



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, January 15, 2014
Veteran's Memorial Building - 6:00 P.M.
209 Surf Street, Morro Bay, CA**

Chairperson Rick Grantham

Vice-Chairperson Vacant
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 the Planning Commission meeting of December 18, 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 **Case No.:** A00-018 (Text Amendment)

Site Location: Citywide

Applicant/Project Sponsor: City of Morro Bay

Request: The City of Morro Bay is proposing a Local Coastal Program amendment modifying Municipal Code Title 17 (Zoning Ordinance) to provide for changes as established in the adopted 2009 Housing Element as follows:

- Update the City’s Density Bonus regulations
- Remove single family dwellings units from multiple family zone districts,
- Add sections on supportive and transitional housing, farm worker housing, emergency shelters.
- Add a section allowing for a reasonable accommodation procedure to allow for necessary accessibility adjustments to homes.
- Address the needs of extremely low-income households.
- In addition, the City’s Master fee schedule will be update to accommodate the proposed new procedures.

CEQA Determination: The proposed changes are exempt from environmental review pursuant to Section 15061(b)(3)

Staff Recommendation: Approve and forward the Local Coastal Programs Amendments to the City Council for adoption.

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

C. UNFINISHED BUSINESS

- C-1 Current and Advanced Planning Processing List
Staff Recommendation: Receive and file.
Upcoming Projects: 800 Quintana

D. NEW BUSINESS

E. DECLARATION OF FUTURE AGENDA ITEMS

- Schedule regular and joint Planning Commission meeting dates for 2014.

- Appoint Chairperson and Vice-Chairperson of the Planning Commission who shall both hold office for a period of one year.

F. ADJOURNMENT

Adjourn to the a next regularly scheduled Planning Commission meeting at the Veteran’s Memorial Building, 209 Surf Street, on Wednesday, February 5, 2014, 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.

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – DECEMBER 18, 2013

A. PUBLIC HEARINGS

B-1 **Case No.:** UP0-371

Site Location: 1500 Embarcadero (Dirt Embarcadero between Morro Creek & the Colman Drive & Embarcadero Road Intersection) APNs (066-331-039, 066-331-028, 066-461-004, 066-461-002, 066-461-005, 066-461-012 & 066-461-013)

Proposal: The Morro Creek Multi-use Trail and Bridge Project will provide universally accessible beach access for pedestrians and a new Class 1 bike path to the beach access point. This project will also extend the pedestrian and bike path system from the existing Harborwalk with a 130 foot long, 12.5 foot wide steel bridge to include emergency vehicle access over Morro Creek closing a critical gap in the California Coastal Trail system.

CEQA Determination: Mitigated Negative Declaration (State Clearinghouse #2013101083)

Staff Recommendation: Conditionally Approve and Adopt Mitigated Negative Declaration

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

Wold presented the staff report.

Commissioner Lucas asked staff to explain where the gap in the easement is located. Livick stated the gap is close to a third of the way toward the creek from the south side of the Embarcadero. Livick stated Dynegy will inform the City by the end of the month how they would like to proceed with the easement.

Livick explained the previous public processes for the project.

Chairperson Grantham opened Public Comment period.

Barry Rands, City of Morro Bay Associate Engineer and Project Manager (Applicant), explained the roles and responsibilities of City staff and of the consultant.

Mike Sherrod, Project Consultant with RRM Design Group, provided an overview of the project and discussed the three major components of the project: the boardwalk, bike path, and bridge.

Richard Dalton, Principal with Rincon Consultants and member of the consultant team preparing the environmental study for the project, discussed the results of the environmental analysis, in particular the Initial Study/Mitigated Negative Declaration.

Chairperson Grantham asked Dalton if any lighting is proposed in the project design. Sherrod stated no lighting is proposed with the project in order to reduce the impact to the environment.

Commissioner Tefft asked if the Applicant has responded to the concerns of the Coastal Commission regarding dune habitat restoration, specifically: an alternative alignment for the bike path between the Embarcadero and Coleman Drive; an indication of where dune restoration would occur as mitigation; and an indication of where new pavement would be located. Sherrod

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – DECEMBER 18, 2013

stated the Applicant has addressed all of the above concerns in the Coastal Development Permit application which has already been submitted.

Tefft asked if the Coastal Commission is satisfied with the amount of information they have been provided. Sherrod stated the Applicant has had two pre-application meetings with Coastal Commission Planner Daniel Robinson and has been keeping him abreast of all project developments.

Livick clarified the following items:

1. Due to funding considerations, the project may be constructed in phases. The City's goal is to construct the main components of the project and obtain additional funding as necessary.
2. Due to a shortage of resources in the streets department to continually maintain the boardwalk, the City is looking for alternative materials for the boardwalk surface that would require less maintenance.

Commissioner Lucas confirmed with Dalton there will be shovel testing of possible archaeological resources on site. Dalton stated the exact location of the testing is confidential.

Commissioner Lucas discussed how creeks change over time and asked the Applicant if he foresees a problem with scouring at this location. Rands stated the scour analysis for the creek did not reveal any major shift or lateral movement in the creek configuration in the last 50 to 60 years.

Commissioner Lucas expressed concern that the wind-blown sand may make it difficult to maintain the bike path. He asked the Applicant if they have selected the appropriate type of fencing to mitigate the migration of the dune inland. Rands stated this issue will be examined as the design phase of the project progresses.

Commissioner Lucas expressed support for the low light level proposed for the project.

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

Chairperson Grantham expressed support for the project but also expressed concern that there may not be enough lighting on the trail.

Commissioner Tefft made the following comments:

1. He expressed concern that landscaping has not been adequately addressed. He stated appropriate landscaping design may help control the sand migration issues that were discussed earlier.
2. He expressed concern that due to the crossing traffic streams at Coleman Drive and Embarcadero, there may be some traffic control issues and potentially issues of safety around that curve. He stated he would like to see signage installed for automobiles going north and south at this location.

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION
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MOTION: Commissioner Lucas moved to adopt Planning Commission Resolution 03-13 and forward a favorable recommendation to the City Council to approve the Mitigated Negative Declaration (SCH#2013101083).

Chairperson Grantham seconded and the motion passed unanimously. (3-0).

UNFINISHED BUSINESS

C-1 Current and Advanced Planning Processing List
Staff Recommendation: Receive and file.
Upcoming Projects: 800 Quintana

Wold reviewed the Work Program with the Commission.

NEW BUSINESS

None.

DECLARATION OF FUTURE AGENDA ITEMS

- Appoint Chairperson and Vice-Chairperson of the Planning Commission who shall both hold office for a period of one year.
 - This will occur at the February 5, 2014 Planning Commission meeting.
- Schedule regular and joint Planning Commission meeting dates for 2014.
 - This information will be relayed to the Planning Commission after the City Council determines the meeting dates at the first of the year.

ADJOURNMENT

The meeting adjourned at 6:52 p.m. to the next regularly scheduled Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on Wednesday, January 15, 2014 at 6:00 p.m.

Rick Grantham, Chairperson

ATTEST:

Rob Livick, Secretary



AGENDA NO: B-1

MEETING DATE: January 15, 2013

Staff Report

TO: Planning Commissioners

DATE: January 8, 2013

FROM: Kathleen Wold, Planning Manager

SUBJECT: A00-018; Review of amendments to Title 17 (Zoning Ordinance) of the Municipal Code and Master Fee Schedule

RECOMMENDATION:

Adopt Planning Commission Resolution 01-14 recommending the City Council adopt the proposed amendments to Title 17 (Zoning Regulations) of the Municipal Code and Master Fee Schedule (Exhibit B).

PROJECT DESCRIPTION:

The City’s 2009 adopted Housing Element establishes a precise and detailed plan for the use of land in the City, based on the General Plan and Local Coastal Plan. Amendments to the Zoning Regulations and Master Fee Schedule are necessary to implement that plan, and remain in compliance with State and Federal law.

LEGAL DESCRIPTION

APN(S) Citywide

ZONING Affected Zones include AG (Agriculture), RA (Suburban Residential), R-1 (Single-family residential), R-2 (Duplex residential), R-3 (Multiple-family residential), R-4 (Multifamily residential-hotel-professional), CRR(Coastal resource residential), C-1 (Central business), and MCR (Mixed-Commercial/Residential)

GENERAL PLAN Limited, Low, Low-Medium, Medium and High Density Residential; Service and Visitor-Serving Commercial; Mixed-Commercial/Harbor District, General Industry, Agriculture, and Mixed-Use

APPLICANT: City of Morro Bay,

Prepared By: _____ Department Review: _____

BACKGROUND:

The State of California requires each municipality to review and update their General Plan Housing Element on a five (5) year cycle to ensure that the needs of all California residents can be met. The City's adopted and certified Housing Element (November 2009) includes programs intended to comply with California Department of Housing and Community Development (hereafter, HCD) statutory requirements and State law. In order to be implemented, these programs must be integrated by Ordinance into Title 17 (henceforth, Zoning Regulations) of the Municipal Code. Included in these is a new process, which necessitates an associated fee be adopted. With adoption of these updates the City will be eligible for HCD's new streamlined process with the next Housing Element Update, required by June 30, 2014.

