



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 - Tuesday, April 7, 2015
Veteran's Memorial Building – 6:00 P.M.
209 Surf Street, Morro Bay, CA**

Chairperson Robert Tefft

Commissioner Gerald Luhr
Commissioner Richard Sadowski

Vice-Chair Katherine Sorenson
Commissioner Michael Lucas

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 Community Development at (805) 772-6264. 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 Current and Advanced Planning Processing List
Staff Recommendation: Receive and file.

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.:** UP0-374 and AD0-098 *Continued from the June 3, 2014 Planning Commission meeting*
Site Location: 481 Java Street
Proposal: Conditional Use Permit, Parking Exception, and Variance request to allow a nonconforming addition/alteration to an existing nonconforming single family residence on a 2,400 square-foot lot in the R-1/S.1 zone. The existing 1,112+/- square-foot house and 200+/- carport are nonconforming with regard to parking, front, rear, and west side setbacks, and lot coverage requirements. The applicants are proposing a 655-square-foot, second-story addition, a remodel of the existing ground level structure, and construction of a new replacement carport. A Conditional Use Permit is requested to allow an addition exceeding 25% of the existing floor area of a nonconforming structure. A Parking Exception is requested to allow a one-car carport and a second open tandem parking space where two covered parking spaces are otherwise required. A Variance is requested to allow construction of the carport in the west side setback and reconstruction of the existing house in the front setback. The project site is located outside the appeal jurisdiction of the California Coastal Commission.
CEQA Determination: Categorical Exempt, Section 15303, Class 3
Staff Recommendation: Conditionally approve.
Staff Contact: Whitney McIlvaine, Contract Planner, (805) 772-6211

- B-2** **Case No.:** CP0-442 and UP0-381
Site Location: 301 Little Morro Creek Road
Proposal: Coastal Development and Conditional Use Permit to allow a BMX bike park on vacant City-owned property near the intersection of Little Morro Creek, Radcliffe and Main Streets. BMX park to include installation of multiple bike trails and wooden skills features for riders of varying abilities.
CEQA Determination: Categorical Exempt, Section 15304 Class 4
Staff Recommendation: Conditionally Approve
Staff Contact: Cindy Jacinth, Associate Planner, (805) 772-6577

- B-3** **Case No.:** CP0-450 Appeal
Site Location: 2740 Elm Street
Proposal: Appeal of Director denial of Administrative Coastal Development Permit. Applicant requests the demolition of one of two existing dwelling units on site and the construction of a new 2,031 square-foot single-family residence with a five foot garage entry setback, where 15 feet is required, at the rear of a street to street lot located in the R-1/S.2 zone. Specifically, the project is 2,782 square feet and includes a 1,523 square-foot single-family residence with a 509 square-foot garage and a 750 square-foot secondary dwelling unit.
CEQA Determination: Categorical Exempt, Section 15303, Class 3
Staff Recommendation: Deny the appeal and uphold the Director's denial of the project
Staff Contact: Joan Gargiulo, Contract Planner, (805) 772-6270

- B-4** **Case No.:** CP0-448 Appeal
Site Location: 845 Ridgeway
Proposal: Appeal of Director approval of an Administrative Coastal Development Permit for the demolition of an existing single-family residence and the subsequent construction of a 3,216 square foot single-family residence at 845 Ridgeway. Specifically, the project includes 2,420 square feet of habitable floor area with a 766 square-foot attached garage, a 30 square-foot front porch, and a 90 square-foot back porch in the R-1 zone.
CEQA Determination: Categorical Exempt, Section 15303, Class 3
Staff Recommendation: Deny the appeal and uphold the Director's approval of the project
Staff Contact: Joan Gargiulo, Contract Planner, (805) 772-6270

- C. UNFINISHED BUSINESS - None
- D. NEW BUSINESS
- E. PLANNING COMMISSIONER COMMENTS
- F. COMMUNITY DEVELOPMENT MANAGER COMMENTS
- G. ADJOURNMENT

Adjourn to the regular Planning Commission meeting at the Veteran’s Memorial Building, 209 Surf Street, on April 21, 2015, 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 Community Development Department, 955 Shasta Avenue, for any revisions, or call the department at 772-6261 for further information.

Written testimony is encouraged so it can be distributed in the Agenda packet to the Commission. Material submitted by the public for Commission review prior to a scheduled hearing should be received by the Planning Division at the Community Development 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 Community Development Department, Planning Division.

Materials related to an item on this Agenda are available for public inspection during normal business hours in the Community Development 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 Community Development 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 Community Development 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 with 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.



Staff Report

AGENDA NO: B-1

MEETING DATE: April 7, 2015

TO: Planning Commissioners **DATE:** April 7, 2015

FROM: Whitney McIlvaine, Contract Planner

SUBJECT: Continuance of Conditional Use Permit #UP0-374 together with Variance #AD0-099 and Parking Exception #AD0-098 to allow a nonconforming addition/alteration in excess of 25% to an existing nonconforming structure and to allow tandem parking at 481 Java Street.

RECOMMENDATION:

APPROVE THE PROJECT with changes by adopting Planning Commission Resolution 08-15 which includes findings and conditions for approval of the requested Conditional Use Permit #UP0-374 and Parking Exception #AD0-098 and denial of the Variance #AD0-099 for the project at 481 Java Street as depicted on revised site development plans dated February 3, 2015.

APPLICANT/AGENT: Jose Gonzalez and Belinda Reyna / Kathleen Bergantzel

LEGAL DESCRIPTION/APN: 065-067-011

PROJECT DESCRIPTION:

The applicants are proposing a 655-square-foot, second-story addition, a remodel of the existing ground level structure, and construction of a new 270 square-foot carport. A Conditional Use Permit is requested to allow an addition exceeding 25% of the existing floor area of a nonconforming structure. A Parking Exception is requested to allow a one-car carport and a second open tandem parking space where two covered parking spaces are required. A Variance is requested to allow construction of the carport in the west side setback and reconstruction of a portion of the front façade in the front yard setback. The nonconforming issues are further discussed in the project analysis.

