# 2012091063
Project Title Held Harbor Center Conditional Use Permit UPO-342
Lead Agency Morro Bay, City of

Type MND Mitigated Negative Declaration
Description Increase existing 6,210 sf land lease to 6,303 sf and increase existing 4,502 sf water lease to 8,812 sf. Proposed modifications and additions to existing 6,481-sf structure include: construction of 590 sf retail unit, remodel/enlarge ADA restrooms, convert 132-sf glass court to public seating, enlarge existing harbor walkway by 640 sf and add a new walkway by 640 sf and add a new posts to support extension of awning, and re-stripe parking spaces. Remodeled structure would be 8,868 sf in size and result in the disturbance of approximately 7,642 sf, including sidewalk.

Lead Agency Contact

Name Mary Reents
Agency City of Morro Bay
Phone (805) 772-6261 **Fax**
email
Address 955 Shasta Avenue
City Morro Bay **State** CA **Zip** 93442

Project Location

County San Luis Obispo
City Morro Bay
Region
Lat / Long 35° 22' .55" N / 120° 51' 12.63" W
Cross Streets Embarcadero Avenue and Harbor Boulevard
Parcel No. 066-322-001
Township 29S **Range** 10E **Section** **Base** MDB&M

Proximity to:

Highways Hwy 1
Airports
Railways
Waterways Pacific Ocean, Chorro Creek, Morro Creek
Schools Morro Bay HS
Land Use Restaurant, retail, walkway, parking / Waterfront Harbor Zone, Planned Development / Mixed Uses

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Coastal Zone; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Boating and Waterways; California Coastal Commission; Department of Fish and Game, Region 4; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 5; Air Resources Board, Transportation Projects; Regional Water Quality Control Board, Region 3; Department of Toxic Substances Control; Native American Heritage Commission; State Lands Commission

Date Received 09/24/2012 **Start of Review** 09/25/2012 **End of Review** 10/24/2012

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Held Harbor Center Conditional Use Permit UPO-342

Lead Agency: City of Morro Bay Contact Person: Mary Reents
Mailing Address: Public Services Department 955 Shasta Avenue Phone: 805-772-6261
City: Morro Bay Zip: 93442 County: San Luis Obispo

Project Location: County: San Luis Obispo City/Nearest Community: City of Morro Bay
Cross Streets: Embarcadero Avenue and Harbor Boulevard Zip Code: 93442
Longitude/Latitude (degrees, minutes and seconds): 35 ° 22 ' 0.55 " N / 120 ° 51 ' 12.63" W Total Acres: approx. 0.50
Assessor's Parcel No.: 066-322-001 Section: n/a Twp.: 29S Range: 10E Base: MDBM
Within 2 Miles: State Hwy #: 1 Waterways: Pacific Ocean, Chorro Creek, Morro Creek
Airports: n/a Railways: n/a Schools: Morro Bay High School

Document Type:

- CEQA: [] NOP [] Draft EIR NEPA: [] NOI Other: [] Joint Document
[] Early Cons [] Supplement/Subsequent EIR [] EA [] Final Document
[] Neg Dec (Prior SCH No.) [] Draft EIS [] Other:
[X] Mit Neg Dec Other:

Local Action Type:

- [] General Plan Update [] Specific Plan [] Rezone [] Annexation
[] General Plan Amendment [] Master Plan [] Prezone [] Redevelopment
[] General Plan Element [] Planned Unit Development [X] Use Permit [X] Coastal Permit
[] Community Plan [] Site Plan [] Land Division (Subdivision, etc.) [] Other:

Development Type:

- [] Residential: Units _____ Acres _____
[] Office: Sq.ft. _____ Acres _____ Employees _____ [] Transportation: Type _____
[] Commercial: Sq.ft. _____ Acres _____ Employees _____ [] Mining: Mineral _____
[] Industrial: Sq.ft. _____ Acres _____ Employees _____ [] Power: Type _____ MW _____
[] Educational: _____ [] Waste Treatment: Type _____ MGD _____
[] Recreational: _____ [] Hazardous Waste: Type _____
[] Water Facilities: Type _____ MGD _____ [X] Other: Redev. commercial/retail, visitor-serving, floating dock

Project Issues Discussed in Document:

- [X] Aesthetic/Visual [] Fiscal [X] Recreation/Parks [X] Vegetation
[] Agricultural Land [X] Flood Plain/Flooding [X] Schools/Universities [X] Water Quality
[X] Air Quality [X] Forest Land/Fire Hazard [] Septic Systems [X] Water Supply/Groundwater
[X] Archeological/Historical [X] Geologic/Seismic [X] Sewer Capacity [X] Wetland/Riparian
[X] Biological Resources [X] Minerals [X] Soil Erosion/Compaction/Grading [X] Growth Inducement
[X] Coastal Zone [X] Noise [X] Solid Waste [X] Land Use
[X] Drainage/Absorption [X] Population/Housing Balance [X] Toxic/Hazardous [X] Cumulative Effects
[] Economic/Jobs [X] Public Services/Facilities [X] Traffic/Circulation [] Other:

Present Land Use/Zoning/General Plan Designation:

Restaurant, retail, walkway, parking / Waterfront Harbor Zone, Planned Development / Mixed Uses

Project Description: (please use a separate page if necessary)

Increase existing 6,210-sf land lease to 6,303 sf and increase existing 4,502-sf water lease to 8,812 sf. Proposed modifications and additions to existing 6,481-sf structure include: construction of 590-sf retail unit, remodel/enlarge ADA restrooms, convert 132-sf glass court to public seating, enlarge existing harbor walkway by 640 sf and add a new walkway and view deck, install six floating docks (1,488 sf) and gangway, remove and replace adjacent sidewalk, construct two new posts to support extension of awning, and re-stripe parking spaces. Remodeled structure would be 8,868 sf in size and result in the disturbance of approximately 7,642 sf, including sidewalk.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

- | | |
|---|--|
| <input type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Historic Preservation |
| <input checked="" type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Emergency Management Agency | <input type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans District # _____ | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input checked="" type="checkbox"/> Regional WQCB # <u>3</u> |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input checked="" type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input checked="" type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input checked="" type="checkbox"/> Fish & Game Region # <u>4</u> | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Food & Agriculture, Department of | <input checked="" type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input checked="" type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> General Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Housing & Community Development | |
| <input checked="" type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

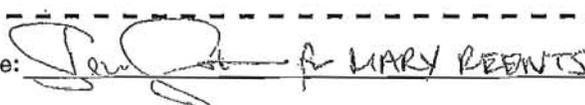
Starting Date September 27, 2012

Ending Date October 27, 2012

Lead Agency (Complete if applicable):

Consulting Firm: SWCA Environmental Consultants
 Address: 1422 Monterey Street B200
 City/State/Zip: San Luis Obispo, CA 93401
 Contact: Shawna Scott
 Phone: 805-543-7095 ext 6811

Applicant: Held Family Trust c/o Cathy Novak
 Address: P.O. Box 296
 City/State/Zip: Morro Bay, CA 93443
 Phone: 805-772-6205

Signature of Lead Agency Representative: 

Date: 9.19.12

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

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

Public Notice of Availability
Document Type: Mitigated Negative Declaration

CEQA: CALIFORNIA ENVIRONMENTAL QUALITY ACT

CITY OF MORRO BAY

SEPTEMBER 2012

The City has determined that the following proposal qualifies for a

Negative Declaration **Mitigated Negative Declaration.**

PROJECT TITLE: Held Harbor Center Conditional Use Permit

PROJECT LOCATION: 901-915 Embarcadero Road, immediately northwest of the intersection of Harbor Street and Embarcadero Road, within the City of Morro Bay.

CITY: Morro Bay **COUNTY:** San Luis Obispo

CASE NO.: UPO-342

PROJECT DESCRIPTION: The Held Family Trust (applicant) proposes modifications and additions to an existing structure, which includes a proposal to 1) increase an existing 6,210-square foot (sf) land lease by 93 sf, resulting in a total land lease area of 6,303 sf and 2) increase an existing 4,502 sf water lease by 4,310 sf, resulting in a total water lease area of 8,812 sf. The project site is located on City lease sites #93-95 and 93W-95W, within the Waterfront/Harbor zone, Planned Development overlay (APN # 066-322-001).

The existing structure is primarily one-story, 17 feet in height, 6,481-square feet in area (6,252-sf main story, 229-sf upper storage area), including the Hofbrau restaurant, Crills II and Poppy retail stores, and seating areas. The existing walkway is 556 sf. The proposed modifications and additional construction would result in a total floor area of 8,868 sf (8,639-sf main floor, 229-sf upper floor), and total walkway area of 1,196 sf. The proposal includes the following actions: 1) construct a new 590-square foot (sf) retail unit; 2) remodel (ADA) and enlarge two existing restrooms by 212 sf; 3) convert the existing 132-sf glass court enclosed outdoor dining area to general public seating; 4) enlarge the existing harbor walkway by 640 sf and add a new harbor walkway and view deck; 5) install six floating docks (1,488 sf) and a gangway; 6) remove an existing aggregate sidewalk and replace with a concrete sidewalk to connect to an existing sidewalk; 7) re-stripe seven existing parking spaces to provide five compact, two regular spaces; and 8) construct two new posts to support an extension of the existing awning across the front of the building.

The proposed marine related improvements include the construction of a head float approximately 8 by 80 feet with three finger style slips (two 4 by 40 feet and one 5 by 40 feet) and the installation of six steel main pilings and two bumper piles. Four steel piles will be set at the end of each finger dock and three piles adjacent to Harbor Walk. The two bumper piles will be set between the finger docks on the west side. The pilings and docks will be constructed using a barge and crane. The

applicant proposes to drive the piles by using a vibratory hammer or a convention piling hammer that is designed to ensure that underwater noise generated by pile driving activities is minimized to the maximum extent feasible and does not exceed (1) an accumulated 187 dB SEL as measured 5 meters from the source; and (2) peak dB above 208 dB as measured 10 meters from the source. Five existing wood pilings near the existing Harbor Walk are proposed for removal. In addition, there will be a four foot by 33 ½-foot gangway installed to access the new docks. The proposed gangway entrance will have a 48 by 60-inch landing and a locked security gate.

The project will result in the disturbance of approximately 7,642 sf (0.17 acre) including approximately 802 sf (building), 640 sf (walkway), and up to 6,200 sf for sidewalk removal and replacement. No cut or fill is proposed.

The proposed project is located on the west side Embarcadero Road, directly northwest of Harbor Street, within the City of Morro Bay. The project is within the Waterfront/Harbor zone with a Planned Development Overlay (WF PD/S.4). Surrounding land uses include visitor serving and retail land uses to the south, north, and east, and Morro Bay to the west. The project site is currently developed by the Hofbrau restaurant, indoor and outdoor seating areas, Poppy retail shop, restrooms, public walkway and view deck, and parking area.

LEAD AGENCY: City of Morro Bay

CONTACT PERSON: Mary B. Reents

TELEPHONE: (805) 772-6211

ADDRESS WHERE DOCUMENT MAY BE OBTAINED:

Public Services Department
955 Shasta Avenue
Morro Bay, California 93442
(805) 772-6261

PUBLIC REVIEW PERIOD: Begins: September 27 to October 27, 2012.

Anyone interested in this matter is invited to comment on the document by written response or contacting the Public Services Department.



Mary Reents, Contract Planner
Signature

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

DRAFT MITIGATED NEGATIVE DECLARATION

CEQA: CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

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

CASE NO.: UPO-342

PROJECT TITLE: Held Harbor Center

PROJECT LOCATION: 901-915 Embarcadero Road, immediately west of the intersection of Harbor Street and Embarcadero Road, within the City of Morro Bay.

APPLICANT / PROJECT SPONSOR:

Applicant:

Held Family Trust
P.O. Box 225
Cayucos, CA 93430
T 805.995.2773

Applicant's Representative:

Cathy Novak
P.O. Box 296
Morro Bay, CA 93443
T 805.772.6205

PROJECT DESCRIPTION: The Held Family Trust (applicant) proposes modifications and additions to an existing structure, which includes a proposal to 1) increase an existing 6,210-square foot (sf) land lease by 93 sf, resulting in a total land lease area of 6,303 sf and 2) increase an existing 4,502 sf water lease by 4,310 sf, resulting in a total water lease area of 8,812 sf. The project site is located on City lease sites #93-95 and 93W-95W, within the Waterfront/Harbor zone, Planned Development overlay (APN # 066-322-001).

The existing structure is primarily one-story, 17 feet in height, 6,481-square feet in area (6,252-sf main story, 229-sf upper storage area), including the Hofbrau restaurant, Crills II and Poppy retail stores, and seating areas. The existing walkway is 556 sf. The proposed modifications and

additional construction would result in a total floor area of 8,868 sf (8,639-sf main floor, 229-sf upper floor), and total walkway area of 1,196 sf. The proposal includes the following actions: 1) construct a new 590-square foot (sf) retail unit; 2) remodel (ADA) and enlarge two existing restrooms by 212 sf; 3) convert the existing 132-sf glass court enclosed outdoor dining area to general public seating; 4) enlarge the existing harbor walkway by 640 sf and add a new harbor walkway and view deck; 5) install six floating docks (1,488 sf) and a gangway; 6) remove an existing aggregate sidewalk and replace with a concrete sidewalk to connect to an existing sidewalk; 7) re-stripe seven existing parking spaces to provide five compact, two regular spaces; and 8) construct two new posts to support an extension of the existing awning across the front of the building.

The proposed marine related improvements include the construction of a head float approximately 8 by 80 feet with three finger style slips (two 4 by 40 feet and one 5 by 40 feet) and the installation of six steel main pilings and two bumper piles. Four steel piles will be set at the end of each finger dock and three piles adjacent to Harbor Walk. The two bumper piles will be set between the finger docks on the west side. The pilings and docks will be constructed using a barge and crane. The applicant proposes to drive the piles by using a vibratory hammer or a convention piling hammer that is designed to ensure that underwater noise generated by pile driving activities is minimized to the maximum extent feasible and does not exceed (1) an accumulated 187 dB SEL as measured 5 meters from the source; and (2) peak dB above 208 dB as measured 10 meters from the source. Five existing wood pilings near the existing Harbor Walk are proposed for removal. In addition, there will be a four foot by 33 ½-foot gangway installed to access the new docks. The proposed gangway entrance will have a 48 by 60-inch landing and a locked security gate.

The project will result in the disturbance of approximately 7,642 sf (0.17 acre) including approximately 802 sf (building), 640 sf (walkway), and up to 6,200 sf for sidewalk removal and replacement. No cut or fill is proposed.

The proposed project is located on the west side Embarcadero Road, directly northwest of Harbor Street, within the City of Morro Bay. The project is within the Waterfront/Harbor zone with a Planned Development Overlay (WF PD/S.4). Surrounding land uses include visitor serving and retail land uses to the south, north, and east, and Morro Bay to the west. The project site is currently developed by the Hofbrau restaurant, indoor and outdoor seating areas, Poppy retail shop, restrooms, public walkway and view deck, and parking area.

FINDINGS OF THE: Environmental Coordinator

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

INITIAL STUDY AND CHECKLIST – Held Harbor Center

CASE NO.: UPO-342

DATE: September 19, 2012



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

INITIAL STUDY AND CHECKLIST

I. PROJECT INFORMATION

| | | | |
|---------------------------|--|--------|-----------------------|
| Project Title: | <u>Held Harbor Center</u> | | |
| Case Number: | <u>UPO-342</u> | | |
| LEAD AGENCY: | <u>City of Morro Bay</u> | Phone: | <u>(805) 772-6261</u> |
| | <u>955 Shasta Ave</u> | Fax: | <u>(805) 772-6268</u> |
| | <u>Morro Bay, CA 93442</u> | | |
| Project Sponsor: | <u>Held Family Trust</u> | Phone: | <u>(805) 995-2773</u> |
| | <u>P.O. Box 225</u> | Fax: | |
| | <u>Cayucos, CA 93430</u> | | |
| Project Landowner: | <u>City of Morro Bay (State Grant)</u> | Phone: | <u>(805) 772-6205</u> |
| | <u>901 Embarcadero Road</u> | Fax: | |
| | <u>Morro Bay, CA 93442</u> | | |
| Project Agent: | <u>Cathy Novak</u> | Phone: | <u>(805) 772-9499</u> |
| | <u>P.O. Box 296</u> | Fax: | |
| | <u>Morro Bay, CA 93443</u> | | |

Project Description:

The Held Family Trust (applicant) proposes modifications and additions to an existing structure, which includes a proposal to 1) increase an existing 6,210-square foot (sf) land lease by 93 sf, resulting in a total land lease area of 6,303 sf and 2) increase an existing 4,502 sf water lease by 4,310 sf, resulting in a total water lease area of 8,812 sf. The project site is located on City lease sites #93-95 and 93W-95W, within the Waterfront/Harbor zone, Planned Development overlay (APN # 066-322-001).

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INITIAL STUDY AND CHECKLIST – Held Harbor Center

CASE NO.: UPO-342

DATE: September 19, 2012

stripe seven existing parking spaces to provide five compact, two regular spaces; and 8) construct two new posts to support an extension of the existing awning across the front of the building.

The proposed marine related improvements include the construction of a head float approximately 8 by 80 feet with three finger style slips (two 4 by 40 feet and one 5 by 40 feet) and the installation of six steel main pilings and two bumper piles. Four steel piles will be set at the end of each finger dock and three piles adjacent to Harbor Walk. The two bumper piles will be set between the finger docks on the west side. The pilings and docks will be constructed using a barge and crane. The applicant proposes to drive the piles by using a vibratory hammer or a convention piling hammer that is designed to ensure that underwater noise generated by pile driving activities is minimized to the maximum extent feasible and does not exceed (1) an accumulated 187 dB SEL as measured 5 meters from the source; and (2) peak dB above 208 dB as measured 10 meters from the source. Five existing wood pilings near the existing Harbor Walk are proposed for removal. In addition, there will be a four foot by 33 ½-foot gangway installed to access the new docks. The proposed gangway entrance will have a 48 by 60-inch landing and a locked security gate.

The project will result in the disturbance of approximately 7,642 sf (0.17 acre) including approximately 802 sf (building), 640 sf (walkway), and up to 6,200 sf for sidewalk removal and replacement. No cut or fill is proposed.

The proposed project is located on the west side Embarcadero Road, directly northwest of Harbor Street, within the City of Morro Bay. The project is within Waterfront/Harbor zone with a Planned Development Overlay (WF PD/S.4). Surrounding land uses include visitor serving and retail land uses to the south, north, and east, and Morro Bay to the west. The project site is currently developed by the Hofbrau restaurant, indoor and outdoor seating areas, Poppy retail shop, restrooms, public walkway and view deck, and parking area.

| | |
|----------------------------------|--|
| Project Location: | 901-915 Embarcadero Road, immediately north west of the intersection of Harbor Street and Embarcadero Road, within the City of Morro Bay |
| Assessor Parcel Number(s) | 066-322-001 |
| General Plan Designation: | Mixed Uses (Harbor) |
| Zoning Designation: | Waterfront (WF) and Harbor (H) |
| Overlay: | Planned Development S.4, Design Criteria |

| Surrounding Zoning and Land Uses | |
|----------------------------------|---|
| North | Waterfront (WF); restaurant, small public park area |
| South | Waterfront (WF); public parking, retail shops |
| West | Harbor (H); Morro Bay, docks |
| East | Visitor-Serving Commercial (C-VS); retail shops |

Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

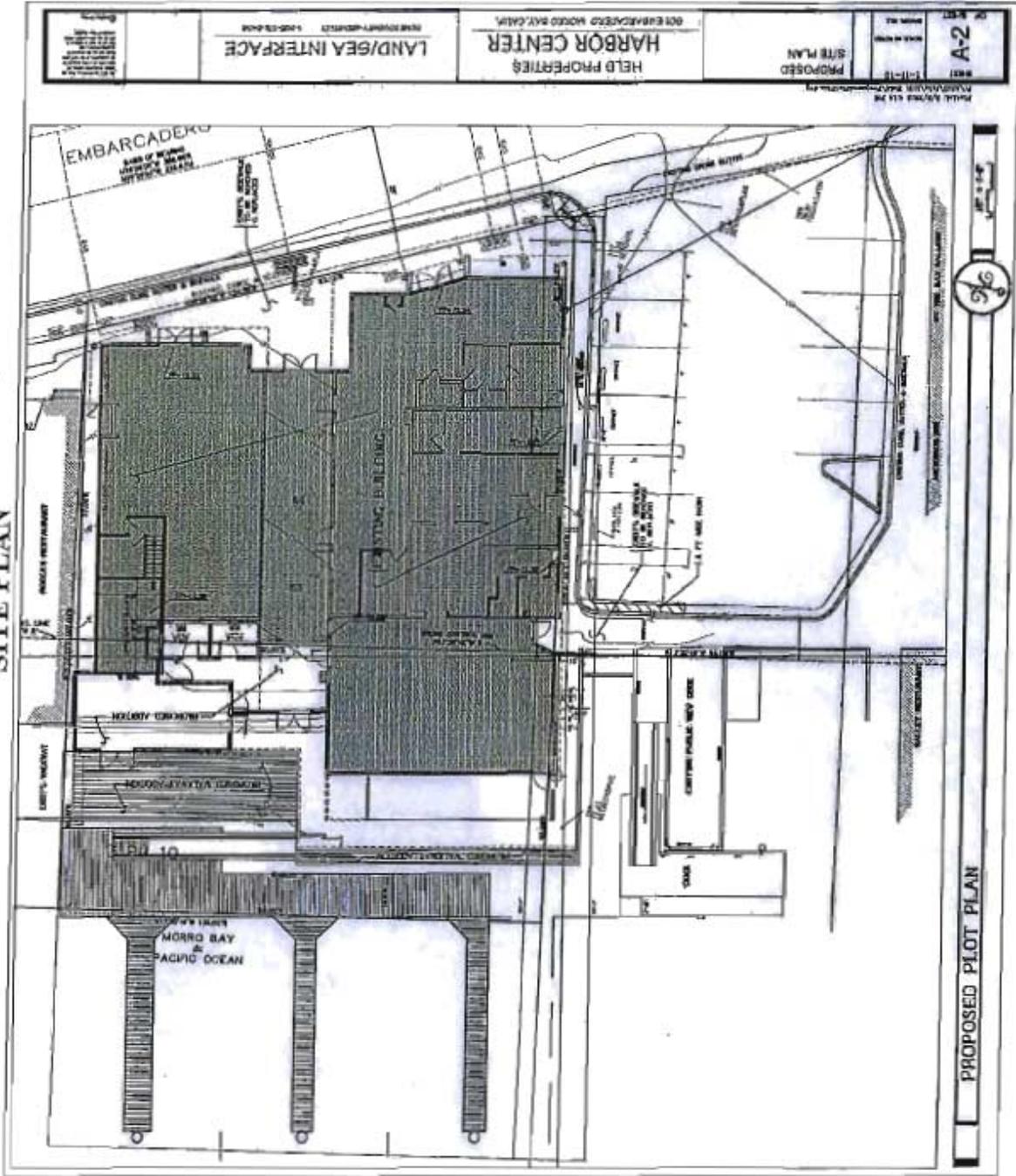
X California Coastal Commission: Coastal Development Permit

VICINITY MAP



INITIAL STUDY AND CHECKLIST - Held Harbor Center
 CASE NO.: UPO-342
 DATE: September 19, 2012

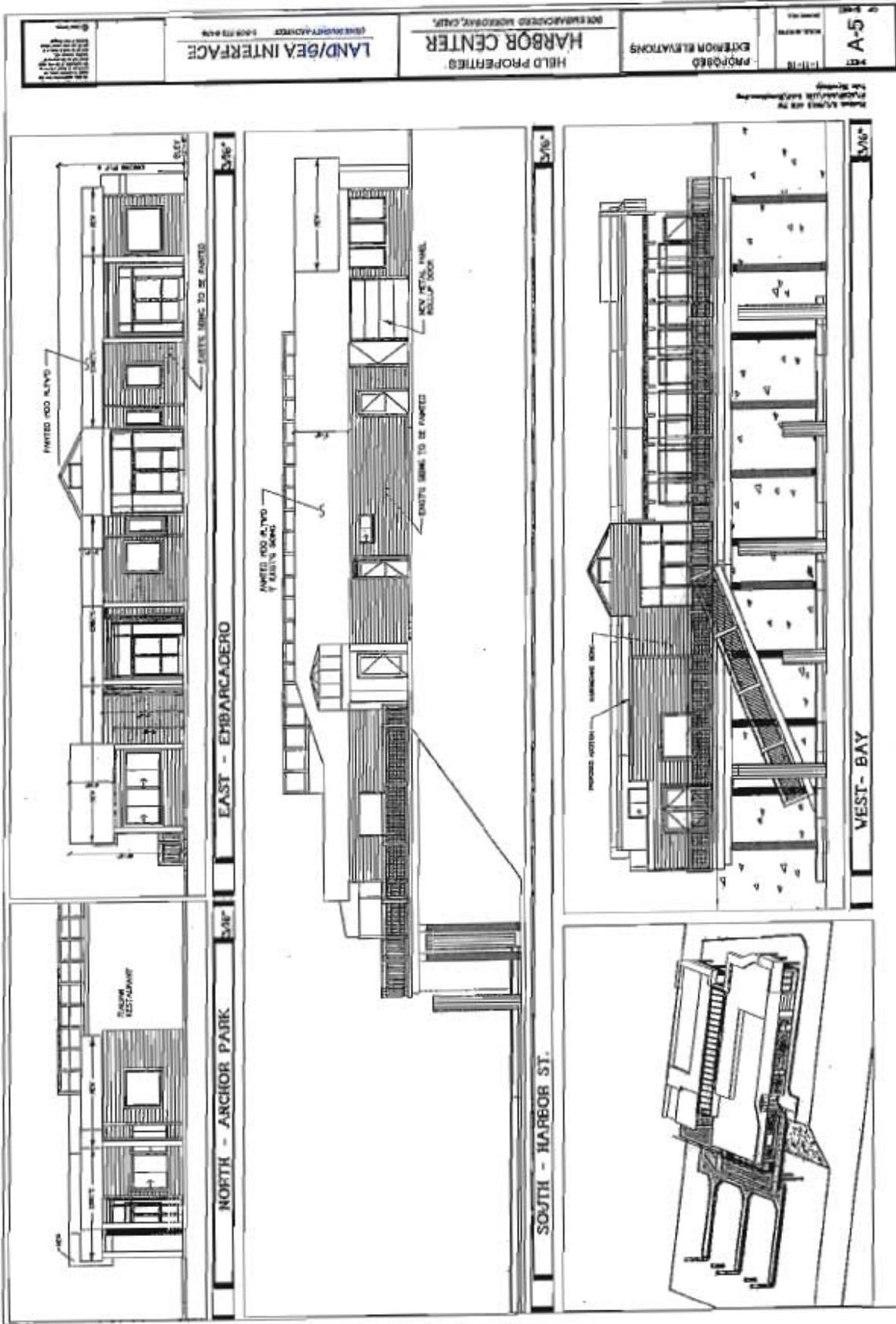
SITE PLAN



| | | | |
|---|---|---|---|
| SHEET NO. A-2 DATE: 11-11-11 DRAWN BY: [Name] CHECKED BY: [Name] | HELD PROPERTIES HARBOR CENTER 800 EMBARCADERO, MORRO BAY, CALIF. | LAND/SEA INTERFACE PREPARED BY: [Name] DATE: 11-11-11 | SCALE: 1" = 10'-0" NORTH ARROW: [Symbol] |
|---|---|---|---|

INITIAL STUDY AND CHECKLIST - Held Harbor Center
CASE NO.: UPO-342
DATE: September 19, 2012

ELEVATIONS



II. ENVIRONMENTAL SETTING AND IMPACTS

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

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

Environmental Setting: The project site is located on the edge of the bay, on the west side of the Embarcadero immediately northwest of Harbor Street. The existing structure, walkway, and pier posts are located within a 6,210-sf land lease and 4,502-sf water lease. The project site includes a 93-sf expansion of the existing land lease, which would encompass a portion of the building not currently within the lease area, and a 4,310-sf expansion of the water lease, which would extend from the shoreline into the bay, to accommodate three boat slips and a gangway.