ENVIRONMENTAL DETERMINATION:

The proposed amendments to the text of the Zoning Regulations and Master Fee Schedule are exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines under the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment.

ANALYSIS:

The proposed amendments to the text of the Zoning Regulations and Master Fee Schedule are intended to implement programs identified in the adopted 2009-2013 Housing Element of the Morro Bay General Plan. The following discussion identifies the targeted Housing Element programs and associated amendments to the Zoning Regulations and Master Fee Schedule necessary for implementation. These policy determinations and associated programs were adopted by the City Council with approval of the Housing Element.

1. Program H 4.2: Single Family Housing: To ensure that multi-family housing can be accommodated in the remaining sites within the R-3 and R-4 zoning districts, consider amending the Zoning Code to prohibit single-family homes in those districts.

Section 17.24, uses permitted in each zone, is amended to prohibit single-family residential and "all principally permitted uses in the R-1 and R-2 districts" in both the Multiple-family residential (R-3) and Multifamily residential-hotel-professional (R-4) zones.

2. Program H 6.1: The City will continue to require a percentage of new housing units built in the City be affordable to very low-, low- and moderate-income households. When the provisions for the required affordable housing are not being met on-site or off-site, the applicant may contribute in-lieu fees.

Program H 1.4 and H 8.1: Density Bonuses: To ensure that affordable multifamily projects meet maximum densities the City will establish procedures with objective standards to promote flexibility in development standards to provide flexibility in

development standards (height, parking, and set backs) and promote the use of density bonuses to increase densities.

Section 17.12, Definitions is amended to provide or alter definitions consistent with State Law, and necessary to implement the adopted Housing Element. These include:

- 17.12.432 “Low-, very-low, extremely-low, and moderate-income household income”
- 17.12.433 “Low-, very-low, extremely-low, and moderate-income housing”

Section 17.50, Affordable Housing, Density Bonuses and Incentives, is revoked in its entirety and replaced to comply with the Housing Element and changes to both the Government and Civil Codes. The new language implements thresholds and processes adopted in the Housing Element for inclusionary housing requirements and density bonuses and other incentives/concessions/waivers that are available when additional affordable housing is developed. This section also provides additional clarification the calculation of in-lieu fees, and the assurance of continued availability of affordable units.

3. Program H 23.1: Supportive and Transitional Housing: Pursuant to SB 2, the City must explicitly allow both supportive and transitional housing types in all residential zones, subject to only the same restrictions on residential uses contained in the same type of structure.

Section 17.12, Definitions is amended to provide or alter definitions consistent with State Law, and necessary to implement the adopted Housing Element. These include:

- 17.12.626 “Supportive housing”
- 17.12.627 “Target population”
- 17.12.640 “Transitional housing”

Section 17.24, uses permitted in each zone, is amended to allow Supportive and Transitional Housing by right in the following districts: Agriculture (AG), Suburban Residential (RA), Single-family residential (R-1), Duplex residential (R-2), Multiple-family residential (R-3), Multifamily residential-hotel-professional (R-4), Coastal resource residential (CRR), and Central business (C-1), and with a Minor Use Permit in the Mixed Commercial/Residential (MCR) district.

4. Program H 23.2: Farmworker Housing: The City shall allow farmworker housing in the Agricultural and Multi-family Zones as prescribed by state law. Farmworker housing for 12 or fewer workers shall not require a conditional use permit but shall be required to obtain a Coastal Development Permit consistent with the Local Coastal Plan. Farmworker housing in the Agricultural Zone for 6 or fewer workers shall be deemed to be a single-family structure.

Section 17.12, Definitions is amended to provide a definition consistent with State Law, and necessary to implement the adopted Housing Element. This includes:

- 17.12.268 “Employee housing”

Section 17.24.020, Agricultural (AG) District, is amended to identify the provision of agricultural worker housing as part of the intent of the district.

5. Program H 23.3: Reasonable Accommodation: As required by both the Federal Fair Housing Act and the California Fair Employment and Housing Act, the City will establish a reasonable accommodation procedure to ensure a fair and efficient process for persons with disabilities to make necessary accessibility adjustments to their homes.

Section 17.48.120, Projections into required yards, is amended to expressly add handicap ramps to those items which may extend into required yards as established by that provision.

Section 17.48.400, Reasonable Accommodation Procedure, is added to establish who, and under what circumstances one is eligible to seek reasonable accommodations, and the application procedure, review authority, and basis of findings and conditions.

Master Fee Schedule, is amended to include a minimal processing fee for requests for reasonable accommodation.

6. Program H 23.4: Extremely Low-Income Housing Needs: Pursuant to AB 2634, the Housing Element requires the City to address the needs of extremely low-income households by encouraging and facilitating the development of supportive housing and single-room occupancy units (SRO's)

Section 17.12, Definitions is amended to provide a definition consistent with State Law, and necessary to implement the adopted Housing Element. This includes:

- 17.12.581 "Single-Room Occupancy (SRO)"

Section 17.48.370, Single-Room Occupancy, is added to establish permitting requirements for the development of SRO's, and additional requirements specific to these units.

Section 17.24, uses permitted in each zone, is amended to allow SRO's by right in the Central business (C-1), and with a Minor Use Permit in the Mixed Commercial/Residential (MCR) district.

7. Program H 26.1: Emergency Shelter: Pursuant to SB 2, the Housing Element requires that emergency shelters be permitted in the Central business (C-1) district by right, and that specific development and managerial standards consistent with Government Code Section 65583 (a)(4) be adopted.

Section 17.12, Definitions is amended to provide a definition consistent with State Law, and necessary to implement the adopted Housing Element. This includes:

- 17.12.267 "Emergency shelter"

Section 17.48.360, Emergency Shelter, is added to establish permitting requirements for the development of Emergency Shelters, and requirements specific to them.

Section 17.24, uses permitted in each zone, is amended to allow Emergency Shelters by right in the Central business (C-1).

PUBLIC NOTICE:

Notice of this item was published in the San Luis Obispo Telegram-Tribune newspaper on January 3, 2014, and interested parties were invited to voice any concerns regarding these text amendments.

CONCLUSION:

Staff recommends the Planning Commission adopt Resolution 01-14, and recommendation that the City Council adopt the proposed amendments to Title 17 (Zoning Regulations) of the Municipal Code and Master Fee Schedule, as contained in Exhibit B.

Report prepared by: Jaime B. Hill, Contract Planner

Attachments:

1. Exhibit A-Resolution 01-14
2. Draft Council Ordinance -Exhibit B

RESOLUTION NO. PC 01-14

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION RECOMMENDING
THE CITY COUNCIL APPROVE ZONING TEXT AMENDMENT A00-018
“AMENDMENTS TO TITLE 17 OF THE MORRO BAY MUNICIPAL CODE
IMPLEMENTING POLICIES OF THE MORRO BAY 2009 HOUSING ELEMENT.

WHEREAS, the Planning Commission of the City of Morro Bay conducted a public hearing at the Morro Bay Veteran’s Hall, 209 Surf Street, Morro Bay, California, on January 15, 2014, for the purpose of considering Zoning Text Amendment #A00-018;

WHEREAS, notices of said public hearing were made at the time and in the manner required by law;

WHEREAS, it was determined that the proposed amendments to the Zoning Ordinance and the Master fee schedule are exempt from further environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA);

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

WHEREAS, the details of Zoning Text Amendment A00-018 are provided in Ordinance number #584; and

WHEREAS, the project as presented is consistent with the City of Morro Bay’s Local Coastal Program and General Plan and is necessary to implement the adopted 2009 Housing Element and remain in compliance with the State of California Housing Law.

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

The Planning Commission approves Zoning Text Amendment #A00-018 and forwards a favorable recommendation to the City Council to approve said Zoning Text Amendment “Amending Title 17 of the Morro Bay Municipal Code implementing policies of the Morro Bay 2009 Housing Element” by adopting Ordinance Number 584.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 15th day of January 2014 on the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Rick Grantham, Chairperson

ATTEST

Rob Livick, Planning Secretary

The foregoing resolution was passed and adopted this 15th day of January 2014.

