



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, April 3, 2013
Veteran's Memorial Building - 6:00 P.M.
209 Surf Street, Morro Bay, CA**

Chairperson Rick Grantham

Vice-Chairperson John Solu
Commissioner Michael Lucas

Commissioner John Fennacy
Commissioner Robert Tefft

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 not on the agenda may do so at this time. In a continual attempt to make the public process open to members of the public, the City also invites public comment before each agenda item. 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) 772-6291. 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 March 6, 2013
Staff Recommendation: Approve minutes as submitted.

B. PUBLIC HEARINGS

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

- B-1 *Continued from March 6, 2013 meeting*
Case No.: Coastal Development Permit #CP0-383
Site Location: *nearest address* 499 Little Morro Creek Road
Proposal: Request to install a 29 foot wood pole in public right-of-way for purpose of installation of a solar-powered data collector unit for the Advanced Meter project.
CEQA Determination: Categorically exempt, Class 3
Staff Recommendation: Continue item to May 1, 2013.
Staff Contact: Cindy Jacinth, Associate Planner, (805) 772-6577

- B-2 *Continued from March 6, 2013 meeting*
Case No.: Coastal Development Permit #CP0-384
Site Location: *nearest address* 781 Quintana. This location is located in the Coastal Commission Appeals Jurisdiction.
Proposal: Request to install a 29 foot wood pole in public right-of-way for purpose of installation of a solar-powered data collector unit for the Advanced Meter project.
CEQA Determination: Categorically exempt, Class 3
Staff Recommendation: Continue item to May 1, 2013.
Staff Contact: Cindy Jacinth, Associate Planner, (805) 772-6577

- B-3 *Continued from March 6, 2013 meeting*
Case No.: Coastal Development Permit #CP0-385
Site Location: *nearest address* 255 Driftwood
Proposal: Request to install a 29 foot wood pole in public right-of-way for purpose of installation of a solar-powered data collector unit for the Advanced Meter project.
CEQA Determination: Categorically exempt, Class 3
Staff Recommendation: Continue item to May 1, 2013.
Staff Contact: Cindy Jacinth, Associate Planner, (805) 772-6577

C. UNFINISHED BUSINESS

C-1 *Continued from March 6, 2013 meeting*

Discussion on Central Coast Greenhouse Gas Emission Reduction Plan

Recommendation: Review draft Greenhouse Gas Emission Reduction Plan and provide comments and direction to staff as necessary.

C-2 Current and Advanced Planning Processing List

Staff Recommendation: Receive and file.

Upcoming Projects: SoCal Gas Advance Meter Project

D. NEW BUSINESS

D-1 NEPA Environmental Review Finding of Consistency for CDBG-funded Pedestrian Accessibility Project.

Recommendation: Review staff report and find project consistent with Local Coastal Plan

D-2 Discussion of Topics for the Joint City Council/Planning Commission Meeting Scheduled for April 30, 2013

Recommendation: Discuss and forward recommended topics to the City Council for consideration at the joint meeting.

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, April 17, 2013, 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 772-6291 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: April 3, 2013

ACTION: _____

SYNOPSIS MINUTES - MORRO BAY PLANNING COMMISSION
REGULAR MEETING – MARCH 6, 2013
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) | |
| | John Fennacy | Commissioner |
| | Michael Lucas | Commissioner |
| | Robert Tefft | Commissioner |
| STAFF: | Rob Livick | Public Services Director |
| | Kathleen Wold | Planning Manager |
| | 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 February 6, 2013
Staff Recommendation: Approve minutes as submitted.

MOTION: Commissioner Fennacy moved to approve the Consent Calendar.

Commissioner Tefft seconded and the motion passed unanimously. (5-0).

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – MARCH 6, 2013

Commissioner Lucas made a correction to the minutes. He asked that his comment on page 6 be changed from “future development *would* negatively impact” to “*could* negatively impact.”

Commissioners Fennacy and Tefft approved the correction.

B. PUBLIC HEARINGS

- B-1 ***Continued from February 6, 2013 meeting***
Case No.: Coastal Development Permit #CP0-382
Site Location: *nearest address* 2990 Alder
Proposal: Request to install a 29 foot wood pole in public right-of-way for purpose of installation of a solar-powered data collector unit for the Advanced Meter project.
CEQA Determination: Categorically exempt, Class 3
Staff Recommendation: Continue item to April 3, 2013.
Staff Contact: Cindy Jacinth, Assistant Planner, (805) 772-6577
- B-2 ***Continued from February 6, 2013 meeting***
Case No.: Coastal Development Permit #CP0-383
Site Location: *nearest address* 499 Little Morro Creek Road
Proposal: Request to install a 29 foot wood pole in public right-of-way for purpose of installation of a solar-powered data collector unit for the Advanced Meter project.
CEQA Determination: Categorically exempt, Class 3
Staff Recommendation: Continue item to April 3, 2013.
Staff Contact: Cindy Jacinth, Assistant Planner, (805) 772-6577
- B-3 ***Continued from February 6, 2013 meeting***
Case No.: Coastal Development Permit #CP0-384
Site Location: *nearest address* 781 Quintana. This location is located in the Coastal Commission Appeals Jurisdiction.
Proposal: Request to install a 29 foot wood pole in public right-of-way for purpose of installation of a solar-powered data collector unit for the Advanced Meter project.
CEQA Determination: Categorically exempt, Class 3
Staff Recommendation: Continue item to April 3, 2013.
Staff Contact: Cindy Jacinth, Assistant Planner, (805) 772-6577
- B-4 ***Continued from February 6, 2013 meeting***
Case No.: Coastal Development Permit #CP0-385
Site Location: *nearest address* 255 Driftwood
Proposal: Request to install a 29 foot wood pole in public right-of-way for purpose of installation of a solar-powered data collector unit for the Advanced Meter project.
CEQA Determination: Categorically exempt, Class 3
Staff Recommendation: Continue item to April 3, 2013.
Staff Contact: Cindy Jacinth, Assistant Planner, (805) 772-6577
- B-5 ***Continued from February 6, 2013 meeting***
Case No.: Coastal Development Permit #CP0-388
Site Location: *nearest address* 300 Kings

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Proposal: Request to install a 29 foot wood pole in public right-of-way for purpose of installation of a solar-powered data collector unit for the Advanced Meter project.

CEQA Determination: Categorically exempt, Class 3

Staff Recommendation: Continue item to April 3, 2013.

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

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

MOTION: Chairperson Grantham moved to continue Items B-1 through B-5 to the April 3, 2013 Planning Commission meeting.

The motion was seconded by Commissioner Lucas. Livick conducted a roll call vote and the motion passed unanimously. (5-0).

B-6 **Case No.:** Coastal Development Permit #CP0-390

Site Location: Morro Strand Campground, 065-211-001

Proposal: Request to upgrade 25 existing campsites to include recreational vehicle hookups in order to modernize services as well as increase visitation and revenue.

CEQA Determination: Categorically exempt, Class 1

Staff Recommendation: Conditionally approve.

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

Jacinth presented the staff report.

Commissioner Fennacy asked staff if there are any provisions to renovate or improve the restrooms at the campground. Jacinth stated that is not part of this proposal.

Livick clarified the applicant is only requesting a Coastal Development Permit. The project is brought forward by a state agency, and since the state is a superior agency, the City does not have authority over the building permit or use permit. As such, Livick requested that Standard Condition 8 regarding the approval of building plans be stricken from the motion.

Nick Franco, Applicant, stated the goal of this project is to increase visitation and revenue so the park is safer from the threat of park closures and budget cuts in the future. He stated the proposal is not a camp rehabilitation project, as funds are not available for this purpose. He addressed the following issues:

- Parking – Franco stated he is open to proposals for addressing parking issues on Beachcomber Drive.
- Viewsheds – Regarding slope and vegetation, Franco stated he was willing to accept conditions pertaining to height in order to address these issues.
- Access – The State will be working to resolve this issue but it is not part of the current proposal.

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REGULAR MEETING – MARCH 6, 2013

- Noise – Franco noted there are currently restrictions on allowable hours of operation for generators. He stated the proposal to provide full utility hook-ups will eliminate the need for generators, and this will mitigate the noise issue.

Chairperson Grantham opened Public Comment period.

Fred Wickman, resident of Morro Bay, asked for clarification regarding how often the campground is at full capacity. He spoke about the following issues:

- Visual – He would like the City to apply conditions to the project with respect to vegetation. He suggested adding screening vegetation between campsites.
- Parking – Parking is an issue for residents, as campground users are parking on Beachcomber Drive instead of in the designated parking lot. Wickman suggested converting some of the campsites to parking and lowering the parking fees at the park.
- Access – He would like public access improved leading to the beach by adding access to both the north and south ends of the campground.

Mark Starbol, resident of Morro Bay, expressed concern that the State is spending money unnecessarily. He stated the previous upgrades made to the campground are sufficient.

Lara Pick, resident of Morro Bay, stated she would like clarification regarding parking regulations along Beachcomber Drive. She expressed concern that RVs parked there block her view.

Steve Seamus, resident of Morro Bay, asked the Applicant how many State parks are located adjacent to residential areas. He expressed concern that the upgrades would not provide enough of a buffer between the campground and the adjacent residential area. He also stated parking is an issue and the City should work to better enforce the vehicle height limit along Beachcomber Drive.

Keith Taylor, resident of Morro Bay, expressed concern that the vegetation at the campground has exceeded the allowable height.

Barry Branin, resident of Morro Bay, stated the 25 upgraded sites are the equivalent of adding 25 new homes and therefore suggested the City collect impact fees from campground users in order to offset some of the infrastructure costs in the City.

Harold Wiebenga, resident of Morro Bay, stated he would like the park closed. He stated the smell coming from the campfires is a nuisance and he would like it to be “smokeless.”

Chairperson Grantham closed Public Comment period.

Commissioner Solu asked staff if the proposed project would increase the number of campsites at the park. Jacinth clarified the number of campsites would stay the same, but the sites would be upgraded to accommodate larger vehicles and provide full RV hookups. The purpose of the upgrade is to increase the amenities and recreational opportunities for campers and to make it a

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REGULAR MEETING – MARCH 6, 2013

more desirable campground. Solu asked if the campground had any original landscaping conditions that are not currently being met. Jacinth stated the campsite has existed since the 1980s and City records do not show information regarding the original conditions. City records also show that the campground was originally a day use parking lot.

Chairperson Grantham asked staff if the City would benefit financially from the proposed upgrades. Livick stated the City does not receive revenue or transient occupancy taxes from this campground, however, he also noted it is the City Council's goal to keep the campground open.

Chairperson Grantham asked staff if RV parking is allowed on Beachcomber Drive. Livick clarified RVs are prohibited from parking on Beachcomber as well as on other streets in the beach tract.

Chairperson Grantham asked the Applicant if the hook-up fee is the same at all of the state parks. Franco stated the State has established a fee schedule which specifies a range of fees for the entire State park systems, but the fees at Morro Strand Campground are the same as those at Morro Bay State Park.

Commissioner Tefft asked about the level of occupancy of the campground during the summer. Franco stated it varies but the park is usually full in the springtime and summer.

Commissioner Tefft asked if the proposal would increase revenue for the City. Franco stated there are two ways in which it would increase revenue: 1) hook-up campsites cost more than standard campsites; and 2) the improved campsites would increase visitation in the off season.

Commissioner Tefft asked about the restroom that is currently closed. Brook Guteras, Applicant's representative, clarified the back restroom is closed for seasonal closures when there is low occupancy and will re-open when demand increases.

Commissioner Tefft asked about the potential red legged frog habitat at the campground. Vince Cicero, Applicant's senior environmental scientist, provided a detailed environmental description of the campground. He stated surveys have been conducted and the only places in the City where red legged frogs are occurring is in Alva Paul Creek and at the wetlands just west of the Cloisters development.

Commissioner Solu asked about parking regulations at the park. Franco stated the existing parking regulations are standard for California State Parks, which allow for two vehicles per campsite. Franco stated not all park users bring multiple vehicles at a time.

Commissioner Lucas asked Franco if he expected park users to stay longer with the proposed hook-up availability. Franco stated it is likely that visitors will take advantage of the hook-ups in the off-season. Lucas discussed with Franco the proposed amenities for RV users.

Commissioner Lucas asked Franco if regulations vary based on location. Franco stated the State does have the authority to set different rules and regulations for occupancy.

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Commissioner Lucas asked if Morro Strand has a dump station. Franco clarified park users currently use the dump station at Morro Bay State Park, but the upgrade will include sewer hook-ups at each campsite. There would also be electric and water hook-ups.

Chairperson Grantham asked about vegetation at the campground. Franco stated the State would like to replace the existing trees with low-lying vegetation that requires less maintenance.

Commissioner Tefft asked if the existing restrooms are ADA compliant. Franco explained the State has a plan to eventually upgrade all restrooms to make them ADA compliant.

Commissioner Lucas noted the visual simulation appears to illustrate the southernmost campsite to be in the vegetation area, and asked if the proposal seeks to increase the footprint of the park. Tom Kidder, the State Park District Maintenance Chief, explained the simulation is not to scale and is only intended to provide a representation of the project.

Chairperson Grantham asked how noise is currently regulated at the campground with regard to generators. Franco explained generators are allowed between the hours of 10:00 am and 8:00 pm.

Commissioner Solu stated he would support this project if height restrictions and landscape issues are addressed.

Commissioner Fennacy expressed support for the project.

Commissioner Lucas stated he is not inclined to support the project unless conditions are imposed addressing landscaping and parking. He stated he would like parking restrictions with better signage or he would like to reduce parking from the 72 hour limit to an 8 hour limit in order to be more compatible with the surrounding neighborhood.

Commissioner Tefft expressed support for the project, stating this is consistent with the Coastal Act but questioned whether an exemption applies. Tefft also stated the sanitary facilities need to be upgraded.

Livick clarified for the Commission RV parking on Beachcomber and other streets in the City is a Police Department enforcement issue and not something controlled by the State.

Commissioner Tefft and Livick discussed the right-of-way along Beachcomber. Livick confirmed the screening for the campground would have to be done by the State, and not the City.

Livick stated views are a subject of the Local Coastal Plan, and landscaping could be added as a condition.

Commissioner Solu and Chairperson Grantham expressed support for the project.

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MOTION: Commissioner Fennacy moved to conditionally approve and adopt the Findings included as Exhibit “A” to approve the Coastal Development Permit #CP0-390, subject to the Conditions included as Exhibit “B” and the site development plans dated January 3, 2013 with the deletion of Standard Condition #8.

The motion was seconded by Chairperson Grantham.

Commissioner Solu asked staff if language could be added to the motion regarding addressing landscaping issues. Wold suggested the Commission could address landscaping concerns by adding a condition that states the following:

1. Applicant shall submit a landscape plan to the approval of the Public Services Director, a simulation plan which illustrates the mature height of the vegetation, and provide a description of the maintenance of the vegetation.

Commissioners and staff discussed the various ways the landscaping concerns could be addressed.

AMENDED MOTION: Commissioner Lucas moved to include the condition as a condition to the original motion.

The amended motion was accepted by Commissioner Fennacy. Livick conducted a roll call vote and the motion passed (4-0-1), with Commissioner Lucas abstaining.

UNFINISHED BUSINESS

- C-1 Current and Advanced Planning Processing List
Staff Recommendation: Receive and file.
Upcoming Projects: SoCal Gas Advance Meter Project

Wold and Livick reviewed the Work Program with Commissioners.

NEW BUSINESS

- D-1 Discussion on Central Coast Greenhouse Gas Emission Reduction Plan
Recommendation: Review draft Greenhouse Gas Emission Reduction Plan and provide comments and direction to staff as necessary.

Wold reviewed the Plan with Commissioners.

Chairperson Grantham stated he had difficulty deciphering which actions are mandatory and which are voluntary.

Commissioner Lucas asked staff for clarification regarding what the Commission’s role is in reviewing the Plan. Wold stated the Commission should decide if the voluntary measures are sufficient to allow the City to meet its greenhouse gas reduction target. She stated Resolution No. 56-08 is intended to encourage the City to take leadership action on this issue.

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Commissioner Lucas and staff discussed the Selected Strategies from the *Summary of Measures* section of the Plan.

Chairperson Grantham asked staff how many of the Five Milestones outlined in Exhibit “B” have been met. Wold explained the first two have been met and the City is currently working on the third, to develop a Climate Action Plan.

Commissioner Tefft expressed concern that the City is not achieving its goal of reducing GHG emissions by 15 percent because of the disconnect between property owners’ and tenants’ incentives to pursue GHG reduction measures. He suggested adopting an energy conservation ordinance that would apply to commercial properties.

Commissioner Fennacy stated he would not support the mandated provisions at this time, but stated he would support the voluntary measures.

Commissioner Lucas and Wold discussed the scope of the Plan. Wold stated the Commissioners may choose to continue the item in order to examine the document in greater detail.

MOTION: Commissioner Lucas moved to continue Item D-1 to the April 3, 2013 Planning Commission meeting.

The motion was seconded by Commissioner Tefft. Livick conducted a roll call vote and the motion passed unanimously. (5-0).

DECLARATION OF FUTURE AGENDA ITEMS

Livick reviewed some of the policies of the Brown Act with Commissioners.

ADJOURNMENT

The meeting adjourned at 8:05 pm to the next regularly scheduled Planning Commission meeting at the Veteran’s Hall, 209 Surf Street, on Wednesday, April 3, 2013 at 6:00 pm.

Rick Grantham, Chairperson

ATTEST:

Rob Livick, Secretary



A  Sempra Energy utility™

RECEIVED

MAR 25 2013

City of Morro Bay
Public Services Department

March 21, 2013

Cindy Jacinth
Assistant Planner
Public Services Department
City of Morro Bay
955 Shasta Avenue,
Morro Bay, CA 93442

Ms. Jacinth,

As discussed, Southern California Gas Company (SoCalGas) requests that its coastal development permit applications for three of its Advanced Meter network locations in Morro Bay (#CP0-383, #CP0-384 and #CP0-385) be continued from the April 3rd to the May 1st Planning Commission meeting. The continuance will allow SoCalGas to complete its analysis of relocating two sites to city-owned water tank properties.