PREVIOUS REVIEW:

At its meeting on June 3, 2014, the Planning Commission voted 4-0, with Commissioner Sadowski recusing himself, to continue this item to a date uncertain with direction to the applicant to accommodate two cars on site. (See Exhibit B, excerpt from meeting minutes). Originally the applicant had requested approval of the project with only one parking space on

Prepared By: WM

Dept Review: SG

<u>Adjacent Zoning/Land Use</u>			
North:	Single Family Residential (R-1/S.1)	South:	Single Family Residential (R-1/S.1)
East:	Single Family Residential (R-1/S.1)	West:	Single Family Residential (R-1/S.1)

<u>Site Characteristics</u>	
Site Area	2,400 square feet
Existing Use	Single Family Residence
Terrain	Nearly level
Vegetation	Minimal
Archaeological Resources	Site not located within 300 of an archeological resource
Access	Java Street

<u>General Plan, Zoning Ordinance & Local Coastal Plan Designations</u>	
General Plan/Coastal Plan Land Use Designation	Medium Density Residential
Base Zone District	Single Family Residential (R-1)
Zoning Overlay District	S.1 overlay
Coastal Zone	Yes, but not located in the Original or Appeal Jurisdiction.

<u>Zoning Ordinance Standards: R-1/S.1</u>				
	Standards	Existing	Proposed	Complies?
Front Yard Setback	10 feet	4 feet 9.7 inches	4 feet 9.7 inches	No
Interior Yard Setback	3 feet	West: 2.5 feet +/- East : 6 feet +/-	West: 1foot 8 inches East : 6 feet +/-	West: No East: Yes
Rear Yard Setback	5 feet	2 feet 5.5 inches	2 feet 5.5 inches	No
Lot Coverage	Max. 50% (1,200 s.f.)	57% +/-	56%+/-	No
Height	25'	12 feet	21 feet 2.25 inches	Yes
Parking	2 covered and enclosed spaces	1 carport space	1 carport space and 1 open space in tandem	Yes, with approval of Parking Exception

PROJECT ANALYSIS:

Permit History

County Assessor records indicate a structure was built on the property in 1942. In 1975, the City granted a variance to permit interior improvements to an existing nonconforming structure and allow construction of a carport, subject to the condition that the proposed one-car carport be setback at least 10 feet from the front property line. The permit indicated the house is nonconforming with regard to front and rear setbacks. Although construction of the carport caused the site development to exceed lot coverage, it is not clear from the record whether this issue was specifically discussed. Today, the site is developed with a 1,112 square foot, single-story residence with an attached 210+/- square-foot carport which encroaches approximately 4 inches into the side setback. There is also a 37 square-foot storage shed.

Project Design Approach and Staff Response

The project seeks to maximize the development of the site by retaining the footprint of the existing structure and the related nonconforming setbacks and lot coverage and requesting an exception for the type and arrangement of the two required parking spaces.

Staff supports the second-story addition to the existing nonconforming structure and approval of a parking exception to allow tandem parking on site. Staff also supports the proposed alteration to the front of the house. Although reconstruction of this area will be extensive, it will not extend beyond the existing footprint and does not involve total demolition. The City of Morro Bay has not established a threshold that would require reconstruction beyond a certain square footage or valuation to conform to current site development standards. Alteration of the front portion of the house is therefore a continuation of the existing nonconformity and does not technically require approval of a variance.

In contrast to the alterations to front of the house, the carport is proposed to be completely demolished and rebuilt with a modified design and footprint. Variance approval is required for new construction of the proposed carport because it would encroach into the side yard setback by 1 foot 4 inches, and because together with the footprint of the dwelling, this new construction exceeds allowable lot coverage.

Staff does not support this variance request. California State law (Government Code Section 65906) provides for granting a variance from the strict interpretation of a zoning ordinance *only* when special circumstances apply to the property that clearly differentiate it from other properties in the vicinity with the same zoning. In fact, the project site is fairly typical of properties in the vicinity with the same zoning.

Given the existing building footprint and its 46% lot coverage, the only way to enable two on-site parking spaces would be to arrange them in tandem and uncovered. On the plus side,

resulting lot coverage would allow for a reasonably sized storage shed.

Project Architecture

The existing single-story structure has an exterior stucco finish with wood siding at the gable ends and widely spaced wood battens. The attached carport with a shed roof is in extreme disrepair and would be replaced with a new carport with a flat roof covered in rolled asphalt. Proposed plans show a stone veneer at the base of the front façade and partially wrapping onto the west elevation, horizontal wood siding in the gable ends, wood trim around new windows, and an open horizontal railing around the second-story deck. Stucco is proposed as the main finish for exterior walls. The proposed colors are predominately tan and brown. (Exhibit D.) While it doesn't reduce the lot coverage calculation, the redesign of the front façade to include a larger porch area helps to reduce the apparent mass of the first floor from the street view, as does setting the second-story addition toward the rear of the structure.

Landscaping

The proposed landscaping plan includes no on-site landscaping. It suggests some changes to the planter area in the right of way in front of the house. Other than street trees, there are no City requirements for landscaping in the right-of-way. The building footprint and parking areas leave virtually no room for on-site landscaping.

Lot Coverage

The maximum allowed lot coverage for this site is 50%. Staff calculated existing lot coverage to be approximately 57%. No change to the footprint of the residence is proposed (1,112 SF). However, the project summary and the landscape plan show an increase in the size of the carport and removal of an outdoor storage structure. The net change would result in a slight increase in lot coverage. A revised site plan (Sheet A.1.1) indicates a smaller 231 square-foot carport and no outdoor storage shed, which would result in a slight reduction in lot coverage. Both designs result in more than 50 % lot coverage. As discussed above, variance approval is required for the proposed new carport in part because it causes the project to exceed lot coverage.

Additions to Nonconforming Structures

The Zoning Ordinance, subsection 17.56.160B, requires approval of a conditional use permit for projects proposing additions in excess of 25% of the existing floor to a nonconforming structure.

The existing structure is nonconforming with regard to front, rear, and side setbacks and lot coverage. Because the floor area of the existing structure exceeds 1,000 square feet, existing site development is also nonconforming with regard to number of on-site parking spaces.

This project proposes to add a carport and a second-story addition of approximately 655 square feet to the existing 1,112 square-foot structure, an increase of approximately 59%. The resulting project would also be nonconforming with regard to required front, rear, and side-yard setbacks and coverage. In addition, the resulting project would require approval of a parking exception.

The above table, *Zoning Ordinance Standards:R-1/S.1*, summarizes project compliance /non-compliance with the zoning standards for site development.