ORDINANCE NO. 584-2014

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORRO BAY, CALIFORNIA AMENDING TITLE 17 OF THE MORRO BAY MUNICIPAL CODE AND MASTER FEE SCHEDULE TO COMPLY WITH REVISIONS TO STATE HOUSING LAW AND THE HOUSING ELEMENT OF THE GENERAL PLAN

RECITALS

WHEREAS, it is the purpose of Title 17 of the Morro Bay Municipal Code (Zoning Ordinance) to establish a precise and detailed plan for the use of land in the City of Morro Bay based on the Local Coastal Plan and General Plan; and

WHEREAS, it is important to have clear, consistent, and easy to use and interpret regulations within the Zoning Ordinance; and

WHEREAS, Government Code Section 65583(c)(1) requires that sites with appropriate zoning and development standards and services and facilities be identified as needed to facilitate and encourage the development of a variety of types of housing, including housing for agricultural employees, supportive housing, single-room occupancies, emergency shelters, and transitional housing; and

WHEREAS, Sections 17021.5 and 17021.6 the State Health and Safety Code and the Employee Housing Act set standards for the construction, maintenance, use and occupancy of living quarters called “employee housing”, including but not limited to farmworker housing; and

WHEREAS, Government Code Section 65583(a)(4) requires the identification of a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit, and that the identified zone or zones shall include sufficient capacity to accommodate the need for emergency shelter identified in paragraph (7) of Government Code Section 65583(a), except that each local government shall identify a zone or zones that can accommodate at least one year-round emergency shelter; and

WHEREAS, Government Code Section 65583(a)(5) requires an analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing that demonstrates local efforts to remove governmental constraints that hinder the locality from meeting the need for housing for persons with disabilities, supportive housing, and transitional housing, and that transitional housing and supportive housing shall be considered a residential use of property and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone; and

WHEREAS, the Federal Fair Housing Act and the California Fair Employment and Housing Act require that a reasonable accommodation procedure be established to ensure a fair and efficient process for persons with disabilities to make necessary accessibility adjustments to their homes, which will allow housing retrofits for disabled persons without discretionary review; and

WHEREAS, the adopted 2009-2014 Housing Element of the Morro Bay General Plan requires consideration of amendments to the text of the Zoning Code to increase housing supply and obtain densities closer to those envisioned by zoning policies by prohibiting single-family homes in the R-3 and R-4 zoning districts; and

WHEREAS, Government Code Section 65915 requirements for the adoption of a density bonus program to facilitate and encourage the maximum build out of available sites has been modified in 2005 (SB 1818); and

WHEREAS, the proposed amendments to the text of the Zoning Ordinance are intended to implement programs identified in the adopted 2009-2014 Housing Element of the Morro Bay General Plan, which that will bring the Zoning Ordinance into compliance with the above cited Government Code sections; and

WHEREAS, the proposed amendments to the text of the Zoning Ordinance are exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines under the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment; and

WHEREAS, the City Council held a duly advertised public hearing on January 28, 2014 to consider adoption of the proposed amendments to the Zoning Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORRO BAY, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Chapter 17.12 –Definitions, is hereby amended to add or modify the following:

- A. Section 17.12.267 - Emergency Shelter. “Emergency shelter” means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.
- B. Section 17.12.268 – Employee Housing. “Employee housing.” includes but is not limited to farmworker housing. Employee housing for 6 or fewer workers shall be deemed to be a single-family structure with a residential land use, and shall be treated the same as a single family dwelling of the same type in the same zone. The permitted occupancy in employee housing in a zone allowing agricultural uses shall include agricultural employees who do not work on the property where the employee housing is located, and may consist of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household on land zoned for agricultural uses. Such employee housing shall be considered to be an activity that in no way differs from an agricultural use.
- C. Section ~~17.12.267~~ 17.12.269 – Environmentally sensitive habitat.
- D. Section ~~17.12.268~~ 17.12.270 – Equestrian boarding.

- E. Section ~~17.12.269~~ 17.12.271 – Estuary.
- F. Section ~~17.12.270~~ 17.12.272 – Family.
- G. Section 17.12.432 – Low, very low, extremely low, and moderate household income. “Low, very low, and moderate household income” means, for the purpose of evaluating housing affordability, housing need, and eligibility for housing assistance, income levels as defined by guidelines adopted annually by the California Department of Housing and Community Development (HCD)for San Luis Obispo County, and as summarized in Table 18 of the Housing Element of the General Plan.

HCD has defined the following income categories for San Luis Obispo County, based on the median income for a household of four persons:

- Extremely low income: 30 percent or less of median income
- Very low income: 31 to 50 percent of median income
- Low income: 51 to 80 percent of median income
- Moderate income: 81 to 120 percent of median income

- H. Section 17.12.433 – Low, very-low, extremely low, and moderate income housing. “Low, very-low, extremely-low, and moderate income housing” means housing for which the rent or monthly mortgage payment does not exceed 30% of total household income for shelter the current fair market rent for existing housing standards applicable to San Luis Obispo County as established for Section 8, Housing Assistance Payments Programs by the United States Department of Housing and Urban Development.
- I. Section 17.12.581 – Single-Room Occupancy (SRO). “SRO” means a multi-unit housing project for single persons typically consisting of single rooms and shared bathrooms, and may include a shared common kitchen and activity area. SROs may be restricted to seniors or be available to persons of all ages.
- J. Section 17.12.626 – Supportive Housing. “Supportive housing” means housing with no limit on length of stay, that is occupied by a target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live, and, when possible, work in the community.
- K. Section 17.12.627 –Target Population. “Target population” means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly

persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

- L. Section 17.12.640 – Transitional Housing. “Transitional housing” means buildings configured as rental housing developments, but operated under program requirements that mandate the termination of assistance and recirculation of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance.

Section 2. Section 17.24.020 – Agriculture (AG) District, is hereby amended as follows:

- A. Section 17.24.020.A Purpose. The purpose of the Agriculture (AG) district is to provide for the continuation of agricultural uses in suitable areas and for supplemental commercial uses which may be necessary to support such continued agricultural activities. New development in this district shall also be sited and designed to protect and enhance scenic resources associated with the rural character of agricultural lands.

It is the intent of the city that it shall maintain the maximum amount of prime agricultural land in agricultural production to assure the protection of the area's agricultural economy, and to facilitate and encourage the provision of decent, affordable housing for farm workers by not requiring a conditional use permit, zoning variance, or other zoning clearance for farmworker housing that is not required of any other agricultural activity in the Agriculture (AG) zone, except where a Coastal Development Permit is required consistent with the Local Coastal Program. In addition, it is the city's intent that all nonprime agricultural land within the city suitable for agricultural use shall not be converted to nonagricultural uses unless:

1. Continued or renewed agricultural use is not feasible; or
2. Such conversion would preserve prime agricultural land or concentrate development consistent with Public Resources Code, Section 30250.

Section 3. Section 17.48 – General Regulations, Conditions and Exceptions, is hereby amended to add or modify the following:

- A. Section 17.48.120 Porch, landing place or stairway projections is hereby amended to expressly add handicapped ramps to those items that may project into interior side, rear, front yard or street side yards, as established by this provision.
- B. Section 17.48.360– Emergency Shelter. It is the purpose of this section to facilitate and encourage the provision of emergency shelter for homeless persons and households by allowing permanent year-round emergency shelters without a conditional use permit or other discretionary action in the C-1 (Central Business) zone, subject only to the same development standards that apply to the other permitted uses in these zones, except for the following requirements unique to emergency shelters, as authorized by Government Code Section 65583(a)(4):
1. The maximum number of beds or persons to be served nightly by an emergency shelter shall be 35.

2. Off-street parking shall be based upon demonstrated need, provided that parking for an emergency shelter shall not be more than that required for other commercial or industrial uses permitted in the Central Business (C-1) zone.
 3. Appropriately sized and located exterior and interior on-site waiting and intake areas shall be provided.
 4. Appropriate exterior lighting shall be provided.
 5. On-site management shall be provided.
 6. Security shall be provided during the hours that the emergency shelter is in operation.
 7. The maximum length of stay by a homeless person in an emergency shelter shall be six (6) months.
 8. An emergency shelter shall not be located within 300 feet of another emergency shelter.
 9. No individual or household shall be denied emergency shelter because of an inability to pay.
- C. Section 17.48.370 – Single-Room Occupancy (SRO). It is the intent of this section to facilitate and encourage the provision of affordable shelter for low-income persons with special housing needs by allowing SRO housing without a conditional use permit or other discretionary action in the Central Business (C-1) zone, and with a minor use permit in the Mixed Commercial/Residential (MCR) zone, subject only to the same development standards that apply to the other permitted uses in these zones, except for the following requirements unique to SROs:
1. Occupancy. An SRO unit shall be occupied by a single person. Occupancy of SRO units may be restricted to seniors or be available to persons of all ages.
 2. Special Development. Units in an SRO housing development shall consist of a single room and may have a private or shared bathroom. A shared common kitchen and activity area may also be provided.
 3. Management Standard. On-site management shall be provided.
- D. Section 17.48.400 – Reasonable Accommodation Procedure. This section provides a procedure to request reasonable accommodation for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act (the Acts) in the application of zoning laws and other land use regulations, policies and procedures.
1. Applicability.
 - A. A request for reasonable accommodation may be made by any person with a disability, their representative or any entity, when the application of a requirement of this Zoning Ordinance or other city requirement, policy or practice acts as a barrier to fair housing opportunities. A person with a disability is a person who has a physical or developmental impairment that limits or substantially limits one or more major life

activities, anyone who is regarded as having such impairment or anyone who has a record of such impairment. This chapter is intended to apply to those persons who are defined as disabled under the Acts.