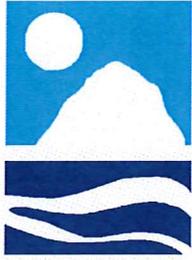
In addition, SoCalGas requests to withdraw two of the five coastal development permit applications (#CP0-382 and #CP0-388) as we will attempt to relocate these two network sites into San Luis Obispo County at a later date.

Please let me know if you have any questions or need further information.

Thank you,

A handwritten signature in blue ink that reads "Scott Loveless".

Scott Loveless
Site Acquisition Project Manager
Advanced Meter Project



Memorandum

TO: PLANNING COMMISSIONERS

FROM: KATHLEEN WOLD, PLANNING MANAGER

DATE: MARCH 27, 2013

SUBJECT: MORRO BAY'S DRAFT GREENHOUSE GAS EMISSION
REDUCTION PLAN

Background

At the March 6, 2013, staff presented the City of Morro Bay's Draft Greenhouse Gas Emission Reduction Plan. Staff had reviewed the 36 proposed measures and had provided a version of a draft plan that includes 19 selected measures. Of these 19 measures 13 of them are voluntary measures and 6 are mandatory measures. At this meeting the Commission continued the item to allow additional time to review the draft plan. Staff has reprinted the matrix showing the summary of measures with the color remove to provide easier reading. In addition staff has provided a matrix ranking the measures by their reduction in Greenhouse gas.

Recommendation

Staff recommends that the Planning Commission review the proposed Climate Action Plan and the proposed measures incorporated within and make a recommendation as to the specific measures which should be incorporated into the plan.

SUMMARY OF MEASURES

| Category | Measure Name | Measure Description | Applicability (Community or Municipal Measure) | GHG Reduction Potential in 2020 (MT CO ₂ e) | Actual Measure or Commitment | Voluntary or Mandated | Implementation Mechanism | Aggregated Municipal Costs | Aggregated Municipal Savings | Per Unit Community Costs | Per Unit Community Savings | Was this Strategy Selected? (Yes = 1, No = 0) |
|----------|--|---|--|--|---|-----------------------|--------------------------|----------------------------|------------------------------|--------------------------|----------------------------|---|
| Energy | <u>Energy Efficiency Outreach and Incentive Programs</u> | Expand participation in and the promotion of existing programs, such as Energy Upgrade California and San Luis Obispo County Energy Watch, to increase community awareness of existing energy efficiency rebates and financial incentives, and no- and low-cost actions community members can take to increase energy efficiency. | Community | 172 | Percent of households and businesses participating; percent energy (electricity and natural gas) savings | Voluntary | Incentives | Very Low | None | Very Low | Low | 1 |
| Energy | <u>Energy Audit and Retrofit Program</u> | Collaborate with San Luis Obispo County Energy Watch, local utility providers, local businesses and organizations to develop and promote a residential and commercial educational energy audit program with direct installation of no- and low-cost measures, leveraging existing rebates. | Community | 1,368 | Number of residential and non-residential buildings retrofitted by 2020; percent energy (electricity and natural gas) savings | Voluntary | Incentives | Very Low | None | Very Low to Medium | Very Low to Medium | 1 |
| Energy | <u>Income-Qualified Energy Efficient Weatherization Programs</u> | Facilitate energy efficient weatherization of low- and middle-income housing through promotion of existing programs, such as Community Action Partnership (CAPSLO). | Community | 25 | Residential units upgraded by 2020; percent energy (electricity and natural gas) savings | Voluntary | Incentives | Very Low | None | None | Very Low | 0 |

| | | | | | | | | | | | | |
|--------|---|--|-----------|-------|--|-----------|---------------------|----------|----------|--------------------|--------------------|---|
| Energy | <u>Energy Conservation Ordinance</u> | Require through a new City ordinance that cost-effective energy efficiency upgrades in existing buildings be implemented at point of sale or during major renovation of residential units. A maximum cost ceiling would be established to protect owners | Community | 1,459 | Number of residential and non-residential buildings retrofitted by 2020; percent energy (electricity and natural gas) savings | Mandatory | Codes and Standards | Low | None | Very Low to Medium | Very Low to Medium | 0 |
| Energy | <u>Incentives for Exceeding Title 24 Building Energy Efficiency Standards</u> | Provide incentives (e.g., priority permitting, reduced permit fees, etc.) for new development and/or major remodels that voluntarily exceed State energy efficiency standards by an identified percentage. | Community | 76 | New residential and commercial units that exceed State standards by 2020; percentage of energy (electricity and natural gas) savings | Voluntary | Incentives | Very Low | None | Medium | Very Low to Low | 1 |
| Energy | <u>Energy Efficient Public Realm Lighting Requirements</u> | Require through a new City ordinance that new development utilize high efficiency lights in parking lots, streets, and other public areas. | Community | 4 | Number of LED or CFL public realm lights installed by 2020 | Mandatory | Codes and Standards | Very Low | Very Low | Very Low | Very Low | 0 |
| Energy | <u>Small Solar Photovoltaic (PV) Incentive Program</u> | Facilitate the voluntary installation of small solar PV systems and solar hot water heaters in the community through expanded promotion of existing financial incentives, rebates, and financing programs, and by helping the average resident and business overcome common regulatory | Community | 320 | kW of residential and commercial solar PV installations and number of solar hot water heaters installed | Voluntary | Incentives | Very Low | None | High | Low to High | 1 |

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|--------|---|--|-----------|-----|--|-----------|--------------|----------|--------|------|----------------|---|
| Energy | <u>Income-Qualified Solar PV Program</u> | Facilitate the installation of solar PV systems on and solar hot water heaters in income-qualified housing units by promoting existing programs offered through the California Solar Initiative and New Solar Homes Partnership and by collaborating with organizations, such as Grid Alternatives, on outreach and eligibility. | Community | 37 | kW of PV and solar hot water heaters installed | Voluntary | Incentives | Very Low | None | None | Medium | 0 |
| Energy | <u>Community Choice Aggregation Program (CCA)</u> | Assembly Bill 117 (2002) enables California cities and counties, either individually or collectively, to supply electricity to customers within their jurisdiction by establishing a community choice aggregation (CCA) program. Unlike a municipal utility, a CCA does not own transmission and delivery systems, but is responsible for providing electricity to residents and businesses. The CCA may own electric generating facilities, but more often, it purchases electricity from private electricity generators. The City would either individually or through a regional partnership develop a CCA program and ensure that the energy generation portfolio of the electricity supplied has a higher percentage of clean | Community | 991 | Percent reduction in carbon intensity of electricity above RPS | Voluntary | City Program | Low | Low | None | Very Low - Lc0 | |
| Energy | <u>Municipal Energy Efficiency Retrofits and Upgrades</u> | Establish a target to reduce municipal energy use by a certain percent by 2020 and implement cost-effective improvements and upgrades to | Municipal | 28 | Percent energy (electricity and natural gas) savings | Voluntary | City Program | Varies | Medium | None | None | 1 |

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|-----------------------------|---|---|-----------|-----|--|-----------|---------------------|----------|----------|----------|--------|---|
| Energy | <u>Municipal Energy Efficient Public Realm Lighting</u> | The City would continue to replace city-owned or -operated street, traffic signal, park, and parking lot lights with higher efficiency lamp technologies. | Municipal | 7 | Number of LED or CFL lights installed | Voluntary | Capital Improvement | Low | Very Low | None | None | 1 |
| Energy | <u>Energy Efficiency Requirements for New Municipal Buildings</u> | Adopt a policy to exceed minimum Title 24 Building Energy Efficiency Standards by a certain percentage for the construction or renovation of new City buildings and facilities. | Municipal | 17 | New municipal building square feet by 2020; percent energy (electricity and natural gas) savings | Mandatory | Capital Improvement | High | Very Low | None | None | 0 |
| Energy | <u>Renewable Energy Systems on City Property</u> | The City would pursue municipally-owned renewable energy generation facilities. | Municipal | 14 | kw of municipal solar PV and number of solar water heaters installed | Voluntary | Capital Improvement | High | Low | None | None | 0 |
| Transportation and Land Use | <u>Bicycle Network</u> | Continue to improve and expand the city's bicycle network and infrastructure. | Community | 231 | Miles of new bike lanes, routes, and paths by 2020 | Mandatory | Codes and Standards | Low | None | None | Varies | 1 |
| Transportation and | <u>Pedestrian Network</u> | Continue to improve and expand the city's pedestrian network. | Community | 156 | Miles of added sidewalk by 2020 | Mandatory | Capital Improvement | Low | None | None | Varies | 1 |
| Transportation and Land Use | <u>Expand Transit Network</u> | Work with the Regional Transit Authority (RTA) and transit service providers to expand the local transit network (i.e., additional routes or stops, and/or expanded hours of operation) based on the greatest | Community | 19 | Percent increase in transit service | Mandatory | Policy | Very Low | None | Very Low | Medium | 0 |
| Transportation and Land Use | <u>Increase Transit Service Frequency/Speed</u> | Work with the Regional Transit Authority (RTA) and transit services providers to increase transit service frequency (i.e., reducing headways) by identifying routes where increased bus frequency would | Community | 8 | Percentage reduction in transit headways | Mandatory | Policy | Very Low | None | Very Low | Medium | 0 |

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| Transportation and Land Use | <u>Employer-Based Transportation Demand Management (TDM) Program</u> | Require through a new City ordinance that employers with 25 or more employees develop a TDM program that provides encouragement, incentives, and support for employees to reduce their single occupancy vehicle trips. Some examples of resources and incentives include telecommuting, alternative scheduling (e.g., 9/80 or 4/40 work schedules), rideshare matching, and walking, cycling and transit incentives. | Community | 330 | Percent of businesses with more than 25 employees | Mandatory | Codes and Standards | Very Low | None | None | Very Low | 0 |
| Transportation and Land Use | <u>Transportation Demand Management (TDM) Program - Voluntary</u> | Work with San Luis Obispo Regional Ride Share and Ride-On to conduct additional outreach and marketing of existing TDM programs and incentives to discourage single-occupancy vehicle trips and encourage alternative modes of transportation, such as carpooling, taking transit, | Community | 161 | Percent of employees participating | Voluntary | Policy | Very Low | None | None | Very Low | 1 |
| Transportation and Land Use | <u>Parking Supply Management</u> | Amend the Municipal Code to reduce parking requirements in areas such as the downtown where a variety of uses and services are planned in close proximity to each other and to transit. | Community | 114 | Net reduction in parking spaces; new parking spaced by 2020 forecast under existing regulations | Mandatory | Codes and Standards | Very Low | None | None | Very Low | 1 |
| Transportation and Land Use | <u>Public Parking Pricing</u> | Establish market-based pricing for public parking spaces, where appropriate. | Community | 171 | Number of public parking spaces where parking pricing would apply; percentage increase in parking prices | Voluntary | Capital Improvement | Low | High | Medium | Very Low | 1 |

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| Transportation and Land Use | <u>Electric Vehicle Network and Alternative Fueling Stations</u> | The City would continue to work with the San Luis Obispo County Air Pollution Control District (APCD), Central Coast Clean Cities Coalition, and neighboring jurisdictions to create and implement the electric vehicle readiness plan. The City would continue to pursue funding for plug-in electric vehicle charging stations. | Community | 662 | Percent adoption of electric vehicles based on implementation of comprehensive EV Network | Voluntary | Policy | Very Low | None | None | None | 1 |
| Transportation and Land Use | <u>Incentives for Infill and Transit Oriented Development</u> | The City would identify and implement additional incentives to encourage mixed-use, higher density, and infill development near transit routes, in existing community centers/downtowns, and in other designated areas. Incentives may include, but are not limited to, priority permitting, lower permit fees, density bonuses, or reduced parking | Community | 1,438 | Number of new homes and/or businesses within 0.25 miles of transit | Voluntary | Policy | Low | None | Varies | Medium | 0 |
| Transportation and Land Use | <u>Service Nodes</u> | Work with private developers to encourage the development of convenient commercial and shopping opportunities near existing employment and/or residential areas, through incentives or the removal of existing regulatory barriers, as a means of shortening the distance between origins and destinations, and increasing the potential for walking or biking to obtain services. | Community | Not calculated | Percent of new homes within walking distance of retail and services. | Voluntary | Policy | Very Low to Low | None | Varies | Varies | 1 |

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|-----------------------------|---|--|-----------|-----|---|-----------|---------------------|----------|----------|--------|--------|---|
| Transportation and Land Use | <u>Transportation Demand Management (TDM) Program for Municipal Employees</u> | The City would implement a Transportation Demand Management (TDM) program for its own employees. Reduced single-occupant vehicle commuting would reduce GHG | Municipal | 46 | Percent City employee participation | Voluntary | Codes and Standards | Very Low | Low | None | None | 0 |
| Transportation and Land Use | <u>Zero and Low Emission Municipal Fleet Vehicles</u> | Continue to replace official City vehicles and equipment with low-emission and zero-emission vehicles, including smaller, hybrid, electric, compressed natural gas, biodiesel, and neighborhood electric vehicles. | Municipal | 7 | Number of municipal vehicles replaced by 2020 | Voluntary | Policy | Medium | Very Low | None | None | 1 |
| Off-Road | <u>Construction Equipment Techniques</u> | Reduce GHG emissions from construction equipment by requiring various actions as appropriate to the construction project. | Community | 427 | Percent of construction equipment replaced with electric equipment/alternatively fueled equipment | Mandatory | Codes and Standards | Very Low | None | Varies | Varies | 1 |
| Off-Road | <u>Equipment Upgrades, Retrofits, and Replacements</u> | The City would support the APCD programs that fund equipment upgrades, retrofits, and replacement through the Carl Moyer heavy-duty vehicle and equipment program or other funding mechanisms. | Community | 3 | Percent of off-road equipment replaced with electric equipment/alternative fuel vehicles | Voluntary | Incentives | Low | None | None | Varies | 1 |
| Water | <u>Exceed SB X7-7 (Water Conservation Act of 2009), Water Conservation Target</u> | The City would adopt a water conservation target that exceeds the SB X7-7*, (Water Conservation Act of 2009), target and identify and implement additional water efficiency and conservation measures to meet that target by | Community | 5 | Percent water savings above SBx7-7 | Mandatory | Codes and Standards | Low | None | Varies | Varies | 0 |

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| Solid Waste | <u>Solid Waste Diversion Rate</u> | The City would adopt a specified solid waste diversion rate that exceeds the state-mandated rate of 50% and identify programs to meet the identified | Community | 631 | Percent waste diversion beyond State-mandated 50% (2020) | Mandatory | Policy | Low | None | None | None | 1 |
| Solid Waste | <u>Organic Waste Diversion Program</u> | The City would develop a combined or separate organic waste (yard trimming, food scraps, and food-soiled paper) collection system and encourage residents and businesses to divert these materials from landfills. The City would develop a marketing campaign to educate the community and facilitate | Community | 84 | Percent diversion of organic waste | Mandatory | Incentives | Very Low | None | None | None | 0 |
| Solid Waste | <u>Construction and Demolition Debris Diversion Requirements</u> | Require the reuse or recycling of construction and demolition materials from development projects beyond the state-mandated 50% requirement. | Community | 44 | Percent waste diversion beyond State-mandated 50% (2020) | Mandatory | Codes and Standards | Very Low | None | None | None | 0 |
| Solid Waste | <u>Recycling at Public Events</u> | The City would adopt an ordinance requiring the provision of recycling receptacles at all events requiring a permit or held on City-owned or -operated | Community | 2 | Percentage of waste recycled at public events | Mandatory | Codes and Standards | Very Low | None | None | None | 1 |
| Solid Waste | <u>Municipal Solid Waste Reduction</u> | Adopt a specified solid waste diversion rate and identify steps to meet that rate by 2020. | Municipal | 13 | Percent waste diversion beyond State-mandated 50% (2020); number of new recycling receptacles | Mandatory | Policy | Low | None | None | None | 0 |
| Trees and Open Space | <u>Tree Planting Program</u> | Develop a program to facilitate voluntary tree planting within the community, working with local non-profit organizations and community partners. Develop and adopt tree planting guidelines that address tree and | Community | 6 | Number of trees planted (net new trees) | Voluntary | Capital Improvement | Low | None | Very Low | None | 1 |