The portion of the project site on land is zoned Waterfront (WF) and the portion of the project site on water is zoned Harbor (H). The stated purpose of the WF district is "to provide for the continued mixture of visitor-serving commercial and recreational and harbor-dependent land uses in appropriate waterfront areas..." Within the "WF" district, uses listed in Section 17.24.120 Visitor Serving Commercial, are allowable provided a Conditional Use Permit (CUP) is secured (Zoning Ordinance Section 17.24.170). Among those uses are motel, restaurant, marine related shops, and specialty retail boutiques, consistent with the existing and proposed uses. In addition, there are General Plan and Local Coastal Plan policies that promote the existing and proposed use of the site for visitor serving commercial and recreational uses. The intent of the H zone is primarily for harbor and navigable ways designations for those uses that need water in order to function, or as an accessory use to a land base/shore facility. The existing structure includes the Hofbrau restaurant, and Crills II and Poppy retail shops. Indoor and outdoor seating is provided, in addition to a wooden walkway along the building. A small parking area is located adjacent to the structure (to the south), and an adjacent restaurant and small park are located to the north. Retail and commercial uses are located to the east along the Embarcadero. Other land uses in the immediate area include similar restaurants, shops, walkways, viewing platforms, and access to boat slips. The policy followed for other land uses along the Embarcadero is being applied for this project, and continues to allow the extension of structures over the water for land based uses not directly related to or in need of the water; however, new encroachment would need to meet the intent of the H zone.

Sensitive resources within and adjacent to the project site includes an approximately 129-sf patch of eelgrass (*Zostera marina*) located within the area proposed for the boardwalk extension and floating dock, and a 151-sf strip immediately offshore to the north of the project site. The remaining area proposed for the existing and expanded water lease could be considered potential habitat for eelgrass. Eelgrass is not an endangered species; however this species is recognized as a Special Aquatic Site per Clean Air Act Section 404(b)(1) guidelines, and is protected under the federal "no-net loss" policy for wetlands. As discussed further in Section 4 Biological Resources, eelgrass and other sea grass ecosystems are protected due to their important role in the lifecycles of other species.

| Surrounding Land Use | | | |
|-----------------------------|---|-------|---|
| North: | Waterfront (WF); restaurant, small public park area | East: | Visitor-Serving Commercial (C-VS); retail shops |
| South: | Waterfront (WF); public parking, retail shops | West: | Harbor (H); Morro Bay, docks |

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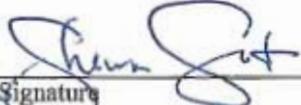
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Determination: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measure that are imposed upon the proposed project, nothing further is required.


Signature _____ MARY REENTS

09.19.12
Date _____

STAWNA SCOTT
Printed Name _____

MARY REENTS
For _____

III. ENVIRONMENTAL CHECKLIST

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

Environmental Discussion:

The visual resources of an area comprise the features of its built and natural land forms, vegetation, water surfaces and landscape. Landscape features, naturally occurring or otherwise, form the overall impression of the area. The proposed project is located on the Embarcadero, a strip of land supporting various visitor-serving commercial, retail, and recreational uses along the edge of Morro Bay. Other uses within the bay itself include private and commercial boating, touring, and fishing operations, and boat docks. Important scenic resources (scenic vistas) in the areas include Morro Rock, the bay, and the sandspit.

The existing structure is clearly visible from Embarcadero Road, Harbor Street, the sandspit, and from within the bay. As seen from Embarcadero Road and Harbor Street, the existing structure obscures views of the bay, the sandspit, and Morro Rock; however, clear views of these scenic resources are available from viewing areas to the north and south of the structure, and the public walkway along the west side of the structure.

Impact Discussion:

- a. A substantial adverse impact to a scenic vista would occur if the project would significantly degrade the scenic landscape as viewed from public roads or areas. As noted above, the existing structure obscures views of the bay, sandspit, and lower portion of Morro Rock. The current height of the structure is 11 feet, with the exception of a peak at 17 feet, 1 inch. The proposed improvements would increase the height of the structure to 15 feet 2 inches, and 14 feet (along portions of the structure), and the peak would remain. This additional height would block a greater area of Morro Rock as seen from public roadways and sidewalks; however, due to existing development on and offsite, this change would not be readily noticeable in the long-term. The proposed project includes improved public walkways, sidewalks, boardwalks, and viewing areas that would expand scenic viewing opportunities for the public. Therefore, overall, the project would not have a substantial adverse effect on a scenic vista, and no mitigation measures are necessary.
- b. State Route 1 (SR-1) is an Officially Designated State Scenic Highway through Morro Bay. The project site is approximately 0.5 west of SR-1, and is not visible from the highway due to existing development and topography. In addition, based on the location of the project site, the existing structure and proposed improvements do not block views of Morro Rock as seen from SR-1. Therefore, potential impacts are less than significant, and no mitigation measures are necessary.
- c. The existing and proposed uses, and architectural style, and compatible with the surrounding area. The applicant proposes to construct two new posts in front of the existing retail building at the southern side of the land lease on the Embarcadero side to be used to support an extension of the existing awning across the front of the building. The awning will tie the existing architectural building design together across the

Embarcadero frontage. The proposed height of the structure will be consistent within existing structures in the area, including two-story buildings to the south and east. Based on the location and design of the proposed project, the project is consistent with the visual character of the area as seen from both land (mainland, Morro Rock, and sandspit) and water, and no significant impacts would occur. No mitigation measures are necessary.

- d. The existing structure includes exterior lighting. The proposed improvements would not create lighting or glare inconsistent with adjacent uses, provided standard measures are incorporated (see below). The following mitigation measures are recommended to ensure potential impacts will be less than significant.

Mitigation and Residual Impact:

AES Impact 1 Visibility of night lighting and daytime glare would adversely affect views resulting in a direct long-term impact.

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

- a) The location, type, and wattage of all light fixtures (including catalog sheets for each fixture) shall be illustrated.*
- b) All exterior lighting shall be designed and located so that only the intended area is illuminated and off-site glare is prevented.*
- c) All lighting shall be cutoff style fixtures that are directed downward to prevent glare on adjacent and surrounding areas (i.e., Morro Bay, sandspit), and shall be limited to the maximum extent feasible while still providing for public safety.*
- d) Lights shall have solid sides and reflectors to further reduce lighting impacts, and shall be placed on a switch or timer to turn them off when not needed during the late evening.*
- e) Boat dock lighting shall be designed to reduce brightness and prevent off-site glare.*
- f) Bright white-colored light shall not be used for exterior lighting.*
- g) Any new signage visible from offsite shall not be internally luminated.*

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

- a) No highly reflective glazing or coatings shall be used on windows.*
- b) No highly reflective exterior materials such as chrome, bright stainless steel, or glossy tile shall be used on the portions of the development where visible from off-site locations.*
- c) All existing and newly installed windows shall be frosted, partially-frosted, or otherwise treated with visually permeable barriers that are designed to prevent bird strikes.*

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

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Monitoring:

The City of Morro Bay Planning Department will verify implementation of these design details through review and approval of the lighting plan and building plans prior to issuance of building permits for the project. The City will confirm compliance with these conditions by visual inspection, prior to operation of the project.

| <p>2. AGRICULTURAL RESOURCES:</p> <p>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocol adopted by the California Air Resources Board.</p> <p>Would the project:</p> | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| <p>a. Convert prime farmland, unique farmland, or farmland of statewide importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p> | | | | X |
| <p>b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p> | | | | X |
| <p>c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</p> | | | | X |
| <p>d. Result in the loss of forest land or conversion of forest land to non-forest use?</p> | | | | X |
| <p>e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?</p> | | | | X |

Environmental Discussion:

The City of Morro Bay contains a relatively limited area devoted to agricultural uses within the city limits. The Chorro and Morro Valleys, within and adjacent to the city, support intensive agricultural activity. No agricultural areas are located within 0.5 mile of the project site.

Impact Discussion:

- a. The project site is classified as Urban and Built Up Land by the Department of Conservation's Farmland Monitoring and Mapping Program. No Farmland would be converted; no impacts would result.

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- b. The project site is within the Waterfront and Harbor (Planned Development) zone, and is not subject to a Williamson Act contract. The proposed use would not conflict with any existing zoning and no impacts would result.
- c. The project location does not consist of forest land or timberland; no impacts would result.
- d. The project location does not consist of forest land or timberland; no impacts would result.
- e. The project would not result in any changes to the environment that would impact existing agricultural uses in the region. The project would continue to be served by City water supplies, which are considered sufficient to adequately meet project-related demands, and construction and long-term operation of the project is not expected to cause any significant impacts on regional agricultural uses. No impact would occur.

Mitigation and Residual Impact:

The project is not expected to result in any potentially significant impacts to agricultural resources and no mitigation measures are necessary.

Monitoring:

None required.

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

Environmental Setting:

The San Luis Obispo County Air Pollution Control District (SLOAPCD) has developed the CEQA Air Quality Handbook (2009) to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. The APCD has also prepared a Clean Air Plan to evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels.

The project would result in the disturbance of approximately 0.17 acre of soils. The project also includes remodeling of an existing structure, the creation of an additional 590 sf of retail space, and the construction of an approximately 1,488-sf floating dock and gangway. These project activities would result in the creation of

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construction dust and short-term construction vehicle emissions (Construction Emissions). The project would generate a negligible amount of long-term trips due to existing retail uses within and in the immediate vicinity of the project site.

Impact Discussion:

- a. The proposed development is consistent with the goals and policies of SLOAPCD’s CEQA Handbook and Clean Air Plan. The project consists of redevelopment of an existing use to accommodate additional retail services, public access opportunities, and provision for boating uses within an urban area primarily dedicated to retail, commercial, visitor service, and recreational uses. The project is consistent with SLOAPCD policies encouraging mixed development in urban areas, and limiting vehicle miles traveled to minimize air pollutants generated by transportation-related sources. Therefore, potential impacts are less than significant.
- b. **Construction Emissions.** Construction emissions that would result from the proposed project were calculated using Urbemis 2007 Version 9.2.4, pursuant to the CEQA Handbook. Construction emissions (winter) are estimated in Table 1 Construction Emissions, below.

For construction projects expected to be completed in less than one quarter (90 days), exceedance of the 137 lb/day threshold requires Standard Mitigation Measures. Estimated construction emissions are not expected to exceed the APCD thresholds requiring mitigation. Any potential impacts would be further minimized by implementation of the City’s standard dust control measures.

In addition to the construction air quality thresholds defined above, there are a number of special conditions, local regulations or state and federal rules that apply to construction activities. These conditions must be addressed in proposed construction activity and are summarized below.

Table 1. Construction Emissions

| | ROG | NO _x | CO | PM ₁₀ | PM ₁₀ (Exhaust) | PM _{2.5} (Exhaust) | CO ₂ |
|----------------------|------|-----------------|-------|------------------|-------------------------------|--------------------------------|-----------------|
| Winter (lbs/day) | 9.23 | 52.31 | 31.70 | 1.82 | 3.24 | 0.38 | 4,493.77 |
| Threshold (lbs/day)* | 137 | | n/a | n/a | 7 | | n/a |
| Mitigation Required | No | | n/a | n/a | No | | n/a |

*Source: County of San Luis Obispo, APCD CEQA Air Quality Handbook, 2009

Sensitive Receptors

The proximity of sensitive individuals (receptors) to a construction site constitutes a special condition and may require a more comprehensive evaluation of toxic diesel PM impacts and more aggressive implementation of mitigation measures described below in the diesel idling section (if deemed necessary by the SLOAPCD). Areas where sensitive receptors are most likely to spend time include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling units. The types of construction projects that typically require a more comprehensive evaluation include large-scale, long-term projects that occur within 1,000 feet of a sensitive receptor locations.

Permits

Portable equipment and engines 50 horsepower (hp) or greater, used during construction activities will require California statewide portable equipment registration (issued by the Air Resources Board) or an Air District permit.

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Operational Emissions. The APCD has set thresholds for ozone precursor emissions, diesel particulate matter (DPM), fugitive particulate matter emissions (dust), and carbon monoxide emissions (CO). Ozone precursor emissions are measured as combined ROG and NOx emissions. DPM is seldom emitted from individual projects in quantities which lead to local or regional air quality attainment violations. DPM is, however, a toxic air contaminant and carcinogen, and exposure to DPM may lead to increased cancer risk and respiratory problems. Certain industrial and commercial projects may emit substantial quantities of DPM through the use of stationary and mobile on-site diesel-powered equipment as well diesel trucks and other vehicles that serve the project.

Projects which emit more than 25 lbs/day or 25 tons/year of fugitive particulate matter need to implement permanent dust control measures to mitigate the emissions below these thresholds or provide suitable off-site mitigation approved by the APCD. Any land uses or activities can result in dust emissions that exceed the APCD significance thresholds, cause violations of an air quality standard, or create a nuisance impact in violation of APCD Rule 402, Nuisance. In all cases where such impacts are predicted, appropriate fugitive dust mitigation measures shall be implemented.

Carbon monoxide is a colorless, odorless, tasteless gas emitted during combustion of carbon-based fuels. While few land use projects result in high emissions of CO, this pollutant is of particular concern when emitted into partially or completely enclosed spaces such as parking structures and garages. Projects that emit more than 550 lbs/day of CO and occur in a confined or semi-confined space (e.g., parking garage or enclosed indoor stadium) must be modeled to determine their significance. In confined or semi-confined spaces where vehicle activity occurs, CO modeling is required. If modeling shows the potential to violate the State CO air quality standard, mitigation or project redesign is required to reduce CO concentrations to a level below the health-based standard.

Operational emissions that would result from the proposed additional 590-sf retail use were calculated using Urbemis 2007 Version 9.2.4, pursuant to the CEQA Handbook. Operational emissions are estimated as follows (unmitigated):

Table 2. Area Source and Operational Emissions

| | ROG | NO _x | CO | PM ₁₀ | CO ₂ |
|----------------------|------|-----------------|------|------------------|-----------------|
| Winter (lbs/day) | 0.11 | 0.13 | 1.03 | 0.12 | 63.17 |
| Threshold (lbs/day)* | 25 | | 550 | 25 | n/a |
| Mitigation Required | No | | No | No | n/a |
| Annual (tons/yr) | 0.02 | 0.02 | 0.17 | 0.02 | 11.95 |
| Threshold (tons/yr)* | 25 | | n/a | 25 | n/a |
| Mitigation Required | No | | n/a | No | n/a |

*Source: County of San Luis Obispo, APCD CEQA Air Quality Handbook, 2009

In general, projects that do not exceed APCD thresholds for ozone precursor emissions or dust do not require mitigation for long-term operational effects on air quality. APCD's recommended levels of mitigation for these pollutants are shown in Table 3 below. The recommended standard air quality mitigation measures have been separated according to land use (i.e., residential, commercial and industrial), measure type (i.e., site design, energy efficiency and transportation) and pollutant reduced (i.e., ozone, particulate, DPM, and GHGs). Any project generating 25 lbs/day or more of ROG + NOx or PM10 should select the applicable number of mitigation measure as outlined in Table 3-5 of the SLOAPCD CEQA Air Quality Handbook.

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Based on the CEQA Air Quality Handbook, the project would result in less than 25 pounds per day (lbs/day) of operational pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. Therefore, no significant long-term air quality effects are expected to occur and no mitigation measures are required.

Table 3. SLOAPCD Mitigation Threshold Guide

| Combined ROG+NO _x or PM ₁₀ Emissions (lbs/day) | Mitigation Measures Recommended | |
|--|---------------------------------------|---------------------|
| | Residential, Commercial or Industrial | Off-Site Mitigation |
| < 25 | None | None |
| 25 – 29 | 8 | * |
| 30 – 34 | 14 | * |
| 35 – 50 | 18 | * |
| ≥ 50 | All Feasible | * |
| ≥ 25 ton/yr | All Feasible | Yes |

* Will be dependent on the effectiveness of the mitigation measures, location of project and high vehicle dependent development. Examples of projects potentially subject to off-site mitigation include: rural subdivisions, drive-through applications, commercial development located far from urban core.

Source: County of San Luis Obispo, APCD CEQA Air Quality Handbook, 2009

San Luis Obispo County is currently designated as non-attainment under the state standard for ozone. As noted above, the project would not result in the generation of emissions exceeding identified thresholds; therefore, the project's contribution would not be cumulatively considerable, and impacts would be less than significant.

- c. The project is located within close proximity to sensitive receptors, including parks and recreational uses within 1,000 feet of the proposed development. The project would create short-term fugitive dust and diesel particulate matter (DPM) during construction activities, with the potential to constitute a nuisance. After implementation of standard dust control and DPM measures, impacts would be less than significant.

The underlying soil consists of fill material, therefore it is very unlikely for naturally occurring asbestos (NOA) to be encountered during earthmoving activities. The existing structure proposed for the remodel could include asbestos containing materials (ACM). Mitigation measures have been proposed to minimize the potential for exposure to ACM. Therefore, this potential impact can be mitigated to less than significant.

- d. The proposed use would not create objectionable odors, other than minimal effects potentially associated with short-term construction activities. Impacts would be less than significant.

Mitigation and Residual Impact:

AQ Impact 1 Construction activities associated with development of the proposed project would result in short-term emissions of DPM.

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

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

- AQ/mm-2* Upon application for grading and building permits, the applicant shall submit plans including the following notes, and shall comply with the following standard mitigation measures for reducing fugitive dust emissions such that they do not exceed the APCD's 20 percent opacity limit (APCD Rule 401) and do not impact off-site areas prompting nuisance violations (APCD Rule 402) as follows:
- a) Reduce the amount of disturbed area where possible;
 - b) Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
 - c) All dirt stockpile areas should be sprayed daily as needed;
 - d) Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;

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

AQ Impact 3

Remodeling activities associated with the proposed project could result in hazards associated with the presence of Asbestos Containing Materials.

AQ/mm-3

Demolition of the existing onsite structures and/or infrastructure shall be conducted in compliance with applicable regulatory requirements, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40 CFR 61, Subpart M – asbestos NESHAP). These requirements include, but are not limited to, notification to the APCD, an asbestos survey conducted by a Certified Asbestos Inspector, and applicable removal and disposal requirements of identified asbestos containing materials.

With implementation of these measures, air quality impacts would be less than significant.

Monitoring:

Demolition plans and regulatory forms will be submitted to the APCD for review and approval, consistent with mitigation measures. The applicant will submit approval documentation from APCD to the City Environmental Coordinator. Monitoring or inspection shall occur as necessary to ensure all construction activities are conducted in compliance with the above measures. Measures also require that a person be appointed to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible

emissions below 20 percent opacity, and to prevent transport of dust off-site. All potential violations, remediation actions, and correspondence with APCD will be documented and on file with the City Environmental Coordinator.

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

Environmental Setting:

The project site is located adjacent to Morro Bay. In addition to being a significant hydrological and ecological resource (estuarine and marine wetland), the bay provides habitat for various aquatic and terrestrial species in the area.

A search of the California Natural Diversity Database (CNDDB) indicates the potential for 61 sensitive plant and animal species to occur within the Morro Bay South Quadrangle. Out of these species, the following plants and animals are either documented within a mile north, south, and west of the project site: California seablithe, Blochman’s dudleya, San Joaquin spearscale, Miles’ milk-vetch, salt marsh birds-beak, Jones’ layia, pallid bat, Morro Bay blue butterfly, tidewater goby, monarch butterfly, sandy beach tiger beetle, and California clapper rail. These species generally occur within undeveloped areas along the bay and on the sandspit. In addition to these species, the project area supports habitat for a variety of marine mammals, fish, and migratory birds. The project site is currently developed, and does not support habitat conditions for these species, with the exception of tidewater goby, marine mammals (i.e., otters, seals, sea lions), and migratory birds.

Based on the *Eelgrass (Zostera marina) and [Green Algae] Caulerpa taxifolia Survey* (Tenere Environmental, August 31, 2011) conducted for the project, an approximately 129-sf patch of eelgrass (*Zostera marina*) was located

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within the area proposed for the boardwalk extension and floating dock, and a 151-sf strip of eelgrass was noted immediately offshore to the north of the project site. No invasive green algae was observed. The remaining area proposed for the existing and expanded water lease could be considered potential habitat for eelgrass. Eelgrass is not an endangered species; however this species is recognized as a Special Aquatic Site per Clean Air Act Section 404(b)(1) guidelines, and is protected under the federal “no-net loss” policy for wetlands. The results of the survey are incorporated in to the discussion below.

Impact Discussion:

- a. Implementation of the proposed project has the potential to result in adverse effects to special status species along the shore and within the bay, including eelgrass, marine mammals, and migratory birds. Based on the location of the project, implementation of erosion control and best management practices are required to avoid significant indirect impacts to special status species within the bay.

Eelgrass. Eelgrass beds are known to occur in the general area, and are considered a Special Aquatic Site (SAS) by the U.S. Army Corps of Engineers, California Department of Fish and Game, U.S. Fish and Wildlife Service, and the National Marine Fisheries Service (NMFS). Eelgrass habitat is regulated under Section 404 of the Clean Water Act (CWA), and is also considered Essential Fish Habitat by NMFS. The 1996 amendments to the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) set the Essential Fish Habitat (EFH) provisions to identify and protect important habitats of federally managed marine species. Surveys are required to map the extent and location of eelgrass in projects that may affect eelgrass.

The observed patch of eelgrass observed in the area of the proposed new floating dock and boardwalk expansion may be a relatively recent patch, if shading by the former sportfishing dock and boats using the dock prevented eelgrass from occurring in this area. If so, constructing docks and removing them in this area has created a transitory habitat for eelgrass, where docks have suppressed eelgrass, but when they have been removed, has allowed eelgrass to grow.

Based on the survey, the single 129-sf patch of eelgrass beneath the northern portion of the proposed boardwalk expansion and floating dock could be impacted by shading from the boardwalk and dock. The narrow strip of eelgrass immediately offshore to the north should be less affected by shading or not affected from the new dock or boats using the new dock. Although no eelgrass was present underneath the remaining boardwalk expansion and new dock area, this remaining area could be considered potential habitat for eelgrass (323 sf), based on being shallow in depth, similar to where the eelgrass patches nearby were present. On this basis, this potential habitat for eelgrass could also be affected by shading from the new construction. Shading effects from the boardwalk expansion could be mitigated by constructing the overhanging deck of grating material to allow sunlight to pass through.

Marine Mammals. Potential impacts to marine mammals in the bay will be limited to the construction phase. Sediment and pollutant discharge, and the generation of noise from construction equipment may be temporarily disruptive. These activities would be limited to daytime hours only. The disturbance of animals listed under the Endangered Species Act (ESA) and Marine Mammal Protection Act may constitute harassment. Harassment of such animal species without the proper incidental take permit (pursuant to Sections 7 and 10 of the ESA and consultation with the National Marine Fisheries Service). Implementation of mitigation measures, including avoidance of marine mammals and monitoring during activities conducted within the bay, is recommended to avoid disturbance of special-status species. During operation, conditions within and adjacent to the bay will be similar to surrounding uses, and no long-term significant impact would occur.

Migratory Birds. Migratory birds are protected under the Migratory Bird Treaty Act of 1918. The project site does not support conditions considered suitable for migratory bird nesting; however, birds may be present or forage within the project area. Avoidance of all bird species is recommended during construction. During operation, conditions within and adjacent to the bay will be similar to surrounding uses, and no long-term significant impact would occur.

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- b. As noted above (a), implementation of the project has the potential to impact eelgrass, a SAS. In addition, construction of the project would include the use of heavy equipment and machinery adjacent to Morro Bay. These activities may result in pollutant discharges, including sediment, oils, and fuels entering the bay, and indirectly impacting terrestrial and aquatic species.