Approval of a conditional use permit for projects proposing additions in excess of 25% of the existing floor to a nonconforming structure require the following findings to be made:

1. The enlargement, expansion, or alteration is in conformance with all applicable provisions of the Zoning Ordinance.

The proposed second-story addition is consistent with Zoning Ordinance requirements for setbacks and height and does not impact lot coverage. (Approval of a Parking Exception and Variance is required to allow the proposed tandem parking arrangement and construction of the carport.)

2. The project meets applicable Title 14 (Building and Construction Code) requirements for a conforming use.

The applicant would be required to submit a complete building permit application and obtain the required building permit prior to construction.

3. The project is suitable for conforming uses and will not impair the character of the zone in which it exists.

As an addition to an existing single-family residence, the project is suitable for the conforming residential use. Site development is generally in keeping with the surrounding zone, which is characterized by dense residential development as a result of the small 2,400 square-foot lot pattern.

4. It is not feasible to make the structure conforming without major reconstruction of the existing structure.

Major demolition and reconstruction of the existing structure would be necessary for it to meet parking, setback and lot coverage requirements.

Parking Exception

The project proposes to construct a replacement carport with a setback of less than 2 feet where 3 feet is the minimum setback. The Zoning Ordinance requires two covered and enclosed parking spaces for residences exceeding 1,000 square feet. Tandem parking is allowed with approval of a parking exception for existing residences where a second adjacent space is not feasible, or on lots of 40 feet or less in width. The applicants have applied for a parking exception to allow a single space carport. Plans show a second on-site open parking space in tandem in front of the carport

in response to the Planning Commission's direction to provide two on-site spaces. Construction of the carport as proposed requires approval of a variance. The required findings are listed below.

Variance Application and Required Findings

The project requires approval of a variance for the carport to be constructed 1 foot 7 inches from the property line where a minimum of 3 feet would otherwise be required. Plans show the carport eave extending closer than 2 feet from the property line, which is contrary to MBMC subsection 17.48.110. As noted above, construction of the carport also causes the project to exceed the maximum lot coverage of 50%.

The variance and parking exception applications for this project is attached as Exhibit C. As stated in the application supplement, California State law (Government Code Section 65906) provides for granting a variance from the strict interpretation of a zoning ordinance only when special circumstances apply to the property:

Variances from the terms of the zoning ordinances shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

A variance shall not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

The applicants' variance application cites the small size of their lot and the site development in the immediate neighborhood and the hardship of a complete demolition and rebuild as justification for approval of the requested variance.

The Zoning Ordinance (Section 17.60.060) states that variances may be granted when all of the following circumstances are found to apply:

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

It is not clear what condition could be applied to this project that would ensure approval of the variance is not a grant of special privilege.

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

The size, shape and topography of the subject lot are substantially the same as that of most other lots in the project vicinity. The applicants state that there are other nonconforming properties in the vicinity. However, all properties in the vicinity with nonconforming development are subject to the same zoning standards as the applicants' property.

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

The General Plan Land Use Element and the Coastal Land Use Plan contain policies that support flexibility of site development standards but do not endorse the variance process as a means of achieving that flexibility.

CONCLUSION:

Throughout the City of Morro Bay, there are numerous developed properties which do not conform to current Zoning Ordinance standards. The Zoning Ordinance acknowledges legal nonconforming uses and structures and specifies standards for their continuance, replacement, and alteration with the aim of reducing nonconforming uses and situations over time. Where structures are nonconforming, additions are allowed providing said additions meet current zoning standards. In this case, the applicant is asking for a nonconforming addition to a nonconforming structure. While the impact of this specific proposal may be relatively minor given the surrounding development, approval of the variance is contrary to the intent of the adopted Zoning Ordinance provisions (Chapter 17.56) regarding nonconforming uses and structures.

The small lot sizes in this area of the City potentially argue for a closer adherence to the S-1 site development standards rather than additional leniency. However, because the project design proposes to re-utilize a significant portion of the existing construction, to set the second story addition toward the rear of the house, and to provide an architecturally compatible and necessary upgrade to the structure, staff supports the second -story addition and related interior alterations. Staff also supports allowing parking to be provided in tandem and uncovered given the lot size and existing building footprint, consistent with previous Planning Commission direction. Because of the exacting nature of findings required for approval of a variance, staff does not support the proposed carport, which would not meet coverage or setback standards and would preclude any opportunity for outdoor storage.

ENVIRONMENTAL DETERMINATION:

Environmental review was performed for this project and staff determined it meets the requirements for a Categorical Exemption under CEQA Guidelines Section 15303 Class 3. That exemption applies to construction of a limited number of new structures in an urbanized area.

PUBLIC NOTICE:

Notice of this item was published in the San Luis Obispo Tribune newspaper on March 27, 2015, and all property owners of record within 300 feet and occupants within 300 feet of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application.

ATTACHMENTS:

- Exhibit A – Planning Commission Resolution #08-14
- Exhibit B – Planning Commission minutes from 6-3-14
- Exhibit C – Variance and Parking Exception Application
- Exhibit D – Colors and Materials
- Exhibit E – Plan Reductions
- Exhibit F – 1975 Variance resolution, report, and site plan

EXHIBIT A
RESOLUTION NO. PC 08-14

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION
DENYING VARIANCE (AD0-099) FOR CONSTRUCTION OF A CARPORT
WITHIN THE SIDE SETBACK AND LOT COVERAGE EXCEEDING 50%; AND
APPROVING CONDITIONAL USE PERMIT (UP0-374) TO ALLOW A SECOND-
STORY ADDITION EXCEEDING 25% OF THE EXISTING FLOOR AREA TO A
NONCONFORMING RESIDENTIAL STRUCTURE; AND APPROVING PARKING
EXCEPTION (ADO-098) TO ALLOW TWO OPEN, UNCOVERED TANDEM
PARKING SPACES; AND AT 481 JAVA STREET

WHEREAS, the Planning Commission of the City of Morro Bay (the “City”) conducted a public hearing at the Morro Bay Veteran’s Hall, 209 Surf Street, Morro Bay, California, on April 7, 2015 for the purpose of considering Variance AD0-099 and Conditional Use Permit UP0-374 and Parking Exception AD0-098 for a proposed additions to a nonconforming single-family home and tandem parking at 481 Java Street; and

WHEREAS, notice of the public hearing was provided at the time and in the manner required by law; and

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.

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

Section 1: Findings. Based upon all the evidence, the Commission makes the following findings:

California Environmental Quality Act (CEQA) Finding

1. Pursuant to the California Environmental Quality Act, the project is categorically exempt under Section 15303, Class 3 for construction of a single-family residence.