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| Trees and Open Space | <u>Municipal Tree Planting Program</u> | Establish a tree planting program to increase the number of native, drought-tolerant trees on City-owned property, parks and streetscapes. | Municipal | 6 | Number of net new trees planted on City-owned property | Mandatory | City Program | Low | None | None | None | 0 |
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SUMMARY OF MEASURES FOR REDUCTION OF GREENHOUSE GASES

| Measure | Category | GHG Reduction in 2020 (MT CO ₂ e) | Voluntary or Mandatory | Aggregate Municipal Cost | Per Unit Community Cost |
|--|-----------------------------|--|------------------------|--------------------------|-------------------------|
| Highly Effective Measures (GHG reduction in 2020 ≥1000 MT CO₂e) | | | | | |
| Energy Conservation Ordinance | Energy | 1,459 | M | Low | Very Low to Medium |
| Incentives for Infill and Transportation-Oriented Development | Transportation and Land Use | 1,438 | V | Low | Varies |
| Energy Audit and Retrofit Program | Energy | 1,099 | V | Very Low | Very Low to Medium |
| Moderately Effective Measures (GHG reduction in 2020 of 500-999 MT CO₂e) | | | | | |
| Community Choice Aggregation Program (CCA) | Energy | 991 | V | Low | None |
| Small Solar Photovoltaic Program | Energy | 705 | V | Very Low | Low to High |
| Electric Vehicle Networks and Alternative Fueling Stations | Transportation and Land Use | 682 | V | Very Low | None |
| Somewhat Effective Measures (GHG reduction in 2020 of 100-499 MT CO₂e) | | | | | |
| Construction Equipment | Off-Road | 407 | M | Very Low | Varies |
| Solid Waste Diversion Rate | Solid Waste | 379 | M | Low | None |
| Public Parking Pricing | Transportation and Land Use | 342 | V | Low | Medium |
| Bicycle Networks | Transportation and Land Use | 231 | M | Low | None |
| Incentives for Exceeding Title 24 Building Energy Efficiency Standards | Energy | 227 | V | Very Low | Medium |
| Energy Efficiency Outreach and Incentive Programs | Energy | 172 | V | Very Low | Very Low |
| Pedestrian Networks | Transportation and Land Use | 102 | M | Low | None |
| Marginally Effective Measures (GHG reduction in 2020 of 10-99 MT CO₂e) | | | | | |
| Income-Qualified Energy Efficient Weatherization Program | Energy | 88 | V | Very Low | None |
| Organic Waste Diversion Program | Solid Waste | 84 | M | Very Low | None |
| Income-Qualified Solar PV Program | Energy | 75 | V | Very Low | None |
| Parking Supply Management | Transportation and Land Use | 71 | M | Very Low | None |
| Employer-Based Transportation Demand Management Program | Transportation and Land Use | 69 | V | Very Low | None |

| Measure | Category | GHG Reduction in 2020 (MT CO ₂ e) | Voluntary or Mandatory | Aggregate Municipal Cost | Per Unit Community Cost |
|--|-----------------------------|--|------------------------|--------------------------|-------------------------|
| Marginally Effective Measures (GHG reduction in 2020 of 10-99 MT CO₂e) - continued | | | | | |
| Municipal Energy Efficient Retrofits and Upgrades | Energy | 57 | V | Varies | None |
| Zero- and Low-Emission Municipal Fleet Vehicles | Transportation and Land Use | 53 | V | Medium | None |
| Transportation Demand Management Program for Municipal Employees | Transportation and Land Use | 46 | V | Very Low | None |
| Construction and Demolition Debris Diversion Requirements | Solid Waste | 44 | M | Very Low | None |
| Expand Transit Network | Transportation and Land Use | 19 | M | Very Low | Very Low |
| Energy Efficiency Requirements for New Municipal Buildings | Energy | 17 | M | High | None |
| Renewable Energy Systems on City Property | Energy | 17 | V | High | None |
| Municipal Solid Waste Diversion | Solid Waste | 13 | M | Low | None |
| Minimally Effective Measures (GHG reduction in 2020 of <10 MT CO₂e) | | | | | |
| Municipal Energy Efficient Public Realm Lighting | Energy | 7 | V | Low | None |
| Increase Transit Service Frequency/Speed | Transportation and Land Use | 6 | M | Very Low | None |
| Tree Planting Program | Trees and Open Spaces | 6 | V | Low | Very Low |
| Municipal Tree Planting Program | Trees and Open Spaces | 6 | M | Low | None |
| Exceed SB x7-7 Water Conservation Target | Water | 5 | M | Low | Varies |
| Energy Efficient Public Realm Lighting Requirements | Energy | 4 | M | Very Low | Very Low |
| Equipment Upgrade, Retrofit, and Replacement Program | Off-Road | 4 | V | None | None |
| Recycling at Public Events | Solid Waste | 2 | M | Very Low | None |
| Measures of Undetermined Effectiveness (GHG reduction in 2020 not calculated) | | | | | |
| Service Nodes | Transportation and Land Use | - | V | Very Low to Low | Varies |



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-2

Meeting Date: April 3, 2013

| # | 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 | So Cal Gas Company | 255 Driftwood (Nearest Address) | 10/10/12 | CP0-385 | Advance Metering Project - 5 separate locations | Incomplete letter sent 11-29-12. Various sites. Resubmittal received 1/3/12 and ready for Planning Commission. C.J. Applicant requesting continuance to May PC to investigate alternate locations Planning & Public Works staff met on site with applicant. Reviewing potential location change to Kings Water Tank property. | Building insert comments here | Engineering insert comments here | |
| 2 | So Cal Gas Company | 499 Little Morro Creek (Nearest Address) | 10/10/12 | CP0-383 | Advance Metering Project - 5 separate locations | Incomplete letter sent 11-29-12. Various sites. Resubmittal received 1/3/12 and ready for Planning Commission. C.J. Applicant requesting continuance to May PC to investigate alternate locations. | Building insert comments here | Engineering insert comments here | |
| 3 | So Cal Gas Company | 781 Quintana (Nearest Address) | 10/10/12 | CP0-382 | Advance Metering Project - separate locations | Incomplete letter sent 11-29-12. Various sites. Resubmittal received 1/3/12 and ready for Planning Commission. C.J. Applicant requesting continuance to May PC to investigate alternate locations. Reviewing potential Location change to Morro Bay Blvd & Harbor co-located on PG& E street pole | Building insert comments here | Engineering insert comments here | |
| 4 | So Cal Gas Company | 300 Kings (Nearest Address) | 10/10/12 | CP0-388 | Advance Metering Project -5 separate locations | Incomplete letter sent 11-29-12. Various sites. Resubmittal received 1/3/12 and ready for Planning Commission. C.J. Applicant requesting continuance to April PC to investigate alternate locations. Application Withdrawn. | Building insert comments here | Engineering insert comments here | |

| # | 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 |
|--|---------------------------|------------------------------|----------|---------------------|--|--|--------------------------------------|--|-------------------------------------|
| 5 | So Cal Gas Company | 2990 Alder (Nearest Address) | 10/10/12 | CP0-382 | Advance Metering Project -5 separate locations | Incomplete letter sent 11-29-12. Various sites. Resubmittal received 1/3/12 and ready for Planning Commission. C.J. Applicant requesting continuance to April PC to investigate alternate locations. Application Withdrawn. | Building insert comments here | Engineering insert comments here | |
| 6 | City of Morro Bay | End of Nutmeg | 1/18/12 | UP0-344 | 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 out for public notice and 30 day review as of 11/19/12. 30 day review ends on 12/25/12. No comments received. Scheduled for 1/16/13 Planning Commission meeting and then to be referred back to SLO County. Planning Commission continued this item to address concerns regarding traffic generated from the removal of soil. Applicant reviewing. | Not applicable | BCR- drainage study required for impact on City storm drain facilities | Not applicable |
| 7 | Peter | 190 Dana Way | 2/27/13 | Admin CP0-392 | New Single Family Home (Admin CDP) | Under review. Requested corrections. C.J. Corrections received 3/21 and project deemed complete and ready for noticing. | | | |
| 30 -Day Review, Incomplete or Additional Submittal Review | | | | | | | | | |
| 8 | Santojanni & Bear | 2570 Ironwood | 3/20/13 | Admin CP0-395 | Demo/Reconstruct Single Family Home | Under initial review. C.J. | | | |
| 9 | Lucky 7 | 1860 Main | 3/12/13 | CP0-394 | Construct Fuel Island Canopy | Under initial review. C.J. | | | |
| 10 | Norris | 335 Las Vegas | 3/6/13 | CP0-393 and AD0-079 | Secondary Unit and Parking Exception | Under review. Deemed incomplete and requested additional information from applicant 3-13-13. C.J. | | | |

| # | 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 |
|----------------------------|---------------------------|------------------|----------|-----------------|--|--|--------------------------------------|--|-------------------------------------|
| 11 | Drinkwater | 301 Main | 11/2/12 | S00-116 | Certificate of Compliance for portion of APN. | Under review. Applicant to submit a copy of the deed for the subject lots. R. Livick to complete. Lot tie agreement received. Certificates being prepared. CJ | N/A | Engineering insert comments here | |
| 12 | Perry | 3202 Beachcomber | 9/8/11 | CP0-381 | Coastal Development Permit. Demo/Reconstruct new home with basement in S2.A overlay. | KW--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. P.C. approved height at 9-19-12 PC Meeting. CDP application submitted. Initial Study reqt. letter sent 12-12. Corrections letter sent 12-17-12. Waiting to hear from Applicant. | | Flood study approved 6/18/12 | No Comments to date |
| 13 | Lemos | 1320 Main | 6/1/12 | UP0-350/CP0-373 | New Commercial Building | MR- Met with applicant - revising plans to leave storage building as in 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. Submittal received 11/9/12. Deemed incomplete letter sent 12/7/12. MR. Met with project architect on 1/22/2013 regarding setbacks. 2nd meeting held on 1/30/2013 project moving ahead to environmental review. Resubmittal received 3/18/13. Under review. | Building insert comments here | BCR- requested revised drainage and flood study from developer | |
| Projects in Process | | | | | | | | | |
| 14 | Nicki Fazio | 360 Cerrito | 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. | Deemed withdrawn letters to be sent to provide response to City by 12/31/12. Letter sent to Applicant's representative returned undeliverable 12-12. Met w/ Applicant to discuss project 3/26. | | | |
| 15 | Díaz | 1149 Market | | | Business License App for Mexican Market. | Directed Applicant on 11-27-12 to re-submit parking plan demonstrating compliance with Zoning Ordinance. Parking plan submitted demonstrating seven parking spaces 12-20-2012. Sent letter requesting plan corrections 1-15-13. Waiting for response from applicant. | Building insert comments here | | |

| # | 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 |
|----|---------------------------|------------------|---------|----------------|--|---|--------------------------------------|------------------------------------|-------------------------------------|
| 16 | LaPlante | 3093 Beachcomber | 11/3/11 | 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. Staff met with applicant and his agent, discussed elements of the project especially the Biological report needs to be prepared. Draft biological report received | No Comments to date | comments submitted 1/18/2012 | No Comments to date |

| # | 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 |
|-----------------------------|---------------------------|-------------------------|---------|-------------------|--|---|--------------------------------------|------------------------------------|-------------------------------------|
| Environmental Review | | | | | | | | | |
| 17 | City of Morro Bay | Morro Creek/Embarcadero | 3/14/13 | - | FHWA Approved PE funds - CASB12RP-5391(013) - Phase 1 Morro Creek Trail & Bridge Project | In process. NEPA review required.RFP released 3-25-13 | | | |
| 18 | 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 archaeological and presence of habitat for Morro Shoulderband Dune Snail. Waiting for Archaeological surface survey and Shoulderband Snail Protocol survey. Expect by May 2013. Arch report results indicate no issues. Snail report came back negative. Project exempt from CDP requirement. CEQA Notice of Exemption to be issued to Public Works for filing. | Not applicable | Not applicable | Not applicable |
| 19 | Sequoia Court Estates | 670 Sequoia | 4/3/12 | UP0-349 & S00-112 | Parcel Map. 3 parcels and an open space parcel. 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. Needs drainage plans. MR: Second incomplete letter sent 11/13/12. MND in preparation. Susan Craig, Coastal Commission staff confirmed property is entirely outside coastal zone. Met with applicant on 1/30/2013 project moving ahead, staff waiting on resubmittal | | | |
| Grants | | | | | | | | | |

| # | 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 | Community Development Block Grant (CDBG) / HOME Program through Urban County Consortium | Downtown area | 11/13/12 | | CDBG Applications received 10/12/12. Nine applications received. Draft funding recommendations to be adopted at 11/13/12 City Council Meeting. Final Funding Approval heard at 2-13-13 City Council Meeting. Final action taken by County Board of Supervisors 3-5-13. | Application recommended for funding is Pedestrian Accessibility Improvements for City of Morro Bay. Council approved on 11-13 funding for Senior Nutrition and Pedestrian Accessibility. 2nd Funding Workshop to be held at Community Center on 1/9/13. Subrecipient Agreement and NEPA Environmental Review under review. NEPA LCP consistency finding to be agendized for the April PC meeting. CEQA review in process also. | Not applicable | Not applicable | Not applicable |
| 21 | Sustainable Communities | City-wide | | | \$900,000 Grant Opportunity for funding for long-range planning activities including LCP update, General Plan. State has not released grant information for the next application cycle. | In process | | | |
| Project requiring coordination with another jurisdiction | | | | | | | | | |
| | | | | | | | | | |
| Projects Continued Indefinitely, No Response to Date on Incomplete Letter or inactive | | | | | | | | | |
| 22 | Maritime Museum Association (Larry Newland) | Embarcadero | 11/21/05 | UP0-092 & CP0-139 | Embarcadero-Maritime Museum (Larry Newland). Submitted 11/21/05. Resubmitted 10/5/06, tentative CC for landowner consent 1/22/07 Landowner consent granted. Resubmitted 5/25/07. Applicant resubmitted additional material on 9/30/2009. Applicant working with City Staff regarding an lease for the subject site. Applicants enter into an agreement with City Council on project. Applicant to provide revised site plan. Staff is processing a "Summary Vacation (abandonment)" for a portion of Surf Street. Staff waiting on applicant's resubmittal. Meeting held with applicant on 2/23/2011. Staff met with applicant on January 27, 2011 and reviewed new drawings, left meeting with the applicant indicating they would be resubmitting new plans based on our discussions. | KW--Incomplete 12/15/05. Incomplete 3/7/07. Incomplete Letter sent 6/27/07. Met to discuss status 10/4/07 Incomplete 2/4/08. Met with applicants on 3/3/09 regarding inc. later. Met with applicants on 2/19/2010. Environmental documents being prepared. Meeting held with city staff and applicants on 2/3/2011. | Not applicable | An abandonment of Front street necessary. To be scheduled for CC mtg. | Not applicable |

| # | 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 |
|----|---------------------------|----------------------------|---------|----------------------|--|--|--------------------------------------|------------------------------------|-------------------------------------|
| 23 | James Maul | 530, 532, Morro Ave 534 | 3/12/10 | SP0-323 & UP0-282 | Parcel Map. CDP & CUP for 3 townhomes. Resubmittal 11/8/10. Resubmittal did not address all issues identified in correction letter. | KW-Incomplete letter sent 4/20/10. Met with applicant 5/25/10. 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.MR: Received letter from applicant's rep 11/15/12 requesting project remain open. Called B. Elster for further information. | | | |

| # | 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 |
|---|---------------------------|------------------|-----------|----------|----------------|---|---|---------------------------------------|------------------------------------|-------------------------------------|
| Applications to Coastal Commission | | | | | | | | | | |
| 24 | City of Morro Bay | | Citywide | 2/1/13 | Ordinance 556 | AMENDING THE MUNICIPAL CODE BY ADDING CHAPTER 17.27 ESTABLISHING REGULATIONS AND PROCEDURES ENTITLED "Antennas and Wireless Telecommunications Facilities" AND MODIFYING CHAPTER 17.12 TO INCORPORATE NEW DEFINITIONS, 17.24 to MODIFY primary district matrices to incorporate the text changes , 17.30 to eliminate section 17.30.030.F "antennas", 17.48 modify to eliminate section 17.48.340 "Satellite dish antennas" and Modify THE TITLE PAGE TO REFLECT THE NEW CHAPTER. | In progress | | | |
| Projects Appealed to City Council | | | | | | | | | | |
| 25 | 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 Attorney reviewing. Appeal in abeyance until coastal application complete. | | | |
| Projects in Building Plan Check | | | | | | | | | | |
| 26 | Gilbert | 2760 | Alder St. | 10/23/12 | B-29799 | New SFR | Requested corrections 1/23/13. CJ. | BC- msg to JR 3/11. | | |
| 27 | Sangren | 675 | Anchor | 11/28/12 | B-29813 | SFR Addition | Requested corrections 1/9/13. CJ. | BC- Returned for corrections 1/9/13. | | |
| 28 | Loomis | 660 | Bay | 2/11/13 | B-29851 | SFR Addition | Conditionally approved. CJ 3-26 | BC- Returned for corrections 3/12/13. | | |

| # | 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 | LaPlante | 3093 Beachcomber | 11/3/11 | B-29586 | 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 | | |
| 30 | Bylo | 593 Driftwood | 3/12/13 | B-29870 | SFR Addition | Disapproved. Compact in-fill permit conditions not met. 3-27 | | | |
| 31 | Halterman | 601 Elena | 2/13/13 | B-29856 | SFR Addition | Requested corrections 2-19-13 and 3-13-13. Applicant submitting for Parking Exception. | BC- Returned for corrections 3/13/13. | No R/W work planned-bcr | |
| 32 | Mecum | 2930 Elm | 3/13/13 | B-29871 | Deck | Planning approved 3/18/13. CJ. | | | |
| 33 | Imani | 571 Embarcadero | 4/23/12 | B-29695 | Commercial alteration, addition | CJ- Incomplete Memo 11/26/2012 sent to applicant's representative. Awaiting response. | BC- resubmitted 11/5/2012. | | |
| 34 | Methodist Church | 3000 Hemlock | 8/16/12 | B-29752 | Construct new modular classroom, sitework. | | BC- Returned for corrections 10/1/2012 | | |
| 35 | Sturgill | 1885 Ironwood | 12/29/11 | B-29677 | 14 new townhouses | | BC- first six building permits issued. | | |
| 36 | Storm | 1029 Monterey | 5/3/12 | B-29702 | Partial Demo/ Reconstruct of MFR dwelling | KW-under review | BC- Returned for corrections 7/3/2012. | | |
| 37 | Markowitz | 589 Morro Avenue | 8/17/11 | B-29820 | Roof Deck | Under review. Spoke with architect 1/23/13 to clarify requested corrections. Architect to discuss with applicant. CJ. | BC- Corrections | | |
| 38 | 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 | |
| 39 | Shirkey | 341 Nevis | 2/13/13 | B-29821 | New SFR | Approved. CJ. | BC- Returned for corrections 3/13/13. | | |
| 40 | Frantz | 499 Nevis | 9/23/12 | B-29510 | New SFR | | | | |
| 41 | McGonagill | 690 Olive | 6/7/12 | B-29248 | SFR Addition | | BC- spoke with applicant 8-30-2012, regarding outstanding items and intentions to proceed. | | |
| 42 | Rock Harbor | 1478 Quintana | 1/10/13 | B-29834 | Microwave Dish | Planning approved. CJ. | BC-RTI 2/27/13 | | |
| 43 | Droney | 315 Yerba Buena | 2/19/13 | B-29858 | R&R Deck | | BC- corrections | | |

| # | 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 |
|---|---------------------------|--------------------|----------|---------|----------------|---|---|--|---|-------------------------------------|
| Final Map Under Review | | | | | | | | | | |
| 44 | Zinngarde | 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, PIP are in the building permit process. | |
| 45 | Medina | 3390 | 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. Recent Submittal reviewed and memo sent to PW regarding deficiencies. | Initial review shows resubmitted map does not meet the 50 foot ESH boundary. CJ. | DH - resubmitted map and Biological study on Dec 19th 2012. PW has completed their review. Received a letter from Median's lawyer and preparing response. | |
| 46 | Strugill | 1885 | Ironwood | | Map | Final Map: Submitted on 6/26/12 complete application. | MR - review map and gave corrections on CC&Rs. CJ- Deed restriction prepared and being reviewed for signature 3-27 | | DH - reviewed map gave corrections on 8/15 | |
| Projects & Permits with Final Action | | | | | | | | | | |
| 1 | Fry | 3450 Toro Ln | | 11/5/12 | E00-103 | Partial abandonment of Toro Ln. north of Yerba Buena to North Point tract | RL- under review. Notification sent to utilities. Response due 12/20/12. City Council continued abandonment request. | | | |
| 2 | City of Morro Bay | 170 Atascadero | | 1/9/13 | CP0-389 | Coastal Development Permit for water treat plant (Desal) modifications. | Permit approved at 2-6-13 PC Mtg. Letter received from Coastal Commission staff regarding permit and response sent 2-15. Final action pending until resolution with Coastal Commission | Building insert comments here | Engineering insert comments here | |
| 8 | State Park | North Morro Strand | | 1/23/13 | CP0-390 | Upgrade 25 existing campsites plus camp host sites to include RV hookups in order to modernize services and increase visitation | Reviewed and scheduled for March Planning Commission meeting. Two appeals received. Agendized for 4/9/13 Council meeting | | No engineering impacts | |

Participation

persons of low- or moderate-income, particularly residents of predominantly low- and moderate-income neighborhoods, slum or blighted areas, and areas in which the grantee proposes to use CDBG funds. The plan must: provide citizens with reasonable and timely access to local meetings, information, and records related to the grantee's proposed and actual use of funds; provide for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development of needs, the review of proposed activities, and the review of program performance; provide for timely written answers to written complaints and grievances; and identify how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

Legal Authority

Title I of the Housing and Community Development Act of 1974, Public Law 93-383, as amended; 42 U.S.C.-5301 *et seq.*

Information Sources

If you are an interested citizen, contact your local municipal or county officials for more information. If your local government officials cannot answer your questions, or if you are a local official, contact the HUD field office* that serves your area. Note that the local government administers the program and determines which local projects receive funding.