In addition to modified design to allow for sunlight through the floating dock (see above), prior to construction, the applicant will prepare a final grading plan including temporary and permanent soil stabilization and erosion control measures, and a spill prevention control and countermeasure plan to avoid the potential for accidental leak or release of oils, fuels, and other materials. These best management practices would mitigate potential impacts resulting from pollutant discharges into Morro Bay, and impacts after implementation would be considered less than significant.

- c. The project site is located adjacent to and within estuarine and marine wetland areas, including the navigable waters of Morro Bay. No dredge or fill of wetland areas is proposed; the five existing pilings would be removed, and four steel piles will be set at the end of each proposed floating finger dock. Construction will include the use of a barge and crane to avoid the placement of equipment within the bay. As noted above (b), mitigation and best management practices would be incorporated into the project to avoid potential impacts to the bay. The applicant is responsible for obtaining any additional permits from the U.S. Army Corps of Engineers and Regional Water Quality Control Board for actions within navigable waters of the U.S. Based on implementation of recommended mitigation measures, impacts would be less than significant.
- d. Please refer to (b) above, which addresses potential impacts to marine mammals and migratory birds. Based on implementation of mitigation measures, potential impacts would be less than significant.
- e. The project site is located within and adjacent to Morro Bay. Portions of the bay are located within designated Environmental Sensitive Habitat Area (ESHA) overlays, which apply to areas that support environmentally-significant habitats, such as wetlands, riparian areas, and special-status species habitat. The project site is not located within an ESHA overlay, because the site is developed and adjacent to a section of Morro Bay that is dredged for maintenance of the harbor. Although the site is not specifically designated as an ESHA, potentially significant in-direct effects are considered in this Initial Study (refer to a, b, and c above), such as pollutant discharges that may migrate from the site into sensitive habitats (ESHAs). The project is consistent with the City's General Plan and Local Coastal Program, and would not conflict with any local policies or ordinances protecting biological resources. Impacts would be less than significant.
- f. The project site is not subject to any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan. Impacts would be less than significant.

Mitigation and Residual Impact:

BIO Impact 1 Construction of the proposed overhanging deck/boardwalk would block sunlight and reduce eelgrass populations within the project site.

BIO/mm-1 Prior to issuance of building permits, the applicant shall submit construction plans demonstrating the following:

- a. The new overhanging deck shall be constructed with grated material to allow sunlight to pass through to the water below.

BIO/mm-2 Prior to issuance of building permits, the applicant shall submit an Eelgrass Monitoring Plan (EMP) to the City Environmental Coordinator for review and approval. The EMP shall, at a minimum, provide the following:

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- a. *Eelgrass Surveys.* Pre- and post-construction surveys shall be performed to identify the location of any existing eelgrass and identify any impacts to existing eelgrass due to construction.
- b. *Eelgrass Protection.* All eelgrass beds identified in the project area shall be shown on a map in site plan view, and shall be protected as eelgrass habitat in perpetuity.
- c. *Monitoring.* A monitoring report shall be submitted to the City Environmental Coordinator for review and approval within three months of completion of construction. The report shall at a minimum include a site plan and written description of the status of eelgrass beds in the project area. If the report identifies a reduction in eelgrass coverage as compared to the existing eelgrass coverage at the time of the pre-construction survey, then the report shall identify remedial measure to offset such reduction within the eelgrass beds in the project area at a 1.2:1 basis. In such case, reporting shall continue on an annual basis for at least three years or until all such eelgrass beds are supporting eelgrass as documented in two consecutive annual reports, whichever is later.

BIO Impact 2

Construction activities may disrupt special status species including marine mammals and migratory birds due to noise and increased equipment activity.

BIO/mm-3

Prior to issuance of building permits, the applicant shall submit documentation verifying that a U.S. Fish and Wildlife Service-approved biologist has been retained to monitor all construction within the water-lease areas. The applicant shall submit a Monitoring Plan that shall be prepared by the retained biological monitor. The Plan shall include, but not be limited to the following:

- a. The monitor shall verify compliance with all BIO, GS, HYD, and N mitigation measures, conditions of approval, and regulatory permit conditions (if applicable).
- b. Weekly monitoring reports shall be provided to the City, including a summary of the each day's activities, summary of any violations or inconsistencies with the mitigation measures/conditions of approval, any remediation actions undertaken by the applicant/construction manager, any verbal or written correspondence with regulatory agencies, and photo-documentation.
- c. In the event of a violation or inconsistency with a mitigation measure, conditional of approval, and/or regulatory permit condition the Plan shall include a process for emergency reporting in the event of a violation, including a chain-of-command.
- e. The Plan shall identify specific conditions when the biological monitor shall be allowed to stop work, such as observance of a marine mammal within 100 feet of the project area.

BIO/mm-4

All work that disturbs the ocean floor (i.e., removal and installation of pilings) shall be monitored by a U.S. Fish and Wildlife Service-approved biologist to ensure that impacts to marine mammals are avoided. The approved biological monitor shall be present onsite during construction and shall have the authority to stop construction if any individuals of southern sea otter are seen within 100 feet of the project area. Construction will be allowed to resume after sighted otters have left the 100-foot radius of the project area. The species shall not be disturbed or forced from the project site by equipment, noise, or other disruptive activity. The monitor will have discretionary authority to temporarily halt the project if it is determined that the otter, or other marine mammal, could be affected by the project, even if the animal is beyond the 100-foot boundary. All construction crew employees shall be informed on the requirements of this condition.

BIO/mm-5

Power to the pile driver should be ramped up to allow marine wildlife to detect a lower sound level and depart the area before full power noise levels are produced.

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BIO Impact 3 Construction of the project may result in accidental release of pollutants within the bay, including sediments, oils, waste, and fuels, which would degrade state and federally-protected waters.

BIO/mm-6 Prior to issuance of grading and building permits, the applicant shall either acquire all required regulatory permits and authorizations (i.e. U.S. Army Corps of Engineers, Regional Water Quality Control Board, California Department of Fish and Game), or submit documentation that such permits are not required.

Refer to mitigation measures GS/mm-1, HAZ/mm-1, HAZ/mm-2, HYD/mm-1, HYD/mm-2, and N/mm-1.

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

Monitoring:

The retained biological monitor shall verify compliance with biological mitigation measures during construction, and submit monitoring reports to the City, pursuant to an approved Monitoring Plan. The City shall conduct spot-checks during construction.

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

Environmental Setting:

The project site is located in an area historically occupied by the Obispeno Chumash, and is considered by some to include the southern boundary of the Playano Salinan people. During prehistoric times, the areas surrounding the Morro Bay inlet and estuary were rich in terrestrial, littoral, and estuarine resources, which directly correlate to the high frequency of prehistoric cultural sites identified in the Morro Bay region. Several locations along the coast are designated Archaeologically Sensitive (AS) by the city.

Based on review of archaeological records kept on file with the City Public Services Department, significant archaeological and historical resources are present on native soils within the City. The project site is located on fill material, which has not been shown to contain significant archaeological or historical resources.

Impact Discussion:

- a. The project site does not include any resources included on a local register of historical resources, and does not contain any building, structure or other object that is historically significant to California’s history or cultural heritage as defined by CEQA Section 15064.5. No historic resources are located onsite; therefore impacts are less than significant.

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- b. No archaeological resources were documented by the records search, and based on the location of the project site, no further investigations are recommended. Based on the lack of evidence indicating the presence of significant resources, potential impacts would be less than significant.
- c. No unique paleontological or geographic resources are known to exist at the project site. Based on the location of the project site and limited area of disturbance, significant paleontological discovery is unlikely; therefore, impacts are less than significant.
- d. Based on the location of the project site, discovery of human remains is unlikely. Health and Safety Code Section 7050.5 requires construction to cease if in situ cultural resources are encountered until the County Coroner has been notified and necessary findings as to origin and disposition of the remains can be made pursuant to Public Resources Code Section 5097.98. Construction must halt in the area of the discovery, the area must be protected, and consultation and treatment must occur as prescribed by law. Based on results of the study and compliance with existing regulations, impacts would be less than significant.

Mitigation and Residual Impact:

The project is not expected to result in any potentially significant impacts to cultural resources. Due to the cultural sensitivity of the region, the City requires the following standard mitigation measure, in the event of subsurface, significant, cultural resource discovery.

CR/mm-1 In the event that intact and/or unique archaeological artifacts or historic or paleontological resources are encountered during grading, clearing, grubbing, and/or other construction activities associated with the proposed project involving ground disturbance, all work in the immediate vicinity of the find shall be stopped immediately, the onsite archaeological and Native American monitors shall be notified, and the resource shall be evaluated to ensure the discovery is adequately recorded, evaluated and, if significant, mitigated.

Monitoring:

The City Planning Department will verify compliance with this measure.

| 6. GEOLOGY /SOILS | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| Would the project: | | | | |
| a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Publication 42) | | | X | |
| ii Strong Seismic ground shaking? | | X | | |
| iii Seismic-related ground failure, including liquefaction? | | X | | |
| iv Landslides? | | | X | |
| b. Result in substantial erosion or the loss of topsoil? | | X | | |
| c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | | X | | |

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| d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | | | X | |
| e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | | | | X |

Environmental Setting:

The proposed project is located within the Coast Range Geomorphic Province of California located between the Pacific Ocean and the Sacramento-San Joaquin Valley. The Coast Ranges trend northwesterly along the California coast for approximately 600 miles between Santa Maria, California and the Oregon border. Onsite soils at the project location consist of fill material. Based on the Natural Resources Conservation Service (NRCS), the soils are mapped as 192 Psamments and Fluvents, occasionally flooded and Water. Based on the project location adjacent to the bay, the site may be subject to ground shaking and liquefaction, similar to existing conditions. No unique geologic features exist on the site.

Impact Discussion:

- a. The Southern Coast Ranges Province is one of the most complex geologic provinces in the state, characterized by a number of sub-parallel structural blocks bounded by several on- and off-shore faults. There are no official maps of Alquist-Priolo Earthquake Fault Zones in or near the city of Morro Bay, and the site is not within a State Earthquake Fault Zone. The closest active fault to the project site is the Los Osos Fault, six miles to the south. The closest mapped fault to the site (regardless of activity) is the Cambria Fault; two splays of this fault are mapped approximately 500 feet to the north, and 400 feet to the southwest.

The project site is located in a region of generally high seismicity, and has the potential to experience strong ground shaking from earthquakes on regional and/or local causative faults. Based on the location of known faults, the potential for surface fault rupture is low.

Liquefaction occurs when saturated, cohesionless soils lose strength due to earthquake shaking. The presence of loose, poorly graded, fine sand material that is saturated by groundwater within an area known to be subjected to high intensity earth quakes and long-duration ground motion are the key factors that indicate potentially liquefiable areas and conditions that could lead to liquefaction. The potential for seismically induced liquefaction is high.

The site is nearly level, and is not subject to landslide hazards.

The proposed project is primarily an expansion and remodel of an existing use. The applicant is required to comply with the City Building Code and California Building code, which include standard measures for site preparation, grading, protection of completed cut slopes, and management of drainage, which would mitigate potential geologic hazards to less than significant.

- b. Erosion potential at the project site is a concern due to the close proximity of the bay. Erosive factors are influenced by factors such as plant cover, grade and length of slope, management practices, and climate. Implementation of recommended mitigation measures would reduce potential impacts to less than significant.
- c. Refer to a., above. Impacts would be less than significant with implementation of recommended mitigation.
- d. Refer to a. above.

- e. The project does not include the construction of an onsite septic system; therefore, no impacts would occur.

Mitigation and Residual Impact:

GS Impact 1 Soils disturbed during construction would be subject to erosion from stormwater runoff.

GS/mm-1 Prior to issuance of grading and building permits, the applicant shall prepare a drainage and erosion control plan to reduce the potential for erosion and down-gradient sedimentation. Grading and construction plan shall include measures to prevent and avoid spills or spread of dangerous materials and clean-up procedures in the event of a spill, and measures to reduce rilling of any stockpiled soils. Monitoring or inspection of construction activities shall occur as needed to ensure compliance with the erosion control plan.

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

Monitoring:

Design plans shall be inspected and approved to ensure compliance. Monitoring or inspection of construction activities shall occur as needed to ensure compliance with design plans and the drainage and erosion control plan.

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

Environmental Setting:

In California, the main sources of Greenhouse Gases (GHGs) are from the transportation and energy sectors. According to the California San Luis Obispo County Annual Resource Summary Report (2010), approximately 40 percent of GHG emissions result from transportation and 23.5 percent result from commercial/industrial uses (County of San Luis Obispo, 2010). GHGs remain in the atmosphere for periods ranging from decades to centuries; the main GHGs emitted by human activities include CO₂, methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCS), perflnorocarbons (PFCS), and sulfur hexafluoride (SF₆).

A warming trend of approximately 1.0 to 1.7 degrees Fahrenheit occurred during the 20th Century. It is generally agreed that human activity has been increasing the concentration of GHGs in the atmosphere, mostly CO₂ from the combustion of coal, oil and gas (NCDC, 2008). The effect of each GHG on climate change is measured as a combination of the volume or mass of its emissions, and the potential of a gas or aerosol to trap heat in the atmosphere (global warming potential), and is expressed as a function of how much warming would be caused by the same mass of CO₂.

The potential effects on future climate change on California resources include increases of air temperature, sea level rise, reduced water resources and changed flood hydrology, changed forest composition and productivity, increased wild fires, changed habitats and ecosystems, changed crop yields and increased irrigation demands, and increased smog and public health issues.

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- a. Carbon dioxide (CO₂) is the most dominant greenhouse gas, making up approximately 84 percent of total GHGs by volume. Based on emission estimates calculated with URBEMIS 2007 (refer to Section 3, Air Quality, above), development of the project would generate approximately 4,493 lbs/day of CO₂ during construction and 11.95 tons per year during operation (above existing uses). Based on the County's recently adopted GHG thresholds (1,150 metric tons/year) (SLOAPCD, 2012), the proposed project would not generate GHG emissions exceeding identified thresholds, primarily because it is a remodel of an existing use. Therefore, potential impacts would be less than significant.
- b. The proposed project is consistent with the goals and policies of the City of Morro Bay General Plan, County of San Luis Obispo Conservation and Open Space Element, SLOAPCD's CEQA Handbook, Clean Air Plan, and GHG Thresholds and Supporting Evidence document. Impacts would be less than significant.

Mitigation and Residual Impact:

The project is not expected to result in any potentially significant impacts related to greenhouse gas emissions, and no mitigation measures are necessary.

Monitoring:

None required.

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

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| h. Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wildlands? | | | X | |
|--|--|--|---|--|

Environmental Setting:

Based on review of the City of Morro Bay General Plan and Local Coastal Plan, and the California Department of Toxic Substances Control Cortese List and EnviroStar databases, there is no evidence that hazardous materials were ever used, stored or spilled on the project site at any time in the past, and there are no oil wells, tanks or related structures located on the property. In general, the project does not include the use of hazardous materials or present hazards that would threaten construction workers, residents, the public, or the environment. However, risks related to hazardous materials and their release into the environment could occur during the construction stage of the project (i.e., asbestos exposure). Sensitive uses/resources that could be impacted by hazards resulting from the proposed project include adjacent uses and Morro Bay.

Impact Discussion:

- a. The project does not propose the routine transport, use or disposal of hazardous materials. Construction materials, including fuels and oils, may be transported during construction, in compliance with existing regulations. Associated hazard to the public or the environment would be less than significant.
- b. Risks related to hazardous materials and their release into the environment could occur during the construction phase of the project. Although a limited amount of hazardous materials would be present at the project site (namely oil and gas for construction equipment and vehicles) during normal construction conditions, hazardous materials would not pose a substantial risk. However, there is the potential for spills to occur at the project site, which would potentially affect sensitive areas, such as Morro Bay. Mitigation is recommended to avoid the potential for incidental exposure; therefore, potential impacts would be less than significant. In addition, removal of the existing treated wood pilings would require special treatment and disposal, subject to exiting California Department of Toxic Substance Control regulations.

Remodeling activities could also cause potential impacts associated with handling, demolition, and disposal of asbestos containing materials. Compliance with standard asbestos regulatory requirements (refer to AQ/mm-3 above), preparation of a Spill Prevention Control and Countermeasure Plan, and compliance with solid waste disposal requirements are recommended to reduce impacts to less than significant.

- c. The project would not be located within 0.25 mile of a school and does not propose to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Impacts would be less than significant.
- d. The project site is not located on a known hazardous materials site. No impacts would occur.
- e. The project site is not located within an airport land use plan or within two miles of a public airport. No impacts would occur.
- f. The project site is not located within the vicinity of a private airstrip. No impacts would occur.
- g. Based on the location of the project site, construction of the proposed project would not conflict with any regional evacuation or emergency response plan.
- h. The project is proposed within an urban setting, and is not in a high fire risk area. The project site is served by the City Fire Department. The applicant would comply with standard practices during construction to minimize the potential for incidental fires, including inspection of equipment. The project would not expose people or structures to a significant risk of fire, and impacts would be less than significant.

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Mitigation and Residual Impact:

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

HAZ/mm-1 *Prior to removal of the wood pilings, the applicant shall submit documentation to the City identifying if the wood is "treated wood waste". In the event the pilings are treated wood waste, the applicant shall dispose of the material at a hazardous waste landfill or qualified solid waste landfill.*

Implement HYD/mm-1.

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

Monitoring:

The City Environmental Coordinator shall verify receipt of required documentation. Monitoring or inspection shall occur as necessary to ensure development is proceedings consistent with the Construction Plan.

| 9. HYDROLOGY/WATER QUALITY | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| Would the project: | | | | |
| a. Violate any water quality standards or waste discharge requirements? | | X | | |
| b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | | | | X |
| c. Substantially alter the existing drainage pattern on the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site? | | | X | |
| d. Substantially alter the existing drainage pattern on the site or area, including through the alteration of the course of a stream or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site? | | | X | |
| e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | | | X | |
| f. Otherwise substantially degrade water quality? | | X | | |
| g. Place housing within a 100-year flood hazard area as mapped on a federal flood hazard boundary or flood insurance rate map or other flood hazard delineation map? | | | | |
| h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | | | | |

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|----|---|--|--|--|---|
| i. | Expose people or structures to a significant risk or loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | | | | X |
| j. | Inundation by seiche, tsunami, or mudflow? | | | | X |

Environmental Setting:

The project site is located adjacent to and within Morro Bay. The project site is not located within a 100-year flood zone designation. Based on FEMA’s Flood Insurance Rate Map, the project site is within Flood Zone X (0.2 percent annual chance flood).

Impact Discussion:

- a. The project site is adjacent to and within Morro Bay. As discussed in Section 4 (Biological Resources), Section 6 (Geology and Soils), and Section 8 (Hazards / Hazardous Materials), construction of the project may result in erosion and down-gradient sedimentation or the accidental release of fuels, oils, or other materials, which may discharge into the bay. The project does not include a new parking area or additional sources of potentially polluted stormwater runoff beyond existing conditions. Mitigation is recommended to address these potential impacts and avoid discharge into surface waters.
- b. The proposed project would not require the use of additional City water supplies, because it consists of a remodel of existing uses, and no significant additional water use is anticipated. Potential impacts are less than significant.
- c. Implementation of the project would expand the existing approximately 6,252-square foot developed area to approximately 8,868 square feet, which would not substantially alter the existing drainage pattern on the site or area result in a significant increase in surface water runoff. Stormwater would continue to sheetflow off the project site and into the bay. No significant impacts would occur.
- d. Refer to c., above. The project would not increase runoff which would result in flooding on- or off-site. Impacts would be less than significant.
- e. Refer to c., above. The project would contribute additional runoff; however, the increase would be minimal due to the size of the project. No increase in capacity or additional sources of runoff would be placed within the existing storm water drainage system. Potential impacts would be less than significant.
- f. Refer to a. above. In addition, there is a potential that the existing wood pilings are treated with creosote, a hydrocarbon product that has negative water quality impacts. Removal of these pilings may stir up settled metals, or other pollutants on the bay floor. Mitigation is recommended to protect water quality to the maximum extent feasible, and reduce potential impacts to less than significant.
- g. The project location is not within FEMA’s 100-year flood hazard area. No impacts would occur.
- h. The project location is not within the FEMA 100-year flood hazard area, and would not redirect or impede any flood flows. No impact would occur.
- i. The project does not place structures or people in a high flood hazard area and is not within an area that would be affected by a levee or dam failure. No impact would occur.
- j. The project is located in an area potentially affected by tsunami. The project would not increase this risk beyond existing use of the site, and visitors would continue to implement existing emergency evacuation plans, similar to existing conditions. Therefore, potential impacts would be less than significant.

Mitigation and Residual Impact:

HYD Impact 1: Construction of the project has the potential to result in pollutant discharge within the waters of Morro Bay.

HYD/mm-1 Prior to issuance of grading and building permits, the applicant shall prepare a Construction Plan, which shall, at a minimum, include the following:

- a. *Construction Areas.* The Construction Plan shall identify the specific location of all construction areas, all staging areas, and all construction access corridors in site plan view. All such areas where construction activities and/or staging area to take place shall be minimized to the maximum extent feasible in order to have the least impact on public access and Morro Bay resources, including by using inland areas for staging and storing construction equipment and materials as feasible.
- b. *Construction Methods.* The Construction Plan shall specify the construction methods to be used, including all methods to be used to keep the construction areas separated from bay and public recreational use areas (including using unobtrusive fencing or equivalent measures to delineate construction areas).
- c. *Construction Best Management Practices (BMPs).* The Construction Plan shall identify the type and location of all erosion control/water quality best management practices that will be implemented during construction to protect coastal water quality, including the following: 1) silt fences, straw wattles; or equivalent apparatus, shall be installed at the perimeter of the construction site to prevent construction-related runoff and/or sediment from discharging to the bay; 2) land side equipment washing, refueling, and/or servicing shall take place at least 50 feet from the bay, and all construction equipment shall be inspected and maintained at an off-site location to prevent leaks and spills of hazardous materials at the project site; 3) the construction site shall maintain good construction housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep materials covered and out of the rain, including exposed piles of soil and wastes; dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the site); and 4) all erosion and sediment controls shall be in place prior to the commencement of construction as well as at the end of the day.
- d. *Construction Site Documents.* Copies of all permits and the approved Construction Plan shall be maintained in a conspicuous location at the construction job site at all times, and copies shall be available for public review upon request. All persons involved with the construction shall be briefed on the content and meaning of all issued permits and the approved Construction Plan, and the public review requirements applicable to them, prior to commencement of construction.
- e. *Construction Coordinator.* The Construction Plan shall provide that a construction coordinator be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies) and that their contact information (i.e., address, phone numbers, etc.) including at a minimum, a telephone number that will be made available 24 hours a day for the duration of construction, is conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction coordinator shall record the name, phone number, and nature of all complaints received regarding the

construction, and shall investigate complaints and take remedial action, if necessary with 24 hours of receipt of the complaint or inquiry.

HYD/mm-2

Prior to issuance of building permits, the applicant shall submit plans including the following notes, which shall be implemented during installation of pilings. Pilings shall be constructed of steel and shall be implanted into the ocean floor with a pile driver or vibratory hammer, as opposed to jetting. The applicant shall comply with these conditions, as required or modified by the Coastal Commission.

- a. *Material Containment. Particular care shall be exercised to prevent foreign materials (e.g., construction scraps, wood preservatives, other chemicals, etc.) from entering the harbor or any other state waters. Where additional wood preservatives must be applied to cut wood surfaces, the materials, wherever feasible, shall be treated at an onshore location to preclude the possibility of spills into the harbor or other state waters. A designated staging area shall be used for refueling equipment and vehicles, mixing and storing materials, debris collection and disposal, and containing runoff from any materials that may be used or stockpiled during the project. A floating containment boom shall be placed around all active portions of a construction site where wood scraps or other floatable debris could enter the water. For any work on or beneath fixed decks, heavy-duty mesh containment netting shall be maintained below all work areas where construction discards or other material could fall in to the water. The floating boom and net shall be cleared daily or as often as necessary to prevent accumulation of debris. Contractors shall insure that work crews are carefully briefed on the importance of observing the appropriate precautions and reporting any accidental spills. Construction contracts shall contain appropriate penalty provisions, sufficient to offset the cost of retrieving or clean-up of foreign materials not properly contained.*
- b. *Piling Installation Procedures. The new pilings and piling sleeve shall be made from steel. Generally, the new pilings shall be installed according to the method that results in the least disturbance of bottom sediments. All piles will be driven into place with a vibratory hammer or piling hammer. If feasible, disturbed sediments shall be contained with a flexible skirt surrounding the driven pile. Construction barges shall be floating at all times and shall only operate at tides high enough so that the barge does not rest on the bottom of the bay.*
- c. *Procedures for Concrete Work. If pile installation, or any other portion of the operations and maintenance program, requires the pouring of concrete in, adjacent to, or over the water, the following methods shall be employed to prevent uncured concrete from entering the harbor or other state waters:*
 - 1) *Complete dewatering of the pour site, within a caisson or other barrier; the site to remain dewatered until the concrete is sufficiently cured to prevent any significant increases in the pH of adjacent waters; or,*
 - 2) *The tremie method, which involves placement of the form in water, inserting a plastic pipe down to the bottom of the form, and pumping concrete into the form so that the water is displaced towards the top of the form. If this method is selected, the displaced waters shall be pumped off and collected in a holding tank. The collected waters shall then be tested for pH, in accordance with the following California Department of Fish and Game recommendations. If the pH is greater than 8.5, the water will be neutralized with sulfuric acid until the pH is between 8.5 and 6.5. This pH-balanced water can then be returned to the sea. However, any solids that settle out during the pH balancing process shall not be discharged to the marine environment.*

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- 3) *In each case involving such concrete pours in or near the harbor or other state waters, a separate wash out area shall be provided for concrete trucks and for tools. The wash out area(s) shall be designed and located so that there will be no chance of concrete slurry or contaminated water runoff to the harbor or other state waters, nor into storm drains or gutters which empty into such bodies of water.*

Refer to mitigation measures GS/mm-1 and HAZ/mm-1.