Findings for Denial of the Variance for Construction in the Side Setback and Exceeding Lot Coverage

1. The variance, allowing a nonconforming addition to a nonconforming structure, would constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and zoning district, and would be contrary to the intent of the adopted Zoning Ordinance provisions (Chapter 17.56) regarding nonconforming uses and structures.

2. There are no special circumstances applicable to the project site, such as size, shape, topography, location, or surroundings to specifically distinguish the property from others in the vicinity with the same zoning such that the strict application of the site development standards in the Zoning Ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity and zoning district.
3. The project, as proposed with the new carport, is not in conformance with the General Plan and Local Coastal Program because it is not consistent with the Zoning Ordinance which implements the General Plan and is part of the Local Coastal Program.
4. The project, as proposed, is not in conformance with the Zoning Ordinance in that the carport does not comply with the required side yard setback and maximum lot coverage for the zone in which it is located or with the requirement that additions to nonconforming structures be conforming.

Findings for Approval of the Conditional Use Permit

1. As conditioned, the project is consistent with the General Plan and Local Coastal Plan which establish five residential land use categories to provide for a wide range of densities and to ensure that residential land is developed to a density suitable to its location and physical characteristics.
2. The proposed second-story addition is in conformance with all applicable provisions of the Morro Bay City Zoning Ordinance (the “Zoning Ordinance”), including building height, setbacks, and lot coverage.
3. The project meets applicable Title 14 (Building and Construction Code) requirements for a conforming use since the applicant is required to submit a complete building permit application and obtain the required building permit prior to construction.
4. The project is suitable for conforming uses and will not impair the character of the zone in which it exists because it proposes additions to a single-family dwelling, which is an allowed use in the R-1 zone and the surrounding neighborhood is developed with one- and two-story custom homes.
5. It is not feasible to make the existing structure conforming without major demolition and reconstruction. Major demolition and reconstruction of the existing house would be necessary to meet required setbacks and lot coverage and to accommodate a two-car garage.

Findings for Approval of a Parking Exception for Two Open Uncovered Tandem Spaces

1. The parking exception will not constitute a grant of special privilege inconsistent with the driveway or parking limitations upon other properties in the vicinity and

- the alternative to the parking design standards will be adequate to accommodate on the site all parking needs generated by the use. With approval of the exception, two required parking places will be provided on site consistent with the Zoning Ordinance requirements.
2. The exception to allow open uncovered tandem parking will not adversely affect the health, safety or general welfare of persons working or residing in the vicinity and no traffic safety problems will result from the proposed modification of the parking standard because the parking area will not conflict with existing traffic patterns in the right-of-way and driveway construction will be subject to Building Code requirements and the City's City Engineering standards.
 3. The exception is reasonably necessary for the applicant's full enjoyment of uses similar to those upon the adjoining real property, given the footprint and lot coverage of the existing building on site.

Section 2. Action. The Planning Commission does hereby deny Variance AD0-099 and approve Conditional Use Permit UP0-374 and Parking Exception AD0-098 for property located at 481 Java Street subject to the following conditions:

STANDARD CONDITIONS

1. This permit is granted for the land described in the staff report dated April 2, 2015, for the project at 481 Java Street depicted on plans received by the City and date-stamped February 3, and March 6, 2015, on file with the Community Development Department, as modified by these conditions of approval, and more specifically described as follows: Site development, including all buildings and other features, shall be located and designed substantially as shown on plans, unless otherwise specified herein.
2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this Resolution and is diligently pursued, thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Any extension may be granted by the City's Community Development Manager, upon finding the project complies with all applicable provisions of the Morro Bay Municipal Code (the "MBMC"), General Plan and certified Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.
3. Changes: Minor changes to the project description and/or conditions of approval shall be subject to review and approval by the Community Development Manager. Any changes to this approved permit determined, by the Community

Development Manager, not to be minor shall require the filing of an application for a permit amendment subject to Planning Commission review.

4. Compliance with the Law: (a) All requirements of any law, ordinance or regulation of the State of California, the City, and any other governmental entity shall be complied with in the exercise of this approval, (b) This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan for the City.
5. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicants failure to comply with conditions of approval. Applicant understands and acknowledges the City is under no obligation to defend any legal actions challenging the City's actions with respect to the project. This condition and agreement shall be binding on all successors and assigns.
6. Compliance with Conditions: The applicant's establishment of the use or development of the subject property constitutes acknowledgement and acceptance of all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Community Development Manager or as authorized by the Planning Commission. Failure to comply with any of these conditions shall render this entitlement, at the discretion of the Community Development Manager, null and void. Continuation of the use without a valid entitlement will constitute a violation of the MBMC and is a misdemeanor.
7. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan of the City.

PLANNING CONDITIONS

1. Archaeology: In the event of the unforeseen encounter of subsurface materials suspected to be of an archaeological or paleontological nature, all grading or excavation shall immediately cease in the immediate area, and the find should be left untouched until a qualified professional archaeologist or paleontologist, whichever is appropriate, is contacted and called in to evaluate and make recommendations as to disposition, mitigation and/or salvage. The developer shall be liable for costs associated with the professional investigation.

2. Construction Hours: Pursuant to MBMC subsection 9.28.030.I, Construction or Repairing of Buildings, the erection (including excavating), demolition, alteration or repair of any building or general land grading and contour activity using equipment in such a manner as to be plainly audible at a distance of fifty feet from the building other than between the hours of seven a.m. and seven p.m. on weekdays and eight a.m. and seven p.m. on weekends except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Community Development Department, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for a period of three days or less while the emergency continues.
3. Dust Control: That prior to issuance of a grading permit, a method of control to prevent dust and wind blow earth problems shall be submitted for review and approval by the Building Official.
4. Conditions of Approval: Prior to the issuance of a Building Permit, the final Conditions of Approval shall be attached to the set of approved plans. The sheet containing Conditions of Approval shall be the same size as other plan sheets and shall be the last sheet in the set of Building Plans.
5. Exterior Stairs: There shall be no exterior stair entry on the west side of the house.
6. Reduced Front Yard Setback: The front yard setback shall be a minimum of 4 feet 9 inches.
7. Boundaries and Setbacks: The property owner is responsible for verification of lot boundaries. Prior to requesting foundation inspection, a licensed land surveyor shall verify lot boundaries and building setbacks to the satisfaction of the City Building Official. A copy of the surveyor's *Form Certification* based on a boundary survey shall be submitted with the request for foundation inspection.
8. Landscaping: Any landscaping beneath the street tree in the right-of-way in front of the residence shall be subject to review and approval by the Community Development Director.
9. Driveway Design: The entire on-site driveway and parking area shall be constructed using pavers as depicted on the landscape plan (Sheet L1.0).