- B. A request for reasonable accommodation may include a modification or exception to the rules, standards and practices for the siting, development and use of housing or housing- related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice.
- C. A reasonable accommodation is granted to the household that needs the accommodation and does not apply to successors in interest to the property.
- D. A reasonable accommodation may be granted in compliance with this chapter without the need for the approval of a variance.
- E. Requests for reasonable accommodation shall be as described in the following section.

2. Application Procedure.

- A. Application. Requests for reasonable accommodation shall be submitted in the form of a letter to the Public Services Director and shall contain the following information:
 - 1. The applicant's name, address and telephone number;
 - 2. Address of the property for which the request is being made;
 - 3. The current actual use of the property;
 - 4. The basis for the claim that the individual is considered disabled under the Acts;
 - 5. The Zoning Ordinance provision, regulation or policy from which reasonable accommodation is being requested; and
 - 6. Why the reasonable accommodation is necessary to make the specific property accessible to the individual.
- B. Review with Other Land Use Applications. If the project for which the request for reasonable accommodation is being made also requires some other discretionary approval (e.g., conditional use permit, coastal development permit, etc.), then the applicant shall file the application for discretionary approval together with the information required by Subsection 1 above for concurrent review.

3. Review Authority.

- A. Public Services Director. Requests for reasonable accommodation shall be reviewed by the Public Services Director, or his/her designee if no approval is sought other than the request for reasonable accommodation. The written determination to grant, grant with modifications, or deny the request for reasonable accommodation shall be made in accordance with the Findings and Decision as established below.
- B. Other Review Authority. Requests for reasonable accommodation submitted for concurrent review with another discretionary land use

application shall be reviewed by the authority responsible for reviewing the discretionary land use application. The written determination to grant, grant with modifications, or deny the request for reasonable accommodation shall be made in accordance with the Findings and Decision as established below.

4. Findings and Decision. The written decision to grant or deny a request for reasonable accommodation will be consistent with the Acts and shall be based on consideration of the following factors:
 - A. Whether the housing, which is the subject of the request, will be used by an individual disabled under the Acts;
 - B. Whether the request for reasonable accommodation is necessary to make specific housing available to an individual with a disability under the Acts;
 - C. Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the City;
 - D. Whether the requested reasonable accommodation would require a fundamental alteration in the nature of a City program or law, including but not limited to land use and zoning;
 - E. Potential impact on surrounding uses;
 - F. Physical attributes of the property and structures; and
 - G. Alternative reasonable accommodations that may provide an equivalent level of benefit.

5. Conditions of Approval. In granting a request for reasonable accommodation, the reviewing authority may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the findings required herein. The conditions shall also state whether the accommodation granted shall be rescinded in the event that the person for whom the accommodation was requested no longer resides on the property.

Section 4. Section 17.24 - Primary Districts, is hereby amended as follows:

- A. Section 17.24 – Uses permitted in each zone are amended to allow the following uses to be permitted by right in the zones indicated:

ZONES		USE TYPE
Symbol	Zone Name	
AG	Agriculture	Employee Housing (max 36 beds in a group quarters or 12 units or spaces)
		Supportive Housing and Transitional Housing
RA	Suburban Residential	Employee Housing (max 36 beds in a group quarters or 12 units or spaces)

		Supportive Housing and Transitional Housing
R-1	Single-family residential	Employee Housing (for 6 or fewer workers)
		Supportive Housing and Transitional Housing
R-2	Duplex residential	Employee Housing (for 6 or fewer workers)
		Supportive Housing and Transitional Housing
R-3	Multiple-family residential	Employee Housing (for 6 or fewer workers)
		Supportive Housing and Transitional Housing
R-4	Multifamily residential-hotel-professional	Employee Housing (for 6 or fewer workers)
		Supportive Housing and Transitional Housing
CRR	Coastal resource residential	Supportive Housing and Transitional Housing
		Employee Housing (for 6 or fewer workers)
C-1	Central business	Supportive Housing and Transitional Housing
		Single Room Occupancy (SRO)
		Emergency Shelter
		Employee Housing (for 6 or fewer workers)

B. Section 17.24 – Uses permitted in each zone are amended to allow the following uses to be permitted with a Minor Use Permit in the zones indicated:

ZONES		USE TYPES
Symbol	Zone Name	
MCR	Mixed Commercial/Residential	Employee Housing (for 6 or fewer workers)
		Single Room Occupancy (SRO)
		Supportive Housing and Transitional Housing

C. Section 17.24 – Uses permitted in each zone are amended to prohibit the following uses in the zones indicated:

ZONES		USE TYPES
Symbol	Zone Name	

R-3	Multiple-family residential	Single-family residential
		All principally permitted uses in the R-1 and R-2 districts
R-4	Multifamily residential-hotel-professional	Single-family residential
		All principally permitted uses listed in the R-1 and R-2 districts

Section 5. Section 17.50 – Affordable Housing, Density Bonuses and Incentives, is hereby revoked in its entirety and replaced as follows:

Sections:

17.50.010 - Purpose.

17.50.020 - General affordable housing requirements.

17.50.030 - In-lieu fees for affordable housing.

17.50.040 - Density bonuses and incentives.

17.50.050 – Assurance of continued availability.

17.50.060 – Consistency with State Law.

Section 17.50.010 - Purpose. The purpose of this chapter is to:

- A. Meet the requirements to provide affordable housing contained in Government Code Sections 65580-65589.8 through inclusionary housing; and
- B. Promote and facilitate the provisions of very low, low, and moderate-income housing consistent with the provisions of Government Code Sections 65915-65918 and the Housing Element of the General Plan.

Section 17.50.020 – General affordable housing requirements.

- A. Pursuant to the requirements of Government Code Sections 65580-65589, all new residential developments of five or more for-sale units shall provide a minimum of one inclusionary unit or ten percent of the total number of units, whichever is greater, to be affordable to families with incomes in the very low-, low-, or moderate-income ranges, depending on the needs of the City at the time of approval. The lower-income units may be either for rent or for sale, but shall remain affordable for at least 30 years, or such other term approved by the City, consistent with state law.
- B. In accordance with Government Code Section 65590, the City shall require the developer to provide affordable housing on-site where feasible. If the City determines that this is not feasible based on a detailed economic analysis prepared by a City-contracted consultant at the cost of the applicant, the City shall require the developer to provide such housing at another location in Morro Bay. If the City determines that it is not feasible for the developer to provide such affordable

housing off-site, the developer shall pay a fee in lieu of providing such housing. Said fee shall be as prescribed in 17.50.030.

- C. For the purposes of calculating the number of affordable inclusionary units required by this Section, any additional units authorized as a density bonus will not be counted in determining the required number of inclusionary units.

Section 17.50.030 – In-lieu fees for affordable housing.

In cases where the provisions for the required affordable housing are not being met on-site or off-site, the applicant may contribute in-lieu fees. Said fees shall be paid prior to issuance of a building permit or final tract map. Fees shall be established on a project basis using the following method:

Construction Cost X % of Fee based on Project Size, where construction costs include all expenses related to the development of housing units, including land, construction, on- and off-site infrastructure, and associated soft costs.

<u>Project Size</u>	<u>% of each 1 unit cost or fraction there of</u>
<u>8 Units</u>	<u>10%</u>
<u>9 Units</u>	<u>15%</u>
<u>10 Units</u>	<u>20%</u>
<u>11 Units</u>	<u>30%</u>
<u>12 Units</u>	<u>40%</u>
<u>13 Units</u>	<u>50%</u>
<u>14 Units</u>	<u>60%</u>
<u>15 Units</u>	<u>70%</u>
<u>16 Units</u>	<u>80%</u>
<u>17 Units</u>	<u>90%</u>
<u>18 Units</u>	<u>100%</u>

- A. Fees accepted for affordable housing shall be used by the city to construct or assist in the construction of housing for rent or sale to very low, low and moderate income families or to purchase land for the purpose of affordable housing or to assist very low, low and moderate income families to afford adequate housing or for other measures to provide housing for low and moderate income families. The city may, at its option, transfer in-lieu fees to another public agency as a nonprofit housing provider for the purpose of providing affordable housing in the city of Morro Bay.

Section 17.50.040 – Density bonuses and incentives.