After implementation of these measures, residual impacts to hydrology and water quality would be less than significant.

Monitoring:

The City shall assign a monitor or inspector to verify compliance with mitigation measures during construction.

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

Environmental Setting:

The proposed project is located on the west side Embarcadero Road, directly northwest of Harbor Street, within the City of Morro Bay. The project is within Waterfront/Harbor zone with a Planned Development Overlay. Surrounding land uses include visitor serving and retail land uses to the south, north, and east, and Morro Bay to the west. The project site is currently developed by the Hofbrau restaurant, indoor and outdoor seating areas, Poppy and Crills II retail shops, restrooms, public walkway and view deck, and parking area.

Impact Discussion:

- a. The proposed project consists of the remodel and expansion of an existing use, and would not divide an existing community; therefore, impacts would be less than significant.
- b. The proposed project is an allowed use, subject to securing a Conditional Use Permit pursuant to Municipal Code Sections 17.24.170 (Zoning Ordinance, Primary Districts, Waterfront (WF) district) and 17.24.170 (Zoning Ordinance, Primary Districts, Harbor and navigable ways (H) district). The proposed project does not conflict with any of the expressed goals, policies, and objectives of the Local Coastal Program and would further many, including but not limited to, the following:

Visitor-Serving Policy 2.03. Consistent with LUP Policy 7.06A, the Embarcadero...shall be considered a mixed commercial fishing and visitor-serving recreational use area. With regard to the siting of new developments, priority shall be given for coastal-dependent uses located on the west side of the Embarcadero.

Visitor-Serving Policy 2.05. Future demands of the tourist industry shall be provided for when considering new development in Mixed Use Areas A and C and in the Embarcadero.

Shoreline Access and Recreation Policy 1.20. Each application for new development or lease which would result in an increase in intensity of use, change of use, or expansion of an existing structure seaward or an increase in height shall include a physical provision for continuous lateral access along the bayfront portion of the parcel.

In addition, the project is consistent with the Design Standards identified in the *Waterfront Master Plan* (1996), including standards specific to view corridors, building heights, sidewalk connections, and general design treatment (building character). Impacts to specific resources, including aesthetics, air quality, water quality, and noise, may also have an effect on land uses in the immediate area. These issues are addressed in each appropriate section of this Initial Study, and all impacts can be mitigated to less than significant. Therefore, any land use impacts would be less than significant.

- c. There are no habitat conservation plans or natural community conservation plans that apply to the project site. No impacts would occur.

Mitigation and Residual Impact:

The project is not expected to result in any potentially significant impacts to land use and planning. Recommended mitigation measures addressing environmental effects that may also affect land use, and potential use conflicts, include: *AES/mm-1, AES/mm-2, AQ/mm-1, AQ/mm-2, AQ/mm-3, HYD/mm-1, HYD/mm-2, and N/mm-1.*

Monitoring:

Compliance will be verified by the City through review of project plans and onsite inspection.

| 11. MINERAL RESOURCES | | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----------------------|--|--------------------------------|--|------------------------------|-----------|
| Would the project: | | | | | |
| a. | Result in the loss of availability of known mineral resources that would be of value to the region and the residents of the state? | | | X | |
| b. | Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | | | | X |

Environmental Setting:

The area of proposed development is located in an area that does not contain significant amounts of any known mineral resources.

Impact Discussion:

- a. The project is not located in an area of known mineral resources. Impacts would be less than significant.
- b. The project site is not designated on any local or regional plan as a locally-important mineral resource recovery site. No impacts would occur.

Mitigation and Residual Impact:

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The project is not expected to result in any potentially significant impacts to mineral resources and no mitigation measures are necessary.

Monitoring:

None required.

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

Environmental Setting:

The City of Morro Bay Noise Element does not identify commercial or retail uses as noise sensitive. Parks, including Anchor Park located to the immediate north, are considered noise sensitive. The acceptable maximum level of noise exposure (from a stationary use) for noise sensitive uses is 70 decibels.

Impact Discussion:

- a. Construction activities associated with the proposed project would generate increased noise levels due to the use of heavy construction equipment and vehicles. Development of the proposed project would likely expose surrounding areas to noise levels that exceed those established in the Noise Element. This effect would be short-term, however, and would be limited to daytime hours pursuant to City policy. Short-term construction impacts would be less than significant.

The proposed uses would not generate additional sources of noise not currently experienced along the Embarcadero, including visitor-use and boat motors.

- b. The proposed project would result in some groundborne vibration and noise during the short-term construction phase. These potential impacts would be short-term and limited to daytime hours consistent with City policy. Mitigation is recommended to reduce the effects of vibration at the source (i.e. piling installation), including onsite monitoring during construction. Based on implementation of identified mitigation, potential noise impacts would be less than significant.
- c. Implementation of the project would not generate noise levels exceeding existing conditions, because no new noise-generating uses are proposed. The boat docks would be located adjacent to existing docks in the area, and use would not significantly increase the ambient noise level, which is currently affected by boat use in the bay. The impact would be less than significant.
- d. The project would create temporary increased in noise levels in the project vicinity above those existing without the project due to construction activities (refer to a. and b., above). However, potential increased

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would not differ from those typically associated with similar development projects, and activities would be conducted in compliance with existing City policy and recommended mitigation; therefore, potential impacts would be less than significant.

Mitigation and Residual Impact:

N Impact 1 Construction of the project, including installation of new pilings, would generate noise and vibration potentially affecting surrounding uses and aquatic resources.

N/mm-1: Prior to issuance of grading and building permits, the applicant shall submit a Construction Plan, which shall include a pile driving or vibratory hammer plan and monitoring program designed to ensure that underwater noise generated by pile driving or vibratory hammer activities is minimized to the maximum extent feasible and does not exceed such limits: (1) an accumulated 187 dB SEL as measured 5 meters from the source; and (2) peak dB above 208 dB as measured 10 meters from the source. The plan shall provide for a hydro-acoustical monitor to ensure that underwater noise generated by pile driving activities does not exceed such limits. The plan shall also provide for additional acoustical best management practices to be applied if monitoring shows underwater noise above, such limits (including, but not limited to, alternative pile driving methods (press-in pile placement, drilling, dewatered isolation casings, etc.) and additional noise dampening measures (sound shielding and other noise attenuation devices).

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

Monitoring:

The retained hydro-acoustical monitor shall verify compliance with noise mitigation measures during construction, and submit monitoring reports to the City, pursuant to approved Construction Plan and Monitoring Plan. The City shall conduct spot-checks during construction.

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

Environmental Setting:

The City of Morro Bay has a population of 10,234 based on data from the 2010 Census. The population has remained relatively constant over the last decade, down approximately 1.1 percent from 10,350 in 2000 (California Department of Finance, Table E-4).

The San Luis Obispo County Council of Governments (SLOCOG) allocates housing production goals for the County and incorporated cities based on their fair share of the region's population and employment, which is outlined in the SLOCOG 2008 Regional Housing Needs Plan. The Plan designated a Regional Housing Needs Allocation (RHNA) of 180 of the total 4,885 housing units to the City of Morro Bay over the 2007-2014 planning

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period (SLOCOG 2008). The City’s 2009 Housing Element showed the city’s capacity to accommodate all 180 allocated units, and a remaining surplus of lands suitable to develop as many as 400 additional units.

Impact Discussion:

- a. Implementation of the project would have no effect on existing housing, and would not displace any people. No impacts would result.
- b. Refer to a., above. No impacts would result.
- c. The project proposes redevelopment of an existing use, and would not induce growth in the area either directly or indirectly. Impacts would be less than significant.

Mitigation and Residual Impact:

The project is not expected to result in any potentially significant impacts to population or housing and no mitigation measures are necessary.

Monitoring:

None required.

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

Environmental Setting:

According to the California Department of Finance, the city of Morro Bay’s population in 2010 was 10,234 and San Luis Obispo County’s population was 269,637. SLOCOG published a Long Range Socio-Economic Projections Report in May 2009, updating population projections in the county after accounting in the dramatic downturn in the economy and adjusting population projections accordingly. The report projects the city population to grow by 8.1 percent to 11,190 by 2030 (County growth was estimated to reach 18.1 percent) (City of Morro Bay, 2009).

The city of Morro Bay is served by the Morro Bay Police and Fire Departments and the San Luis Coastal Unified School District. The project site is located in a Medium Fire Hazard Zone and 15 Minute Emergency Response Zone on the County of San Luis Obispo safety maps.

There are two schools within the city, Del Mar Elementary School and Morro Bay High School. The San Luis Coastal Unified School District is operating at acceptable capacities at all grade levels. Elementary schools are currently operating at approximately 82.5 percent capacity, and serving 3,409 students. Middle schools serve approximately 1,071 students and are operating at 69.1 percent capacity. High schools within the district are the closest to reaching their capacity levels, and currently serve approximately 2,493 students at 93.4 percent capacity

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(County of San Luis Obispo 2010). High school capacity levels have been designated a Level of Severity II, which means enrollment projections are estimated to reach school capacity with five years.

Impact Discussion:

- a. The proposed project would not result in additional demand for public services or utilities. During construction, there would be a potential demand for fire protection or police services in the unlikely event an incident occurs that requires emergency response. The project would have no effect on schools, parks, or other services.
- b. Refer to a., above. Impacts would be less than significant.
- c. Refer to a., above. No impact would occur.
- d. Recreational facilities are discussed in Section 15, below. No impact would occur.
- e. The proposed project is not expected to result in any significant adverse impacts on any other governmental services within the city or San Luis Obispo County. No impact would occur.

Mitigation and Residual Impact:

The project is not expected to result in any potentially significant impacts to public utilities and no mitigation measures are necessary.

Monitoring:

None required.

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

Environmental Setting:

The city of Morro Bay manages 13 city parks, and also offers three state parks and a significant number of open space and recreational opportunities associated with more than 10 miles of ocean shoreline within the city limits, over 95 percent of which is open to lateral coastal access. Approximately 90 percent of the lands abutting the Pacific Ocean in Morro Bay are publicly owned (City of Morro Bay, 1982). The proposed project is located adjacent to Anchor Park, a small pocket park adjacent to the bay. Recreational activities in the bay include boating, kayaking, surfing, stand up paddling, birdwatching, and sight-seeing.

Impact Discussion:

- a. Construction and implementation of the project would have a beneficial effect on existing or future recreational opportunities, because the project includes an expanded public walkway and boat docks. No adverse impact would occur.

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- b. Refer to a. above. Impacts associated with development of the project are addressed in each appropriate resource section. Construction of the project would generate noise and may degrade water quality, which could have an adverse effect on recreational activities in the bay. These issues are addressed in the Initial Study, and identified mitigation would address potential impacts to recreation. Therefore, potential impacts would be less than significant.

Mitigation and Residual Impact:

The project is not expected to result in any potentially significant impacts to recreational facilities and no mitigation measures are necessary.

Monitoring:

None required.

| 14 TRANSPORTATION/CIRCULATION Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, street, highway and freeways, pedestrian and bicycle path, and mass transit? | | | X | |
| b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the country congestion management agency for designated roads or highways? | | | X | |
| c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | | | X | |
| d. Substantially increase hazards due to a design feature (e.g. limited sight visibility, sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)? | | | X | |
| e. Result in inadequate emergency access? | | | X | |
| f. Conflicts with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities or otherwise decrease the performance or safety of such facilities? | | | X | |

Environmental Setting:

The project site is located on Embarcadero Road, and is directly accessed from Embarcadero Road and Harbor Street. Alternative routes to the Embarcadero include Beach Street, Pacific Street, and Marina Street. During construction, equipment, trucks, and other vehicles would access the project site from this location. Onsite parking may be reduced during the construction period. Although the project includes an additional retail unit, based on the existing uses onsite and in the vicinity, this additional use is not anticipated to generate additional traffic trips.

Impact Discussion:

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- a. Based on the nature of the project, it would not conflict with any applicable plan, ordinance, or policy related to transportation or circulation. The project includes an improved sidewalk and public walkway, which would improve pedestrian circulation in the immediate area. Long-term, operational trips would be similar to existing conditions. Therefore, potential impacts would be less than significant.
- b. Refer to a., above. The project would not conflict with any congestion management program.
- c. The project would not have any effect on area flight patterns. No change in air traffic patterns would result from the proposed project, and impacts would be less than significant.
- d. No hazardous design features are present, and no changes to the existing access are proposed. No impact would occur.
- e. The project site would continue to be accessible from Embarcadero Road, and would not result in inadequate emergency access from any on-site or adjacent location during construction and operation. No impact would occur.
- f. The project would not conflict with any adopted plans, policies, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. No impact would occur.

Mitigation and Residual Impact:

Potential transportation and circulation impacts would be less than significant, and no mitigation is necessary.

Monitoring:

None required.

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

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| | | | | | |
|----|---|--|--|---|--|
| f. | Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | | | X | |
| g. | Comply with federal, state, and local statutes and regulations related to solid waste? | | | X | |

Environmental Setting:

The City receives water from a variety of sources: groundwater from the Morro Creek and Chorro Creek underflows, converted water through the City's desalination facility, and state water via the Chorro Valley pipeline. The desalination facility also treats brackish water from the Morro Creek underflow for nitrate removal. The desalination facility provides water when the State Water Project pipeline undergoes annual maintenance. The City has an allocation from the State Water Project, including a drought buffer amount, as shown in Table 4, below.

Table 4. City of Morro Bay State Water Project Allocation (acre feet/year)

| Water Service Amount | Buffer | Total Reserved | Minimum Allocation | Average Allocation | Maximum Allocation |
|----------------------|--------|----------------|--------------------|--------------------|--------------------|
| 1,313 | 2,290 | 3,603 | 216 | 1,313 | 1,313 |

*Source: County of San Luis Obispo, Annual Resource Summary Report 2009-2010

Water use in the city has remained relatively steady over the past 10 years (as has the city's population), ranging from 1,317 afy in 2009-2010 at its lowest, to 1,475 afy in 2003-2004 at the highest.

Table 5. City of Morro Bay Total Water Use (acre feet/year)

| 1999-2000 | 2000-2001 | 2001-2002 | 2002-2003 | 2003-2004 | 2004-2005 | 2005-2006 | 2007-2008 | 2008-2009 | 2009-2010 |
|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| 1,372 | 1,417 | 1,437 | 1,423 | 1,475 | 1,400 | 1,384 | 1,420 | 1,369 | 1,317 |

*Source: County of San Luis Obispo, Annual Resource Summary Report 2009-2010

Based on information provided by the city for preparation of the County Resource Management System's 2009-2010 Annual Resources Summary Report, per capita water use in 2009-2010 was approximately 111 gallons per capita per day (gpc/d). Based on Morro Bay's previous reductions and current low usage, the City expects to be able to comply with state requirements for the reduction of per capita water use by 5 percent by 2020 (County of San Luis Obispo 2010). The city's water rates are relatively high (the second highest rates in the county), with an average single family unit paying \$27.58 per month for approximately 5,236 gallons per month of water. This equates to a little more than \$0.005/gallon.

The city shares a wastewater treatment plant with the Cayucos Sanitary District, located in Morro Bay near the Morro Bay power plant. The wastewater treatment plant currently has one of the few secondary treatment waivers in the state, which allows the plant to dispose of primary-treated sewage through an outfall to the ocean. The waiver is being phased out over the next several years, as the plant is upgraded to provide tertiary treatment. At that level of treatment, the wastewater effluent could be recycled to augment the city's water supply.

As of 2010, the city's sewer treatment facility was operating at approximately 85 percent capacity (County of San Luis Obispo 2010). Average daily dry weather flows for 2010 were 1.19 million gallons per day (mgd), and peak daily dry weather flow was 1.75 mgd. The facility's current daily capacity is 2.06 mgd (Bruce Keogh, personal communication, November 4, 2011). Wet weather flows are much higher (averaged approximately 2.6 mgd in 2010

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and peaked at approximately 6.0 mgd). However, the system has sufficient detention capacity to hold these additional flow amounts and release flows consistent with the 2.06 mgd biological capacity. The city and Cayucos are in the process of upgrading the facility, and the expansion is expected to be completed in January 2014. After the expansion, the facilities capacity would be approximately 1.5 mgd, a reduced capacity that has been adjusted to account for new population and flow projections for both communities over a 20 year planning period (Bruce Keogh, personal communication, November 4, 2011). Additional information can be found in the Facility Master Plan, and specifically the Facility Master Plan – July 2010 Amendment 2, which are located on the City's website, at <http://www.morro-bay.ca.us/index.aspx?NID=352>.

The city contracts with Morro Bay Garbage Service to provide residential and commercial garbage, recycling, and green waste collection services for Morro Bay. All of the city's waste is taken to Cold Canyon Landfill. Cold Canyon is located approximately five miles south of the city of San Luis Obispo on State Route 227. Total capacity at the landfill is 10.9 million cubic yards, and the County is currently conducting environmental review for a proposal to expand the existing facility and services. Currently, about 75 percent of the landfill's capacity is filled.

Impact Discussion:

- a. The project would continue to be served by existing City wastewater collection and treatment facilities, and would not include an onsite system. Therefore, there would be no impact.
- b. The project would continue to utilize City water resources and the City's existing wastewater collection and treatment system and facility. Both services have sufficient capacity to meet the minimal anticipated increased capacity and demand resulting from the proposed project. The proposed restroom remodel would meet ADA standards. Impacts would be less than significant.
- c. The project would utilize the City's existing stormwater drainage system, and would not require or result in the construction of new storm water drainage facilities or expansion of existing facilities. Impacts would be less than significant.
- d. The City's existing water supplies are considered adequate to meet any additional demand generated by development of the proposed project and no new or expanded entitlements would be required. Impacts would be less than significant.
- e. The project would continue to be served by the City's wastewater collection and treatment facility. The facility is expected to have sufficient capacity to meet additional capacity produced by the project, and impacts would be less than significant.
- f. The proposed project's impact on capacity at Cold Canyon Landfill, and any approved hazardous materials landfill (for the treated wood pilings), would be minimal. The landfill is expected to be able to meet the additional demand and impacts would be less than significant.
- g. The project would comply with all applicable federal, state, and local statutes and regulations related to solid waste; impacts would be less than significant.

Mitigation and Residual Impact:

The project is not expected to result in any potentially significant impacts to utilities or service systems and no mitigation measures are necessary.

Monitoring:

None required.

IV. INFORMATION SOURCES:

A. City / County / Federal Departments Consulted:

County of San Luis Obispo

B. General Plan

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

C. Other Sources of Information

| | | | |
|---|--------------------------------------|---|---|
| x | Field Work / Site Visit | x | Flood Control Maps |
| x | Calculations | x | Zoning Maps |
| x | Project Plans / Description | x | Soils Maps / Reports |
| | Traffic Study | x | Plant Maps |
| x | Records | x | Archeological Maps |
| x | Grading Plans | x | Other: County of San Luis Obispo Air Pollution Control District, CEQA Air Quality Handbook, adopted December 2009 |
| x | Elevations /Architectural Renderings | | |
| x | Published Geological Maps | | |
| | Topographic Maps | | |
| x | AG Preserve Maps | | |

D. References

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V. MANDATORY FINDINGS OF SIGNIFICANCE (Section 15065)

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

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

Impact Discussion:

Potential to Degrade. The proposed project would not substantially degrade or threaten the quality of the environment, habitat or populations of any fish or wildlife species, or important examples of California history or prehistory. Potential adverse effects to the environment associated with development of the project includes impacts to eelgrass, marine mammals, and migratory birds, and the potential contamination, disturbance, runoff, or sedimentation into Morro Bay. Mitigation measures have been proposed to prevent potential impacts and avoid long-term adverse effects. Refer to Sections 4 (Biological Resources), 6 (Geology and Soils), 8 (Hazards and Hazardous Materials), 9 (Hydrology and Water Quality), and 12 (Noise) for additional information.

Cumulative. Project-specific impacts, when considered along with, or in combination with, other impacts, do not rise to a level of significance. Project impacts are limited and no substantial cumulative impacts resulting from other projects were identified.

Substantial Adverse. The project does not have environmental effects that could cause substantial adverse effects on human beings, either directly or indirectly. Project impacts are limited and standard mitigation measures would be incorporated that would reduce any potential impacts to a less than significant level.

Mitigation and Residual Impacts:

Section: Biological Resources

Mitigation Measures: Refer to mitigation measures BIO/mm-1, BIO/mm-2, BIO/mm-3, BIO/mm-4, BIO/mm-5, BIO/mm-6, GS/mm-1, HAZ/mm-1, HYD/mm-1, HYD/mm-2, and N/mm-1.

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Monitoring: The retained biological monitor shall verify compliance with biological mitigation measures during construction, and submit monitoring reports to the City, pursuant to an approved Monitoring Plan. The City shall conduct spot-checks during construction.

Section: Geology and Soils

Mitigation Measure: Refer to GS/mm-1.

Monitoring: Design plans shall be inspected and approved to ensure compliance. Monitoring or inspection of construction activities shall occur as needed to ensure compliance with design plans and the drainage and erosion control plan.

Section: Hazards and Hazardous Materials

Mitigation Measures: Refer to HAZ/mm-1 and HYD/mm-1.

Monitoring: The City Environmental Coordinator shall verify receipt of required documentation. Monitoring or inspection shall occur as necessary to ensure development is proceeding consistent with the Construction Plan.

Section: Hydrology and Water Quality

Mitigation Measure: Refer to GS/mm-1, HAZ/mm-1, HYD/mm-1, and HYD/mm-2.

Monitoring: The City shall assign a monitor or inspector to verify compliance with mitigation measures during construction and post-construction.

Section: Noise

Mitigation Measures: Refer to N/mm-1.

Monitoring: The retained hydro-acoustical monitor shall verify compliance with noise mitigation measures during construction, and submit monitoring reports to the City, pursuant to approved Construction Plan and Monitoring Plan. The City shall conduct spot-checks during construction.

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VI. DETERMINATION

On the basis of this initial evaluation:

The Public Services Director has found that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

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

The Public Services Director has found that the proposed project **MAY** have limited and specific significant effect on the environment, and a **FOCUSED ENVIRONMENTAL IMPACT REPORT** is required.