PUBLIC WORKS CONDITIONS

The Planning Permit is conditionally approved subject to the following conditions:

1. Storm Water: Though the project is below the 2,500 square foot impervious area threshold that would trigger stormwater management requirements, the project is encouraged to use Low Impact Development practices in site design and management of stormwater runoff.
2. Drainage: Show drainage paths on the plans. Drainage to the street is encouraged.

If drainage to adjacent properties is unavoidable, concentrated flow must be avoided.

3. Utilities: Include the locations of all proposed utilities, gas, sewer, water etc. Indicate on the plans the location of the lateral and if the sewer lateral is proposed or existing. If the existing sewer lateral is going to be used, conduct a video inspection of the conditions of existing sewer lateral prior to building permit issuance. Submit a DVD to City Public Services Department. Repair or replace as required to prohibit inflow/infiltration.
4. Sewer Backwater Valve: If not already existing, a sewer backwater valve shall be installed on site to prevent a blockage or maintenance of the municipal sewer main from causing damage to the proposed project. (MBMC 14.07.030) Indicate on the plans.

Add the following Notes to the Building Plans:

1. No work within nor any use of any public rights of way shall occur without an encroachment permit. Encroachment permits are available at the City's Public Services Office located at 955 Shasta Ave. The Encroachment permit shall be issued concurrently with the building permit.
2. Any damage to any of the City's facilities (such as curb/berm, street, sewer line, water line, or any public improvements) resulting, directly or indirectly from construction operations related to this project shall be repaired at no cost to the City.

BUILDING CONDITIONS

1. Building Permit: Prior to construction, the applicant shall submit a complete Building Permit Application and obtain the required Permit.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 7th day of APRIL, 2015 on the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson

ATTEST

Scot Graham, Community Development Manager

The foregoing resolution was passed and adopted this 7ST day of APRIL 2015.

EXHIBIT B

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – JUNE 3, 2014

Chairperson Tefft stated he supports the project and concurred with Commissioners Fennacy and Lucas regarding upgrading the house. He expressed appreciation of staying within the existing footprint and not expanding the decks in the OA-1 area.

MOTION: Commissioner Fennacy moved to adopt Planning Commission Resolution 12-14 to include the findings and conditions of approval for the project depicted on site development plans dated May 14, 2014. Commissioner Lucas seconded the motion and the motion passed.
(4-0)

Commissioner Sadowski returned.

B-3 **Case No.:** #UP0-374

Site Location: 481 Java Street

Proposal: Conditional Use Permit request to allow a non-conforming addition to an existing nonconforming single family residence and to allow a one-car carport where two covered parking spaces are required. The existing structure does not meet the parking, setback, and lot coverage requirements. The proposed project with a 644-square-foot, second-story addition and remodel to the existing structure would not meet setback, coverage, or parking standards. The project site is located outside the appeals jurisdiction of the California Coastal Commission.

CEQA Determination: Categorically Exempt, Section 15303, Class 3

Staff Recommendation: Denial

Staff Contact: Whitney McIlvaine, Contract Planner, (805) 772-6211

Commissioner Sadowski recused himself as he lives across the street from the proposed project.

McIlvaine presented the staff report.

Commissioner Lucas and McIlvaine discussed the setbacks for the upper floor.

Vice Chairperson Luhr and McIlvaine discussed the square footage of the lot and how much space would be needed for a two car garage.

Chairperson Tefft and McIlvaine discussed how much of the house is being reconstructed.

Chairperson Tefft opened Public Comment period.

Kathleen Bergantzel, Architect, described the project.

Commissioner Lucas and Bergantzel discussed tandem parking.

Chairperson Tefft and Bergantzel discussed the foundation and width of the carport.

Chairperson Tefft closed Public Comment period.

Vice Chairperson Luhr stated parking is so congested on the street that he does not support granting an exception.

EXHIBIT B

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION REGULAR MEETING – JUNE 3, 2014

Commissioner Lucas agreed with Vice Chairperson Luhr regarding parking and would rather see a modification to get the second car off the street noting he liked the plan's restrained development of the second story.

Commissioner Fennacy stated he liked the project but expressed concern with the parking and would like to see a compromise to address that.

Chairperson Tefft stated parking is an issue and he supports staff recommendation to deny.

Commissioner Lucas and staff discussed denial versus continuance to address the parking issue.

Chairperson Tefft opened Public Comment period.

Chairperson Tefft asked if the Applicant would be agreeable to a continuance to re-evaluate the project. Bergantzel replied the Applicant would support a continuance.

Chairperson Tefft closed Public Comment period.

MOTION: Commissioner Lucas moved to continue the item to a date uncertain to accommodate two cars on site. Vice Chairperson Luhr seconded the motion and the motion passed. (4-0)

Commissioner Sadowski returned.

C. UNFINISHED BUSINESS

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

Jacynth reviewed the work program with the Commissioners.

D. NEW BUSINESS

- D-1 Appointment of Planning Commissioner to the Water Reclamation Facility (WRF)
Citizen's Advisory Committee

Livick outlined the purpose of the Committee.

Commissioner Sadowski volunteered to be on the Committee.

Commissioner Luhr expressed an interest in being on the Committee but noted he may not have the time to commit for the Commissioner appointment but would be interested in an At-Large seat.

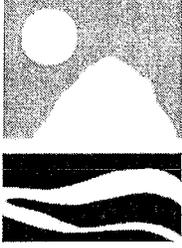
Commissioners Fennacy and Lucas expressed interest in the Committee but could not commit the time.