- A. Applicability. Pursuant to the requirements of Government Code Sections 65915-65918, the provisions of this Section apply to the construction of five or more housing units that satisfy one or more of the following criteria:

1. At least 10% of the units are designated for low-income households;
 2. At least 5% of the units are designated for very low-income households;
 3. At least 10% of the units are designated for moderate-income households, provided that all units in the development are offered to the public for purchase;
 4. 100% of the units are designated for seniors citizens as defined in Section 51.3 and 51.12 of the Civil Code or mobile home park that limits residency based on age requirements for housing for older persons pursuant to Government Code Section 798.76 or 799.5;
 5. Donation of land to the city consisting of at least one acre, or of sufficient developable acreage and zoning classification to permit construction of at least 40 units, and not less than 10% of the residential units in the proposed development, that are affordable to very-low income households.
- B. Calculating the density bonus. A density bonus shall be calculated on a sliding scale based upon the amount by which the percentage of affordable housing units exceeds the minimum number of affordable units required to qualify for a density bonus established in Section 17.50.020. The density bonus shall be calculated as follows:
1. A 20% density bonus, increasing by an additional 1.5% for each additional 1% increase in low-income units above the initial 10% threshold, per Section 17.50.040A1, above.
 2. A 20% density bonus, increasing by an additional 2.5% for each additional 1% increase in very low-income units above the initial 5% threshold , per Section 17.50.040A2, above.
 3. A 20% density bonus for senior citizen housing developments pursuant Government Code Section 65915(g)(3).
 4. A 5% density bonus, increasing by an additional 1% for each additional 1% increase in moderate-income units above the initial 10% threshold, per Section 17.50.040A4, above.
 5. When an applicant proposes to construct a housing development that is eligible for a density bonus under Section 17.50.030 A and includes a childcare facility that will be located on the premises of, or adjacent to, the housing development, the city shall grant either:
 - a. An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the square footage of the childcare facility; or
 - b. An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the childcare facility.
 6. Maximum density bonus. The maximum density bonus authorized by this section, Section 17.50.030A, and Section 17.50.030 B, collectively, is 35% when a project provides either 11% very low-income units, 20% low-income units, or 40% moderate-income units. All density bonus calculations resulting

in fractional units shall be rounded up to the next whole number of housing units.

C. Developer incentives.

1. Restrictions. When an applicant seeks a density bonus as prescribed by Government Code Section 65915, the City will grant the number of developer incentives as required by Section 17.50.040C2, below, unless it makes any of the following findings:
 - a. The developer incentives are not required in order to provide affordable housing, as defined in Section 50052.3 of the Health and Safety Code, or for rents for the targeted units to be set as specified in Government Code Section 65915(c).
 - b. The developer incentives would have a specific adverse impact, as defined in paragraph (2) of Subdivision (d) of Section 65589.5, upon public health and safety or the physical environment or an any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.
 - c. The developer incentives would be contrary to State or Federal law.
2. Number of developer incentives. A developer eligible to receive a density bonus shall receive the following number of concessions or incentives, in addition to a density bonus:
 - a. One concession or incentive for projects that provide either 10% of the units affordable to low-income households, 5% of the units affordable to very low-income households, 10% of the units affordable to moderate-income households, or childcare facilities.
 - b. Two concessions or incentives for projects that provide either 20% of the units affordable to low-income households, at least 10% of the units affordable to very low-income households, or 20% of the units affordable to moderate-income households.
 - c. Three concessions or incentives for projects that provide either 30% of the units affordable to low-income households, at least 15% of the units affordable to very low-income households, or 30% of the units affordable to moderate-income households.
3. Parking. Upon request of a developer eligible to receive a density bonus, the city shall grant the following parking standards, inclusive of handicapped and guest parking, for the entire project as required by Government Code Section 65915(p)(1):
 - a. Zero to 1-bedroom units – 1 on-site parking space per unit
 - b. Two or more-bedroom units – 2 on-site parking spaces per unit

4. Developer incentives defined. For the purposes of this Section, concession or incentive means any of the following:
 - a. Reduced site development standards or modified zoning code or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and the ratio of vehicular parking spaces that would otherwise be required that results in identifiable, financially sufficient, and actual cost reductions.
 - b. Approval of mixed-use zoning if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project.
 - c. A density bonus greater than the amount required by this section.
 - d. Deferred or waived planning, plan check, construction permit, and/or development impact fees, in accordance with any fee deferral and waiver process and policies adopted by the city.
 - e. Direct financial aid in the form of a loan or grant to subsidize off-site improvements, land or construction costs.
 - f. Other regulatory developer incentives proposed by the developer or the City that result in identifiable, financially sufficient, and actual cost reductions.

5. Waivers and modifications of development standards.
 - a. Proposal. In accordance with Government Code Section 65915(e), an applicant may propose a waiver or modification of development standards if they would physically preclude the construction of a development meeting the criteria for Applicability, at the densities or with the developer incentives permitted by this Section.

A proposal for the waiver or reduction of development standards pursuant to this subdivision shall neither reduce nor increase the number of developer incentives to which the applicant is entitled pursuant to Section 17.50.040D, above.
 - b. Grounds for denial. In accordance with Government Code Section 65915(e), the City may deny an applicant's request to waive or modify the City's development standards in any of the following circumstances:
 1. The application does not conform with the requirements of this Section or Government Code Section 65915-65918.
 2. The applicant fails to demonstrate that the City's development standards physically preclude the utilization of a density bonus on a specific site.
 3. The waiver or reduction would have a specific, adverse impact, as defined in Government Code Section 65589.5(d)(2), upon health,

- safety, or the physical environment, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.
4. The waiver or reduction would have an adverse impact on any real property that is listed in the California Register of Historical Resources.
 5. The waiver or reduction would be contrary to State or Federal law.

D. Application and Evaluation.

1. All applications. All applications for a density bonus, developer incentive, or waiver or modification of development standards must include the following information:
 - a. The total number of base units and affordable housing units;
 - b. The specific developer incentive(s) sought, if any, and documentation regarding the necessity of the incentive in order to provide affordable housing costs or rents;
 - c. The specific waiver or modification to development standard(s), if any, and documentation regarding the necessity of the waiver or modification, including documentation demonstrating that the City's development standards physically preclude the utilization of a density bonus.
2. Land Donations. If requesting a density bonus based on land donation in accordance with Government Code Section 65915(g), in addition to the above listed information, the application must:
 - a. Demonstrate the developable acreage and zoning classification is compliant with eligibility criteria of 17.50.030A, and that the site is, or will be served by adequate public facilities and infrastructure;
 - b. Verify that all permits and approvals, other than building permits, necessary for the development of the very low-income housing units have been secured prior to the date of approval of the final subdivision map, parcel map, or other development permits;
 - c. Verify that the developer can donate and transfer land no later than the date of approval of the final subdivision map, parcel map, or residential development application; and
 - d. The land will be transferred to the city or to a housing developer approved by the city. The city may require the developer to identify and transfer the land to the affordable housing developer.
3. Childcare Facilities. If requesting a density bonus based on the provision of a child day care facility in accordance with Government Code Section 65915 (h), in addition to the above listed information, the application must:
 - a. Provide the location of the proposed child day care facility and the proposed operator;

- b. Agree to operate the child day care facility for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable;
- c. Agree to have contracted with a child day care facility operator for operation of the child day care facility before the first building permit is issued;
- d. Agree that the child day care facility will be in operation when the first certificate of occupancy is issued; and
- e. Of the children who attend the childcare facility, the children of very low-income households, low-income households and moderate-income households shall equal a percentage that is equal to or greater than the percentage of affordable units in the housing development that are required for very low-, low- or moderate-income households.

The city shall not be required to provide a density bonus or concession or incentive for a child care facility if it finds, based upon substantial evidence, that the community has adequate child care facilities.

Section 17.50.050 – Assurance of continued availability.

- A. Term of Availability. Where affordable housing units have been provided per the requirements of 17.50.020, or where a density bonus, incentives, or waivers of development standards has been made pursuant to this chapter, the developer shall assure both of the following:
 - 1. Continued availability of affordable units for a minimum of thirty years.
 - 2. Project phasing, including timing of completion, and rental or sale of affordable housing units shall occur concurrently with non-restricted units.
- B. Long Term Affordability. A developer of affordable units shall enter into an affordable housing agreement with the city prior to the recordation of the final map, or the issuance of a grading permit or a building permit where approval of a map is not requested. The agreement shall be recorded against the parcel(s) designated for construction of the affordable units. The agreement shall run with the land and shall be binding upon the successor(s) in interest. At a minimum, the agreement shall include:
 - 1. Total number and size of affordable units.
 - 2. Maximum qualifying household incomes for the affordable units.
 - 3. Standards for calculating affordable rents or affordable sales prices.
 - 4. Enforcement mechanisms, including annual reporting and monitoring to ensure affordable units are continuously occupied by eligible households and remedies for breach of the agreement.
 - 5. Affordability term.

Section 17.50.060 – Consistency with State Law.

The provisions of this subchapter are intended to comply with Government Code Section 65915 and related state laws. In the event that any provision of this section conflicts with Government Code Section 65915 or any related state laws, the state law shall apply.

I, JAMIE BOUCHER, hereby certify that I am the duly appointed City Clerk of the City of Morro Bay and that the foregoing ordinance was introduced on the ___ day of _____, 2014, and was adopted at an adjourned regular meeting of the Morro Bay City Council on the __ day of _____, 2014.