The Public Services Director has found that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

With Public Hearing

Without Public Hearing

Previous Document : _____

Project Evaluator : _____

Signature

Initial Study Date

Printed Name

On behalf of Rob Livick, Public Services Director

Lead Agency

VII Attachments

Attachment A – Summary of Mitigation Measures

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VII. ATTACHMENTS

Mitigation Monitoring and Reporting Plan

| Requirements of Measure | Responsibilities | Party Responsible for Verification | Method of Verification | Verification Timing |
|--|--|--|--|---|
| <p>Aesthetics (AES)</p> <p><i>Prior to issuance of precise plan, a comprehensive lighting plan shall be submitted for review and approval by the City. The lighting plan shall be prepared using guidance and best practices endorsed by the International Dark Sky Association. The lighting plan shall address all aspects of the lighting, including but not limited to all buildings, infrastructure, parking and driveways, paths, floating dock, safety, and signage. The lighting plan shall include the following at minimum:</i></p> <ol style="list-style-type: none"> <i>The location, type, and wattage of all light fixtures (including catalog sheets for each fixture) shall be illustrated.</i> <i>All exterior lighting shall be designed and located so that only the intended area is illuminated and off-site glare is prevented.</i> <i>All lighting shall be cutoff style fixtures that are directed downward to prevent glare on adjacent and surrounding areas (i.e., Morro Bay, sandspit), and shall be limited to the maximum extent feasible while still providing for public safety.</i> <i>Lights shall have solid sides and reflectors to further reduce lighting impacts, and shall be placed on a switch or timer to turn them off when not needed during the late evening.</i> <i>Boat dock lighting shall be designed to reduce brightness and prevent off-site glare.</i> <i>Bright white-colored light shall not be used for exterior lighting.</i> <i>Any new signage visible from offsite shall not be internally illuminated.</i> | <p>Prepare plan; include measures on construction plans; implement during construction</p> | <p>City of Morro Bay Environmental Coordinator</p> | <p>Plan review and visual inspection</p> | <p>Prior to issuance of building permit verified prior to operation</p> |

Mitigation Monitoring and Reporting Plan

| Requirements of Measure | Responsibilities | Party Responsible for Verification | Method of Verification | Verification Timing |
|---|--|---|--|---|
| <p>Prior to issuance of a building permit, the applicant shall submit building plans and elevations for review and approval consistent with the following conditions:</p> <ul style="list-style-type: none"> a. No highly reflective glazing or coatings shall be used on windows. b. No highly reflective exterior materials such as chrome, bright stainless steel, or glossy tile shall be used on the portions of the development where visible from off-site locations. c. All existing and newly installed windows shall be frosted, partially-frosted, or otherwise treated with visually permeable barriers that are designed to prevent bird strikes. | <p>Prepare plan; include measures on construction plans; implement during construction</p> | <p>City of Morro Bay Environmental Coordinator</p> | <p>Plan review and visual inspection</p> | <p>Prior to issuance of building permit verified prior to operation</p> |
| Air Quality (AQ) | | | | |
| <p>Upon application for grading and building permits, the applicant shall submit plans including the following notes, and shall comply with the following standard mitigation measures for reducing diesel particulate matter (DPM) emissions from construction equipment as follows:</p> <ul style="list-style-type: none"> a) Maintain all construction equipment in proper tune according to manufacturer's specifications; b) Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road); c) Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation; d) Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road | <p>Include measure on construction plans, implement during construction</p> | <p>City of Morro Bay Environmental Coordinator; Construction Contractor</p> | <p>Review and approve plans; monitor during construction, document compliance, potential violations, and remediation actions</p> | <p>Prior to issuance of grading and building permits; verified periodically during construction</p> |

Mitigation Monitoring and Reporting Plan

| Requirements of Measure | Responsibilities | Party Responsible for Verification | Method of Verification | Verification Timing |
|--|---|---|--|---|
| <p><i>heavy-duty diesel engines, and comply with the State On-Road Regulation;</i></p> <p>e) <i>Construction or trucking companies with fleets that that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;</i></p> <p>f) <i>All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;</i></p> <p>g) <i>Excessive diesel idling within 1,000 feet of sensitive receptors is not permitted;</i></p> <p>h) <i>Electrify equipment when feasible;</i></p> <p>i) <i>Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,</i></p> <p>j) <i>Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.</i></p> | | | | |
| <p><i>Upon application for grading and building permits, the applicant shall submit plans including the following notes, and shall comply with the following standard mitigation measures for reducing fugitive dust emissions such that they do not exceed the APCD's 20 percent opacity limit (APCD Rule 401) and do not impact off-site areas prompting nuisance violations (APCD Rule 402) as follows:</i></p> <p>a) <i>Reduce the amount of disturbed area where possible;</i></p> <p>b) <i>Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. increased watering frequency would be</i></p> | <p>Include measure on construction plans, implement during construction</p> | <p>City of Morro Bay Environmental Coordinator; Construction Contractor</p> | <p>Review and approve plans; monitor during construction, document compliance, and remediation actions</p> | <p>Prior to issuance of grading and building permits; verified periodically during construction</p> |

Mitigation Monitoring and Reporting Plan

| Requirements of Measure | Responsibilities | Party Responsible for Verification | Method of Verification | Verification Timing |
|--|------------------|------------------------------------|------------------------|---------------------|
| <p>required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;</p> <p>c) All dirt stockpile areas should be sprayed daily as needed;</p> <p>d) Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;</p> <p>e) Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established;</p> <p>f) All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;</p> <p>g) All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.</p> <p>h) Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;</p> <p>i) All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114;</p> <p>j) Install wheel washers where vehicles enter and exit</p> | | | | |

Mitigation Monitoring and Reporting Plan

| Requirements of Measure | Responsibilities | Party Responsible for Verification | Method of Verification | Verification Timing |
|---|--|---|---|---|
| <p><i>unpaved roads onto streets, or wash off trucks and equipment leaving the site;</i></p> <p><i>k) Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;</i></p> <p><i>l) All PM₁₀ mitigation measures required shall be shown on grading and building plans; and</i></p> <p><i>m) The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust off-site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.</i></p> | | | | |
| <p><i>Demolition of the existing onsite structures and/or infrastructure shall be conducted in compliance with applicable regulatory requirements, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40 CFR 61, Subpart M – asbestos NESHAP). These requirements include, but are not limited to, notification to the APCD, an asbestos survey conducted by a Certified Asbestos Inspector, and applicable removal and disposal requirements of identified asbestos containing materials.</i></p> | <p>Submit results of survey, APCD notice, and proof of compliance with asbestos NESHAP by APCD; include measure on construction plans; implement during construction</p> | <p>City of Morro Bay Environmental Coordinator; Construction Contractor</p> | <p>Review and approval of plans; monitor during demolition, document compliance</p> | <p>Prior to demolition; implementation verified during demolition and disposal of materials</p> |

Mitigation Monitoring and Reporting Plan

| Requirements of Measure | Responsibilities | Party Responsible for Verification | Method of Verification | Verification Timing |
|--|---|--|--|---|
| Biological Resources (BIO) | | | | |
| <p>Prior to issuance of building permits, the applicant shall submit construction plans demonstrating the following:</p> <p>a. The new overhanging deck shall be constructed with grated material to allow sunlight to pass through to the water below.</p> | <p>Include measures on construction plans; implement during construction</p> | <p>City of Morro Bay Environmental Coordinator; Construction Contractor</p> | <p>Review and approval of plans; visual inspection</p> | <p>Prior to issuance of building permits, verified prior to operation</p> |
| <p>Prior to issuance of building permits, the applicant shall submit an Eelgrass Monitoring Plan (EMP) to the City Environmental Coordinator for review and approval. The EMP shall, at a minimum, provide the following:</p> <p>a. Eelgrass Surveys. Pre- and post-construction surveys shall be performed to identify the location of any existing eelgrass and identify any impacts to existing eelgrass due to construction.</p> <p>b. Eelgrass Protection. All eelgrass beds identified in the project area shall be shown on a map in site plan view, and shall be protected as eelgrass habitat in perpetuity.</p> <p>c. Monitoring. A monitoring report shall be submitted to the City Environmental Coordinator for review and approval within three months of completion of construction. The report shall at a minimum include a site plan and written description of the status of eelgrass beds in the project area. If the report identifies a reduction in eelgrass coverage as compared to the existing eelgrass coverage at the time of the pre-construction survey, then the report shall identify remedial measure to offset such reduction within the eelgrass beds in the project area at a 1:2:1 basis. In such case, reporting shall continue on an annual basis for at least three years</p> | <p>Submit Eelgrass Monitoring Plan; implement during and following construction</p> | <p>City of Morro Bay Environmental Coordinator; assigned biological monitor or inspector</p> | <p>Review and approval of EMP; monitor during and following construction; document compliance, potential violations, and remediation actions</p> | <p>Prior to issuance of building permit; verify compliance during construction; annual monitoring for three years (minimum)</p> |

Mitigation Monitoring and Reporting Plan

| Requirements of Measure | Responsibilities | Party Responsible for Verification | Method of Verification | Verification Timing |
|--|---|--|--|--|
| <p><i>or until all such eelgrass beds are supporting eelgrass as documented in two consecutive annual reports, whichever is later.</i></p> <p><i>Prior to issuance of building permits, the applicant shall submit documentation verifying that a U.S. Fish and Wildlife Service-approved biologist has been retained to monitor all construction within the water-lease areas. The applicant shall submit a Monitoring Plan that shall be prepared by the retained biological monitor. The Plan shall include, but not be limited to the following:</i></p> <ul style="list-style-type: none"> <i>a. The monitor shall verify compliance with all BIO, GS, HYD, and N mitigation measures, conditions of approval, and regulatory permit conditions (if applicable).</i> <i>b. Weekly monitoring reports shall be provided to the City, including a summary of the each day's activities, summary of any violations or inconsistencies with the mitigation measures/conditions of approval, any remediation actions undertaken by the applicant/construction manager, any verbal or written correspondence with regulatory agencies, and photo-documentation.</i> <i>c. In the event of a violation or inconsistency with a mitigation measure, conditional of approval, and/or regulatory permit condition the Plan shall include a process for emergency reporting in the event of a violation, including a chain-of-command.</i> <i>e. The Plan shall identify specific conditions when the biological monitor shall be allowed to stop work, such as observance of a marine mammal within 100 feet of the project area.</i> | <p>Submit documentation verifying qualified monitor, implement prior to and during construction</p> | <p>City of Morro Bay Environmental Coordinator; assigned biological monitor or inspector</p> | <p>Review and approve plan; monitor and document compliance, potential violations, and remediation actions</p> | <p>Prior to issuance of building permit; verify compliance during construction</p> |

Mitigation Monitoring and Reporting Plan

| Requirements of Measure | Responsibilities | Party Responsible for Verification | Method of Verification | Verification Timing |
|--|---|--|---|--|
| <p>All work that disturbs the ocean floor (i.e., removal and installation of pilings) shall be monitored by a U.S. Fish and Wildlife Service-approved biologist to ensure that impacts to marine mammals are avoided. The approved biological monitor shall be present onsite during construction and shall have the authority to stop construction if any individuals of southern sea otter are seen within 100 feet of the project area. Construction will be allowed to resume after sighted otters have left the 100-foot radius of the project area. The species shall not be disturbed or forced from the project site by equipment, noise, or other disruptive activity. The monitor will have discretionary authority to temporarily halt the project if it is determined that the otter, or other marine mammal, could be affected by the project, even if the animal is beyond the 100-foot boundary. All construction crew employees shall be informed on the requirements of this condition.</p> | <p>Conduct monitoring in compliance with mitigation and monitoring plan</p> | <p>City of Morro Bay Environmental Coordinator, assigned biological monitor or inspector</p> | <p>Monitor and document compliance, potential violations, and remediation actions</p> | <p>Verify compliance during construction</p> |
| <p>Power to the pile driver should be ramped up to allow marine wildlife to detect a lower sound level and depart the area before full power noise levels are produced.</p> | <p>Conduct monitoring in compliance with mitigation and monitoring plan</p> | <p>City of Morro Bay Environmental Coordinator; assigned biological monitor or inspector</p> | <p>Monitor and document compliance, potential violations, and remediation actions</p> | <p>Verify compliance during construction</p> |
| <p>Prior to issuance of grading and building permits, the applicant shall either acquire all required regulatory permits and authorizations (i.e. U.S. Army Corps of Engineers, Regional Water Quality Control Board, California Department of Fish and Game), or submit documentation that such permits are not required.</p> | <p>Submit required permits, approvals, and authorizations</p> | <p>City of Morro Bay Environmental Coordinator</p> | <p>Review and approve submitted documentation</p> | <p>Prior to issuance of grading and building permits</p> |

Mitigation Monitoring and Reporting Plan

| Requirements of Measure | Responsibilities | Party Responsible for Verification | Method of Verification | Verification Timing |
|--|--|---|--|--|
| Cultural Resources (CR) | | | | |
| <i>In the event that intact and/or unique archaeological artifacts or historic or paleontological resources are encountered during grading, clearing, grubbing, and/or other construction activities associated with the proposed project involving ground disturbance, all work in the immediate vicinity of the find shall be stopped immediately, the onsite archaeological and Native American monitors shall be notified, and the resource shall be evaluated to ensure the discovery is adequately recorded, evaluated and, if significant, mitigated.</i> | Include measure on construction plans, implement during construction | City of Morro Bay Environmental Coordinator, Construction Contractor | Review and approval of plans | Prior to and during construction |
| Geology and Soils (GS) | | | | |
| <i>Prior to issuance of grading and building permits, the applicant shall prepare a drainage and erosion control plan to reduce the potential for erosion and down-gradient sedimentation. Grading and construction plan shall include measures to prevent and avoid spills or spread of dangerous materials and clean-up procedures in the event of a spill, and measures to reduce rilling of any stockpiled soils. Monitoring or inspection of construction activities shall occur as needed to ensure compliance with the erosion control plan.</i> | Include measure on construction plans, implement during construction | City of Morro Bay Public Services Department and Environmental Coordinator, Construction Contractor | Review and approval of plans; monitor during construction | Prior to issuance of grading and building permits; during construction |
| Hazardous Materials (HAZ) | | | | |
| <i>Prior to removal of the wood pilings, the applicant shall submit documentation to the City identifying if the wood is "treated wood waste". In the event the pilings are treated wood waste, the applicant shall dispose of the material at a hazardous waste landfill or qualified solid</i> | Include measure on construction plans, implement during construction | City of Morro Bay Environmental Coordinator, Construction Contractor | Review and approval of plans; verify and approve documentation | Prior to and during construction |

Mitigation Monitoring and Reporting Plan

| Requirements of Measure | Responsibilities | Party Responsible for Verification | Method of Verification | Verification Timing |
|--|---|--|--|--|
| <p>waste landfill.</p> <p>Hydrology (HYD)</p> <p>Prior to issuance of grading and building permits, the applicant shall prepare a Construction Plan, which shall, at a minimum, include the following:</p> <p>a. Construction Areas. The Construction Plan shall identify the specific location of all construction areas, all staging areas, and all construction access corridors in site plan view. All such areas where construction activities and/or staging area to take place shall be minimized to the maximum extent feasible in order to have the least impact on public access and Morro Bay resources, including by using inland areas for staging and storing construction equipment and materials as feasible.</p> <p>b. Construction Methods. The Construction Plan shall specify the construction methods to be used, including all methods to be used to keep the construction areas separated from bay and public recreational use areas (including using unobtrusive fencing or equivalent measures to delineate construction areas).</p> <p>c. Construction Best Management Practices (BMPs). The Construction Plan shall identify the type and location of all erosion control/water quality best management practices that will be implemented during construction to protect coastal water quality, including the following: 1) silt fences, straw wattles, or equivalent apparatus, shall be installed at the perimeter of the construction site to prevent construction-related runoff and/or sediment from</p> | <p>Include measure on construction plans; implement during construction</p> | <p>City of Morro Bay Public Services Department and Environmental Coordinator; Construction Contractor</p> | <p>Review and approval of plans; inspect during construction</p> | <p>Prior to issuance of grading and building permits; implementation verified by visual inspection</p> |

Mitigation Monitoring and Reporting Plan

| Requirements of Measure | Responsibilities | Party Responsible for Verification | Method of Verification | Verification Timing |
|--|------------------|------------------------------------|------------------------|---------------------|
| <p>discharging to the bay; 2) land side equipment washing, refueling, and/or servicing shall take place at least 50 feet from the bay, and all construction equipment shall be inspected and maintained at an off-site location to prevent leaks and spills of hazardous materials at the project site; 3) the construction site shall maintain good construction housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep materials covered and out of the rain, including exposed piles of soil and wastes; dispose of all wastes properly; place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the site); and 4) all erosion and sediment controls shall be in place prior to the commencement of construction as well as at the end of the day.</p> <p>d. Construction Site Documents. Copies of all permits and the approved Construction Plan shall be maintained in a conspicuous location at the construction job site at all times, and copies shall be available for public review upon request. All persons involved with the construction shall be briefed on the content and meaning of all issued permits and the approved Construction Plan, and the public review requirements applicable to them, prior to commencement of construction.</p> <p>e. Construction Coordinator. The Construction Plan shall provide that a construction coordinator be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies) and that their contact information (i.e., address, phone</p> | | | | |

Mitigation Monitoring and Reporting Plan

| Requirements of Measure | Responsibilities | Party Responsible for Verification | Method of Verification | Verification Timing |
|--|---|--|--|---|
| <p>numbers, etc) including at a minimum, a telephone number that will be made available 24 hours a day for the duration of construction, is conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction coordinator shall record the name, phone number, and nature of all complaints receive regarding the construction, and shall investigate complaints and take remedial action, if necessary with 24 hours of receipt of the complaint or inquiry.</p> | <p>Include measure on construction plans; implement during construction</p> | <p>City of Morro Bay Public Services Department and Environmental Coordinator, Construction Contractor</p> | <p>Review and approval of plans; inspect during construction</p> | <p>Prior to issuance of building permit; implementation verified by visual inspection</p> |
| <p>Prior to issuance of building permits, the applicant shall submit plans including the following notes, which shall be implemented during installation of pilings. Pilings shall be constructed of steel and shall be implanted into the ocean floor with a pile driver or vibratory hammer, as opposed to jeting. The applicant shall comply with these conditions, as required or modified by the Coastal Commission.</p> <p>a. Material Containment. Particular care shall be exercised to prevent foreign materials (e.g., construction scraps, wood preservatives, other chemicals, etc.) from entering the harbor or any other state waters. Where additional wood preservatives must be applied to cut wood surfaces, the materials, wherever feasible, shall be treated at an onshore location to preclude the possibility of spills into the harbor or other state waters. A designated staging area shall be used for refueling</p> | | | | |

Mitigation Monitoring and Reporting Plan

| Requirements of Measure | Responsibilities | Party Responsible for Verification | Method of Verification | Verification Timing |
|--|------------------|------------------------------------|------------------------|---------------------|
| <p>equipment and vehicles, mixing and storing materials, debris collection and disposal, and containing runoff from any materials that may be used or stockpiled during the project. A floating containment boom shall be placed around all active portions of a construction site where wood scraps or other floatable debris could enter the water. For any work on or beneath fixed decks, heavy-duty mesh containment netting shall be maintained below all work areas where construction discards or other material could fall in to the water. The floating boom and net shall be cleared daily or as often as necessary to prevent accumulation of debris. Contractors shall insure that work crews are carefully briefed on the importance of observing the appropriate precautions and reporting any accidental spills. Construction contracts shall contain appropriate penalty provisions, sufficient to offset the cost of retrieving or clean-up of foreign materials not properly contained.</p> <p>b. Piling Installation Procedures. The new pilings and piling sleeve shall be made from steel. Generally, the new pilings shall be installed according to the method that results in the least disturbance of bottom sediments. All piles will be driven into place with a vibratory hammer or piling hammer. If feasible, disturbed sediments shall be contained with a flexible skirt surrounding the driven pile. Construction barges shall be floating at all times and shall only operate at tides high enough so that the barge does not rest on the bottom of the bay.</p> <p>c. Procedures for Concrete Work. If pile installation, or any other portion of the operations and</p> | | | | |

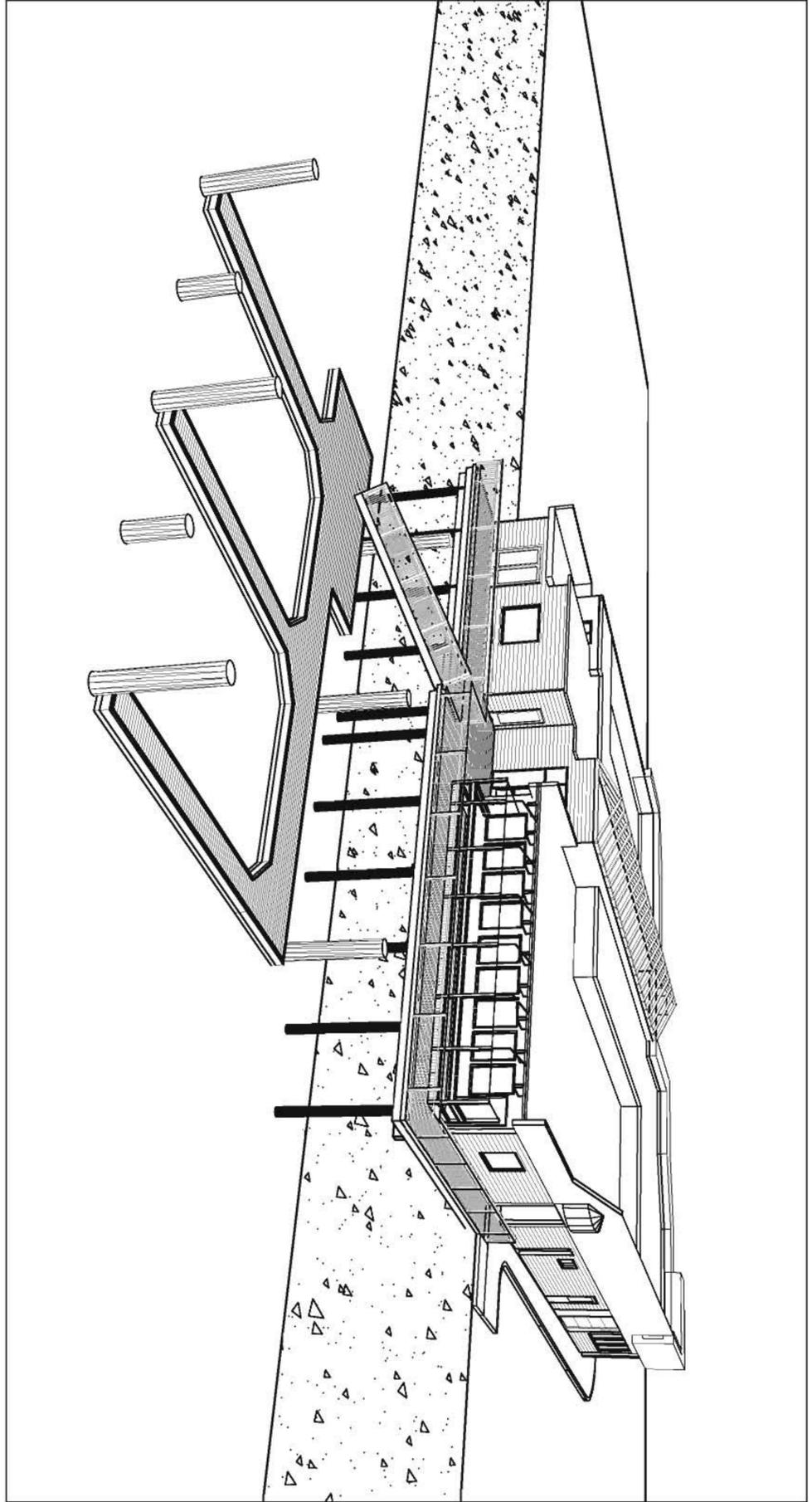
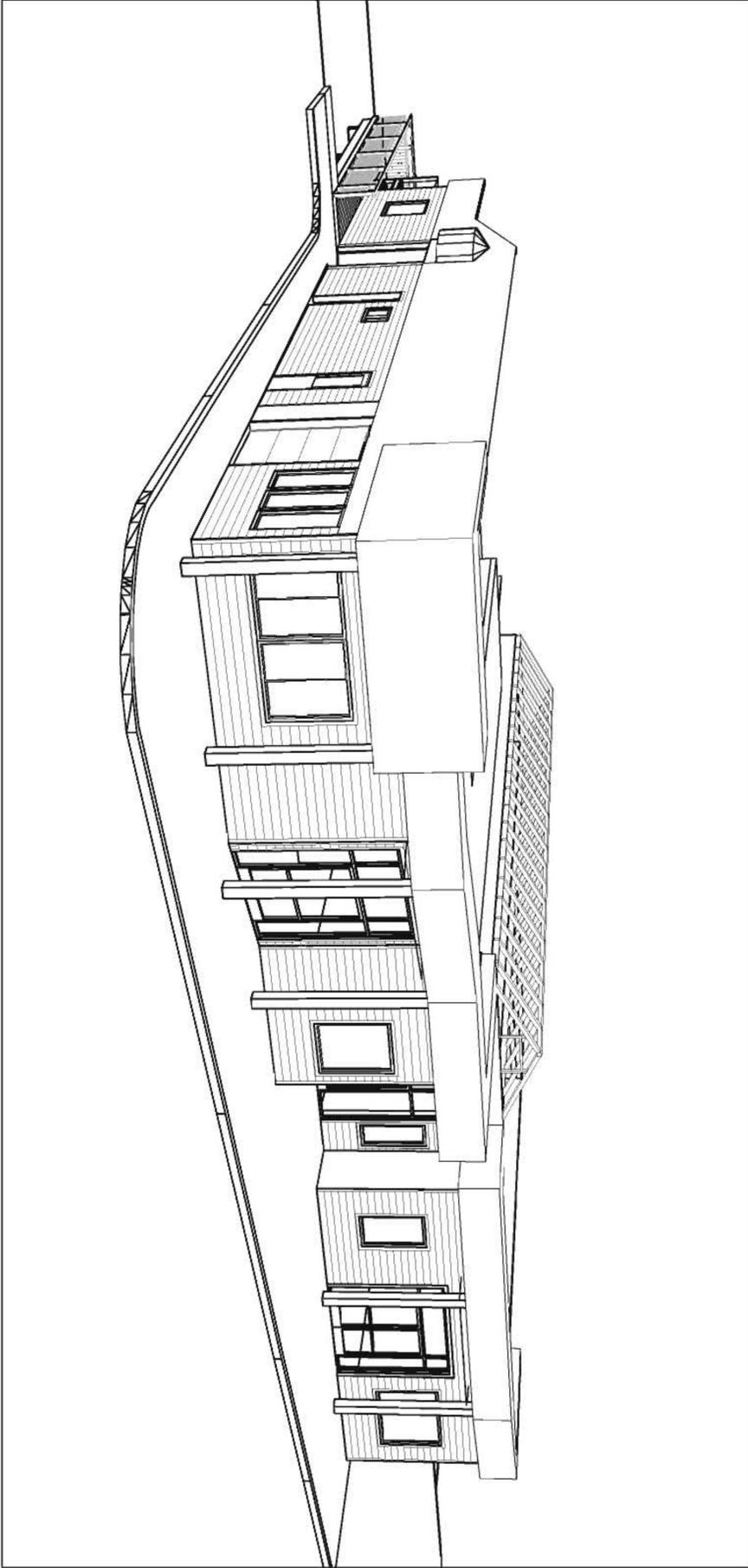
Mitigation Monitoring and Reporting Plan

| Requirements of Measure | Responsibilities | Party Responsible for Verification | Method of Verification | Verification Timing |
|--|------------------|------------------------------------|------------------------|---------------------|
| <p>maintenance program, requires the pouring of concrete in, adjacent to, or over the water, the following methods shall be employed to prevent uncurd concrete from entering the harbor or other state waters:</p> <p>1) Complete dewatering of the pour site, within a caisson or other barrier; the site to remain dewatered until the concrete is sufficiently cured to prevent any significant increases in the pH of adjacent waters; or,</p> <p>2) The tremie method, which involves placement of the form in water, inserting a plastic pipe down to the bottom of the form, and pumping concrete into the form so that the water is displaced towards the top of the form. If this method is selected, the displaced waters shall be pumped off and collected in a holding tank. The collected waters shall then be tested for pH, in accordance with the following California Department of Fish and Game recommendations. If the pH is greater than 8.5, the water will be neutralized with sulfuric acid until the pH is between 8.5 and 6.5. This pH-balanced water can then be returned to the sea. However, any solids that settle out during the pH balancing process shall not be discharged to the marine environment.</p> <p>3) In each case involving such concrete pours in or near the harbor or other state waters, a separate wash out area shall be provided for concrete trucks and for tools. The wash out area(s) shall be designed and located so that there will be no chance of concrete slurry or contaminated water</p> | | | | |