MOTION: Commissioner Lucas moved to nominate Commissioner Sadowski. Commissioner Luhr seconded the motion and the motion passed unanimously. (5-0)

E. DECLARATION OF FUTURE AGENDA ITEMS

- Updates on Embarcadero North Specific Plan progress

EXHIBIT C



CITY OF MORRO BAY

Public Services Department
Planning Division

955 Shasta Avenue
Morro Bay, CA 93442
(805) 772-6577

VARIANCE APPLICATION

PE
ADO-098
ADO-099

For Department Use Only:

Case No.: _____
 Variance Type: VAR
 Minor VAR
 Fees Paid: \$ _____

Project Address: 481 Java Street	
Existing Use: Residence	
Lot: 14	Block: 6D
Tract: ATAS BCH	APN: 065-067-011
Applicant: Jose Gonzalez & Belinda Reyna	Day Phone: 805.772.3257
Applicant Address: 481 Java St	
City: Morro Bay,	State/Zip Code: CA 93442
Agent (if any):	Day Phone:
Agent Address:	
City:	State/Zip Code:
Property Owner:	Day Phone:
Owner Address:	
City:	State/Zip Code:

Same →

Acceptance of this application does not imply approval/authorization of this request. I realize that this application may be denied or that conditions may be attached to this request to assure compliance with applicable Municipal Code requirements.

Applicant Signature:	Date: 3/21/2014
Property Owner Signature:	Date: 3/21/14

RECEIVED

APR 03 2014

City of Morro Bay

Public Services Department

FOR APPLICATION SUBMITTAL REQUIREMENTS, SEE PAGE 2

EXHIBIT C

Variance Application Supplement

Attach this supplement to the Variance Application form. Please type or print clearly. Attach additional sheets as necessary.

JUSTIFICATION FOR A VARIANCE

The Variance allows an applicant to obtain relief from a development standard or zoning requirement that should not be applied to the proposed project because of some unusual circumstance relating to the physical characteristics of the project site. California State Law (Government Code Section 65906) provides granting a Variance from the strict terms of a zoning ordinance only when special circumstances applicable to the property including: size, shape, topography, location, and surroundings deprives the property of privileges enjoyed by others' properties in the surrounding vicinity. The law also requires that the granting of any Variance shall not constitute a special privilege inconsistent with the zoning limitation on other properties in the vicinity and in the same zone district. The Government Code prohibits granting a Variance to authorize a land use or activity not normally allowed by the zoning that covers the property.

The City's zoning ordinance (Section 17.60.060) allows the granting of a Variance only when three findings (based on the state law) can be made. This form helps the applicant explain how the requested Variance will satisfy the required findings.

1. PROJECT DESCRIPTION

Provide a complete narrative describing requested variance.

We are looking for a parking variance. The current residence is taking up 58.15% of property at 481 Java Street, this includes a one car carport. The owners wish to add to the current residence a second floor to take advantage of the views of the beach which they currently do not have. The building addition will not increase the lot coverage. There is physically no room to put a two car garage without tearing down the ex. residence.

2. EXPLANATION OF FINDINGS

Explain why the requested Variance does not constitute a granting of special privileges inconsistent with the limitation upon other properties in the vicinity also in the same zone district as the subject property.

The only properties that have the two car garages that the city now requires are ones that have been built as in-fill properties or the "existing" (previous) residences were torn down.

EXHIBIT C

Variance Application

Page 4

The other properties around 481 Java either have one car garages or carports for one car or in the case of the duplex next door - no covered parking at all.

Describe the special circumstances applicable to the property including the size, shape, topography, location or surroundings that would result in the strict application of the zoning ordinance provisions that deprives the property of privileges enjoyed by other properties in the same vicinity and land use category.

The property is only 60'x40' making the useable area inside the setbacks 45'x34' meaning that the only way to adhere to the current zoning ordinance would be to tear down the current residence which the owners would find a hardship as it is their home.

Explain how the granting of the Variance will not adversely affect the health or safety of persons or be materially detrimental to the public welfare or be injurious to nearby property or improvements.

There would be no affect to the neighbors view from the upper house next door as we will be putting the addition to the rear of the ~~residence~~ residence at 481 Java to not impact their views. The residence to the rear of the property is already a two story so there would be no impact on them either.

Applicant Signature:

Date:

EXHIBIT C

Variance Application Supplement

Attach this supplement to the Variance Application form. Please type or print clearly. Attach additional sheets as necessary.

JUSTIFICATION FOR A VARIANCE

The Variance allows an applicant to obtain relief from a development standard or zoning requirement that should not be applied to the proposed project because of some unusual circumstance relating to the physical characteristics of the project site. California State Law (Government Code Section 65906) provides granting a Variance from the strict terms of a zoning ordinance only when special circumstances applicable to the property including: size, shape, topography, location, and surroundings deprives the property of privileges enjoyed by others' properties in the surrounding vicinity. The law also requires that the granting of any Variance shall not constitute a special privilege inconsistent with the zoning limitation on other properties in the vicinity and in the same zone district. The Government Code prohibits granting a Variance to authorize a land use or activity not normally allowed by the zoning that covers the property.

The City's zoning ordinance (Section 17.60.060) allows the granting of a Variance only when three findings (based on the state law) can be made. This form helps the applicant explain how the requested Variance will satisfy the required findings.

1. PROJECT DESCRIPTION

Provide a complete narrative describing requested variance.

Reconstruct ^{existing} ~~carport~~ of a non-conforming existing structure. The addition of the 2nd level is conforming.

2. EXPLANATION OF FINDINGS

Explain why the requested Variance does not constitute a granting of special privileges inconsistent with the limitation upon other properties in the vicinity also in the same zone district as the subject property.

There are several other properties within our zone district with similar situations.

EXHIBIT C

Describe the special circumstances applicable to the property including the size, shape, topography, location or surroundings that would result in the strict application of the zoning ordinance provisions that deprives the property of privileges enjoyed by other properties in the same vicinity and land use category.