Jamie Boucher, City Clerk

Published according to law:



City of Morro Bay
Public Services/Planning Division
Current Project Tracking Sheet

This tracking sheet shows the status of the work being processed by the Planning Division
New Planning items or items recently updated are highlighted in yellow. Building permit updates are highlighted in green.

Approved projects are deleted on next version of log.

Agenda No: C-1

Meeting Date: January 15, 2014

#	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	City of Morro Bay	Citywide		A00-018	Zoning Text Amendment	Review of amendments to Title 17 of the Morro Bay Municipal Code and Master Fee Schedule. Amendments proposed to implement programs identified in the 2009-2013 Housing Element of the Morro Bay General Plan. To be reviewed at the 1-15-14 Planning Commission meeting with recommendations to be forwarded to the City Council at their 1-28-14 meeting.			
2	City of Morro Bay	Morro Creek/Embarcadero	3/14/13 & 10/25/13	UP0-371	FHWA Approved PE funds - CASB12RP-5391(013) - Phase 1 Morro Creek Trail & Bridge Project	In process. NEPA review required.RFP released 3-25-13. Planning working on PES form. Working with Althouse to do Botany survey and wetland delineation. Met with consultants on site on May 22, 2013. Consultant selected. PWAB meeting held to discuss bridge design options. Option 1. MND routed to State Clearinghouse. Review period ends 11/26/13. CUP application recvd 10/25/13. Approved by Planning Commission on 12/18/13. CUP and MND to be heard by City Council on 1/14/14.	BC- under review.TP-Cond. Approve 12/3/13	BCR-Planning and engineering ongoing. Bridge load and configuration selected: H-20 loading will allow our FD vehicles to cross. 30% design complete. Financial limitations may require redesign of trail. Supplemental funds splied for from SLOCOG.	
3	Volk	800 Quintana	10/14/13	CP0-413 & UP0-368	R/R Antennas & TMA Units	CJ- Project reviewed and ready for Planning Commission meeting 11/20/13. Project to include a height exception to increase height by 3 feet. Project approved by Planning Commission on November 20, 2013 but inadequate noticing was provided, project to be renoticed for the January 15, 2014 P.C. meeting. Applicant requesting continuance to the 2/5/14 PC meeting to allow time to revise RF report.	FD/TP-Cond. Approve 11/13/13. BC- conditionally approved.	RPS: Rcmd Approval with no comments	
30 -Day Review, Incomplete or Additional Submittal Review									
4	Wammack	505 Walnut	12/31/13	CP0-417	Coastal Development Permit for new SFR on vacant lot - concurrent permitting for Building Permit	Under initial review			

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations
5	Gonzalez	481 Java	12/30/13	UP0-374	Conditional Use Permit for Non conforming single family residence	KM - Under initial review.			
6	Meissner	1387 Hillcrest	12/12/13	CP0-416	Admin CDP	KM - Under review. Project within threshold for proximity to cultural resources. Project deemed not exempt from CEQA and subject to an initial study. Letter sent to applicant 1/6/14.			
7	Turner	360 Cerrito	12/12/13	CP0-415	Admin CDP	Under review			
5	Jacober	456 Oahu	12/12/13	AD0-085	Parking Exception	KM- Under initial review. Submitted concurrently with building permit application for SF addition. Application deemed complete 1/8/14.		DH-comments provided 1.8.14	
6	Parker/Steinmann	885 Embarcadero	11/6/13	UP0-372 (Amendment of CUP 28-02)	Amendment to Use Permit 28-02 to modify location of trash enclosure	KM - Corrections returned 11-21-13. Waiting on applicant to submit withdrawal letter.	BC- conditionally approved. Fire denied 11-26-13. TP-Disapprove 11/22/13.		
7	Turner	356 Yerba Buena	10/30/13	CP0-412	Single Family Addition & Remodel	Property located within ESH area. Wetlands delineation study received. Incomplete letter sent 11-26-13. CJ.	BC- conditionally approved. TP-Cond Approve 11/25/13.		
8	Buquet	647 Estero	10/16/13	CP0-411	Admin Coastal Development Permit for new SFR	KM - Under review. Corrections returned 11/15/13. Meeting with applicant on 1-7-14 to discuss project. Applicant to resubmit plans per discussion with staff.	Review complete, applicant to obtain building permit prior to construction. TP/FD Approves 11/6/13.	DH-Comments provided	
9	Hough	289 Main	10/16/13	CP0-410 & UP0-369	CDP and CUP to construct a single family home on vacant lot	CJ- under review. Met with Applicant's representative 11-21-13. Project subject to bluff development standards.	BC- conditionally approved. TP-Disapprove 12/6/13.	BCR: Conditionally approved: ECP and sewer video required per memo of 10/28/13	
10	Hough	279 Main	10/7/13	CP0-409 & UP0-366	CDP and CUP to construct a single family home on vacant lot	CJ- Project reviewed and additional info requested 11-21-13. Met with Applicant's representative 11-21-13. Resubmittal received and under review. CJ	Bldg -- Review complete, applicant to obtain building permit prior to construction. TP/FD Disapprove w/corrections 10/17/13.	BCR: Conditionally approved: ECP and sewer video required per memo of 10/28/13	

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11	Adamson	1000 Ridgeway	9/12/13	CP0-408	Admin Coastal Development Permit for Demo/Reconstruct of single family residence.	Under initial review. Parking Exception previously granted by Planning Commission for reduced driveway length Oct. 2012. CJ. KM - Correction letter sent 10/11/13. Corrections received 11/18/13. Permit issued on 12/20/13 and project appealed on 12/30/13. Appeal to be heard by PC on or before 2/19/14.	Bldg -- Review complete, applicant to obtain building permit prior to construction	BCR: Resubmit plans to address comments noted in memo of 10/14/13 - drainage report and street widening required	
9	Sonic	1840 Main St.	8/14/13	UP0-364 & CP0-404	Conditional Use Permit and Coastal Development Permit to develop Sonic restaurant.	Under initial review. Comment letter sent 9/10/13. CJ. Spoke w/ applicant 10/3 re: traffic study. CJ. Public Works & Fire comments received & forwarded 10/8/13 to applicant. Comments from Cal Trans received 10/31 and forwarded to Applicant. Applicant requested meeting w/ City staff & Cal Trans to review project requirements. Had project meeting-discussed traffic study requirements on 11-21-13.	Bldg -- Review complete, applicant to obtain building permit prior to construction.FD-Disapprove UPO 364/CPO 404 9/11/13	RPS: Initial conditions provide by memos of 9/10/13 and 10/14. Met with Caltrans on 10/17 and are awaiting their comment letter. Left messages for project Architect 10/18/13 advising him of Caltrans concerns.	
10	Redican	725 Embarcadero Rd.	6/26/13	UP0-359	Use Permit for seven boat slips and gangway	Under review. Incomplete letter sent 7-23-13. Resubmittal received on October 1, 2013. Additional info requested and resubmittal received 12-2-13.	Bldg -- Review complete, applicant to obtain building permit prior to construction. TP-Disapprove 11/19/13.	N/R	Harbor conditions: 1. one slip to be reserved for public use; 2. southern-most end tie to remain vacant in
11	AT&T	788 Main St.	6/10/13	UP0-362 & CP0-403	Special Use Permit for Recycling Container Enclosure in Parking Lot	CJ- Application under Review. Deemed Incomplete. Letter sent 7-9-13. Resubmittal received 11-5-13. Letter of incompleteness sent 12-4 CJ.	Bldg -- Review complete, applicant to obtain building permit prior to construction.TP-FD Disapprove Express Check 3/18/13 & FD Disapprove	RS- Rvw complete no frontage improvements required	
12	Goodwin	2920 Juniper	5/21/13	CP0-399	Coastal Development Permit for new SFR on vacant lot	CJ- Application deemed incomplete. Requested corrections 6/10/13.	No review performed.	RS&DH-Plan revisions reqd per memo 5/29/13	
13	City of Morro Bay	N/A			MND for Chorro Creek Stream Gauges	Applicant requesting meeting for week of 9/9/13. SWCA performing the environmental review-tentatively scheduled for 10/14/2013.	No review performed.	N/R	