Mitigation Monitoring and Reporting Plan

| Requirements of Measure | Responsibilities | Party Responsible for Verification | Method of Verification | Verification Timing |
|---|--|--|--|--|
| <p><i>rinsoff to the harbor or other state waters, nor into storm drains or gutters which empty into such bodies of water.</i></p> | | | | |
| <p>Noise (N)</p> | | | | |
| <p><i>Prior to issuance of grading and building permits, the applicant shall submit a Construction Plan, which shall include a pile driving or vibratory hammer plan and monitoring program designed to ensure that underwater noise generated by pile driving or vibratory hammer activities is minimized to the maximum extent feasible and does not exceed such limits: (1) an accumulated 187 dB SEL as measured 5 meters from the source; and (2) peak dB above 208 dB as measured 10 meters from the source. The plan shall provide for a hydro-acoustical monitor to ensure that underwater noise generated by pile driving activities does not exceed such limits. The plan shall also provide for additional acoustical best management practices to be applied if monitoring shows underwater noise above, such limits (including, but not limited to, alternative pile driving methods (press-in pile placement, drilling, dewatered isolation casings, etc.) and additional noise dampening measures (sound shielding and other noise attenuation devices).</i></p> | <p>Submit Construction Plan; implement during construction</p> | <p>City of Morro Bay Public Services Department and Environmental Coordinator; Contractor; noise monitor</p> | <p>Review and approval of plans; inspect during construction</p> | <p>Prior to issuance of grading and building permits; implementation documented by noise monitor</p> |

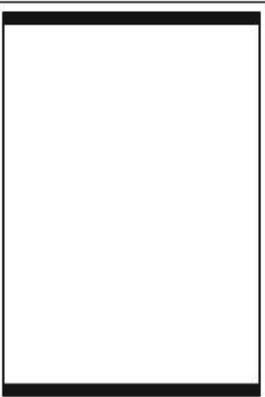
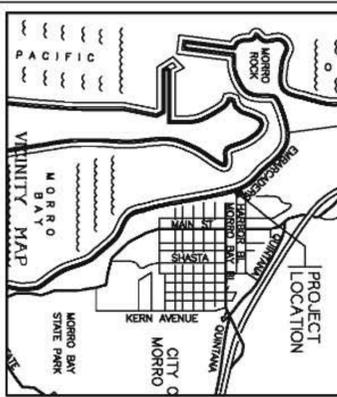
HARBOR CENTER CONCEPT PLAN



| REQUIRED PARKING: | PARKING PER SF | REQUIRED PARKING |
|---|------------------|------------------|
| CHILLS II | 1,283 SF GROSS | 380 |
| POPPY | 1,678 SF GROSS | 486 |
| NEW UNIT | 64 SF GROSS | 2 |
| HOPRAU | NET DINING AREA | 60 |
| INDOOR DINING RESTAURANT (ON Y) | 284 SF | 1.3 |
| OUTDOOR DINING (BEHIND WIND SCREEN) 159 SF (SIT 125 SF NO PARKING REQUIRED) | | 18.12 |
| TOTAL HOPRAU | | 0 |
| GLASS COURT PUBLIC SEATING | | 0 |
| TE DOWN | | 0 |
| AREA | 248 LN FT | 35 |
| MARINA (NON-LIVE ABOARD) | | 6,886 |
| | TOTAL PARKING | 37,23 |
| | REQUIRED PARKING | 37,89 |

| PROJECT DATA |
|---|
| OWNER: CITY OF MORRO BAY |
| LEASER: HELD FAMILY TRUST |
| PO BOX 225 |
| CALICOSS, CA 93938 |
| JOB ADDRESS: 901 EMBARCADERO |
| MORRO BAY, CA 93938 |
| LEASE SITE: 43.53W, 94.94W, 45.125W |
| APN: 068-122-081 |
| LAND USE: 4,252 SF |
| LAND VALUE: 4,252 SF |
| WATER LEASE: 4,252 SF |
| TOTAL: 4,252 SF |
| EXISTING FIRST FLOOR BUILDING: 8,252 SF |
| PROPOSED ADDITION: 3,224 SF |
| EXISTING SECOND FLOOR STORAGE: 1,224 SF |
| PROPOSED TOTAL BUILDING: 8,888 SF |
| PROPOSED BUILDING FOOTPRINT: 5,548 SF |
| PROPOSED NEW WALKWAY: 448 SF |
| PROPOSED WALKWAY: 224 SF |
| PROPOSED OUTDOOR DINING: 224 SF |
| PROPOSED FLOATING DOCK: 1,488 SF |

| TABLE OF CONTENTS | |
|-------------------|--|
| T-1 | PROJECT DATA |
| A-1 | PROPOSED DOCK, PUBLIC WALKWAY & WATER LEASE SITE |
| A-2 | PROPOSED PLOT PLAN |
| A-3 | PROPOSED FLOOR PLAN |
| A-4 | PROPOSED FLOOR AREA PLANS |
| A-5 | PROPOSED EXTERIOR ELEVATIONS |
| EX-1 | EXISTING FLOOR PLAN |



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SHEET 1-11-10
T-1
 OF SHEET

PROJECT DATA
 TABLE OF CONTENTS
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 DRAWN: MLA

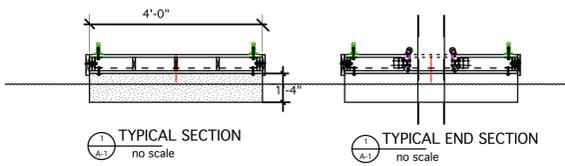
HELD PROPERTIES
HARBOR CENTER
 901 EMBARCADERO MORRO BAY, CALIF.

LAND/SEA INTERFACE
 GENE DOUGHTY-ARCHITECT 1-805-772-8436

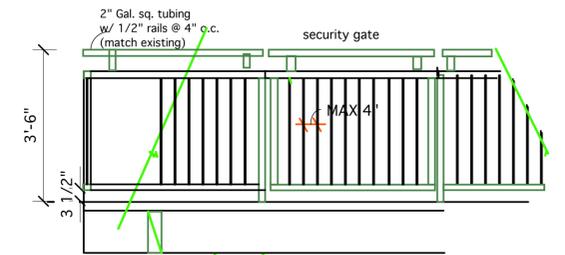
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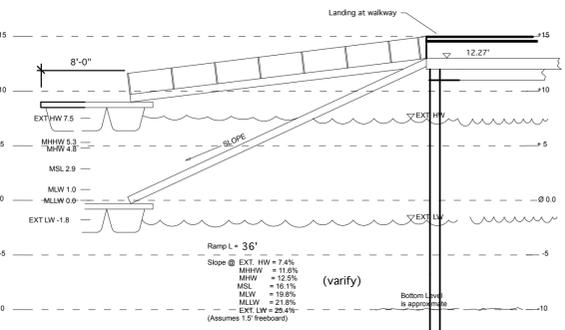
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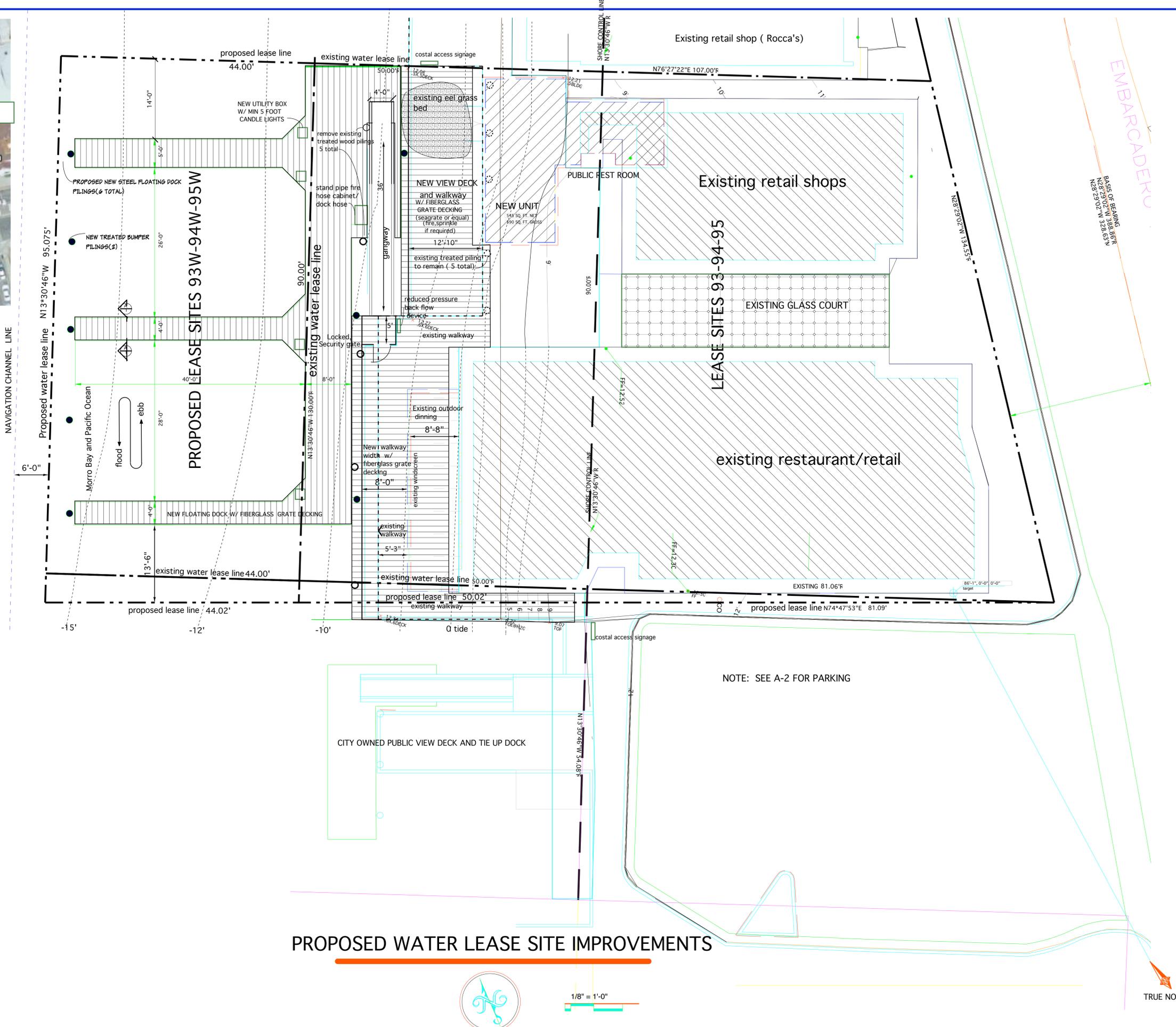
FLOATING DOCK SECTION
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GUARD RAIL ELEV./ SECTION
NO SCALE



GANGWAY ELEV./ SECTION
NO SCALE



PROPOSED WATER LEASE SITE IMPROVEMENTS



1/8" = 1'-0"

TRUE NORTH

HELD PROPERTIES
HARBOR CENTER
901 EMBARCADERO MORRO BAY, CALIF.

WATER LEASE SITE IMPROVEMENTS

1101

11-9-1111-14-11
1-26-12
4-11-12
5-7-12
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DRAWN: GP

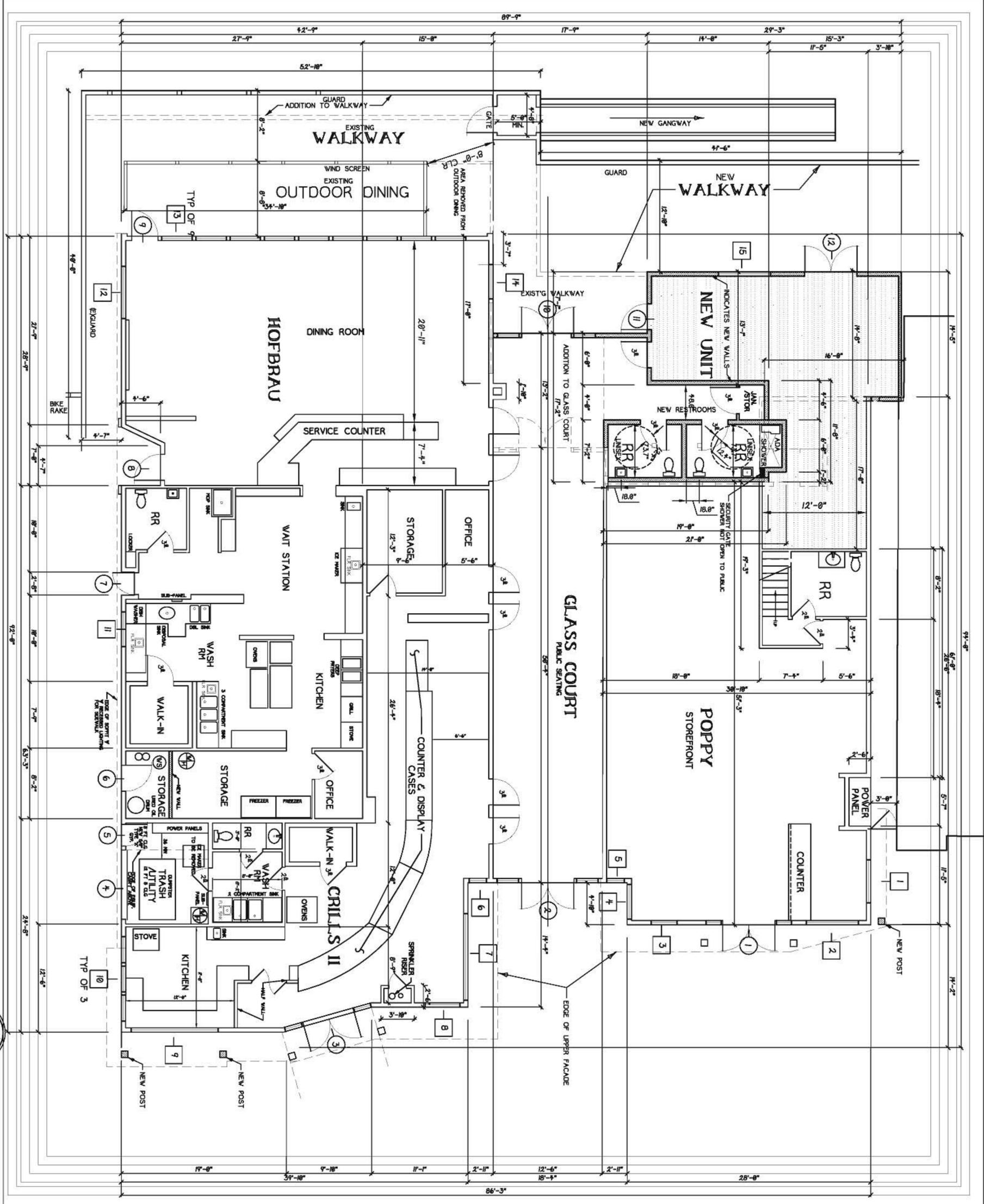
A-1
OF 5 SHEETS

LAND/SEA INTERFACE
GENE DOUGHTY-ARCHITECT 1-805-772-6456

| EXTERIOR WINDOW SCHEDULE | | | | |
|--------------------------|---------------------|---------|-------------|-----------------------|
| MARK | EXISTING / PROPOSED | SIZE | TYPE | REMARKS |
| 1 | E | 5050 | MTL PICTURE | |
| 2 | E | 6050 | MTL PICTURE | |
| 3 | E | 3050 | MTL PICTURE | |
| 4 | E | 4050 | MTL PICTURE | |
| 5 | E | 2050 | MTL PICTURE | |
| 6 | E | 2050 | MTL PICTURE | |
| 7 | E | 2-5050 | MTL SLIDERS | |
| 8 | E | 4050 | MTL PICTURE | |
| 9 | E | 2-5050 | MTL SLIDERS | |
| 10 | E | 3-3050s | MTL PICTURE | |
| 11 | E | 3020 | MTL SLIDER | |
| 12 | E | 6050 | MTL STACKED | 6010 SL 960+0 PICTURE |
| 13 | E | 9-3050 | WD PICTURE | |
| 14 | E | 4050 | WD PICTURE | |
| 15 | P | 6050 | MTL PICTURE | |

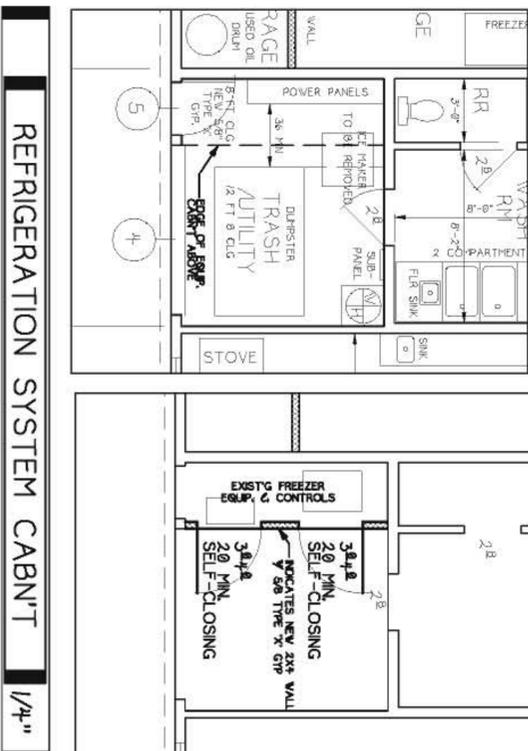
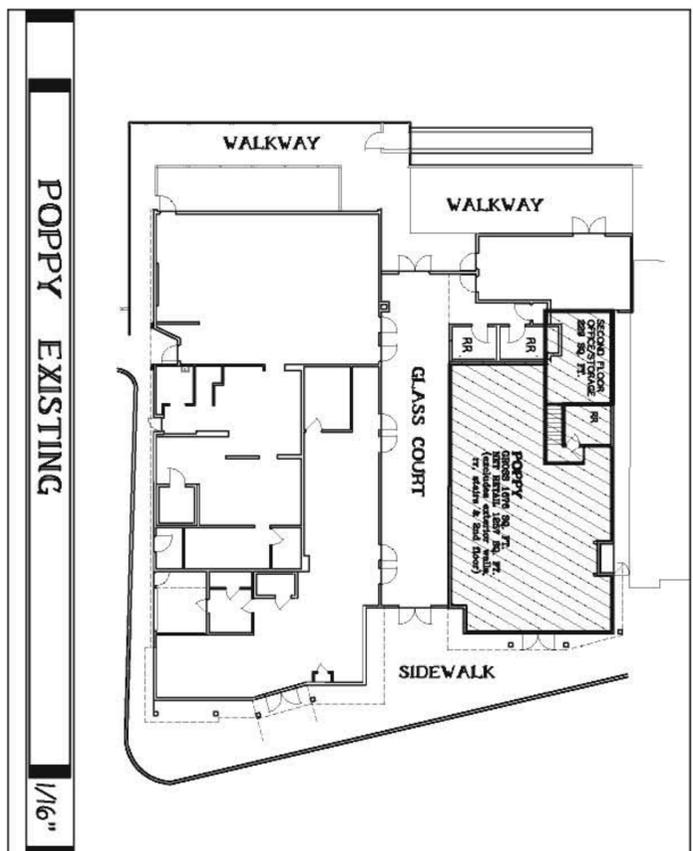
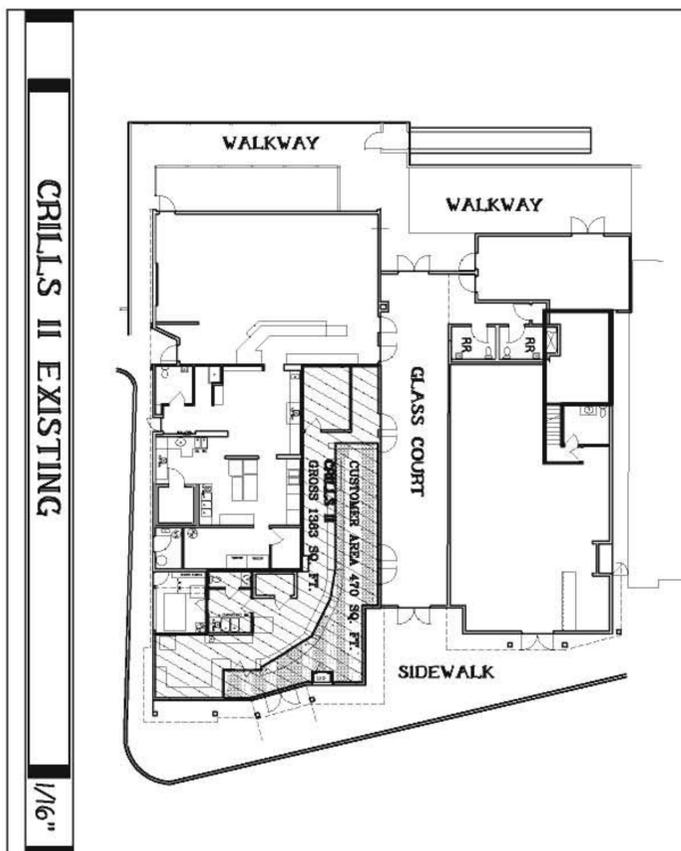
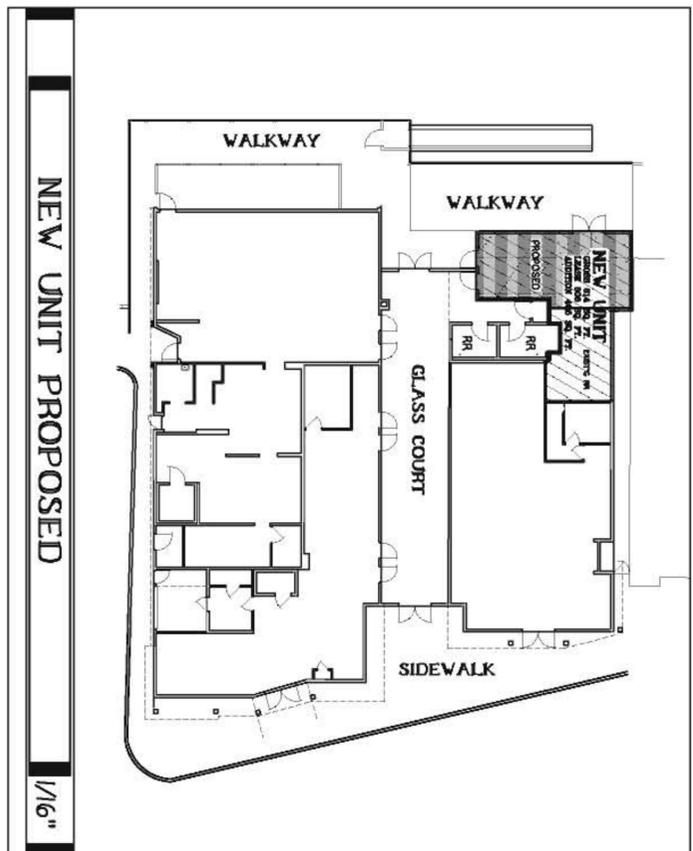
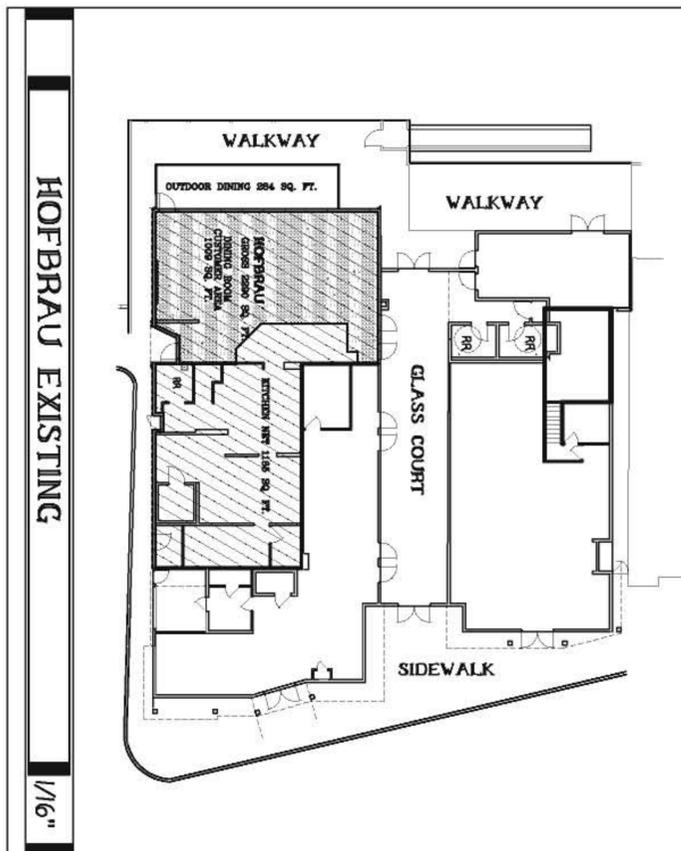
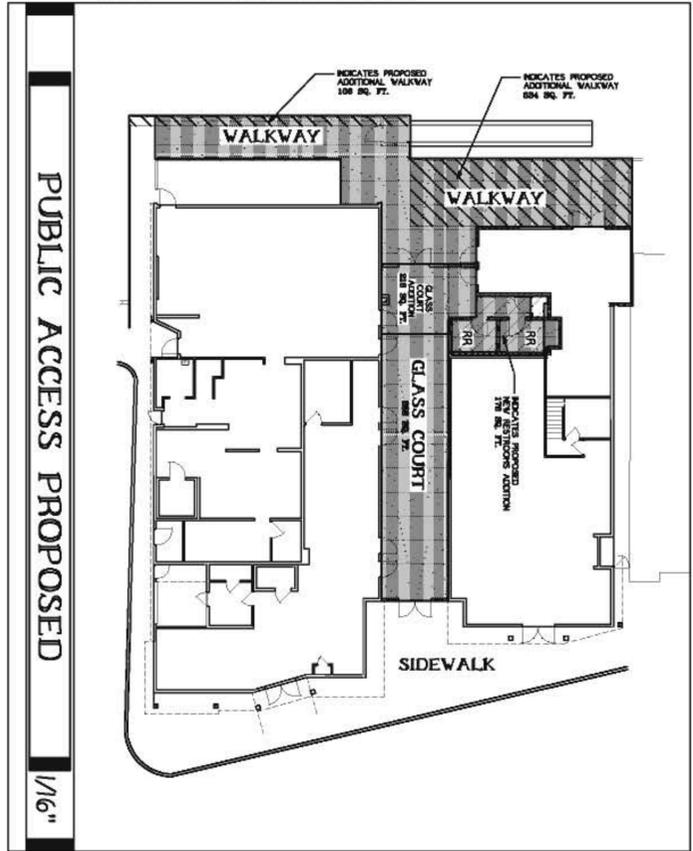
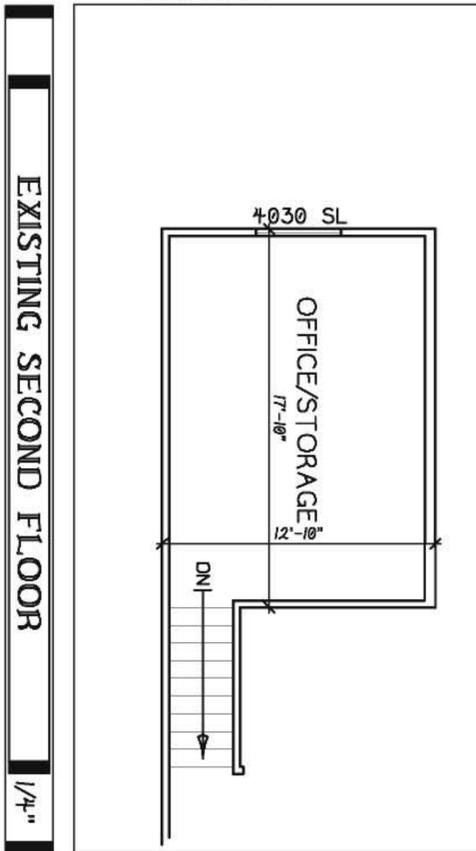
| EXTERIOR DOOR SCHEDULE | | | | |
|------------------------|---------------------|-----------------------------------|------------------------|--|
| MARK | EXISTING / PROPOSED | SIZE | TYPE | REMARKS |
| 1 | E | DBL 3 ³ / ₄ | MTL STOREFRONT | 2 nd SIDELITES ∇ 24" HI TRANSOMS |
| 2 | E | DBL 3 ³ / ₄ | MTL STOREFRONT | 2 nd SIDELITES ∇ 24" HI TRANSOMS |
| 3 | E | DBL 3 ³ / ₄ | MTL STOREFRONT | 2 nd SIDELITES ∇ 24" HI TRANSOMS |
| 4 | P | 8 ³ / ₄ | MTL ROLL-UP | |
| 5 | P | 2 ⁴ | MTL | |
| 6 | E | 3 ³ / ₄ | W/D ∇ TOP LITE | |
| 7 | E | 2 ⁴ | W/D ∇ TOP LITE | |
| 8 | E | 3 ³ / ₄ | MTL ∇ FULL LITE | |
| 9 | E | 3 ³ / ₄ | W/D SC | |
| 10 | P | DBL 3 ³ / ₄ | MTL STOREFRONT | 2 nd SIDELITES ∇ 24" HI TRANSOMS SALVAGE EXIST'G |
| 11 | P | 3 ³ / ₄ | MTL ∇ FULL LITE | |
| 12 | P | DBL 3 ³ / ₄ | MTL ∇ FULL LITE | |
| 13 | | | | |
| 14 | | | | |