Information about HUD field offices may be found on the World Wide Web at <http://www.hud.gov/local.html>.

* Hearing impaired users may call the Federal Information Relay Service at 1-800-877-8339.



AGENDA NO: D-1

MEETING DATE: April 3, 2013

Memorandum

TO: PLANNING COMMISSIONERS

FROM: CINDY JACINTH, ASSOCIATE PLANNER

DATE: MARCH 28, 2013

SUBJECT: REVIEW OF CITY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) PEDESTRIAN ACCESSIBILITY PROJECT
FEDERAL ENVIRONMENTAL REVIEW (NEPA)

RECOMMENDATION:

Staff recommends the Planning Commission review and make a finding of consistency with the Local Coastal Plan for the City of Morro Bay's CDBG-funded Pedestrian Accessibility Project pursuant to federal NEPA requirements.

BACKGROUND:

In 2011, the City of Morro Bay agreed to join with the Urban County of San Luis Obispo, which is a consortium of participating jurisdictions that includes San Luis Obispo County and the Cities of Paso Robles, Atascadero, San Luis Obispo and Arroyo Grande for the purpose of receiving and allocating federal CDBG funds.

The CDBG fund is a flexible program providing communities with resources to address a wide range of unique community development needs. The program works to ensure decent, affordable housing; to provide services for members of our community; and to create jobs through expansion and retention of businesses.

CDBG funds are available for community development activities, which meet at least one of the three national objectives:

1. A benefit to low and moderate-income persons;
2. Aid in the prevention or elimination of blight;
3. Address urgent needs that pose a serious and immediate threat to the health or welfare of the community.

In order for a program to qualify under the low and moderate income objective, at least 51% of the persons benefiting from the project or program must earn no more than 80% of the area median. Additionally, at least 70% of the CDBG funds must be spent toward this objective.

PROJECT SUMMARY:

On February 28, 2012 and again on February 13, 2013, the City Council voted to award CDBG funding for the City of Morro Bay Pedestrian Accessibility Project for fiscal years 2012/2013 and 2013/2014 respectively. The anticipated funding amount for fiscal year 2012/2013 is \$46,027 and fiscal year 2013/2014 available funds are estimated at \$32,344.

The City's Pedestrian Accessibility Project is a multi-year project which will provide funding for installation and repair of sidewalk and curb ramps and similar pedestrian facilities throughout the City of Morro Bay. The project will provide an accessible path of travel for those disabled low and very low income residents throughout the County in order to eliminate barriers and increase pedestrian accessibility among low to moderate income groups. The cost to construct improvements at all of the proposed locations exceeds the available funds for the current year. As additional funds become available, the City will work on removing the backlog of barriers with subsequent year's program funding.

NEPA REVIEW:

Federal CDBG funds are subject to environmental review under the National Environment Policy Act (NEPA). The project has been determined to be Categorically Excluded under NEPA, but subject to 24 CFR Section §58.5 (58.35(a)). A Statutory Worksheet is required to be completed under this section. Compliance factors include the Coastal Zone Management Act. The requirements for demonstrating compliance with the Coastal Zone Management Act state that applicant must secure concurrence from the Coastal Commission or delegated local Planning Commission that the project is consistent with the applicable local coastal plan.

The City of Morro Bay's certified Local Coastal Plan addresses the issues of shoreline access and recreation in Chapter 3 which discusses access issues and constraints, specifically, that "pedestrian access is available but might be increased and better organized to provide maximum access potential." Providing for removal of barriers to pedestrian access through the installation/repair of sidewalk and curb ramps is consistent with the goals of the LCP to provide coastal access.

CONCLUSION:

Staff is recommending that the Planning Commission review and adopt the findings attached as Exhibit A which states that the City of Morro Bay Pedestrian Accessibility Project is consistent with the City's State-certified Local Coastal Plan (LCP).

Attachments:

- A. City of Morro Bay CDBG 2012 Pedestrian Accessibility Improvement Application
- B. City of Morro Bay CDBG 2013 Pedestrian Accessibility Improvement Application
- C. Proposed Project Locations
- D. Statutory Worksheet
- E. CDBG Entitlement Fact Sheet

EXHIBIT A

FINDINGS

CITY OF MORRO BAY PEDESTRIAN ACCESSIBILITY IMPROVEMENT PROJECT

PROJECT DESCRIPTION: The City's Pedestrian Accessibility Project will provide funding for installation and repair of sidewalk and curb ramps and similar pedestrian facilities throughout the City of Morro Bay. The project will provide an accessible path of travel for those disabled low and very low income residents throughout the County in order to eliminate barriers and increase pedestrian accessibility among low to moderate income groups.

NEPA FINDINGS

- A. The project as proposed is consistent with the applicable provisions of the certified Local Coastal Plan (LCP). The Local Coastal Plan is consistent with the General Plan and the project provides for increased pedestrian access and therefore meets the LCP.



COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM APPLICATION FOR THE 2012 PROGRAM YEAR

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

Promoting the Wise Use of Land • Helping to Build Great Communities

Organization Name: City of Morro Bay
(Attach additional sheets if necessary)

To be considered for CDBG assistance, please submit this completed application with any exhibits, budgets or beneficiary data as needed. **PLEASE READ ALL INFORMATION IN THE APPLICATION.** Applications can be mailed to one of the participating jurisdictions listed in this application or to: Tony Navarro, Planner III, Department of Planning and Building, 976 Osos Street, Room 300, San Luis Obispo, CA., 93408 or hand delivered to Tony Navarro at 1035 Palm Street, Room 370, San Luis Obispo, CA., faxed to (805) 781-5624, or e-mailed to tnavarro@co.slo.ca.us. **The application deadline is 5:00 P.M., Monday, October 24, 2011.** Applications must be received by the County or one of the participating cities (Arroyo Grande, Atascadero, Morro Bay, Paso Robles, San Luis Obispo) prior to close of the business day. **POSTMARKED DATED MAIL RECEIVED AFTER THE DEADLINE WILL NOT BE ACCEPTED.**

NOTE:

- (1) Please review the CDBG regulations and guidelines and the Request for Proposals before completing this proposal. The CDBG regulations, under 24 CFR 570, are available at www.sloplanning.org under "Federal HUD Grants."
- (2) **HMIS Reporting for 2012 homeless services, housing and shelter** - All homeless service providers applying for CDBG funds to assist, house or shelter the homeless must identify and demonstrate its capacity to participate in the County of San Luis Obispo Homeless Management Information System (HMIS) to provide: personnel for data entry, user licensing, and hardware and software necessary for compatibility with HMIS. HMIS is an electronic data collection system that stores client level information about persons who access the homeless services system in a Continuum of Care, and reports aggregate data for the County as per the U.S. Department of Housing and Urban Development's Data Standards found in http://www.hudhre.info/documents/FinalHMISDataStandards_March2010.pdf.
- (3) The project/program proposal to the County of San Luis Obispo shall be examined in relation to the County's community development goals and funding priorities as presented in the Urban County of San Luis Obispo 2010-2015 Consolidated Plan (ConPlan). The ConPlan is available at www.sloplanning.org. The County of San Luis Obispo Department of Planning and Building (Planning) considers the criteria stated in the 2012 Request for Proposals as one of many tools to help make funding recommendations to the Board of Supervisors. Planning will use other information and sources including but are not limited to: the County Board of Supervisors, recommendations from the Homeless Services Oversight Council, other participating jurisdictions of the Urban County of San Luis Obispo, identified needs that could be addressed by the grant funds, consistency with goals and priorities in the 2010 Consolidated Plan and the Ten Year Plan to End Homelessness, results of the Needs Workshops, working knowledge of the project and/or organization by Planning, and availability of limited fund, to help with the funding recommendations.

Please call County and/or city CDBG staff with any questions about how to complete the form or about the rating criteria and process.

If the information for any of the questions below requires more room to provide a complete explanation of your proposed project or program, please attach additional sheets.

CONTACT INFORMATION

1. Name and mailing address of applicant organization, with contact person, phone and fax numbers, and e-mail address:

Name: City of Morro Bay

Address (mailing and physical address requested if different):

Contact person/title – Cindy Jacinth, Administrative Technician

Phone: 805-772-6261

Fax: 805-772-6268

E-mail address: cjacinth@morro-bay.ca.us

Is the organization a Faith Based Organization? Yes No

***Organization's DUNS number:** 060890571

PROJECT DESCRIPTION

2. Title/name/address of proposed project or program:

Morro Bay Pedestrian Accessibility Project
City wide – Morro Bay

3. **Please describe the proposed project or program.** In one or two short paragraphs, include a brief project/program description, the groups who will benefit and an explanation of how they will benefit from the proposed project or program. For projects, describe the location of the project (be as specific as possible, e.g. street address). For programs, state the location from which the program will be operated and/or describe the geographic area served by the program. Also, please include a schedule of project/program milestones.

Installation and repair of sidewalk and curb ramps throughout the City of Morro Bay will provide an accessible path of travel for those disabled low and very low income residents throughout the County. Project will include installation of curb ramps and sidewalk and repair of curb ramps and sidewalk so that this infrastructure meets current accessibility requirements.

4. **Will the services offered by your organization increase or expand as a result of the CDBG assistance? If yes, please answer the following questions:**

a. What new programs and/or services will be provided?

N/A

b. Describe how existing programs and/or services will be expanded and what percentage of an increase is expected?

CDBG funds will be used to provide an accessible path of travel for all low income persons.

5. **Check any of the following eligible activity categories that apply to the proposed project or program:** (Refer to CDBG regulations and the Guide to Eligible CDBG Activities).

Acquisition of real property

Disposition of real property

Public facilities and improvements (may include acquisition, construction, reconstruction, rehabilitation or installation)

Privately owned utilities

Clearance and remediation activities

Public services

Interim assistance

- Relocation of individuals, families, businesses, non-profit organizations, and/or farms
- Loss of rental income
- Removal of architectural barriers
- Housing rehabilitation
- New housing construction (under limited circumstances)
- Homeownership assistance
- Housing services
- Code enforcement
- Historic preservation
- Commercial or industrial rehabilitation
- Special economic development
- Technical assistance and planning studies

6. Describe the need and the degree of urgency for the proposed project or program. What would be the consequences if the proposed project or program is not funded in the next year?

Removal of barriers through the construction and rehabilitation of sidewalks and curb ramps will remove the restriction that disabled and elderly face in accessing the City's pedestrian facilities.

7. Please describe the specific organizational method used to implement the proposed project or program (single or multiple group, public agency, non-profit, for-profit, experience in operating similar programs, etc.):

The City of Morro Bay, a full-service City, will be implementing the program.

8. Does the project require the issuance of a permit (from local, state or federal agencies)?

Yes No

a. If yes, please identify the permits necessary to complete the project.

An encroachment permit will be required prior to construction.

b. Have the necessary permits been issued? Please provide proof of permit issuance.

c. If permits are required but not yet obtained, when will the permits be issued?

The permits will be issued during implementation.

NATIONAL OBJECTIVES CRITERIA

9. Does the proposed project or activity meet one of the three national objectives of the CDBG program? Please check one of the objectives below that applies to the proposal, and explain how the project or activity meets that national objective.

a. Benefits low- and moderate-income persons as defined by the U.S. Department of Housing and Urban Development (HUD).

Select one:

Low/Moderate-Income Area Benefit – The project serves only a limited area which is proven by 2000 Census data or survey to be a predominately (51% or more) low/moderate-income area. Applicants choosing this category must be able to prove their project/activity primarily benefits low/moderate-income households.

Low/Moderate-Income Limited Clientele – The project benefits a specific group of people (rather than all areas in a particular area), at least 51% of whom are low/moderate-income persons;. Note: Income verification for clients must be provided for this category. The following groups are presumed to be low/moderate-income: abused children; elderly persons; battered spouses; homeless persons; adults meeting census definition of severely disabled; persons living with AIDS; and migrant farm workers

Low/Moderate-Income Housing – The project adds or improves permanent residential structures that will be/are occupied by low/moderate-income households upon completion.

Low/Moderate-Income Jobs – The project creates or retains permanent jobs, at least 51% of which are taken by low/moderate-income persons or considered to be available to low/moderate-income persons.

Explain: **Provides barrier free pedestrian accessibility.**

NOTE: To meet this national objective, the proposed activity must benefit a specific clientele or residents in a particular area of the County or participating city, at least 51 percent of who are low- and moderate-income persons.

b. _____ Aids in the prevention or elimination of slums or blight.

Explain:

Select one:

Addressing Slums or Blight on an Area Basis -

Addressing Slums or Blight on a Spot Basis – This project will prevent or eliminate specific conditions of blight or physical decay. Activities are limited to clearance, historic preservation, rehabilitation of buildings, but only to the extent necessary to eliminate conditions detrimental to public health and safety.

Is the project located in a Redevelopment Area? Yes No

If yes, attach a map of the area with the site highlighted, and provide the Redevelopment Project Area (excerpts accepted) which documents the existence of slum/blight. Also, document the specific redevelopment objectives pertaining to the proposed project.

NOTE: To meet this national objective, the proposed activity must be within a designated slum or blighted area and must be designed to address one or more conditions that contributed to the deterioration of the area.

c. _____ Meets community development needs having a particular urgency where existing conditions pose a serious and immediate threat to the health or welfare of the community, and no other funding sources are available, i.e., a major catastrophe such as a flood or earthquake.

Explain:

NOTE: To meet this national objective, the proposed activity must deal with major catastrophes or emergencies such as floods or earthquakes.

10. If the project or program is designed to meet the national objective of providing benefit to low- and moderate-income persons, please estimate the number of unduplicated number of persons (or households) to benefit from the project and break that estimate down by income group (unduplicated means the number who are served, i.e., the grant will allow 25 children to participate in preschool – not 25 children x 5 days x 52 weeks = 6,500).

a. Total number of persons or households who will benefit from the project or program (regardless of income group):

5,000 Persons/households (circle the applicable unit)

b. Of the total number of persons or households entered above, how many will be low-income (earning 51% - 80% or less of the County median-income)?

n/a Persons/households (circle the applicable unit)

c. Of the total number of persons or households entered above, how many will be very low-income (earning 50% or less of the County median-income)?

n/a Persons/households (circle the applicable unit)

11. Who are the clients of your organization? (Example: low- to moderate-income persons, elderly persons, severely disabled persons, migrant farm workers, battered spouses, etc.)

Low and moderate income persons with disabilities

12. How will the clients benefit from this project?

Provides for barrier free access to sidewalk and services the clients use.

BENEFICIARY DATA

13. How do you currently collect demographic data on the beneficiaries of the proposed project or program? (Example: racial/ethnic characteristics)*

Administrative staff will be using census data to determine city-wide benefit.

14. How do you currently document income status of each client? (Example: very low, low- and moderate-income)*

See 13.

15. Provide the following information for the person(s) in your organization responsible for the preparation and submittal of the quarterly reports and for collecting and reporting the beneficiary data to the Urban County.

Contact person/title: Cindy Jacinth, Administrative Technician

Phone number: 805-772-6261

E-mail address: cjacinth @morro-bay.ca.us.

***NOTE:** You are required to provide beneficiary data at the end of each quarter and year end data of the fiscal year.

***If your are awarded CDBG funds or your proposal involves economic development, i.e., directly benefit a business, private property owner, business, involves façade improvements, provide technical assistance to a new or existing business, job creation, loan guarantee, the beneficiary must obtain a Dun and Bradsteet (DUNS) number that must be reported to HUD. Please contact Tony Navarro, (805) 781-5787, tnavarro@slo.co.ca.us for information on how to obtain a DUNS number prior to incurring and obligating the federal funds.**

FINANCIAL INFORMATION

For CDBG applications to the County of San Luis Obispo involving acquisition, construction or rehabilitation projects please provide the required additional budget information on BUDGET FORM A and BUDGET FORM B attached to the back of this application.