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Continued projects									
14	City of Morro Bay	End of Nutmeg	1/18/12	UP0-344	Environmental documents for Nutmeg Tanks. Permit number for tracking purposes only County issuing permit. Demo existing and replace with two larger reservoirs. City handling environmental review	KW--Environmental contracted out to SWCA estimated to be complete on 4/27/2012. SWCA submitted draft I.S. to City on May 1, 2012. MR-Reviewed MND and met with SWCA to make corrections. In contact with County Environmental Division for their review. MND received by SWCA on 10/7/12. MND out for public notice and 30 day review as of 11/19/12. 30 day review ends on 12/25/12. No comments received. Scheduled for 1/16/13 Planning Commission meeting and then to be referred back to SLO County. Planning Commission continued this item to address concerns regarding traffic generated from the removal of soil. In applicant's court, they are addressing issues brought up by neighbors during initial P.C. meeting. Project has been redesigned and will be going forward with concrete tanks. Modifications to the MND are in process.	No review performed.	BCR- New design concept completed. Needs new MND for concrete tank, less truck trips. Neighborhood mtg held 9/27. Neighbors generally support new design that reduces truck trips by 80%. Concrete batch plant set up on site will further reduce impact.	
Ongoing Projects									
15	City of Morro Bay	N/A			CDBG funding to CAPSLO for operation of the Prado Day Center & Homeless Shelter, & Senior Nutrition Program	Staff has ongoing responsibilities for contract management.	No review performed.	N/R	
Projects in Process									
16	Frye	244 Shasta	3/6/13	CP0-396 and AD0-081	Secondary Unit and Parking Exception.	Proposed creation of secondary unit from garage. Parking exception. First Noticed 5-16-13. Setbacks noted on plan incorrect, therefore project required to be re-noticed on 6/26/13. Applicant now required to comply with or amend existing permit #CP0-013 before proceeding with proposed project. Met with applicant's representative regarding previously approved permit. Waiting for applicant's resubmital. Wayne Adams submitted a letter 1/6/14 requesting that the City determine the remaining permit considered abandoned.	No review performed.	N/R	

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17	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 and under review. Project referred to environmental consultant and Coastal. MND in process. Applicant revising bio report.	Review complete, applicant to obtain building permit prior to construction.	DH comments submitted 1/18/2012. Provide EC, drainage report, SW mgmt.	No Comments to date

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Environmental Review									
18	Lucky 7	1860 Main	3/12/13	CP0-394	Construct Fuel Island Canopy	CJ- Requested additional info. 3-29-13 Resubmittal received 7-22. Project deemed not exempt from CEQA. Initial Study in process.	Review complete, applicant to obtain building permit prior to construction. FD Approval CPO 394 8/23/13	Approved BCR 3/18/13	
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. Applicant directed to obtain wetland determination. Project waiting on applicant. Resubmittal received 9-10-13. Corrections sent to applicant.	Review complete, applicant to obtain building permit prior to construction. TP/FD Disapprove SOO-112 w/corrections 10/18/13.	BCR- comments submitted 4/47/12. Drainage issues need to be addressed.	

#	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
Grants										
20	Community Development Block Grant (CDBG) / HOME Program through Urban County Consortium	Downtown area	City-wide	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. CEQA NOE filed. NEPA clearance obtained 6/21/13. FY2014 Funding Cycle: Applications released on 9/9/13 and due on 10/15/13. Needs Workshop held on 9/16/13 at City of Atascadero. Draft funding recommendations to Council on 11/12/13. Council approved staff recommendation on 11/12/13. 2nd public workshop held on 1/7/14. Final funding recommendations to be heard at City Council on 1/28/14.	No review preformed.	2014 application submitted 10/14/13	
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.	Draft guidelines not yet released for 3rd round of funding.	No review performed.	N/A	
22	Coastal Conservancy, California Coastal Commission, California Ocean Protection Council	City-wide				\$250,000 Grant Opportunity for funding for LCP update to address sea-level rise and climate change impacts.	Application submitted July 15, 2013. Awaiting results. Agency requested additional information and submitted 10-7-13. Notice received application was successful for amount requested. City funded \$250,000. Staff in contact with Coastal Conservancy staff to commence grant contract. Grant activity start date expected to be February 2014.	No review performed.	N/A	
23	Coastal Commission LCP Assistance Grant Program	City-wide				\$1,000,000 Grant funding for Applications of \$50,000-\$300,000 in funding to assist with update of Local Coastal Plan to address effects of climate change and sea-level rise.	Application to be submitted. Deadline date 11-22-13 with funding announcements to be announced in early 2014.. Grant application submitted 11-22-13 with Council resolution due by 12-19-13. Application request denied.	No review performed.	N/A	

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Project requiring coordination with another jurisdiction									
24	City of Morro Bay	Outfall			Original jurisdiction CDP for the outfall and for the associated wells	Coastal staff is working with staff. Coastal letter received 4/29/2013.	No review performed.	City provided response to CCC on 7/12/13. Per Qtrly Conference Call CCC will take 30days to respond	
25	City of Morro Bay Desal Plant	170 Atascadero			Project requires a Coastal Development Permit for upgrades at the Plant. Final action taken Sent to CCC but pursuant to their request the City has rescinded the action.	Waiting for outcome from the CDP application for the outfall	No review performed.	BCR- Phase 1 Maint and Repair project is underway. Desal plant start-up scheduled for 10/15	
Preapplication projects									
26		Little Morro Creek Road			BMX park	Permit process info provided to applicant on 7-23-13. Staff met with applicant on 8/30/13 to provide further application requirement info. Provided additional clarifying information 11-19-13 to applicant who is finalizing use permit application package. No recent contact.	Met with applicant.	Met w/ applicant 10/15/13 to determine project scope	

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Final Map Under Review									
27	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. Tentative map improvements.	Improvements under construction.	DH - PIP submitted PIP to be built prior to map recordation. Public Improvements under construction.	
28	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.	No review preformed.	DH - resubmitted map and Biological study on Dec 19th 2012. PW has completed their review. Received a letter from Medina's lawyer and preparing response. PW comments sent to RS to be included with his response letter. RS said to process map for CC. Letter being prepared to send to applicant to submit mylars for CC meeting.	

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Projects Continued Indefinitely, No Response to Date on Incomplete Letter or inactive									
29	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. Resubmitted additional material on 9/30/09. Applicant working with City Staff regarding lease for subject site. Applicants enter into agreement with City Council on project. Applicant to provide revised site plan. Staff processing a "Summary Vacation (abandonment)" for a portion of Surf Street. Staff waiting on applicant's resubmittal. Meeting held with applicant 2/23/2011. Staff met with applicant 1/27/11 and reviewed new drawings, left meeting with 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.	Please route project to Building upon resubmittal.	An abandonment of Front street necessary. To be scheduled for CC mtg.	
30	James Maul	530, 532, 534 Morro Ave	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. Six month extension granted.	Please route project to Building upon resubmittal.	N/A	

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Projects going forward to Coastal Commission for review									
31	City of Morro Bay		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.	Application for Amendment submitted to Coastal Commission 9-11-13. Received comments back from CCC working on addressing issues	No review preformed.	N/A	

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Projects Appealed or Forwarded to City Council									
32	City of Morro Bay	N/A		n/a	Urban Forest Management Plan	Public Works anticipating to present plan at Nov. 20th PC meeting. Presented to Planning Commission at 11-20-13 meeting which provided comments to be forwarded to Council.	No review performed.		
33	City of Morro Bay	Citywide	6/19/13	A00-015	Sign Ordinance Update. Text Amendment Modifying Section 17.68 "Signs"	Text Amendment Modifying Section 17.68 "Signs". Planning Commission placed the ordinance on hold pending additional work on definitions and temporary signs. 5/17/2010. PC made recommendations and forwarded to Council. Scheduled for 5/10/11 CC meeting, item was continued. Item heard at 5/24/11 City Council Meeting. Interim Urgency Ordinance approved to allow projecting signs. A report on the status of this project brought to PC on 2/7/2011. The item to be back to City Council first meeting in Nov. Workshops scheduled 9/29/11 & 10/6/11 .-Workshop results going to City Council 12/13/11. Continued to 1/10/12 CC meeting. Staff Report to PC. Project went to 5/2/2012. Currently an intern is working on the Sign Ordinance. Update due to City Council in June 2013. Draft Sign Ordinance reviewed by PC on 6/19/13. Continued to 7/3/13 PC meeting for further review. PC has reviewed Downtown, Embarcadero, and Quintana Districts as well as the Tourist-Oriented Directional Sign Plan. 8/21/13 PC meeting scheduled to review North Main Street District. Final Draft of Sign Ordinance approved at 9/4/13 PC meeting with recommendation to forward to City Council. Council directed staff to do further research with local businesses. First workshop held 11/14 with approx. 12 Quintana area businesses. Second workshop in process of being scheduled.	No review performed.	N/R	
34	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.	Review complete, applicant to obtain building permit prior to construction.	See above	
Projects in Building Plan Check									
35	Sangren	675 Anchor	11/28/12	B-29813	SFR Addition	Requested corrections 1/9/13. C.J. Resubmittal received and under review (November 14, 2013)	BC- Returned for corrections 1/9/13.	N/A	
36	Sherrod	938 Anchor	11/8/13	B-30053	SFR Add/ Remodel	KM -Under review. Corrections returned 12-9-13.	BC- RFC 12/12/13.		
37	Skousen	175 Bali	11/18/13	B-30055	SFR Add/ Roof Deck	Requested corrections 11/19/13. C.J.	BC- Returned for corrections 11/21/13.		