PROPOSED FLOOR PLAN W/ EXISTING TENANT IMPROVEMENTS

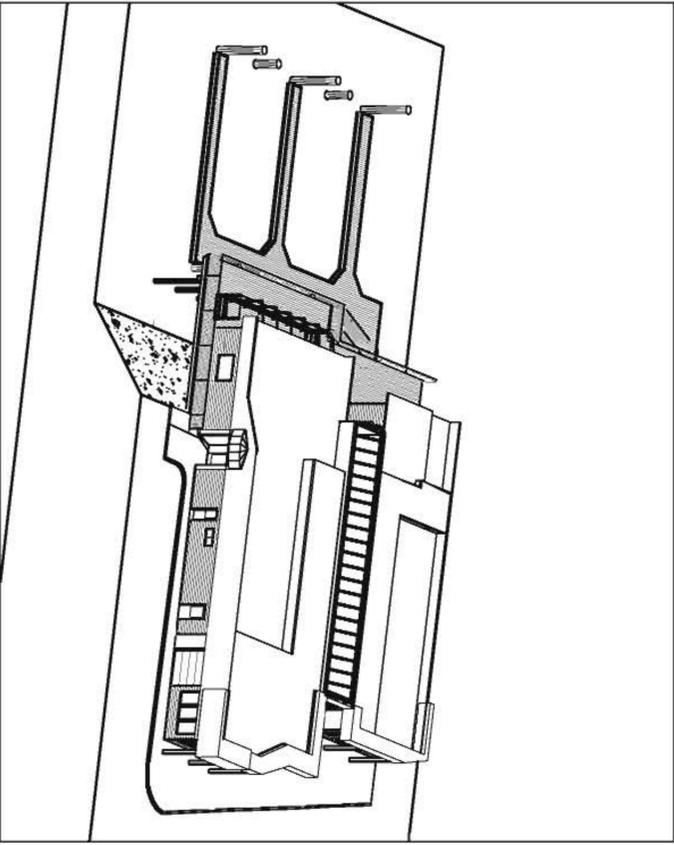


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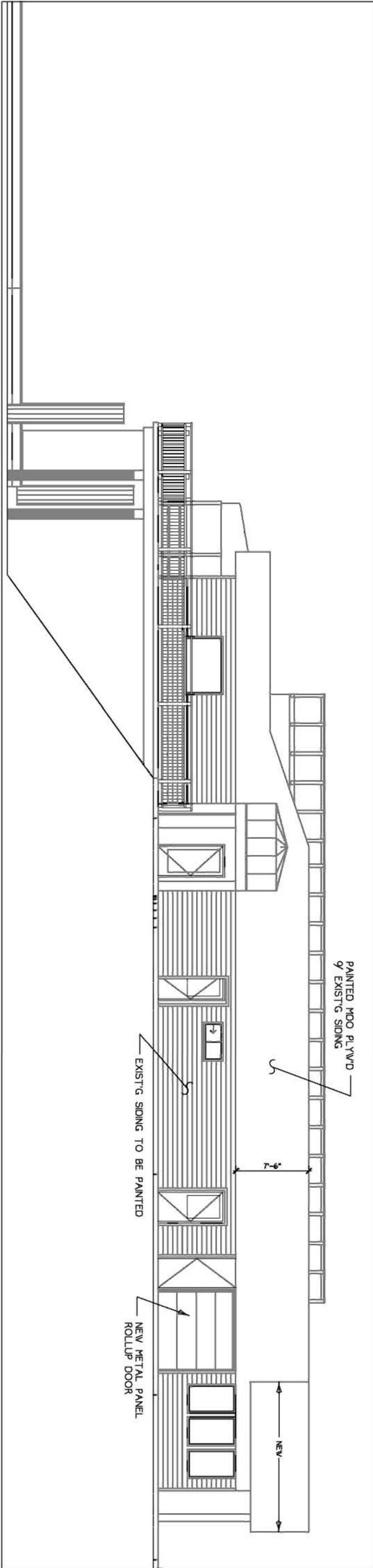
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|--|---|--|---|--|--|
| <p>SHEET A-3 OF SHEET</p> | <p>1-11-10 SCALE: AS NOTED DRAWN: MLA</p> | <p>PROPOSED & EXISTING FLOOR PLANS</p> | <p>HELD PROPERTIES HARBOR CENTER 901 EMBARCADERO MORRO BAY, CALIF.</p> | <p>LAND/SEA INTERFACE GENE DOUGHTY-ARCHITECT 1-805-772-8436</p> | <p>The plans, specifications, items and design documents herein, are the property of Land/Sea Interface and shall not be used in whole or in part for any other project without the written consent of Land/Sea Interface.</p> |
|--|---|--|---|--|--|



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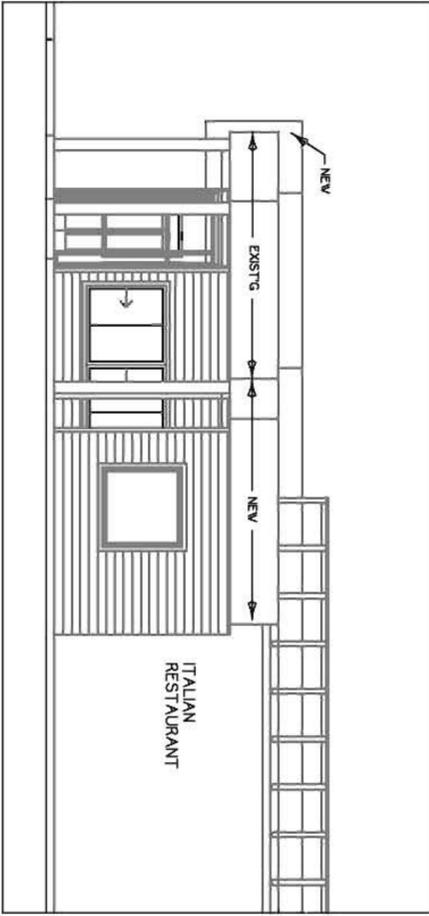


SOUTH - HARBOR ST.



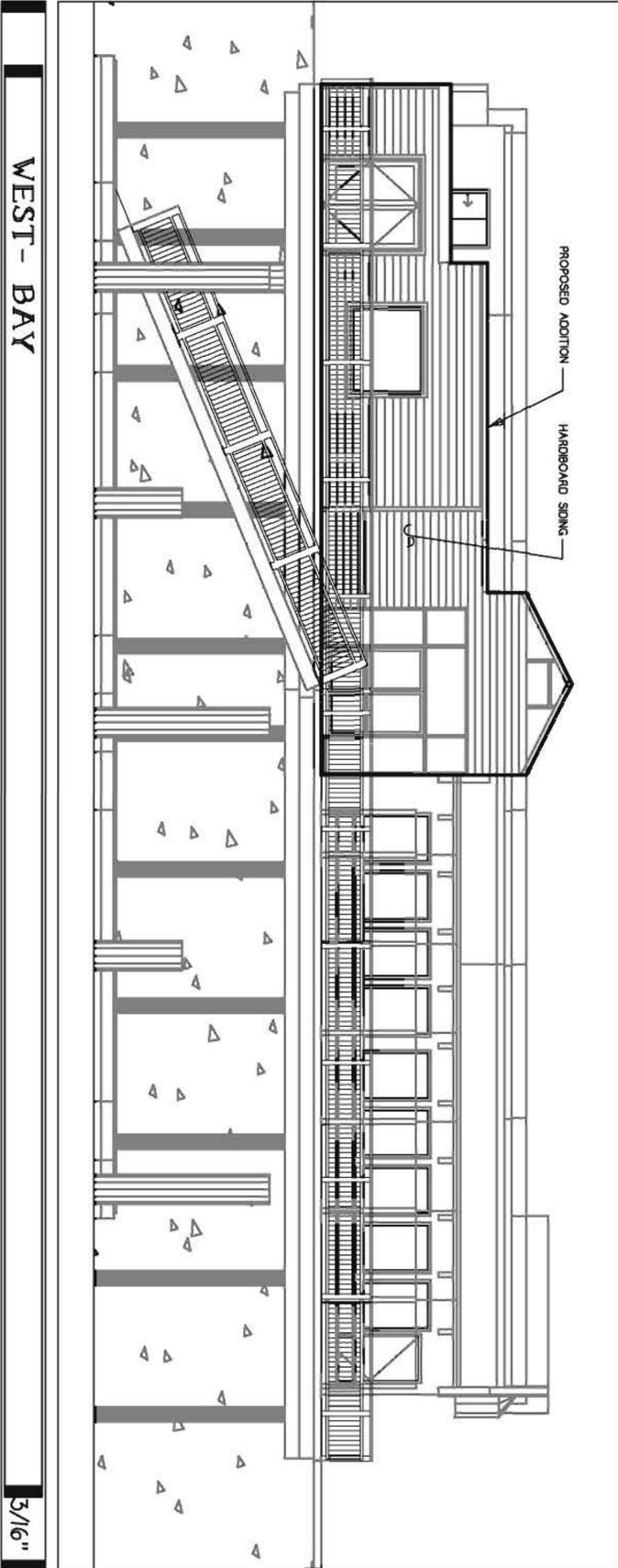
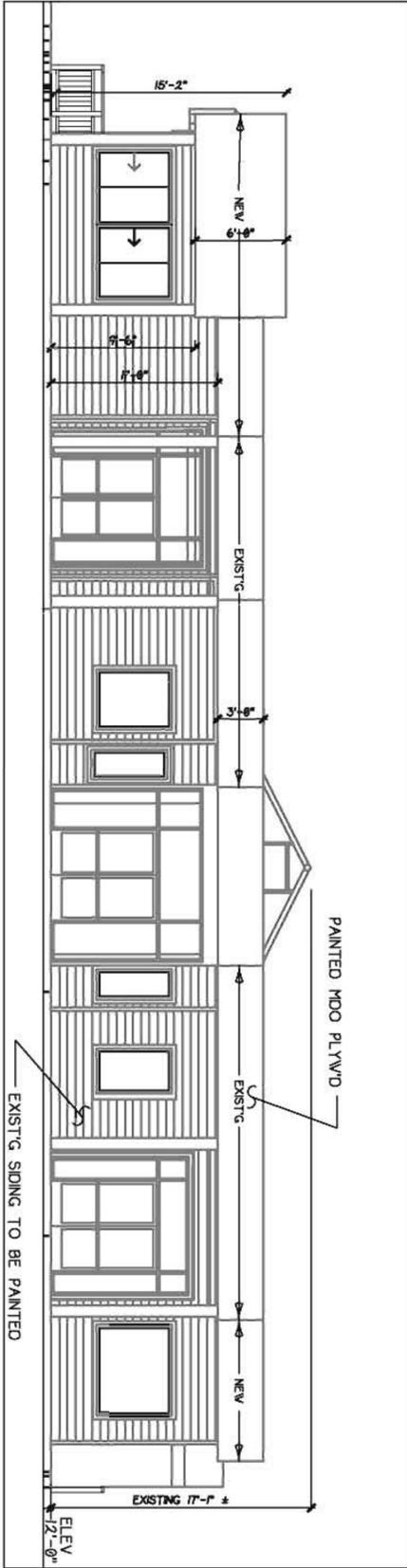
NORTH - ANCHOR PARK

3/16"



EAST - EMBARCADERO

3/16"



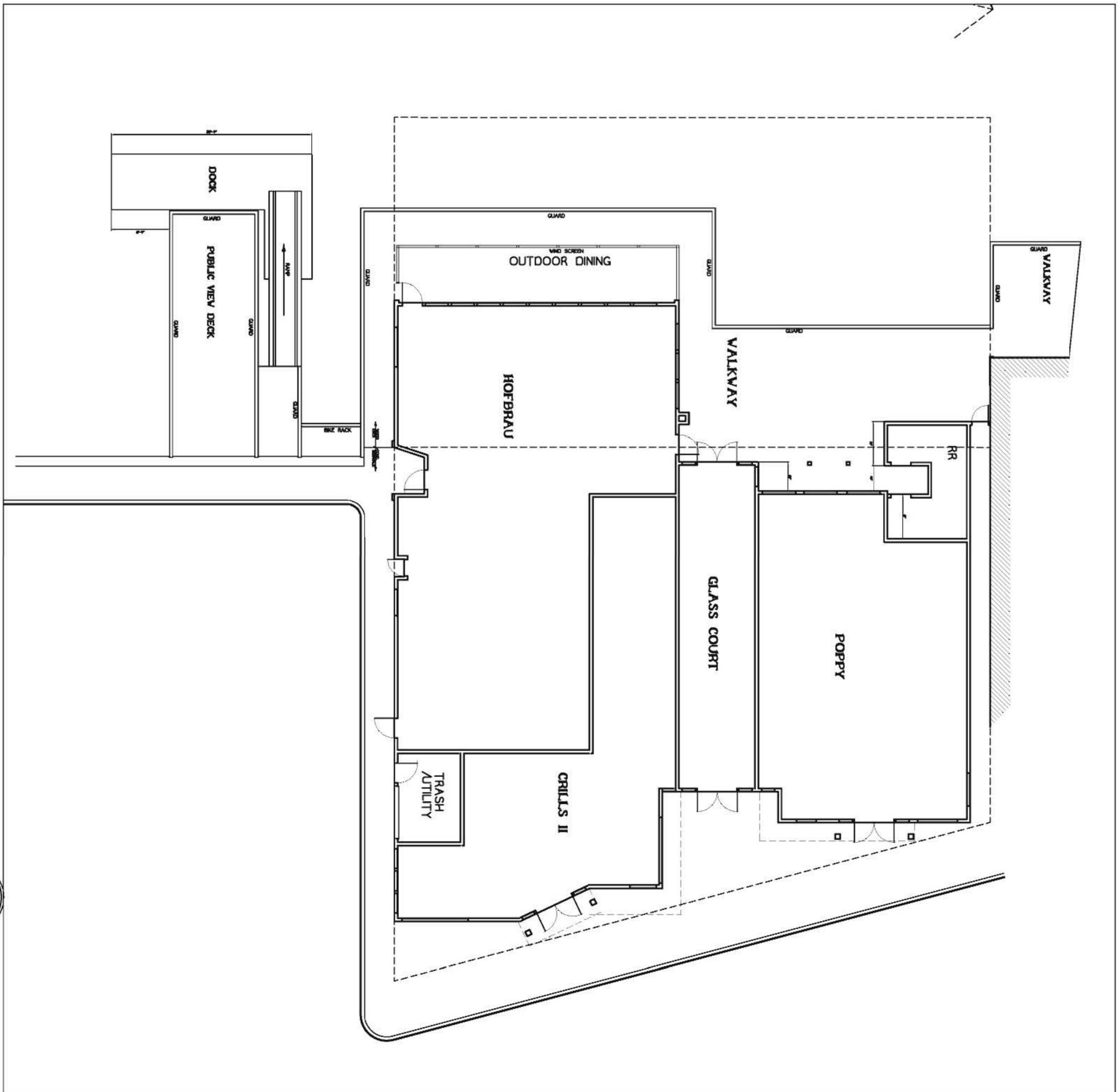
WEST - BAY

3/16"

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| | | | | | |
|---------------------------------|-----------------|---------------------------------|--|--|---|
| SHEET A-5 OF SHEET | 1-11-10 | PROPOSED EXTERIOR ELEVATIONS | HELD PROPERTIES HARBOR CENTER 901 EMBARCADERO MORRO BAY, CALIF. | LAND/SEA INTERFACE GENE DOUGHTY-ARCHITECT 1-805-772-8436 | <small>The plans, specifications, items and design incorporated herein, are instruments of service prepared for the use of the client and are the property of Land/Sea Interface and shall not be used in whole or in part for any other project without the written consent of Land/Sea Interface.</small> |
| | SCALE: AS NOTED | | | | |

EXISTING PLOT PLAN



1/8" = 1'-0"

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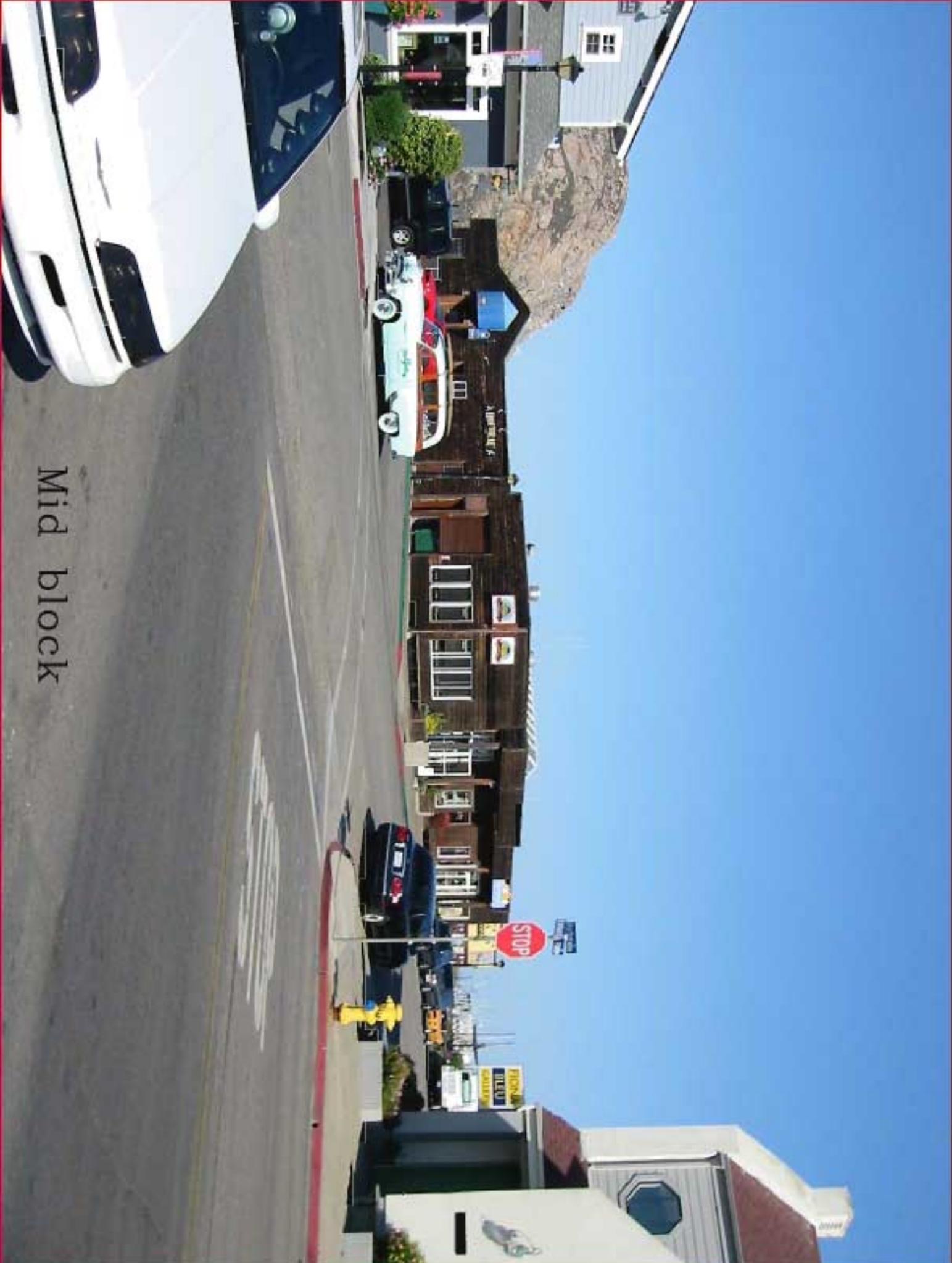
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|----------------------------------|--|-----------------------|--|--|--|
| SHEET EX-1 OF SHEET | 1-11-10 SCALE: AS NOTED DRAWN: MLA | EXISTING SITE PLAN | HELD PROPERTIES HARBOR CENTER 901 EMBARCADERO MORRO BAY, CALIF. | LAND/SEA INTERFACE GENE DOUGHTY-ARCHITECT 1-805-772-8436 | <small>The plans, specifications, items and design documents herein, are herewith of record prepared for the convenience of the user. They are not to be used in whole or in part for any other project without authority of the designer.</small> |
|----------------------------------|--|-----------------------|--|--|--|