16. Total amount of CDBG funds requested: \$ \$100,000

Please identify the jurisdiction(s) to which you are applying*:

 City of Morro Bay

If you are requesting CDBG funds from more than one jurisdiction, please break down the amount shown above by the jurisdiction listed below.

| | |
|---|----------------------------------|
| City of Arroyo Grande: _____ | City of Paso Robles: _____ |
| City of Atascadero: _____ | City of San Luis Obispo: _____ |
| City of Morro Bay: <u> \$100,000 </u> | County of San Luis Obispo: _____ |

***NOTE:** If you are applying to one or more cities, please provide a copy of the application to the County by the application deadline of **October 24, 2011**.

17. Please describe the budget for the proposed project or program. Itemize all sources of funding expected to be available and used for this project

a. Revenues:

| | |
|--|--|
| 1. CDBG Funds requested | \$ <u> 100,000 </u> |
| 2. Other Federal fund(s) (please describe below) | \$ _____ |
| 3. State source(s) (please describe below) | \$ _____ |
| 4. Local source(s) (please describe below) | \$ _____ |
| 5. Other funds (please describe below) | \$ _____ |
| Total Revenues | \$ <u> 100,000 </u> |

b. Expenditures: List below by item or cost category.

18. How do you plan to fund the operation and maintenance costs (if any) associated with this project? Are these funds available now? If not, when will they be available? And from what source(s)?

The City of Morro Bay general fund will be used to maintain the facilities.

19. Will CDBG funds be used to match/leverage other funds? List below funding sources and amounts and identify award dates of these sources.

No.

I certify that the information in this application is true and accurate to the best of my knowledge and ability.

| | |
|-----------------------|---------------|
| _____ | 10/24/2011 |
| Signature | Date |
| Robert A. Livick | City Engineer |
| _____ | _____ |
| Printed or typed name | Title |

Note to applicant:

The County and cities require all of the grant recipients to maintain general liability, automobile and workman's compensation insurance with limits of not less than \$1 million*. If you are successful in obtaining an award, you will be asked to provide documentation regarding ability to provide the required coverage.

* Liability coverage may vary by jurisdiction. Please call the city/county contact to verify limits.

Prior to HUD's release of grant conditions and/or funds for the CDBG-funded project, a review of the project's potential impact on the environment must be conducted by the awarding jurisdictions and approved by the County of San Luis Obispo **prior to obligating or incurring project costs**. The County must certify to HUD that it has complied with all applicable environmental procedures and requirements. Should project costs be obligated or incurred prior to the completion of the necessary environmental review, the project **shall not** benefit from the federal funds. Environmental review requirements pursuant to 24 CFR Part 58 must be fully satisfied for any project selected for funding prior to the CDBG Program issuing a Notice to Proceed for the project. The level of environmental review required depends on the nature of the project. 24 CFR Part 58 is available at www.hud.gov/offices/cpd/environmental/lawsandregs/regs.

If you need assistance or have questions regarding this application, please contact any of the persons listed below. Your application(s) can be dropped off or mailed to the following locations:

- Kelly Heffernon, Community Development Dept., City of Arroyo Grande, 214 E. Branch Street (P.O. Box 550), Arroyo Grande, CA 93421, (805) 473-5420.
- Valerie Humphrey, Public Works Dept., City of Atascadero, 6907 El Camino Real, Atascadero, CA 93422, (805) 470-3460.
- Rob Livick, Public Services Dept., City of Morro Bay, 955 Shasta Avenue, Morro Bay, CA, 93442, (805) 772-6261
- Darren Nash, Community Development Dept., City of Paso Robles, 1000 Spring St., Paso Robles, CA 93446, (805) 237-3970.
- Tyler Corey, Community Development Dept., City of San Luis Obispo, 919 Palm St., San Luis Obispo, CA 93401, (805) 781-7175.
- Tony Navarro, Dept. of Planning and Building, 976 Osos Street, Room 300, San Luis Obispo, CA 93408, (805) 781-5787.

COUNTY OF SAN LUIS OBISPO CDBG SUPPLEMENTAL BUDGET INFORMATION SHEET

BUDGET FORM A

For CDBG applications to the County of San Luis Obispo involving acquisition, construction or rehabilitation projects must provide the applicable project budget information.

Financial considerations are key in assessing a project’s ability to be completed successfully and timely. Factors to be considered in this area include (a) availability and sufficiency of resources (including all non-CDBG, federal, state, county or private funding sources, (b) the leveraging of resources, (c) fiscal support for the project for its continued viability and (d) the project budget’s accuracy, reasonableness and completeness in determining the financial needs of the project.

Source of Funds. Provide for entire project and round to the nearest hundred dollars. Do NOT include operating costs as this is not an eligible CDBG costs for projects involving acquisition, construction or rehabilitation projects.

| Description of Cost | Date Funds Available | Amount Requested | Approved - Secured | Total | % of Total Budget |
|---------------------------------|-----------------------------|-------------------------|---------------------------|--------------|--------------------------|
| CDBG Funds: This Request | | \$100,000 | | \$100,000 | 100% |
| Previous Award | | | | | |
| Previous Award | | | | | |
| HOME Funds: This request | | | | | |
| Previous Award | | | | | |
| Other Federal Funds Source: | | | | | |
| State Funds Source: | | | | | |
| Private Funds: | | | | | |
| Private Funds: | | | | | |
| Private Funds: | | | | | |
| In-Kind Contributions: Labor | | | | | |
| In-Kind Contributions | | | | | |
| Other: | | | | | |
| Other: | | | | | |
| Other: | | | | | |
| Totals | | | | | 100% |

Comment on your entity’s strategy and plans on the leveraging and sufficiency of resources to implement the proposed project. If project is not leveraged with other funds, explain why CDBG funds are being relied on solely to fund the proposed project.

COUNTY OF SAN LUIS OBISPO CDBG SUPPLEMENTAL BUDGET INFORMATION SHEET

BUDGET FORM B

Project Budget

Budget Form – Acquisition, Construction and Rehabilitation Project Preliminary Budget & Project Funding Requirements

Agency name: City of Morro Bay

Project: Morro Bay Pedestrian Accessibility Project

Preliminary Budget: List all funding necessary to complete the proposed project.

| Description of Cost | CDBG Funds Requested | Other Funding | Source of Other Funds | Project Budget |
|---|----------------------|---------------|-----------------------|------------------|
| Appraisals | | | | |
| Advertising | | | | |
| Acquisition | | | | |
| Architectural, Planning and Engineering | \$4,200 | | | \$4,200 |
| Construction Document Preparation | \$4,200 | | | \$4,200 |
| Surveying | \$4,200 | | | \$4,200 |
| Permitting | | | | |
| Relocation | | | | |
| Demolition and Removal | | | | |
| Hazardous Materials Abatement | | | | |
| Landscaping | | | | |
| Rehabilitation | | | | |
| Building Construction | \$83,200 | | | \$83,200 |
| Inspection | | | | |
| Project/Construction mgmt. | \$4,200 | | | \$4,200 |
| Other | | | | |
| Other | | | | |
| Totals | \$100,000 | | | \$100,000 |

Budget must be specific and reflect the applicant’s financial commitment, including items paid for by other sources. This includes in-kind contributions and volunteer labor. It should not include amounts of administration. Indicate the circumstances/consequences of partial funding is awarded for this project.

Authorization:

 Authorized Signature for Project
Robert A. Livick

City Engineer
 Title

10-24-2011
 Date

 Print name



COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM APPLICATION FOR THE 2013 PROGRAM YEAR

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

Promoting the Wise Use of Land • Helping to Build Great Communities

Organization Name: City of Morro Bay
(Attach additional sheets if necessary)

To be considered for CDBG assistance, please submit this completed application with any exhibits, budgets or beneficiary data as needed. **PLEASE READ ALL INFORMATION IN THE APPLICATION.** Applications can be mailed to one of the participating jurisdictions listed in this application or to: Tony Navarro, Planner III, Department of Planning and Building, 976 Osos Street, Room 300, San Luis Obispo, CA., 93408 or hand delivered to Tony Navarro at 1035 Palm Street, Room 370, San Luis Obispo, CA., faxed to (805) 781-5624, or e-mailed to tnavarro@co.slo.ca.us. **The application deadline is 5:00 P.M., Friday, October 12, 2012.** Applications must be received by the County or one of the participating cities (Arroyo Grande, Atascadero, Morro Bay, Paso Robles, San Luis Obispo) prior to close of the business day. **POSTMARKED DATED MAIL RECEIVED AFTER THE DEADLINE WILL NOT BE ACCEPTED.**

NOTE:

- (1) Please review the CDBG regulations and guidelines and the Request for Proposals before completing this proposal. The CDBG regulations, under 24 CFR 570, are available at www.sloplanning.org under "Federal HUD Grants."
- (2) **HMIS Reporting for 2013 homeless services, housing and shelter** - All homeless service providers applying for CDBG funds to assist, house or shelter the homeless must identify and demonstrate its capacity to participate in the County of San Luis Obispo Homeless Management Information System (HMIS) to provide: personnel for data entry, user licensing, and hardware and software necessary for compatibility with HMIS. HMIS is an electronic data collection system that stores client level information about persons who access the homeless services system in a Continuum of Care, and reports aggregate data for the County as per the U.S. Department of Housing and Urban Development's Data Standards found in http://www.hudhre.info/documents/FinalHMISDataStandards_March2010.pdf.
- (3) The project/program proposal to the County of San Luis Obispo shall be examined in relation to the County's community development goals and funding priorities as presented in the Urban County of San Luis Obispo 2010-2015 Consolidated Plan (ConPlan). The ConPlan is available at www.sloplanning.org. The County of San Luis Obispo Department of Planning and Building (Planning) considers the criteria stated in the 2013 Request for Proposals as one of many tools to help make funding recommendations to the Board of Supervisors. Planning will use other information and sources including but are not limited to: the County Board of Supervisors, recommendations from the Homeless Services Oversight Council, other participating jurisdictions of the Urban County of San Luis Obispo, identified needs that could be addressed by the grant funds, consistency with goals and priorities in the 2010 Consolidated Plan and the Ten Year Plan to End Homelessness, results of the Needs Workshops, working knowledge of the project and/or organization by Planning, and availability of limited fund, to help with the funding recommendations.

Please call County and/or city CDBG staff with any questions about how to complete the form or about the rating criteria and process.

If the information for any of the questions below requires more room to provide a complete explanation of your proposed project or program, please attach additional sheets.

CONTACT INFORMATION

1. Name and mailing address of applicant organization, with contact person, phone and fax numbers, and e-mail address:

Name: City of Morro Bay

Address (mailing and physical address requested if different):

Contact person/title: Cindy Jacinth, Assistant Planner

Phone: 805-772-6577

Fax: 805-772-6268

E-mail address: cjacinth@morro-bay.ca.us

Is the organization a Faith Based Organization? Yes No

Organization's DUNS number: 060890571

If you are awarded CDBG funds or your proposal involves economic development, i.e., directly benefit a business, private property owner, business, involves façade improvements, provide technical assistance to a new or existing business, job creation, loan guarantee, the beneficiary must obtain a Dun and Bradstreet (DUNS) number that must be reported to HUD. Please contact Tony Navarro, (805) 781-5787, tnavarro@slo.co.ca.us for information on how to obtain a DUNS number prior to incurring and obligating the federal funds.

Is your agency currently participating in HMIS?

No

If not, does your agency have the capacity to participate in HMIS? If yes, how so?

N/A

PROJECT DESCRIPTION

2. Title/name/address of proposed project or program:

Morro Bay Pedestrian Accessibility Project – Phase 2
City wide – Morro Bay

3. Please describe the proposed project or program. In one or two short paragraphs, include a brief project/program description, the groups who will benefit and an explanation of how they will benefit from the proposed project or program. For projects, describe the location of the project (be as specific as possible, e.g. street address). For programs, state the location from which the program will be operated and/or describe the geographic area served by the program. Also, please include a schedule of project/program milestones.

Installation and repair of sidewalk and curb ramps throughout the City of Morro Bay will provide an accessible path of travel for those disabled low and very low income residents throughout the County. Project will include installation of curb ramps and sidewalk and repair of curb ramps and sidewalk so that this infrastructure meets current accessibility requirements.

4. Will the services offered by your organization increase or expand as a result of the CDBG assistance? If yes, please answer the following questions:

- a. What new programs and/or services will be provided?

N/A

- b. Describe how existing programs and/or services will be expanded and what percentage of an increase is expected?

5. Check any of the following eligible activity categories that apply to the proposed project or program: (Refer to CDBG regulations and the Guide to Eligible CDBG Activities).

Acquisition of real property*

Disposition of real property

- Public facilities and improvements (may include acquisition, construction, reconstruction, rehabilitation or installation)* and/or **
- Privately owned utilities
- Clearance and remediation activities**
- Public services
- Interim assistance
- Relocation of individuals, families, businesses, non-profit organizations, and/or farms
- Loss of rental income
- Removal of architectural barriers
- Housing rehabilitation**
- New housing construction (under limited circumstances)
- Homeownership assistance
- Housing services
- Code enforcement
- Historic preservation**
- Commercial or industrial rehabilitation**
- Special economic development
- Technical assistance and planning studies

*** Relocation:** Any project that involves the acquisition of property and/or rehabilitation and is funded in whole or in part with federal funds, even if the federal funds are not used for the acquisition itself, is subject to federal requirements connected to acquisition and relocation. A project cannot be broken into separate “projects” in order to avoid the federal requirements connected with property acquisition and relocation. Any questions concerning whether the relocation regulations apply to a specific property acquisition project should be directed to the Community Development Division staff before any action is taken on the project.

If HUD funded project will cause a household or a business to move, even temporarily, the relocation regulations will apply.

Along with application submit:

- Estimate of relocation cost (moving costs, subsidy amount for suitable replacement dwelling)
- Letter to owner or voluntary acquisition, plus proof of delivery to owner.
- General Information letter to tenants (both business and residential tenants), plus proof of delivery to all).
- List of tenants (both business and residential tenants) at the time of application submittal.
- Refer to SLO Col website for sample relocation letters.

**** Lead based paint/asbestos:** If HUD funded project involves acquisition or rehabilitation of a residential units that was built in 1978 or earlier, then Lead-Based paint regulations will apply.

- Along with application submit an estimate of costs for LBP work, provided by certified LBP consultant. Or statement by LBP consultant explaining that project is exempt.
- Include any temporary housing costs.

6. Describe the need and the degree of urgency for the proposed project or program. What would be the consequences if the proposed project or program is not funded in the next year?

Removal of barriers through the construction and rehabilitation of sidewalks and curb ramps will remove the restriction that disabled and elderly face in accessing the City’s pedestrian facilities.

7. Please describe the specific organizational method used to implement the proposed project or program (single or multiple group, public agency, non-profit, for-profit, experience in operating similar programs, etc.):

The City of Morro Bay will be implementing the program.

8. Does the project require the issuance of a permit (from local, state or federal agencies)?

Yes No

a. If yes, please identify the permits necessary to complete the project.

An encroachment permit will be required prior to construction.

b. Have the necessary permits been issued? Please provide proof of permit issuance.

The permits will be issued during implementation.

c. If permits are required but not yet obtained, when will the permits be issued?

The permits will be issued during implementation.

NATIONAL OBJECTIVES CRITERIA

9. Does the proposed project or activity meet one of the three national objectives of the CDBG program? Please check one of the objectives below that applies to the proposal, and explain how the project or activity meets that national objective.

a. Benefits low- and moderate-income persons as defined by the U.S. Department of Housing and Urban Development (HUD).

Select one:

Low/Moderate-Income Area Benefit – The project serves only a limited area which is proven by 2000 Census data or survey to be a predominately (51% or more) low/moderate-income area. Applicants choosing this category must be able to prove their project/activity primarily benefits low/moderate-income households.

Low/Moderate-Income Limited Clientele – The project benefits a specific group of people (rather than all areas in a particular area), at least 51% of whom are low/moderate-income persons; Note: Income verification for clients must be provided for this category. The following groups are presumed to be low/moderate-income: abused children; elderly persons; battered spouses; homeless persons; adults meeting census definition of severely disabled; persons living with AIDS; and migrant farm workers

Low/Moderate-Income Housing – The project adds or improves permanent residential structures that will be/are occupied by low/moderate-income households upon completion.

Low/Moderate-Income Jobs – The project creates or retains permanent jobs, at least 51% of which are taken by low/moderate-income persons or considered to be available to low/moderate-income persons.

Explain: Provides barrier-free pedestrian accessibility

NOTE: To meet this national objective, the proposed activity must benefit a specific clientele or residents in a particular area of the County or participating city, at least 51 percent of who are low- and moderate-income persons.

b. _____ Aids in the prevention or elimination of slums or blight.

Explain:

Select one:

Addressing Slums or Blight on an Area Basis -

Addressing Slums or Blight on a Spot Basis – This project will prevent or eliminate specific conditions of blight or physical decay. Activities are limited to clearance, historic preservation, rehabilitation of buildings, but only to the extent necessary to eliminate conditions detrimental to public health and safety.

Is the project located in a Redevelopment Area? Yes No

If yes, attach a map of the area with the site highlighted, and provide the Redevelopment Project Area (excerpts accepted) which documents the existence of slum/blight. Also, document the specific redevelopment objectives pertaining to the proposed project.

NOTE: To meet this national objective, the proposed activity must be within a designated slum or blighted area and must be designed to address one or more conditions that contributed to the deterioration of the area.

c. _____ Meets community development needs having a particular urgency where existing conditions pose a serious and immediate threat to the health or welfare of the community, and no other funding sources are available, i.e., a major catastrophe such as a flood or earthquake.

| |
|----------|
| Explain: |
|----------|

NOTE: To meet this national objective, the proposed activity must deal with major catastrophes or emergencies such as floods or earthquakes.

10. If the project or program is designed to meet the national objective of providing benefit to low- and moderate-income persons, please estimate the number of unduplicated number of persons (or households) to benefit from the project and break that estimate down by income group (unduplicated means the number who are served, i.e., the grant will allow 25 children to participate in preschool – not 25 children x 5 days x 52 weeks = 6,500).

a. Total number of persons or households who will benefit from the project or program (regardless of income group):

__5,000__ Persons/households (circle the applicable unit)

b. Of the total number of persons or households entered above, how many will be low-income (earning 51% - 80% or less of the County median-income)?