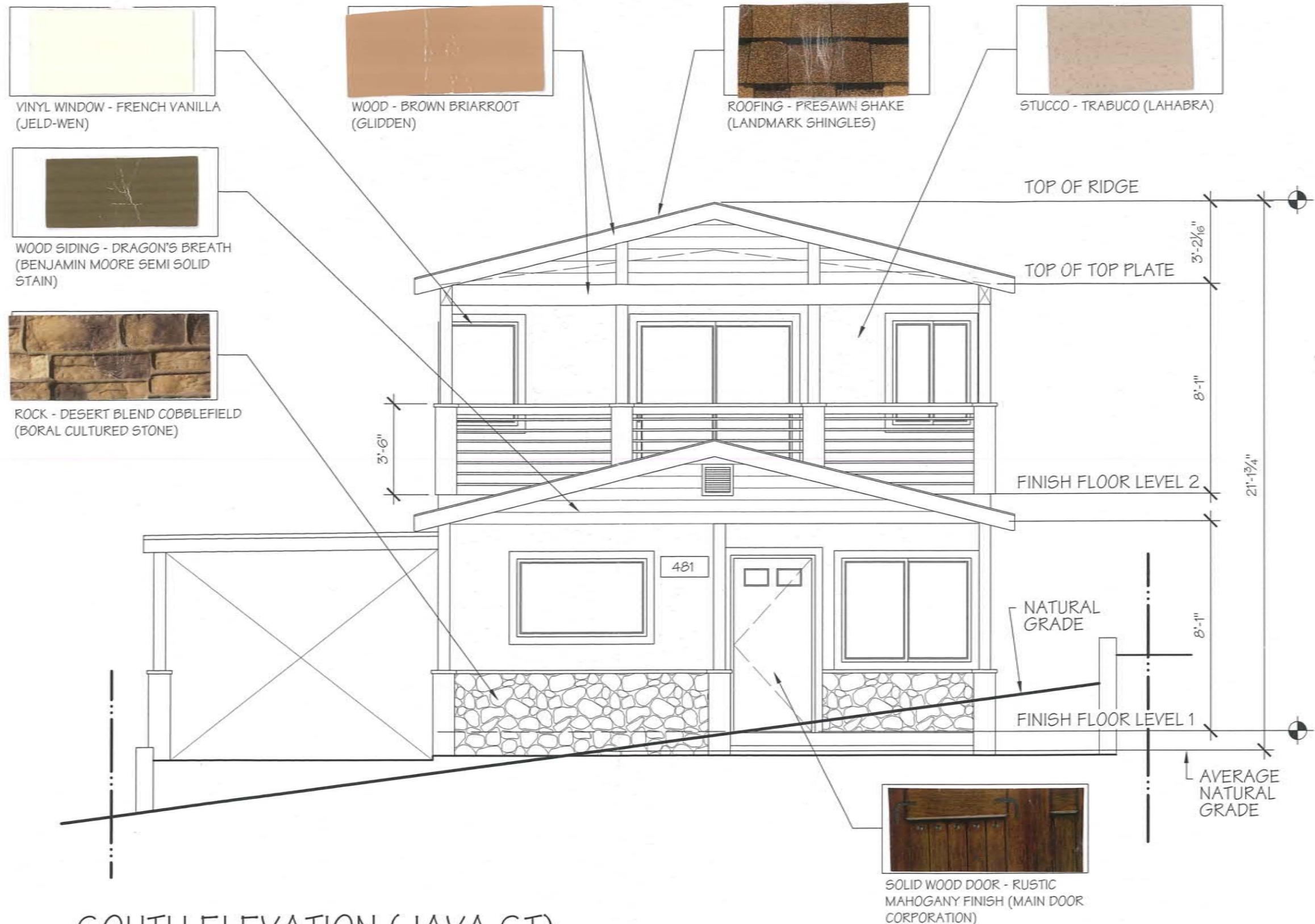
Strict application of zoning ordinance would reduce the ^{size of the} of the current property and ^{by doing so} impose financial hardships to the owners and occupants (same).

Explain how the granting of the Variance will not adversely affect the health or safety of persons or be materially detrimental to the public welfare or be injurious to nearby property or improvements.

The carpet has been on the property for over 30 yrs without any issues.

Applicant Signature: <i>Reida Fulmer</i>	Date: <i>3/6/15</i>
--	---------------------

EXHIBIT D



SOUTH ELEVATION (JAVA ST)

SCALE: 1/4"=1'-0"

No.	Revision	Date

Project Name and Address
Kathleen Bergantzel
 115 Rosewood Lane
 Arroyo Grande, CA 93420
 (805) 461-4667

TITLE SHEET

GONZALEZ-REYNA RESIDENTIAL REMODEL
 481 JAYA STREET
 MORRO BAY, CA

Sheet
T1.0
 Of
 Sheets
 Date
 09/17/14

GENERAL NOTES:

- This project must comply with the latest adopted applicable codes, including but not limited to the following, and shall be considered to be part of these drawings:
 - The 2010 California Building Code. (CBC)
 - The 2010 California Residential Code. (CRC)
 - Title 24 of the California Code.
 - Title 19, State Fire Marshal's Office.
 - Applicable trade and craft codes, including:
 - The 2010 National Electrical Code. (NEC)
 - The 2010 California Plumbing Code. (CPC)
 - The 2010 California Mechanical Code. (CMC)
 - The 2010 California Green Building Code. (CalGreen)
 - Local ordinances.
- The contractor shall examine the working drawings, architectural, mechanical and electrical, and shall notify the designer of any discrepancies which he may find, prior to proceeding with the work.
- The contractor shall verify and be responsible for all dimensions and conditions at the site and shall notify the designer of discrepancies between the actual conditions and information shown in the drawings before proceeding with the work.
- The General Contractor is responsible for all coordination of work and trades with regard to scheduling, ordering materials, inspection and completion.
- The General Contractor is responsible for verification of all rough openings with related trades.
- These basic General Notes are integral to the drawings. Notify the designer before proceeding with the work if any disparity arises between the drawings and these general notes.
- All work shall conform to the best practice prevailing in the various trades comprising the work.
- Specific notes and details shall take precedence over general notes and typical details. Dimensions shall be similar to these details that are related in location, intent or function.
- The General Contractor shall guarantee the weatherproof integrity of the entire project for a period of one year after project completion.
- All sub-contractors shall be held responsible for all conditions, ordinances, codes, and requirements pertinent to their category of the work as dictated by the regulatory agencies.
- The General Contractor is to maintain the site in a clean and neat manner. He shall remove and legally dispose of all debris, rubbish, and other materials not intended for application.
- It is the owners responsibility to verify property coners and to have them marked prior to foundation inspection.
- These plans are intended for use on this site only and may not be used on any other site without expressed written consent of the designer.