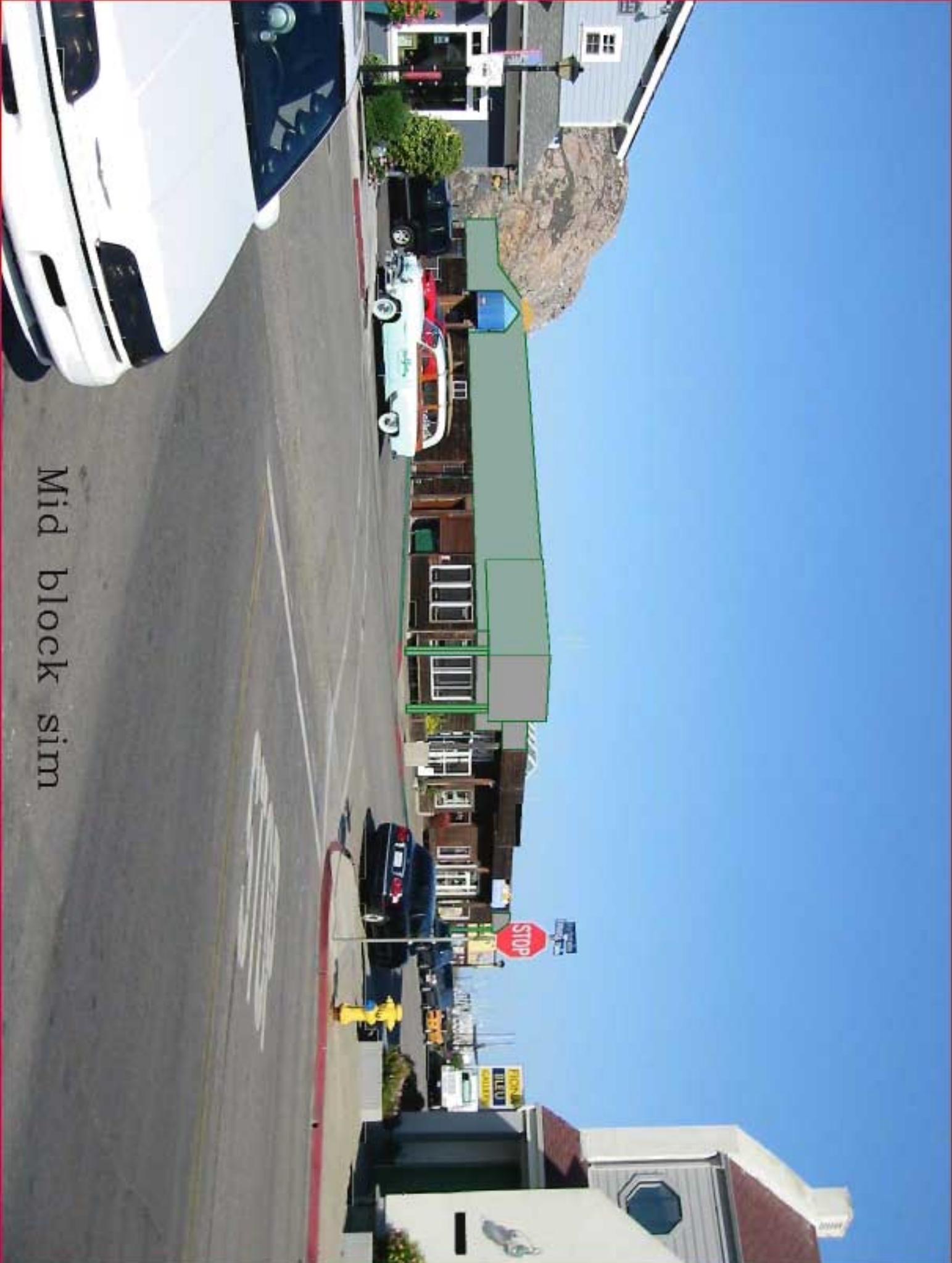
Halfway down



Halfway down sim



Mid block



Mid block sim

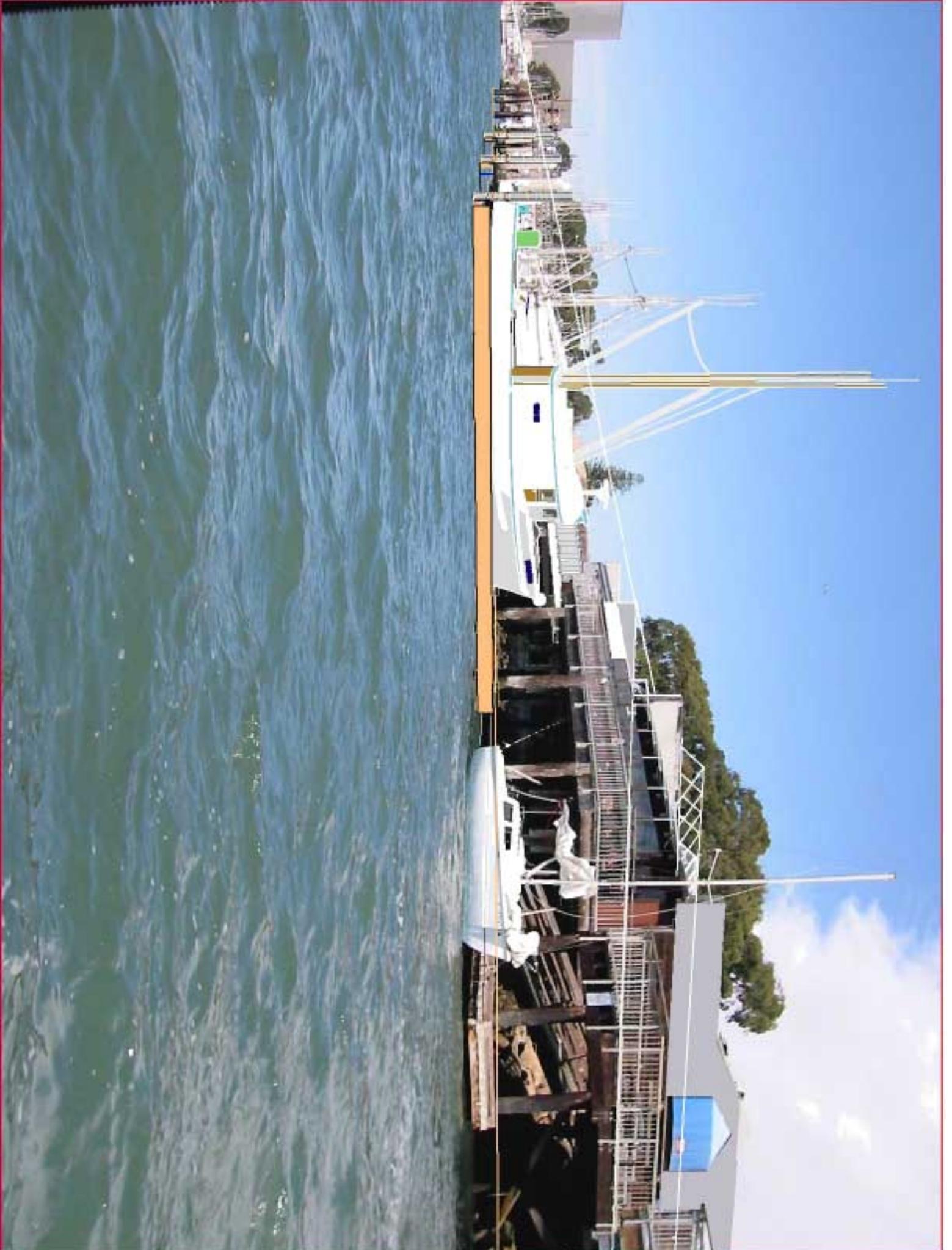


NE
CORNER



NE CORNER SIM







SE corner at Front



SE corner at Front sim



SW corner at Market



SW corner at Market sim



Top of Harbor



Top of Harbor sim



AGENDA NO: B-3

MEETING DATE: November 7, 2012

MEMO

TO: Planning Commissioners

DATE: November 1, 2012

FROM: Cindy Jacinth, Assistant Planner

SUBJECT: Coastal Development Permit (#CP0-363) approval for demolition and of an existing single family residence and detached garage and construction of a single family home and secondary unit at 460 Olive Street

(This item has been pulled from the agenda and is being processed as an Administrative Coastal Development Permit.)

Prepared By: CJ

Dept Review:



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 Planning Items or Items recently updated are highlighted in yellow. Building permit updates are highlighted in green.

Approved projects are deleted on next version of log.

Agenda No: C-1

Meeting Date: 11-7-12

| # | 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 |
|--|---------------------------|---------------------|----------|----------------|---|---|--|------------------------------------|-------------------------------------|
| Hearing or Action Ready | | | | | | | | | |
| 1 | McDonalds | 780 Quiriana | | | Sign Exception Permit | Proposed sign application exceeds allowed amount. Sign exception permit request to be heard at 11/7/12 PC meeting | | | |
| 2 | Held | 801-915 Embarcadero | 7/21/11 | UP0-342 | Application for improvements to existing building. 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. 4/3/12 letter sent to applicant indicating that the project is still incomplete. Applicant resubmitted on 5/15/12. Asked applicant to submit request to have SWCA produce environmental document in writing. MR-City contracted with SWCA to prepare MND; the MND should be completed by first of October. MR- MND review period complete. No comments received. Scheduled for 11/7 PC | Building comments 3/7/12-disapproved. Fire comments 3/12/12 conditional approval | Comments submitted 3/8/12 | No Comments to date |
| 3 | Valley | 480 Olive | 10/24/11 | CP0-363 | Demo/Rebuild. Resubmittal 11/11/11. Applicant resubmitted plans and archeological report on 8/28/12. | CVEBL- Complete and ready to be noticed for Administrative processing of a Coastal Development Permit | Building conditional approval | comments submitted 11/22/11 | No Comments to date |
| 7 | Morgan | 2830 Dogwood | 10/10/12 | CP0-379 | Admin Coastal Development Permit for a new single family residence | Deemed complete and ready to be noticed for Administrative Coastal Development Permit on 11/5/12 | Building conditional approval | Public Works approved. 10/18/12 | No Comments to date |
| 30-Day Review, Incomplete or Additional Submittal Review | | | | | | | | | |

| # | 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 |
|----|---------------------------|--|----------|------------------------|---|---|---|---|-------------------------------------|
| 4 | Ferry | 3202 Beachcomber | 9/8/11 | AD0-067 | Variance. Demo/Reconstruct. New home with basement in S2A overlay. Variance approved for deck only, the issue of stairs was resolved due to inconsistencies in Zoning Ordinance. RECEIVED 3 APPEALS ON VARIANCE. City Council appeal has yet to be scheduled. | FW-Planning requested status of CDP for house and LLA for parcels. Item scheduled for July 18 2012. Applicant requested a continuance to August 15, 2012. Variance approved at 9-19-12 PC Meeting. CDP application submitted. | Fire comments 10/24/2011, Building 12/23/11 | BR-Public Works requested flood study, Flood study received and comments sent to engineer 4/13/12. Flood study approved 6/18/12 | No Comments to date |
| 5 | Gilbert | 2760 Alder St. | 10/18/12 | AD0-077 AD0-016 | Parking Exception and Major Modification to construct a 2 story home with roof deck | Under review | | | |
| 6 | Meisner | 380 Bonita | 10/11/12 | CP0-360 and AD0-076 | Coastal Development and Parking Exception for a single family residence with tandem parking | Under review | No Comments to date | No Comments to date | No Comments to date |
| 8 | Reddell | 550 Morro Bay Blvd | 9/25/12 | UP0-293 | Modify Conditional Use Permit to allow BBQ and take out window. | Under review | | Conditional Approval 10/19/12 | |
| 9 | City of Morro Bay | In the public right of way on Alascadero Road between Hwy 1 and MEHS | 9/15/12 | CP0-377 | Morro Bay to Capucos Connector Gap Closures. Coastal Development Permit. | Under review. MR- Reviewing for environmental determination (10/15/12). | | | |
| 10 | LaPlante | 3053 Beachcomber | 11/5/11 | CP0-365 | New SFR. 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. Applicant has requested a meeting on August 9, 2012 to review environmental study request. MR- Met with Applicant and discussed potential impacts of project and CEQA information requested to complete MND. Applicant will provide MND fees with submittal of Biological report. 8/9/12 MR met with applicant and owner to discuss environmental issues. Would require a detailed MND. Applicant is still considering preparation of Biological Report. | No Comments to date | comments submitted 1/18/2012 | No Comments to date |

Projects in Process

| # | 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 |
|----------------------|---------------------------|------------------|----------|-------------------|---|---|---|---|-------------------------------------|
| 20 | So Cal Gas Company | City Wide | 10/10/12 | CPD-374 | Advance Metering Project | Spoke with Applicant 10/25 regarding submittal requirements. Applicant intends to submit CDP soon. | | | |
| 11 | Shirley | 341 Nevis | 9/27/12 | CPD-378 | Admin Coastal Development Permit for a new single family residence | Plans reviewed and deemed incomplete. Corrections sent 10/24/12. | Conditional approval | Conditional approval. | Info |
| 12 | Morro Mist | 2400 Main Street | 1/3/2012 | | Applicant requested compliance check to conditions of approval. Minor Amendment Required. | Notes to be reviewed for conformance. | Deemed in substantial conformance to original approvals. Fire indicated insufficient number of hydrants | indicated submittal was OK | No Comments to date |
| 13 | Lemos | 1320 Main Street | 6/1/12 | CUPD-373/CPD-350 | New Commercial Building | MR- Met with applicant - revising plans to leave storage rebuilding as in order to reduce potential environmental impacts. Applicant submitted letter in August 2012 to City Council requesting purchase or easement of city property for access to existing facility. MR to call to follow up | | BCR- requested revised drainage and food study from developer | |
| Environmental Review | | | | | | | | | |
| 14 | Sequoia Court Estates | 670 Sequoia | 4/3/12 | UPD-349 & S00-112 | Tract Map and Use Permit for 5 Lot Subdivision. A revised subdivision map was submitted for review on August 6, 2012. | Incomplete letter sent to applicant/agent. Project submitted without necessary materials for processing. Applicant submitted a revised plan reducing the number of lots, and is providing additional information as requested addressing City requested information. Additional information submitted; waiting for biological report. Report should be submitted in September 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 |
|----|---------------------------|----------------------------------|----------|----------------|---|--|--------------------------------------|--|-------------------------------------|
| 15 | City of Morro Bay | Núñez | 1/18/12 | UPD-344 | Environmental. Permit number for tracking purposes only County issuing permit. Demo existing and replace with two larger reservoirs. City handling environmental review | KW-Environmental contracted out to SWCA estimated to be complete on 4/27/2012. SWCA submitted draft I.S. to City on May 1, 2012. MR-Reviewed MND and met with SWCA to make corrections. In contact with County Environmental Division for their review. MND received by SWCA on 10/7/12. MND delayed due to drainage issues. Drainage study to be prepared. | Not applicable | SCR- drainage study required for impact on City storm drain facilities | Not applicable |
| 16 | City of Morro Bay | Morro Bay State Park | 3/8/12 | | Environmental Review of the Morro Bay State Park Waterline Interconnect Project | MR-Reviewed request and determined the project needed MND; major issues are archeological and presence of habitat for Morro Shore/derband Dune Snail. Waiting for Archeological surface survey and Shoreband Snail Protocol survey. Expect by May 2013. | Not applicable | Not applicable | Not applicable |
| 17 | Chevron | 3072 Main (West of Del Mar Park) | 12/31/08 | CPD-301 | Remove Underground Pipes. 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 1/4/12. Document returned to staff 1/12/12. Applicant challenging the environmental mitigations. MR - Reviewed concerns with mitigations; clarified issues in early August 2012 and sent email to applicant's representative. MND submitted to State Clearinghouse. Public review ends 11-29-12 | Not applicable | Not applicable | Not applicable |

Project requiring coordination with another jurisdiction.

| # | 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 |
|--|-----------------------------|-----------------|----------|-------------------|--|--|--------------------------------------|---|-------------------------------------|
| 18 | City of Morro Bay & Cayucos | 160 Atascadero | 7/1/08 | EIR | <i>WWTP Upgrade. Submitted 7/1/08. Preparing Notice of Preparation. Staff reviewing Ad Min Draft EIR. Modifications to project description underway and subsequent redrafting. Staff reviewing screenscheck document. Public draft out for review and comments. Comment period open until 11/4/2010. Project rescheduled 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 an October 2012 CCC meeting.</i> | Planning portion of project complete | Not applicable | BCR-Flood analysis shows no impact of sea level rise and storm surge on 100-year flood levels. Results reported to Coastal Commission | No Comments to date |
| Projects Continued Indefinitely, No Response to Date on Incomplete Letter or inactive | | | | | | | | | |
| 19 | Larry Newland | Embarcadero | 11/21/05 | UPU-092 & CPO-139 | Embarcadero-Maritime Museum (Larry Newland). Submitted 11/21/05. Resubmitted 10/6/06, 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 walking 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. letter. 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 |

| # | 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 |
|---------------------------------|--------------------------------------|-------------------------|----------|--------------------|---|---|---|------------------------------------|-------------------------------------|
| 21 | Nicki Fazio | 360 Ceñito | 08/15/07 | CP0-246 | Appeal of Demo/Rebuild SFR and 2 trees removal. Planning Commission continued to a date uncertain. Project folder given to Rob S. | | | | |
| 22 | RedCan | 801/833 Embarcadero | 08/20/12 | UP0-212 | Request to Rebuild Docks-Pre-Application meeting. No formal submittal at this time. | MR, RL and MR met with applicant regarding redesign of dock area. Parking study is complete, but final findings are still not confirmed - EB | | | |
| 23 | 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. | | | |
| 24 | Ron McIntosh | 190 Olive | 8/28/08 | UP0-232 & CP0-288 | New SFR. Submitted 8/28/08. Resubmitted 12/10/08. Applicant resubmitted on 2/09/09. Environmental under review. Applicant and City agree to continuance. Applicant put project on hold. | KW-Inc. Letter 9/24/08. 19/09 request for more information. | | | |
| 25 | James Meul | 530, 532, Morro Ave 534 | 3/12/10 | SFP0-323 & UP0-282 | Parcel Map, CDP & CUP for 3 townhomes. Resubmittal 11/8/10. Resubmittal did not address all issues identified in connection letter. | KW-Incomplete letter sent 4/20/10. Met with applicant 5/25/10. Letter sent to applicant/agent indicating the City's intent to terminate the application based on inactivity. City advised there will be a new applicant and to keep the application viable. | | | |
| Projects in Building Plan Check | | | | | | | | | |
| 26 | Gilbert | 2760 Alder St. | 10/23/12 | B-29799 | New SFR | | | | |
| 27 | LaPlante | 3093 Beachcomber | 11/3/11 | B-29585 | New SFR | SD-Incomplete Letter 12/12/11. Phase 1 Arch Report required and Environmental Document. Incomplete letter sent 2/2012. MR. Met with applicant to go over environmental issues. | BC- Application on hold during planning process | | |
| 28 | Morgan | 2930 Dogwood | 10/4/12 | B-29798 | SFR Demo/ Reconstruct | | | | |

| # | 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 |
|----|---------------------------|---------------------|-----------|----------------|---|---|---|------------------------------------|-------------------------------------|
| 29 | Whibley | 451 Embarcadero | 6/1/20112 | B-29715 | Fire Sprinklers | | TP- out for corrections | | |
| 30 | Yacht Club | 541 Embarcadero | 9/11/12 | B-29765 | Remove and replace gangway | | | | |
| 31 | Imani | 571 Embarcadero | 4/23/12 | B-29695 | Commercial alteration, addition | | BC- returned for corrections 8/30/2012. | | |
| 32 | Fowler | 1215 Embarcadero | 9/29/12 | B-29720 | Demising wall, creation of a second commercial suite | | BC- RTI 10/25/2012 | | |
| 33 | Hall | 2234 Emerald Circle | 12/2/10 | B-29359 | New SFR | SD-Incomplete Memo 12/21/10. | BC- application extended, awaiting resubmittal. | | |
| 34 | Deganmore | 1001 Front | 6/14/12 | B-29723 | Water site improvements | | BC-RTI pending CCC conforming plans approval, parking agreement. | | |
| 35 | Methodist Church | 3000 Hemlock | 8/16/12 | B-29752 | Construct new modular classroom, sitework. | | BC- returned for corrections 10/1/2012 | | |
| 36 | Sturgill | 1885 Ironwood | 12/29/11 | B-29677 | 14 new townhouses | | BC- resubmitted 10/17/2012 | | |
| 37 | Erwin | 375 Las Vegas | 7/23/12 | B-29738 | SFR Addition | | BC- returned for corrections 8/22/2012 | | |
| 38 | Holcomb | 3230 Main | 8/6/12 | B-29747 | Commercial Change of Occupancy and Sitework for Montessori daycare. | | BC- code enforcement letter sent, met with Holcomb and | | |
| 39 | Harper | 999 Main | 5/16/12 | B-29711 | Commercial addition | KW - Incomplete Memo 5/29/12. | BC- returned for corrections 8-20-2012, met with applicant 10/26/2012 | | |
| 40 | Storm | 1029 Monterey | 5/3/12 | B-29702 | Partial Demo/ Reconstruct of MFR dwelling | KW-under review | BC- returned for corrections 7/3/2012 | | |
| 41 | Markowitz | 589 Morro Avenue | 8/17/11 | B-29549 | Roof Deck | SD-Resubmittal 9/20/11. A major modification shall be pursued. Plans returned to Brian, because the plans were incomplete. Incomplete memo 10/3/11. | BC- application on hold during planning process. | | |
| 42 | Fennacy | 500 Morro Bay | 3/15/12 | B-29667 | Construct kitchen, walk-up serving window and site improvements | | BC- RTI pending amendments to planning approvals. | | |
| 43 | City of Morro Bay | 850 Morro Bay | 8/20/12 | B-29753 | Remove and Replace communications tower | | BC- conditionally approved, pending final construction plans. | BCR-Maintenance & Repair | |

| # | 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 |
|--------------------------------------|--------------------------|-----------------|---------------------------------------|----------------|--|--|--|--|-------------------------------------|
| 44 | Frantz | 499 Nevis | 9/23/12 | B-29510 | New SFR | | BC- application on hold during planning process. | | |
| 45 | City of Morro Bay | 2481 Nutmeg | 10/11/12 | B-29793 | Retaining Wall in ROW | | BC- comments to BR via email 10/13/2012. | | |
| 46 | McGonagill | 690 Olive | 6/7/12 | B-29248 | SFR Addition | | BC- spoke with applicant 8-30-2012, regarding outstanding items and intentions to proceed. | | |
| Final Map Under Review | | | | | | | | | |
| 47 | Zingardo | 1305 Teresa | 5/9/11 | Map | Final Map. 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. Resubmitted 4/4/2012 | KW-Comments given to applicant, held meeting on 9/27/2011 regarding comments. Biological being review by applicant to address drainage issues. Biological Report approved by Planning as well as the CCRs. | | DH - map check complete, NOR given to agent, Imprv. Agreement being finalized for bonding. | |
| 48 | Medina | 3380 Main | 10/7/11 | Map | Final Map. 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. map check returning for corrections on 3/9/12 | SD-Meeting with applicant regarding ESH Area and Biological Study. MR- Received letters from biologist regarding revegetation on 9/2/12. Letter sent to biologist. | | | |
| 49 | Strugill | 1885 Ironwood | | Map | Final Map: Submitted on 6/26/12 complete application. | MR - review map and gave corrections on CC&RS | | DH - reviewed map gave corrections on 8/15 | |
| Projects & Permits with Final Action | | | | | | | | | |
| 50 | Frantz | 499 Nevis | 9/27/2010, resubmittal date of 1/3/12 | CPD-337 | New SFR. 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. | Coastal Permit to be issued 10/26/12 | BC- spoke with TF 6/7/2012, sent copy of planning corrections and AVG handout. TF to check in with SD before resubmitting. | Comments submitted 1/18/2011 | |

| # | 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 |
|--|---------------------------|------------------|---------|------------------------|--|---|---|------------------------------------|-------------------------------------|
| 51 | Hough | 281 Main | 3/19/12 | Appeal UFD-348/CPD-372 | New Single family residence. With removal of two existing eucalyptus trees. | SD-Met with applicant on 4/18th. The project is hearing ready. Appeal scheduled for July 10, 2012 CC. | Building Comments- 3/28/2012. Fire comments-4/23/2012 | PW-Comments- 4/2/2012 | Not applicable |
| Projects Appealed to City Council | | | | | | | | | |
| 52 | Perry | 3202 Beachcomber | 9/8/11 | AD0-067 | Variance, Demo/Reconstruct. New home with basement in S2.A overlay. Variance approved for deck only; the issue of stories was resolved due to inconsistencies in Zoning Ordinance. | Variance approved at 8/15/12 PC meeting. Appealed by 3 parties to City Council. Appeal to be heard. | | | |



City of Morro Bay
Public Services/Planning Division
Advanced Planning Work Program

| Work Item | Requested by | Date Requested | Comments | Estimated Staff Hours | Planning Description | City Council | Courtesy Commission |
|---|------------------------|----------------|---|--------------------------|----------------------|--|---------------------|
| Updating the Strategic plan matrix for managing the greening process | City Council | 2009 | Original green matrix went to P.C. on 7/6/09 and then to C.C. on 12/14/09. Now subject to annual updates. | 20 to 40 | Annual Updates | Annual Updates | |
| Draft Urban Forest Management Plan | City Council | 2007 | | 200 to 300 | TBD | TBD | |
| CEQA Implementation Guidelines | City Council | 2006 | | 120 to 150 | TBD | TBD | MA |
| Scenic Visioning | City Council | 2010 | | 130 to 160 | TBD | TBD | |
| PD Overlay | City Council | 2006 | | 80 | TBD | TBD | |
| Amendment Proceeding for Public Facilities (Chorro Valley water shed) | City Council | 2007 | | TBD | | TBD | |
| North Main Street Parking Plan | City Council | 2011 | Tent amendment to be review by Planning Commission and PC to make recommendation to City Council 4/18/12 PC mtg. | 100 | 4/18/2012 | TBD | TBD |
| Sign Ordinance Update | City Council | 2010 | Workshops Scheduled for September 29 and October 6, 2011. Update on the sign workshops and sign survey results brought to Council on January 24, 2012 | 150 to 250 * consultants | 2/18/11 | 11/1/11 | |
| Pedestrian Plan | Planning Commission | 2008 | City of Morro Bay Bicycle and Pedestrian Master Plan. City hired consultant to draft the plan. Administrative Draft Plan was reviewed during a Public Workshop on August 30, 2011. The 2nd draft plan is currently on the October 21, 2011 PVALB agenda. Project is now being revised. Revised document submitted 1/10/2012 to Planning Department for review. Scheduled for February 15, 2012 P.C. meeting. | 500 hours | TBD | | |
| Subdivision Ordinance Clean up | Planning Commission | 2011 | Commissioner looks to lead. Two meetings held on identifying issues. In-progress/hold. Commissioner Nappier explained issue. | 100-150 | TBD | TBD | TBD |
| Updated Zoning Ordinance | CC based on CCC letter | 2010 | | 1,800 | TBD | TBD | TBD |
| Updated General Plan/LCP | CC based on CCC letter | 2010 | Subcommittee formed. Meetings held are: 11/9/11 to develop plan of action evaluation Element. 12/7/11 to review Access & Recreation Element. Changes were made but not yet finalized. 1/9/12 to review Harbor Resources Element. Next meeting scheduled for 1/30/12 to discuss Visual Resources | 1,800 | TBD | TBD | TBD |
| Applicant/ Property Owner | Date | Permit Numbers | Project Description/Status | | | Planning Comments and Notations | |
| City of Morro Bay | 5/1/2010 | ADA-047 | Text Amendment Modifying Section 17.08 "Signs". Planning Commission placed the ordinance on hold pending additional work on definitions and temporary signs. 5/1/2010. 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. A report on the status of the project brought to PC on 2/7/2011. The item shall be brought back to City Council first meeting in November. Workshops scheduled September 28, 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 Project went to 5/2/2012. Project on hold until staffing in the Planning division is whole. | | | Project went to P.C. on May 16, 2012. At this meeting staff was given several tasks to accomplish prior to the June 25, 2012 meeting including the following: bring back survey results differentiating between the surveys, a new matrix with all definitions including those new definitions provided by the Commission, bring back pictures of signs, clarification of the difference between internally and externally illuminated signs. Tentative on materials, encourage increase in window signs, add a column for staff recommendations, define shopping center, enlarge the downtown area. | |