__n/a__ Persons/households (circle the applicable unit)

c. Of the total number of persons or households entered above, how many will be very low-income (earning 50% or less of the County median-income)?

 n/a Persons/households (circle the applicable unit)

11. Who are the clients of your organization? (Example: low- to moderate-income persons, elderly persons, severely disabled persons, migrant farm workers, battered spouses, etc.)

Low- to moderate-income persons.

12. How will the clients benefit from this project?

Provides for barrier free access to sidewalk and services the clients use.

13. If your project serves homeless households, please describe how your program coordinates with other continuum of care projects and entities and how it aligns with the San Luis Obispo Countywide 10-Year Plan to Homelessness.

N/A

BENEFICIARY DATA

14. How do you collect demographic data on the beneficiaries of the proposed project or program?

(Example: racial/ethnic characteristics)

NOTE: You are required to provide beneficiary data at the end of each quarter and year end data of the fiscal year.

City staff will be using census data to determine city-wide benefit.

15. How do you document and maintain income status of each client in compliance with HUD regulations? (Example: very low, low- and moderate-income)

See #14.

16. Provide the following information for the person(s) in your organization responsible for the preparation and submittal of the quarterly reports and for collecting and reporting the beneficiary data to the Urban County.

Contact person/title: Cindy Jacinth, Assistant Planner

Phone number: 805-772-6577

E-mail address: cjacinth@morro-bay.ca.us

FINANCIAL INFORMATION

For CDBG applications to the County of San Luis Obispo involving acquisition, construction or rehabilitation projects please provide the required additional budget information on BUDGET FORM A and BUDGET FORM B attached to the back of this application.

17. Total amount of CDBG funds requested: \$ 100,000

Please identify the jurisdiction(s) to which you are applying (see **Note** below):

If you are requesting CDBG funds from more than one jurisdiction, please break down the amount shown above by the jurisdiction listed below.

| | | | |
|------------------------|----------------|----------------------------|-------|
| City of Arroyo Grande: | _____ | City of Paso Robles: | _____ |
| City of Atascadero: | _____ | City of San Luis Obispo: | _____ |
| City of Morro Bay: | <u>100,000</u> | County of San Luis Obispo: | _____ |

NOTE: If you are applying to one or more cities, please provide a copy of the application to the County by the application deadline.

18. Please describe the budget for the proposed project or program. Itemize all sources of funding expected to be available and used for this project

a. **Revenues:**

| | |
|--|--------------------------|
| 1. CDBG Funds requested | \$ <u>100,000</u> |
| 2. Other Federal fund(s) (please describe below) | \$ _____ |
| 3. State source(s) (please describe below) | \$ _____ |
| 4. Local source(s) (please describe below) | \$ _____ |
| 5. Other funds (please describe below) | \$ _____ |
| Total Revenues | \$ <u>100,000</u> |

b. **Expenditures:** List below by item or cost category.

19. How do you plan to fund the operation and maintenance costs (if any) associated with this project? Are these funds available now? If not, when will they be available? And from what source(s)?

The City of Morro Bay general fund will be used to maintain the facilities.

20. Will CDBG funds be used to match/leverage other funds? List below funding sources and amounts and identify award dates of these sources.

No.

I certify that the information in this application is true and accurate to the best of my knowledge and ability.

| | |
|-----------------------|--|
| _____ | 10-12-12 |
| Signature | Date |
| _____ | Public Services Director/City Engineer |
| Rob Livick | Title |
| Printed or typed name | |

Note to applicant:

The County and cities require all of the grant recipients to maintain general liability, automobile and workman's compensation insurance with limits of not less than \$1 million***. If you are successful in obtaining an award, you will be asked to provide documentation regarding ability to provide the required coverage.

*** Liability coverage may vary by jurisdiction. Please call the city/county contact to verify limits.

Prior to HUD's release of grant conditions and/or funds for the CDBG-funded project, a review of the project's potential impact on the environment must be conducted by the awarding jurisdictions and approved by the County of San Luis Obispo **prior to obligating or incurring project costs.** The County

must certify to HUD that it has complied with all applicable environmental procedures and requirements. Should project costs be obligated or incurred prior to the completion of the necessary environmental review, the project **shall not** benefit from the federal funds. Environmental review requirements pursuant to 24 CFR Part 58 must be fully satisfied for any project selected for funding prior to the CDBG Program issuing a Notice to Proceed for the project. The level of environmental review required depends on the nature of the project. 24 CFR Part 58 is available at www.hud.gov/offices/cpd/environmental/lawsandregs/regs.

If you need assistance or have questions regarding this application, please contact any of the persons listed below. Your application(s) can be dropped off or mailed to the following locations:

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- Tyler Corey, Community Development Dept., City of San Luis Obispo, 919 Palm St., San Luis Obispo, CA 93401, (805) 781-7175.
- Tony Navarro, Dept. of Planning and Building, 976 Osos Street, Room 300, San Luis Obispo, CA 93408, (805) 781-5787.

COUNTY OF SAN LUIS OBISPO CDBG SUPPLEMENTAL BUDGET INFORMATION SHEET

BUDGET FORM A

For CDBG applications to the County of San Luis Obispo involving acquisition, construction or rehabilitation projects must provide the applicable project budget information.

Financial considerations are key in assessing a project’s ability to be completed successfully and timely. Factors to be considered in this area include (a) availability and sufficiency of resources (including all non-CDBG, federal, state, county or private funding sources, (b) the leveraging of resources, (c) fiscal support for the project for its continued viability and (d) the project budget’s accuracy, reasonableness and completeness in determining the financial needs of the project.

Source of Funds. Provide for entire project and round to the nearest hundred dollars. Do NOT include operating costs as this is not an eligible CDBG costs for projects involving acquisition, construction or rehabilitation projects.

| Description of Cost | Date Funds Available | Amount Requested | Approved - Secured | Total | % of Total Budget |
|---------------------------------|-----------------------------|-------------------------|---------------------------|--------------|--------------------------|
| CDBG Funds: This Request | | 100,000 | | 100,000 | 100,000 |
| Previous Award | | | | | |
| Previous Award | | | | | |
| CDBG Funds: This request | | | | | |
| Previous Award | | | | | |
| Other Federal Funds Source: | | | | | |
| State Funds Source: | | | | | |
| Private Funds: | | | | | |
| Private Funds: | | | | | |
| Private Funds: | | | | | |
| In-Kind Contributions: Labor | | | | | |
| In-Kind Contributions | | | | | |
| Other: | | | | | |
| Other: | | | | | |
| Other: | | | | | |
| Totals | | | | | 100% |

Comment on your entity’s strategy and plans on the leveraging and sufficiency of resources to implement the proposed project. If project is not leveraged with other funds, explain why CDBG funds are being relied on solely to fund the proposed project.

COUNTY OF SAN LUIS OBISPO CDBG SUPPLEMENTAL BUDGET INFORMATION SHEET

BUDGET FORM B

Project Budget

Budget Form – Acquisition, Construction and Rehabilitation Project Preliminary Budget & Project Funding Requirements

Agency name: _____ City of Morro Bay _____
 Project: _____ Morro Bay Pedestrian Accessibility Project _____

Preliminary Budget: List all funding necessary to complete the proposed project. You must provide a **DETAILED** budget line-item worksheet for all costs associated with the project. **NOTE: YOU MUST USE THIS FORMAT.** Additionally, you must provide a **DETAILED** budget narrative explaining how you arrived at each line item.

| Activity | CDBG Funds | Other Funds | Total Cost |
|--|------------|-------------|------------|
| ACQUISITION | | | |
| Purchase of Land | | | |
| Purchase of Units | | | |
| Other Expenses (List) | | | |
| HARD COSTS | | | |
| Site Work | | | |
| Demolition | | | |
| Construction | 83,200 | | 83,200 |
| Appliances | | | |
| Accessory Buildings | | | |
| General Requirements | | | |
| Contractor Overhead | | | |
| Contractor Profit | | | |
| Construction Contingency | | | |
| Other (List on separate sheet | | | |
| SOFT COSTS | | | |
| Architect Fee – Design | 4,200 | | 4,200 |
| Architect Fee – Supervision | | | |
| Legal Fees | | | |
| Engineering Fees | 4,200 | | 4,200 |
| Other Professional Fees (List) – Surveying | 4,200 | | 4,200 |
| Appraisal | | | |
| Market Study | | | |
| Environmental Report | | | |
| Title & Recording Expenses | | | |
| Relocation Expenses | | | |
| Consultants | 4,200 | | 4,200 |
| Other Soft Costs (List) | | | |

| | | | |
|---|-----------|--|-----------|
| INTERIM COSTS | | | |
| Construction Insurance | | | |
| Construction Interest | | | |
| Credit Enhancement | | | |
| Real Estate Taxes | | | |
| FINANCING COSTS | | | |
| Bond Premium | | | |
| Permanent Loan Origination | | | |
| Permanent Loan Credit Enhance | | | |
| Other Financing Costs (List) | | | |
| DEVELOPER'S FEE (Determined individually for each project) | | | |
| TOTAL DEVELOPMENT COST | \$100,000 | | \$100,000 |

Budget must be specific and reflect the applicant's financial commitment, including items paid for by other sources. This includes in-kind contributions and volunteer labor. It should not include amounts of administration. Indicate the circumstances/consequences of partial funding is awarded for this project.

Authorization:

 Authorized Signature for Project

 Title

 Date

Robert A. Livick _____
 Print name

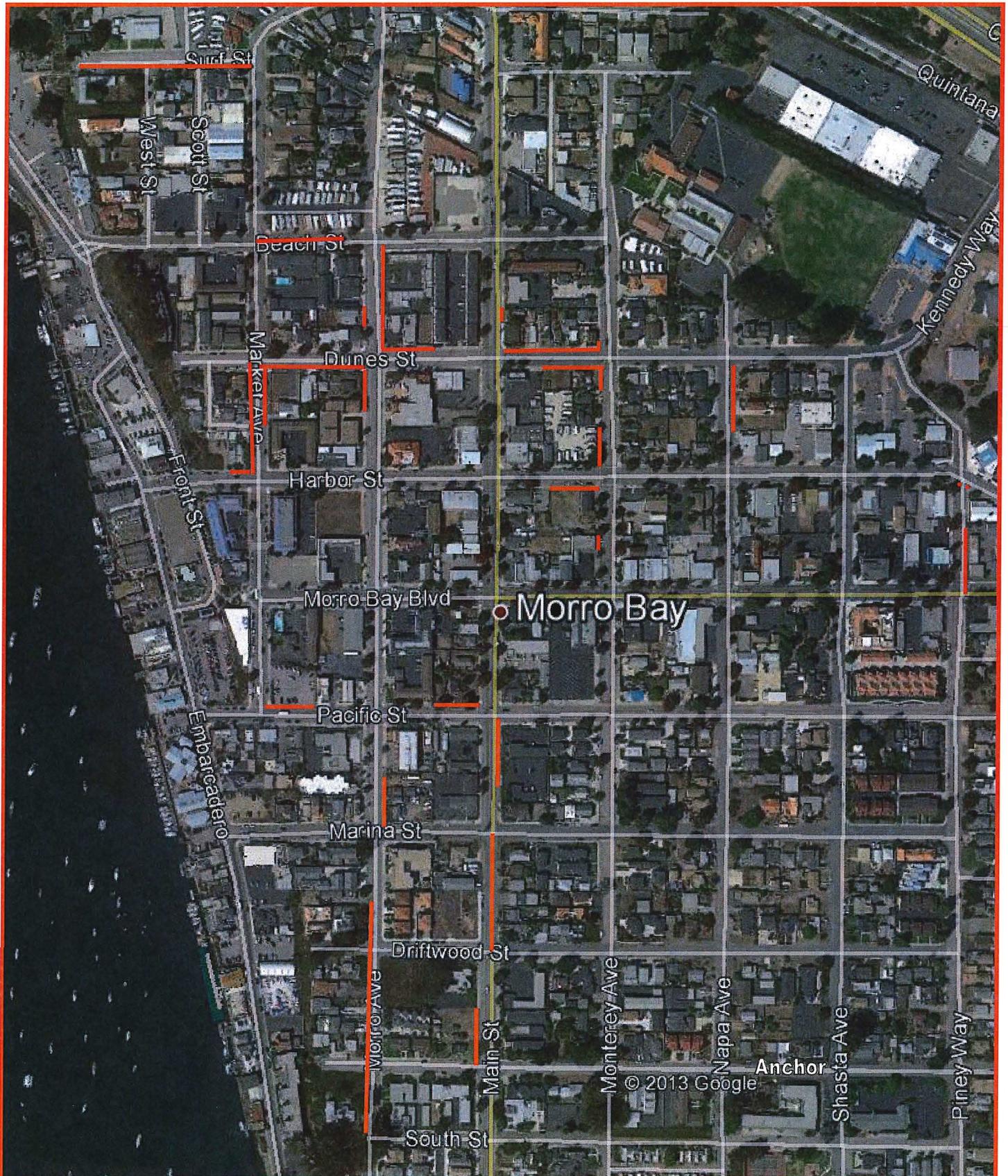
COUNTY OF SAN LUIS OBISPO CDBG SUPPLEMENTAL BUDGET INFORMATION SHEET

WORK PLAN & PERFORMANCE SCHEDULE

List all project milestones and their anticipated work period. There will be an opportunity to update the project timeline after grant notification and before executing a grant agreement. Any proposed changes, including extension and early completion, must be requested in writing and approved in advance by the jurisdiction receiving the funding application. Note: Applicant will assume all financial risk if work on the proposed project begins before environmental clearance is obtained. You may either use or recreate this form to add tasks and activities and extended timeline. **YOU MUST USE THIS FORMAT.**

| Task/Activity – Begin July 2013 | JUL | AUG | SEP | OCT | NOV | DEC | JAN | FEB | MAR | APR | MAY | JUN |
|--|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Environmental Review | X | X | X | | | | | | | | | |
| Contract Execution | | | | X | X | | | | | | | |
| Project Activity Design | | | | | | X | X | | | | | |
| Project Activity Implementation | | | | | | | | X | X | X | X | X |
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City of Morro Bay Sidewalk Gap Closures

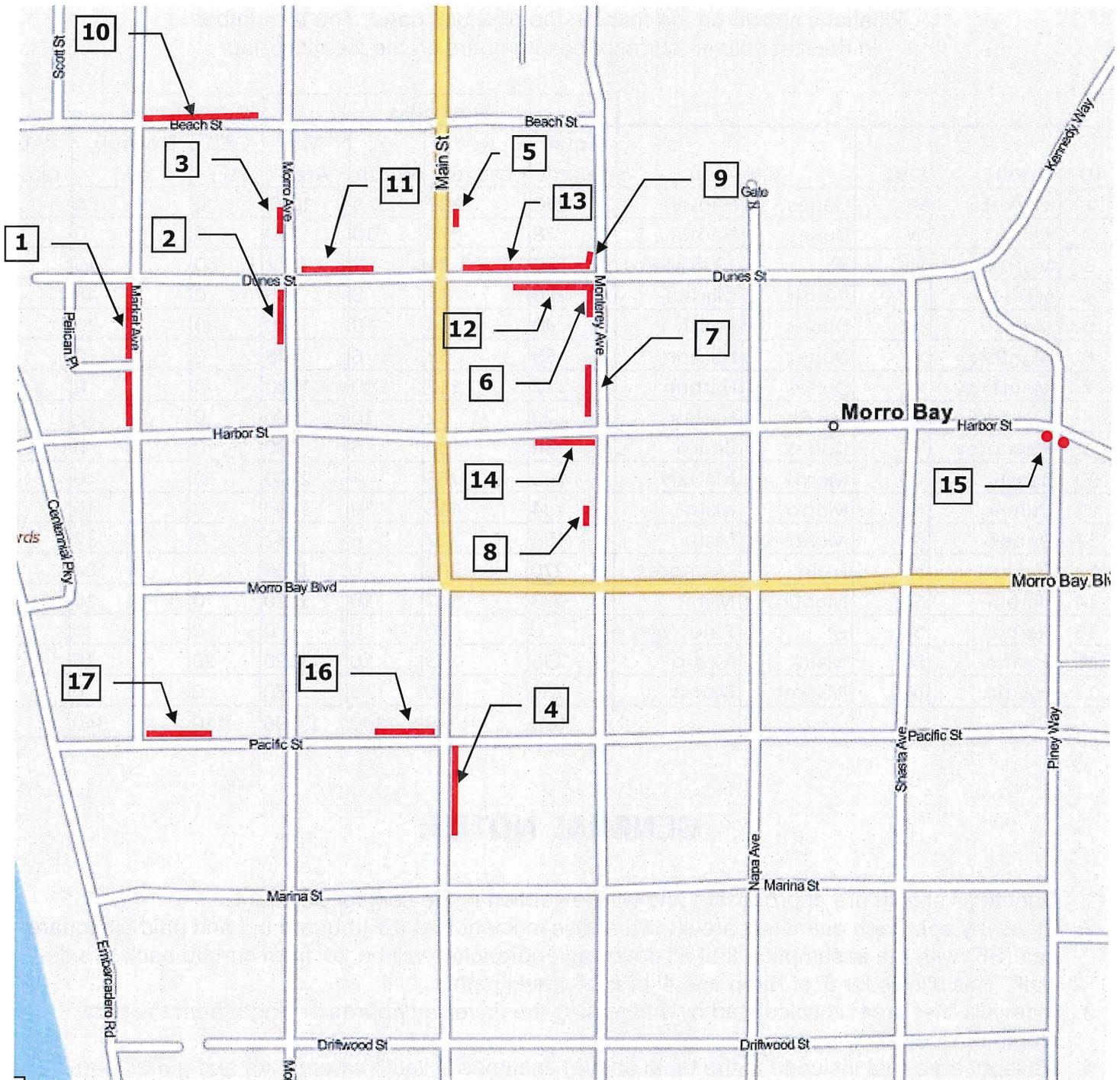


City of Morro Bay Sidewalk Gap Closures



Anchor

City of Morro Bay Sidewalk Gap Closures



MB-2013-S1 LOCATION MAP

The work descriptions and quantities at the locations shown above are described in the table on the following page. The numbers correspond to the site ID in the first column of the table.