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38	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	DH- Provide SW mgmt, drainage rpt, EC.	
39	Bowser	1364 Clarabelle	11/6/13	B-30051	SFR Remodel/ Deck	KM - Under review. Corrections returned 12-27-13.	BC- Resubmitted 12/12/13.		
40	Foster	500 Dawson	8/15/13	B-29983	New SFR	CJ- Needs CDP	BC- Resubmitted 10/28/2013.	JW- correction given 9.10.13, frontage req.	
41	Bylo	593 Driftwood	3/12/13	B-29870	SFR Addition	Disapproved. Compact in-fill permit conditions not met. 3-27	BC-Returned for corrections 3/28/13.	DH- Provide SW mgmt, drainage rpt, EC.	
42	Imani	571 Embarcadero	4/23/12	B-29695	Commercial alteration, addition	CJ- Incomplete Memo 11/26/2012 sent to applicant's representative. Correction sent 7/22/13 and 9/8/13 and 10/29/13. Waiting on applicant to show compliance with environmental mitigations. Resubmittal received 12-19 and approved 12-20-13. CJ.	BC- RTI pending bond.	BCR- Approved 5/23/12	
43	Vaughn	601 Embarcadero	10/11/13	B-29997	Commercial alteration, addition	KM - Under review. Corrections returned 11-21-13. Resubmittal received 11-26-13.	BC- resubmitted 11/26/13.	N/R	
44	PG&E	1290 Embarcadero	10/2/13	G-040	Soil Removal	CJ- Needs CDP	BC- on hold pending planning process.	Memo of 11029/13. CDP application should address soil	
45	Harbor	1620 Embarcadero	4/4/13	B-29888	Construct restroom and storage mezzanine within existing "Cal Poly Building."	CJ-requested corrections 4-15 CJ - Resubmittal received and correction sent 8/30/13 & 12/30/13.	BC-Resubmitted 12/16/13.	BCR- approved	
46	Methodist Church	3000 Hemlock	8/16/12	B-29752	Construct new modular classroom, site work.	Approved by MR 8-30-12	BC- out for pw corrections.FD Approves	BCR- 11/01/13 Revised Drainage report received and is	
47	Ferguson	605 Ironwood	4/24/13	B-29861	New SFR	KM - Approved 10/15/13.	BC- resubmitted 10/2/13. FD Approval CPO 400 8/22/13	BCR-11/01/13- Developer reduced impervious area to reduce requirements.	
48	Gonzalez	481 Java	10/6/13	B-30029	SFR Addition/ Remodel	KM - Disapproved due to nonconforming issues 10/22/13.	BC- on hold pending planning process.	Plans returned w/o comment until Plng issue resolved	
49	Douglass	2587 Laurel	10/14/13	B-30030	SFR Addition/ Remodel	KM - Under review. Corrections returned 12-3-13.	BC- resubmitted 11/12/13.	JW: Plans returned w/o comment Returned 12-11-2013	
50	Naran	2176 Main	5/13/13	B-29918	Partial change of occupancy	CJ - Corrections sent 5-29. Resubmittal received 11-20 and corrections sent 12-10-13.	BC-resubmitted 11/8/13.	N/R	
51	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. KM- Permit Denied - building over height pursuant to height certificate submitted by applicant	BC- Corrections	N/A	
52	Frantz	499 Nevis	9/23/12	B-29510	New SFR	CJ- approved	BC- RTI 9/16/2013.	N/A	
53	Johnson	902 Pacific	11/4/13	B-30048	Deck	KM - Under review. Corrections returned 11-20-13.	BC- Issued 12/9/13.		
54	Heller	271 Palm	10/31/13	B-30045	Remodel	KM - Under review. Corrections returned 11-20-13.	BC- returned for corrections 11/22/13.		
53	Adamson	1000 Ridgeway	9/11/13	B-30008	New SFR	CJ - on hold until CDP approval. CDP under appeal.	BC- under review.	BCR: Revise plans per memo of 10/14/13	
54	Frye	244 Shasta	5/7/13	B-29910	Garage to Second Unit conversion	KM - Needs to comply with or amend existing CDP.	BC- on hold pending planning process.	BCR-approved 5/13/13	

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55	Inn at MB	60 State Park	6/27/13	B-29884	Main Building Remodel	CJ- Corrections sent 7-17 including need to modify planning permit. Resubmittal received and response sent 12-18 to amend planning permit. Minor amendment necessary.	BC- Resubmitted 11/14/13.	RS - Referred to State Parks for comment on frontage imprvmts	
56	Cooley	510 Yerba Buena	11/5/13	B-30050	SFR Roof Deck	KM - Under review. Called applicant on 1-6-14 for more info.	BC- returned for corrections 11/21/13.		

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Projects & Permits with Final Action									
57		Climate Action Plan		n/a	The City of Morro Bay Climate Action Plan (CAP) is a long-range plan to reduce greenhouse gas (GHG) emissions from City government operations and community activities within Morro Bay and prepare for the anticipated effects of climate change. The CAP will also help achieve multiple community goals such as lowering energy costs, reducing air pollution, supporting local economic development, and improving public health and quality of life	Routed Initial Study - Negative Declaration to State Clearinghouse 10/28/13. Scheduled for Planning Commission 12/4/13 and Council adoption 1/14.	No review performed.		
58	Coastal Conservancy Climate Ready Grant	City-wide			\$200,000 Grant Opportunity for funding for a wide range of activities that address climate change impacts.	Application submitted 8-28-13. Notice received application request denied.	No review performed.	N/A	
62	TNF Ventures - Foster	500 Dawson	8/16/13	CP0-405	Admin Coastal Development Permit for new SFR on vacant lot	KM- Under review. KM - Concurrent permitting. Correction letter sent 9-11-13. Corrections received and under review. Approved 12/10/13.	Bldg -- Review complete, applicant to obtain building permit prior to construction.FD Approval CPO 405 9/11/13	JW: Conditionally approved with conditions noted in memo of 9/11/13. Revise Building plans based on memo of 9/11/13	



City of Morro Bay

Public Services/Planning Division

Advanced Planning Work Program

Work Item	Requested by	Date Requested	Comments	Estimated Staff Hours	Planning Commission	City Council	Coastal Commission
Updating the Strategic plan matrix for managing the greening process	City Council	Annually	Original green matrix went to P.C. on 7/6/09 and then to C.C. on 12/14/09. Now subject to annual updates	20 hours	Annual Updates	Annual Updates	
CEQA Implementation Guidelines	City Council	2006	CEQA guidelines were adopted in March 9, 1981 need to be updated.	120 to 160	TBD	TBD	NA
North Main Street Parking Plan	City Council	2011	Text amendment to be review by Planning Commission and PC to make recommendation to City Council 4/18/12 PC mtg. City Council took action on June 3, 2012 and Approved the amendment. Text Amendment ready to be submitted to California Coastal Commission	100	4/18/2012	6/4/2012	TBD
Sign Ordinance Update	City Council	2010	Text Amendment Modifying Section 17.68 "Signs". Planning Commission placed the ordinance on hold pending additional work on definitions and temporary signs. 5/17/2010. Planning Commission made recommendations and forwarded to Council. Anticipate a City Council public hearing on the draft ordinance on May 2011. Scheduled for 5/10/11 CC meeting, item was continued. Item heard at 5/24/11 City Council Meeting. Interim Urgency Ordinance approved to allow projecting signs. A report on the status of this project brought to PC on 2/7/2011. The item shall be brought back to City Council first meeting in November. Workshops scheduled September 29, 2011 and October 6, 2011.-Workshop results going to City Council December 13, 2011. Continued to 1/10/12 CC meeting. Staff Report to PC. Project went to 5/2/2012. Currently an intern is working on the Sign Ordinance. Update due to City Council in June 2013	150 to 250 + consultant hrs	Project went to P.C. on May 16, 2012. At this meeting staff was given several tasks to accomplish prior to the June 20, 2012 meeting including the following: bring back survey results differentiating between the surveys, a new matrix with all definitions including those new definitions provided by the Commission, bring back pictures of signs, clarification of the difference between internally and externally illuminated signs, limitations on materials, encourage increase in window signs, add a column for staff recommendations, define shopping center, enlarge the downtown area.	TBD	
Wireless Ordinance	City Council	2009	Text amendment. Ready to be submitted to California Coastal Commission				
Updated Zoning Ordinance	CC based on CCC letter	2010	Project on hold pending direction.	1,800	TBD	TBD	TBD
Updated General Plan/LCP	CC based on CCC letter	2010	Subcommittee formed. Meetings held are: 11/9/11 to develop plan of action, 12/7/11 to review Access & Recreation Element. Changes were made but not yet finalized. 1/9/12 to review Harbor Resources Element Next meeting scheduled for 1/30/12 to discuss Visual Resources. No additional meetings held. Work plan for the update of the General Plan and LCP due back to City Council on June 25, 2013	1,800	TBD	TBD	TBD
2014 Housing Element Update		2013	The City of Morro Bay is required to update their Housing Element (5th Cycle). The update is due June 14, 2014. Staff will be sending out an RFP for a consultation to assist with the preparation of the update.				
Status report on Progress of Planning Study Committee Solutions (May '13)	City Council	2013					