MB-2013-S1 LOCATION TABLE

This table describes and quantifies the work to be performed at the locations shown on the map on the previous page. The ID number in the first column corresponds numbers on the location map.

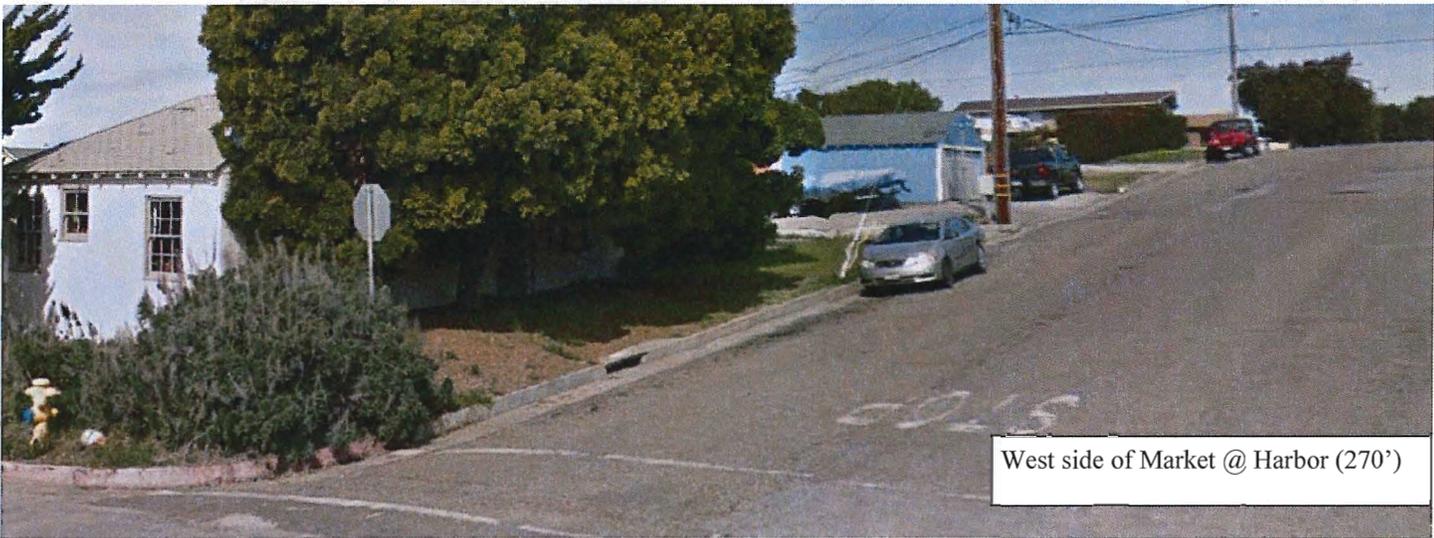
| ID | Street | Side | Between | | Sidewalks | | | | C&G (LF) | DW App. (LF) | #ADA ramps |
|----|----------|------|----------|------------|--------------|------------|-------|----------|----------|--------------|------------|
| | | | | | Total Length | Net Length | Width | Net Area | | | |
| 1 | Market | W | Dunes | Harbor | 270 | 182 | 6 | 1092 | 0 | 88 | 1 |
| 2 | Morro | W | Dunes | Harbor | 78 | 78 | 10 | 780 | 0 | 0 | 0 |
| 3 | Morro | W | @ | 1035 Morro | 50 | 34 | 8 | 272 | 50 | 16 | 0 |
| 4 | Main | E | Pacific | Marina | 140 | 92 | 8 | 736 | 0 | 48 | 0 |
| 5 | Main | E | Dunes | Beach | 40 | 14 | 10 | 140 | 40 | 26 | 0 |
| 6 | Monterey | W | Dunes | Harbor | 58 | 58 | 6 | 348 | 0 | 0 | 0 |
| 7 | Monterey | W | Dunes | Harbor | 112 | 112 | 10 | 1120 | 0 | 0 | 0 |
| 8 | Monterey | W | MB Blvd | Harbor | 70 | 52 | 10 | 520 | 0 | 18 | 0 |
| 9 | Monterey | W | Dunes | Beach | 30 | 30 | 6 | 180 | 0 | 0 | 0 |
| 10 | Beach | N | Morro | Market | 265 | 265 | 8 | 2120 | 0 | 0 | 0 |
| 11 | Dunes | N | Morro | Main | 134 | 118 | 10 | 1180 | 0 | 16 | 0 |
| 12 | Dunes | S | Monterey | Main | 154 | 122 | 6 | 732 | 0 | 32 | 0 |
| 13 | Dunes | N | Main | Monterey | 270 | 206 | 6 | 1236 | 0 | 64 | 0 |
| 14 | Harbor | S | Monterey | Main | 133 | 117 | 10 | 1170 | 0 | 16 | 0 |
| 15 | Harbor | S | @ | Piney Way | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| 16 | Pacific | N | Main | Morro | 135 | 119 | 10 | 1190 | 20 | 16 | 0 |
| 17 | Pacific | N | Market | Morro | 130 | 130 | 6 | 780 | 0 | 0 | 0 |
| | | | | | 2069 | 1729 | 130 | 13596 | 110 | 340 | 3 |

GENERAL NOTES:

1. Quantities shown are approximate and will be verified in the field for payment
2. Driveway approach quantities are shown above in linear feet (LF) but are bid and paid by square foot (SF) with the assumption that all driveway approaches will be 10' from curb to back of sidewalk. This allows for 6' of ramp and 4' of ADA travel path.
3. Sidewalk "net area" is calculated by subtracting the driveway approach length from the total length of sidewalk.
4. Paveout area (not included in the table above) assumes 2' width where curb and gutter is required.



East side of Market @ Dunes (120')



West side of Market @ Harbor (270')



West side Of Morro @ Dunes (78')



West side of Morro @ 1035 (50')



East side of Morro @ Marina (150')



West side of Morro @ Anchor (480')



East side of Morro @ Dunes/Beach (263')



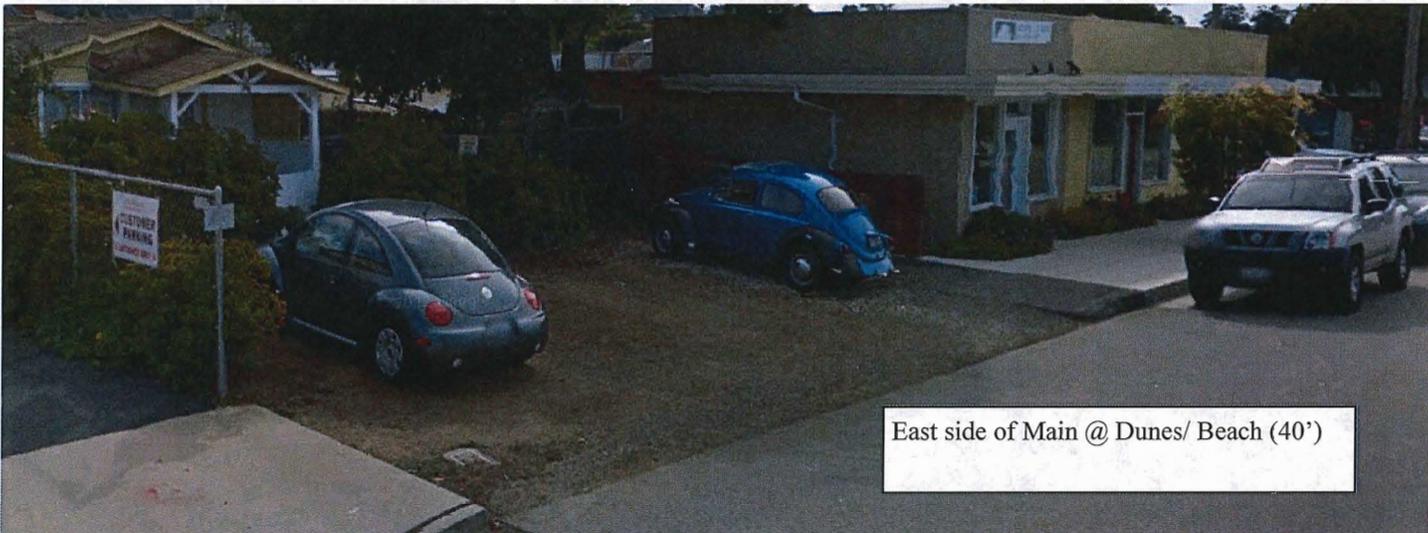
East side of Main @ Pacific (140')



East side of Main @ Driftwood /Marina (296')



West side of Main @ Anchor (156')



East side of Main @ Dunes/ Beach (40')



West side Of Monterey @ Dunes (58')



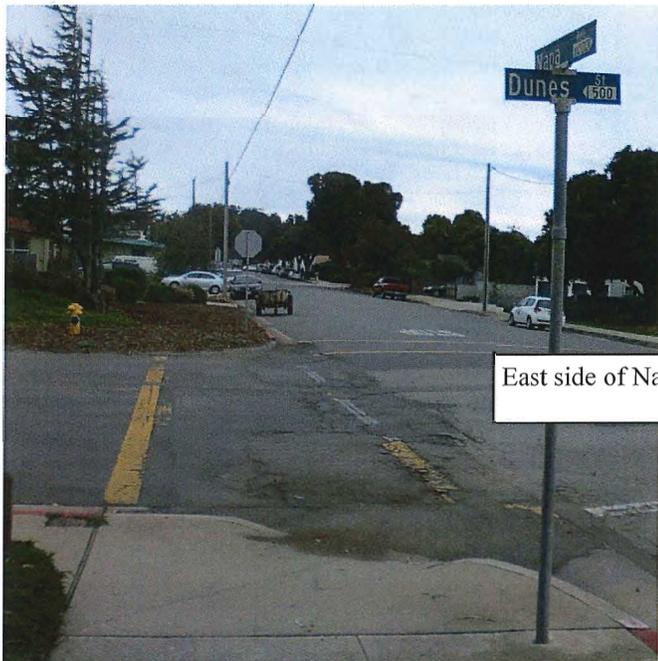
West side Of Monterey @ Harbor (112')



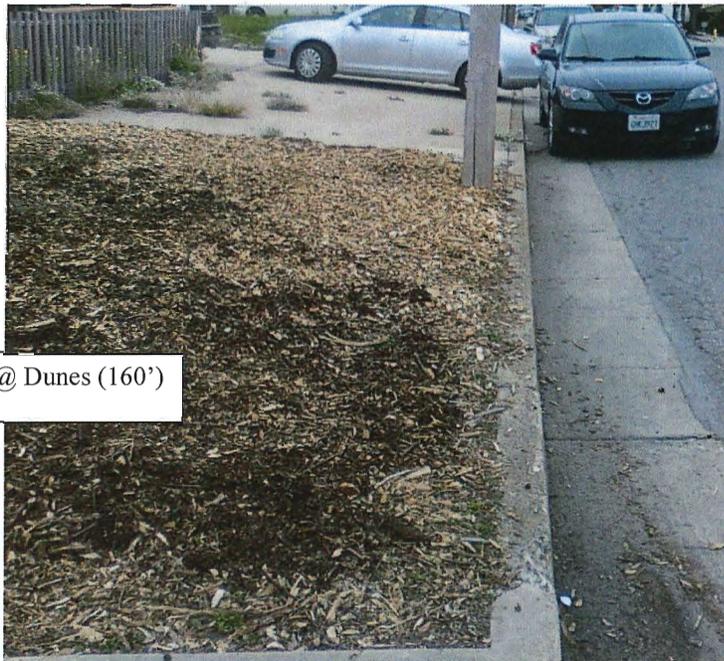
West side of Monterey @ MB Blvd/Harbor (70')



West side of Monterey @ Dune (30')



East side of Napa @ Dunes (160')



East side of Piney Way @ MB Blvd (160')



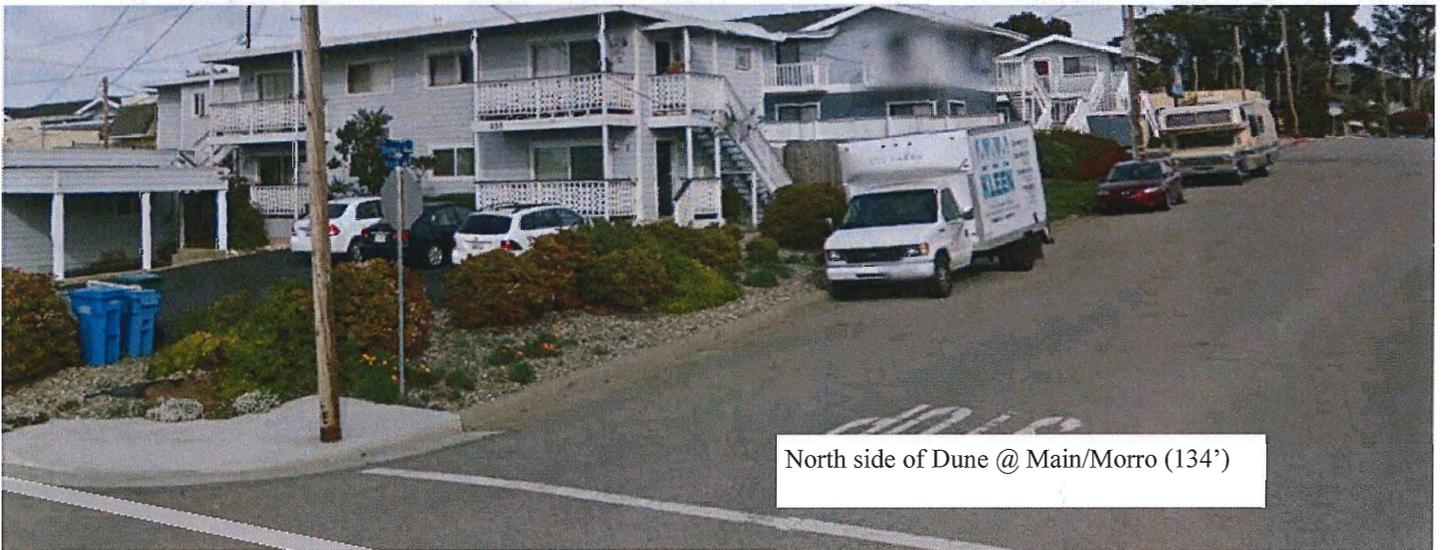
South side of Surf @ Market to Embarcadero Stairs (470')



North side of Beach @ Morro/Market (265°)



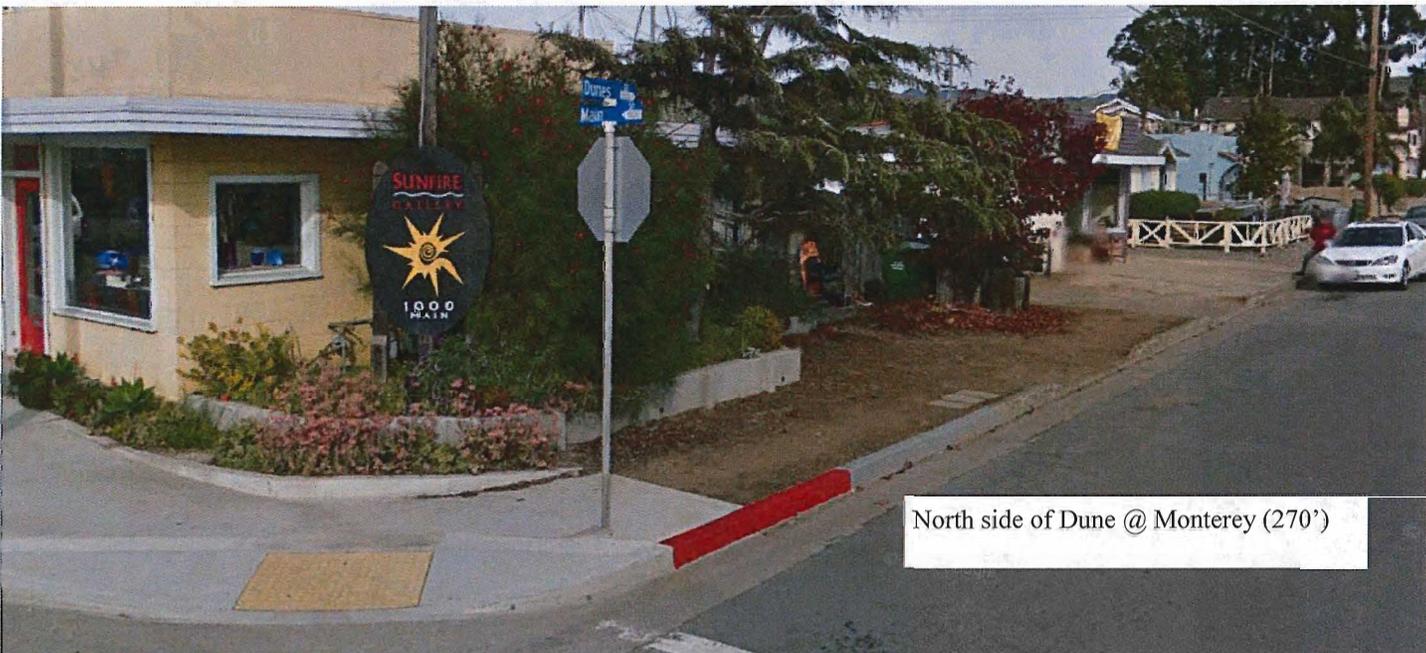
South side of Dunes @ Morro (263°)



North side of Dune @ Main/Morro (134°)



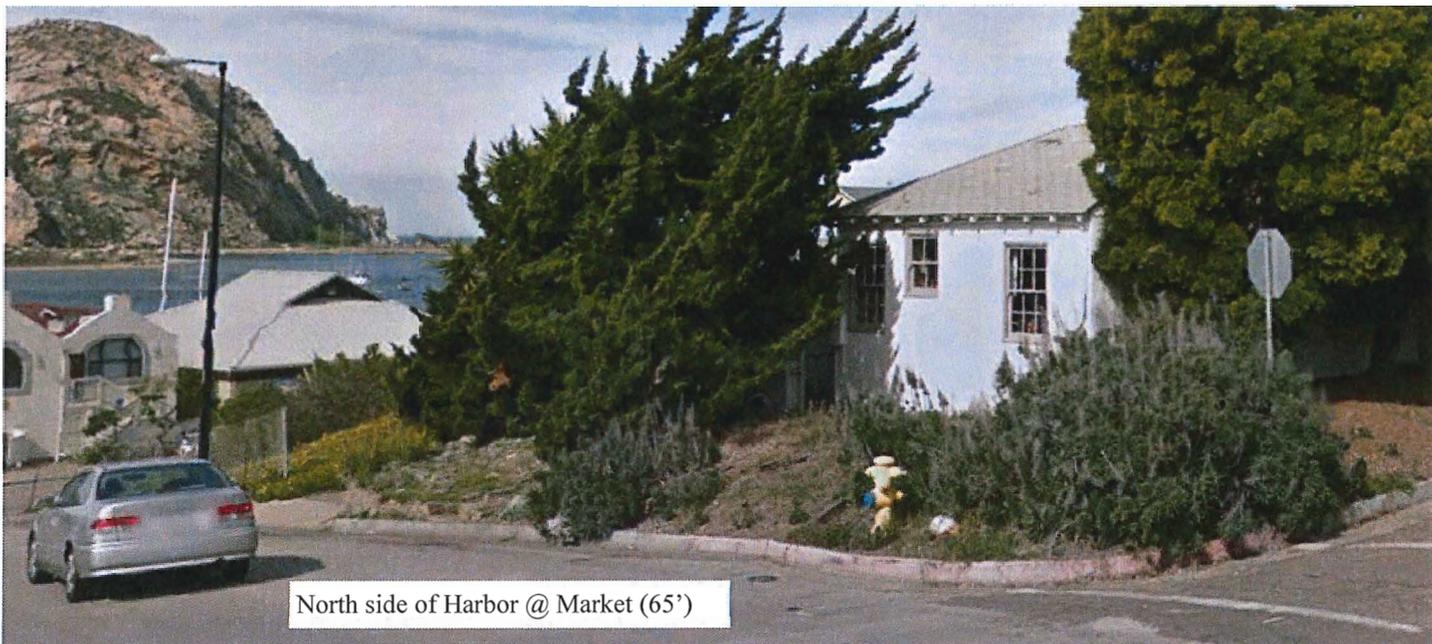
South side of Dunes @ Monterey (154')



North side of Dune @ Monterey (270')



South side of Harbor @ Monterey (133')



North side of Harbor @ Market (65')



ADA Ramps needed at south side of Harbor and Piney Way. North side has existing ramps.





North side of Pacific @ Market (130')



North side of Pacific @ Main (135')

| | | |
|---|--|--|
| Farmland Protection Policy Act [7 CFR 658] | | |
| Environmental Justice [Executive Order 12898] | | |
| HUD ENVIRONMENTAL STANDARDS Noise Abatement and Control [24 CFR 51B] | | |
| Explosive and Flammable Operations [24 CFR 51C] | | |
| Hazardous, Toxic or Radioactive Materials & Substances [24 CFR 58.5(i)(2)] | | |
| Airport Clear Zones and Accident Potential Zones [24 CFR 51D] | | |

DETERMINATION:

- () This project converts to EXEMPT, per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license (Status "A" has been determined in the status column for all authorities); **Funds may be committed and drawn down** for this (now) EXEMPT project; OR
- () This project cannot convert to Exempt status because one or more statutes or authorities require formal consultation or mitigation. Complete consultation/mitigation protocol requirements, **publish NOI/RRUF and obtain Authority to Use Grant Funds** (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down funds; OR
- () The unusual circumstances of this project may result in a significant environmental impact. This project requires preparation of an Environmental Assessment (EA). Prepare the EA according to 24 CFR Part 58 Subpart E.

PREPARER SIGNATURE: _____ DATE: _____

PREPARER NAME, COMPANY: _____

RESPONSIBLE ENTITY AGENCY OFFICIAL / SIGNATURE: _____

NAME, TITLE: _____ DATE: _____



INSTRUCTIONS for completing the STATUTORY WORKSHEET (2011)

For HUD funded projects which are categorically excluded per 24 CFR §58.35(a), the Responsible Entity (RE) must make a determination of whether the proposal achieves compliance or conformance with each applicable statute, Executive Order or regulation with or without requiring formal consultation procedures, mitigation, permits or having adverse effects on the resources protected by the statute. (These instructions provide a brief description of essential compliance findings needed. Regulations take precedence over these brief instructions). The Preparer must DOCUMENT OR ATTACH THE SOURCES OF THE DETERMINATION.

Record the finding status on the STATUTORY WORKSHEET for each listed Federal statute, regulation, or authority as follows:
Status "A" applies when compliance with the authority is achieved without adverse effects on the protected resource, without necessary mitigation or attenuation AND when no formal consultation, permit or agreement is required to establish compliance. In these situations, enter "A" in the STATUTORY WORKSHEET status column, enter the determination as well as credible, traceable and supportive source documentation in the next column.

Status "B" applies when project compliance with the authority requires formal consultation, a permit or agreement, OR when the proposal may have an adverse effect on the protected resources. Choice "B" below explains what additional steps or formal procedures must be completed prior to submitting a Request for Release of Funds (RROF) to HUD or to the State. Enter "B" in the status column, enter the determination, as well as credible, traceable and supportive documentation in the next column. Evidence of completion and implementation of the required procedures or mitigation must be retained in the Environmental Review Record (ERR).

Historic Properties (including archeology): **A)** The RE and SHPO agree that there are No Historic Properties Affected per 36 CFR 800.4 or SHPO has not objected within 30 days to such fully documented determination. **B)** The proposal has an effect on historic properties. Consult with SHPO et al., per §800.5 et seq., to resolve or mitigate adverse effects on historic properties. Guidance: <http://www.hud.gov/offices/cpd/environment/review/historic.cfm>

Floodplain Management: **A)** The project does not involve property acquisition, management, construction or improvements within a 100 year floodplain (Zones A or V) identified by FEMA maps, and does not involve a "critical action" (e.g., emergency facilities, facility for mobility impaired persons, etc.) within a 500 year floodplain (Zone B). If FEMA has not published flood maps, the RE must make a finding based on best available data, e.g. from the City/County Engineer or local Flood Control Agency. **B)** Complete the 8-step decision making process according to 24 CFR Part 55.20 to document that there are no practicable alternatives to the proposal and to mitigate effects of the project in a floodplain. Guidance: <http://www.hud.gov/offices/cpd/environment/review/floodplain.cfm>

Wetlands Protection: **A)** The project does not involve new construction within or adjacent to wetlands, marshes, wet meadows, mud flats or natural ponds per field observation and maps issued by the USDI Fish & Wildlife Service or U.S. Corps of Engineers. **B)** Complete the 8-step decision making process in 24 CFR 55.20 to document there are no practicable alternatives and to mitigate effects of the project on wetlands. Such action also requires obtaining a permit from the U.S. Corps of Engineers under Section 404 of the Clean Water Act. Guidance: <http://www.hud.gov/offices/cpd/environment/review/floodplain.cfm>

Coastal Zone Management: **A)** The project does not involve the placement, erection or removal of materials, nor an increase in the intensity of use in the Coastal Zone (CZ) per certified local coastal plan, California Coastal Commission, SF BCDC, etc. **B)** Secure concurrence from the CZ Commission or delegated local planning commission with your determination of consistency with the applicable CZ Plan, or obtain coastal zone permit. Guidance: <http://www.hud.gov/offices/cpd/environment/review/coastal.cfm>

Sole Source Aquifers (Safe Drinking Water Act): **A)** The project is not located within a U.S. EPA-designated sole source aquifer watershed area per EPA Ground Water Office, OR the project need not be referred to EPA for evaluation according to the HUD-EPA (Region IX) Sole Source Aquifer Memorandum of Understanding of 1990. **B)** Consult with the Water Management Division of EPA to design mitigation measures to avoid contaminating the aquifer and implement appropriate mitigation measures. Guidance: <http://www.hud.gov/offices/cpd/environment/review/aquifers.cfm>

Endangered Species: **A)** The RE documents that the proposal will have "no effect" or "is not likely to adversely affect" any federally protected (listed or proposed) Threatened or Endangered Species (i.e., plants or animals, fish, or invertebrates), nor adversely modify designated critical habitats. This finding is to be based on the review of designated critical habitats, contacts with the U.S. Fish and Wildlife Service or National Marine Fisheries Service, or by special study completed by a biologist or botanist. A determination of "no effect" based on the well-documented absence of listed species and critical habitats does not require U.S. FWS concurrence. **B)** Consult with the U.S. FWS or with the National Marine Fisheries Service, as appropriate, in accordance with procedural regulations contained in 50 CFR Part 402. Formal consultation with FWS or NMFS is always required for federally funded "major construction" activities and anytime a "likely to adversely affect" determination is made. Guidance: <http://www.hud.gov/offices/cpd/environment/review/endangeredspecies.cfm>

Wild and Scenic Rivers: **A)** The project is not located within one mile of a listed Wild and Scenic River, **OR** the project will have no effects on the natural, free flowing or scenic qualities of a river in the National Wild and Scenic Rivers system. **B)** Consult with the U.S. Department of Interior, National Park Service for impact resolution and mitigation.

Guidance: <http://www.rivers.gov/wildriverslist.html>

Air Quality: **A)** The project is located within an "attainment" area, **OR**, if within a "non-attainment" area, conforms with the EPA-approved State Implementation Plan (SIP), per contact with the State Air Quality Management District or Board, **AND** the project requires no individual NESHAP permit or notification; **B)** Negotiate suitable mitigation measures with the Air Quality Management District or Board, obtain necessary permits, issue required notices. (For example, 40 CFR §61.145 requires 10-day prior notification to the Air Quality District Administrator whenever either 260 linear ft., 160 sq.ft., or 35 cubic ft., of asbestos containing material is to be disturbed during rehabilitation/demolition activities in multi-family properties).

Guidance: <http://www.hud.gov/offices/cpd/environment/review/cleanair.cfm>

Farmland Protection: **A)** The project site does not include prime or unique farmland, or other farmland of statewide or local importance as identified by the U.S. Department of Agriculture, Natural Resources Conservation Service NRCS (formerly the Soil Conservation Service, **OR** the project site includes prime or unique farmland, but is located in an area committed to urban uses; **B)** Request evaluation of land type from the NRCS using Form AD-1006, and consider the resulting rating in deciding whether to approve the proposal, as well as mitigation measures (including measures to prevent adverse effects on adjacent farmlands).

Guidance: <http://www.hud.gov/offices/cpd/environment/review/farmlands.cfm>

Noise Abatement and Control: **A)** The project does not involve development of noise sensitive uses, **OR** the project is not within line-of-sight of a major or arterial roadway or railroad, **OR** ambient noise level is documented to be 65 LDN (CNEL) or less, based upon the HUD Noise Assessment Guidelines (NAG) for calculating noise levels and Airport Noise Contour map; **B)** Apply the noise standard, per 24 CFR §51.101, to the decision whether to approve the proposal (see §51.104), and implement noise attenuation measures (NAG page 39-40) as applicable.

Guidance: <http://www.hud.gov/offices/cpd/environment/review/noise.cfm>

Explosive or Flammable Operations: **A)** The project is located at an Acceptable Separation Distance (ASD) from any above-ground explosive or flammable fuels or chemicals containers according to "Siting of HUD-Assisted Projects Near Hazardous Facilities" (Appendices F & G, pp. 51-52), **OR** the project will expose neither people nor buildings to such hazards; **B)** mitigate the blast overpressure or thermal radiation hazard with the construction of a barrier of adequate size and strength to protect the project (per 24 CFR 51.205). Guidance: <http://www.hud.gov/offices/cpd/environment/review/explosive.cfm>

Toxic Chemicals and Radioactive Materials: **A)** The subject and adjacent properties are free of hazardous materials, contamination, toxic chemicals, gasses and radioactive substances which could affect the health or safety of occupants or conflict with the intended use of the subject property. Particular attention should be given to nearby dumps, landfills, industrial sites and other operations with hazardous wastes. **B)** Mitigate the adverse environmental condition by removing, stabilizing or encapsulating the toxic substances in accordance with the requirements of the appropriate Federal, state or local oversight agency; **OR** reject the proposal. Guidance: <http://www.hud.gov/offices/cpd/environment/review/hazardous.cfm>

Airport Clear Zones and Accident Potential Zones: **A)** The project is not within an FAA-designated civilian airport Runway Clear Zone (RCZ) -or Runway Protection Zone, or within a military airfield Clear Zone (CZ) or Accident Potential Zone (APZ) -Approach Protection Zone, based upon information from the civilian airport or military airfield administrator identifying the boundaries of such zones, **OR** the project involves only minor rehabilitation, **OR** the project involves only the sale or purchase of an existing property in the RCZ or CZ; **B)** It is HUD policy not to provide any development assistance, subsidy or insurance in RCZs or CZs unless the project will not be frequently used or occupied by people and the airport operator provides written assurances that there are no plans to purchase the project site. Guidance: <http://www.hud.gov/offices/cpd/environment/review/airport.cfm>

Environmental Justice: **A)** The proposed site is suitable for its proposed use and will NOT be adversely impacted by adverse environmental conditions; **B)** Site suitability is a concern; the proposal is adversely affected by environmental conditions impacting low income or minority populations. Avoid such impacts or mitigate them to the extent practicable. Address and mitigate the disproportional human health or environmental effects adversely affecting the low income or minority populations **OR** reject the proposal. Guidance: <http://www.hud.gov/offices/cpd/environment/review/justice.cfm>

REV NOV 2011-All previous editions are obsolete

ATTACHMENT 1

APPENDIX A

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

ENTITLEMENT PROGRAM FACT SHEET

Introduction

The program provides annual grants on a formula basis to entitled cities and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons.

In This Fact Sheet

- ✓ Grantee Eligibility
- ✓ Requirements
- ✓ Citizen Participation
- ✓ Legal Authority/Information Sources

Nature of Program

HUD awards grants to entitlement communities to carry out a wide range of community development activities directed toward revitalizing neighbor-hoods, economic development, and providing improved community facilities and services.

Entitlement communities develop their own programs and funding priorities. However, grantees must give maximum feasible priority to activities which benefit low- and moderate-income persons. A grantee may also carry out activities which aid in the prevention or elimination of slums or blight, or to which it certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs. CDBG funds may not be used for activities which do not meet these broad national objectives.

CDBG funds may be used for activities which include, but are not limited to:

- ❖ Acquisition of real property;
- ❖ Relocation and demolition;
- ❖ Rehabilitation of residential and non-residential structures;
- ❖ Construction of public facilities and improvements, such as water and sewer facilities, streets, neighborhood centers, and the conversion of school buildings for eligible purposes;
- ❖ Public services, within certain limits;

- ❖ Activities relating to energy conservation and renewable energy resources; and

- ❖ Providing assistance to profit-motivated businesses to carry out economic development and job creation/retention activities.

Generally, the following types of activities are *ineligible*: acquisition, construction, or reconstruction of buildings for the general conduct of government; political activities; certain income payments and construction of new housing by units of general local government.

Grantee Eligibility

Central cities of Metropolitan Statistical Areas (MSAs), other metropolitan cities with populations of at least 50,000, and qualified urban counties with populations of at least 200,000 (excluding the population of entitled cities) are entitled to receive annual grants. HUD determines the amount of each entitlement grant by a statutory dual formula which uses several objective measures of community needs, including the extent of poverty, population, housing overcrowding, age of housing, and population growth lag in relationship to other metropolitan areas.

Requirements

To receive its annual CDBG entitlement grant, a grantee must develop and submit to HUD its Consolidated Plan, (which is a jurisdiction's comprehensive planning document and application for funding under the following Community Planning and Development formula grant programs: CDBG, HOME Investment Partnerships, Housing Opportunities for Persons with AIDS (HOPWA), and Emergency Shelter Grants (ESG)). In its Consolidated Plan, the jurisdiction must identify its goals for these programs, as well as for housing programs. The goals will serve as the criteria against which HUD will evaluate a jurisdiction's Plan and its performance under the Plan. Also, the Consolidated Plan must include several required certifications, including the certification that not less than 70% of the CDBG funds received, over a one, two, or three year period specified by the grantee, will be used for activities that benefit low- and moderate-income persons, and that the grantee will affirmatively further fair housing. HUD will approve a Consolidated Plan submission unless the Plan (or a portion of it) is inconsistent with the purposes of the National Affordable Housing Act or is substantially incomplete.

Following approval, the Department will make a full grant award unless the Secretary has made a determination that the grantee: (1) has failed to carry out its CDBG-assisted activities in a timely manner; (2) has failed to carry out those activities and its certifications in accordance with the requirements and the primary objectives of Title I of the Housing and Community Development Act of 1974, as amended, and with other applicable laws; or (3) lacks a continuing capacity to carry out its CDBG-assisted activities in a timely manner.

Citizen

A grantee must develop and follow a detailed plan which provides for and encourages citizen participation and which emphasizes participation by

Participation

persons of low- or moderate-income, particularly residents of predominantly low- and moderate-income neighborhoods, slum or blighted areas, and areas in which the grantee proposes to use CDBG funds. The plan must: provide citizens with reasonable and timely access to local meetings, information, and records related to the grantee's proposed and actual use of funds; provide for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development of needs, the review of proposed activities, and the review of program performance; provide for timely written answers to written complaints and grievances; and identify how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

Legal Authority

Title I of the Housing and Community Development Act of 1974, Public Law 93-383, as amended; 42 U.S.C.-5301 *et seq.*

Information Sources

If you are an interested citizen, contact your local municipal or county officials for more information. If your local government officials cannot answer your questions, or if you are a local official, contact the HUD field office* that serves your area. Note that the local government administers the program and determines which local projects receive funding.

Information about HUD field offices may be found on the World Wide Web at <http://www.hud.gov/local.html>.

* Hearing impaired users may call the Federal Information Relay Service at 1-800-877-8339.