ABBREVIATIONS	SYMBOLS	PROJECT SUMMARY	DIRECTORY	SHEET INDEX	
<p>ADJUSTABLE ADJ. ALTERNATE ALT APPROVED APPD APPROXIMATE APPROX. ARCHITECTURAL ARCH ALUMINUM ALUM BENCH MARK BM BEVELED BEV BLOCK BLK BLOCKING BLKG BOARD BD BOTTOM BUILDING BOT BLDG. CABINET CAB CAST IRON CI CEILING CLG CENTER LINE CL COLUMN COL CONCRETE CONC CONNECTION CONN CONTINUOUS CONT CONTRACTOR CONTR CONTROL JOINT CJ COUNTERSINK CTSK CURB YARD CUYD COMPOSITION COMP DETAIL DET DIAGONAL DIAG DIAMETER DIA DIMENSION DIM DOWN DW DOWN SPOUT DS DRAIN DR DRAWING DWG DRAFLY TRACK DT EACH EA ELECTRIC (ALL) ELEC. ELECTRIC PANEL EP ELEVATION ELEV. EQUIPMENT EQUIP EXCAVATE EXC. EXISTING (E) EXIST EQUAL EQ EXPOSED EXP. EXTERIOR EXT. EXPANSION JOINT EJ FACE OF WALL FOW FINISH FIN FIXTURE FIX FLASHING FLASH</p>	<p>FOUNDATION FON FIXED GLASS FIGL FACE OF STUD FOS GAUGE GA GALLON PER MINUTE GPM GALVANIZED GALV GLASS GL GRADE GR GYPSUM BOARD GYP. BD. GRAB RAIL GR HARDWOOD HWD HARDWARE HDW HEADER HDR HORIZONTAL HORIZ HOUR HR HOLLOW METAL HM INCH IN INSULATION INSUL INTERIOR INT JOINT JT JUNCTION JCT LAVATORY LAV LOW TRANS LT LINTEL LNTL MACHINE MACH MANUFACTURE MFR. MASONRY OPENING MO MECHANICAL MECH. METAL MET MINIMUM MIN. NEW (N) NOT IN CONTRACT NIC NOT APPLICABLE N/A OVER FLOW OVFL ON CENTER O.C. OPENING OPNG OPPOSITE OPP PAIR PR PENNY d PLATE PL PLYWOOD PLW POUNDS LBS PROJECTION PROJ PORCELAIN PORC REDWOOD RDWD RADIUS RAD RECEPTACLE RECP REFERENCE REF REQUIRED REQD RISER R ROOM RM ROOF DRAIN RD RAIN WATER LEADER RWL SOLID CORE SHELVES SC SHLVES SCHEDULE SCH SHEETING SHNG SECTION SECT SERVICE SINK SS SHEET SHT SPECIFICATION SPEC SPLASH BLOCK SB SQUARE SQ STANDARD STD STEEL STL STRINGER STR STRUCTURAL STRUCT SIMILAR SIM SUSPENDED SUSP TEMPERED PLATE GLASS TEMP. P.G. THK THICK THK THRESHOLD THRESH TONGUE & GROOVE T&G TYPICAL TYP TOP OF LEDGER TOL TOP OF WALL TOW TOP OF JOIST TOJ VENTILATION VENT VERTICAL VERT VINYL-ASBESTOS TILE VAT VOLUME VOL. WATERPROOF WP WEIGHT WT WINDOW WDW WINDOW DIMENSION W.D. WOOD WD YARD YD</p>	<p>USE ZONE R-1/S-1 OCCUPANCY SFR CONSTRUCTION TYPE V-NR TOTAL NUMBER OF BUILDINGS 1 BUILDING SQUARE FOOTAGE (EXTERIOR WALLS) EXISTING RESIDENCE (WITH PORCH) 1,112.27 SF EXISTING STORAGE 371.8 SF EXISTING CARPORT 209.52 SF REMODELED FIRST FLOOR(W/PORCH) 1,358.97 SF REBUILT CARPORT 220.00 SF STORAGE (UNDER STAIRS) 24.14 SF NEW SECOND FLOOR 487.88 SF NEW SECOND FLOOR DECK 102.93 SF THE CURRENT RESIDENCE WAS BUILT IN 1942 AND IS RECORDED AS HAVING 1,102 SF OF HABITABLE SPACE. THE LOT COVERAGE WAS EXPANDED IN 1975 WHEN A CARPORT WAS ADDED TO THE BUILDING. WE ARE REPLACING THE EXISTING CARPORT AS THE CURRENT ONE IS FALLING DOWN AND UNSAFE. WE ARE REMODELING THE INTERIOR SPACE AND ADDING A SECOND FLOOR. WE WILL SUBTRACT 26.7 SQUARE FEET TO THE EXISTING LOT COVERAGE NUMBERS DUE TO CHANGES.</p>	<p>AREA OF SITE 2,400 SF APN # 065-067-011 LOT: 14 BLOCK: 6D TRACT: ATAS BCH SITE ADDRESS: 481 JAYA STREET MORRO BAY, CA ALLOWABLE LOT COVERAGE: 50% OF 2,400 SF = 1,200 SF ACTUAL LOT COVERAGE: EXISTING: 1,358.97 SF - 56.62% coverage REMODELED: 1,332.27 SF - 55.55% coverage SETBACKS: FRONT: 10 FEET SIDE: 3 FEET BACK: 5 FEET</p>	<p>OWNER: JOSE GONZALEZ & BELINDA REYNA 481 JAYA STREET MORRO BAY, CA 93442 PHONE: (805) 772-3357</p> <p>SURVEYOR: MBS LAND SURVEYS 3563 SUELDO STREET, SUITE Q SAN LUIS OBISPO, CA 93401 PHONE: (805) 594-1960</p>	<p>T1.0 TITLE SHEET RECORD OF SURVEY TOPOGRAPHIC MAP A1.0 EX SITE & EX FLOOR PLAN A1.1 NEW FLOOR PLANS A2.0 EXTERIOR ELEVATIONS L1.0 LANDSCAPE PLAN</p>
	<p>BLDG. HEIGHT</p> <p>PRIOR TO EITHER ROOF NAILING OR FRAMING INSPECTION, A LICENSED SURVEYOR OR QUALIFIED ENGINEER IS REQUIRED TO MEASURE THE HEIGHT OF THE STRUCTURE AND SUBMIT A LETTER TO THE BUILDING OFFICIAL CERTIFYING THAT THE HEIGHT OF THE STRUCTURE IS IN ACCORDANCE WITH THE APPROVED PLANS AND COMPLIES WITH THE HEIGHT REQUIREMENTS OF THE CITY OF MORRO BAY.</p>	<p>VICINITY MAP</p>			

No.	Revision	Date

Project Name and Address
Kathleen Bergantzel
 115 Rosewood Lane
 Arroyo Grande, CA 93420
 (805) 461-4667

TITLE SHEET

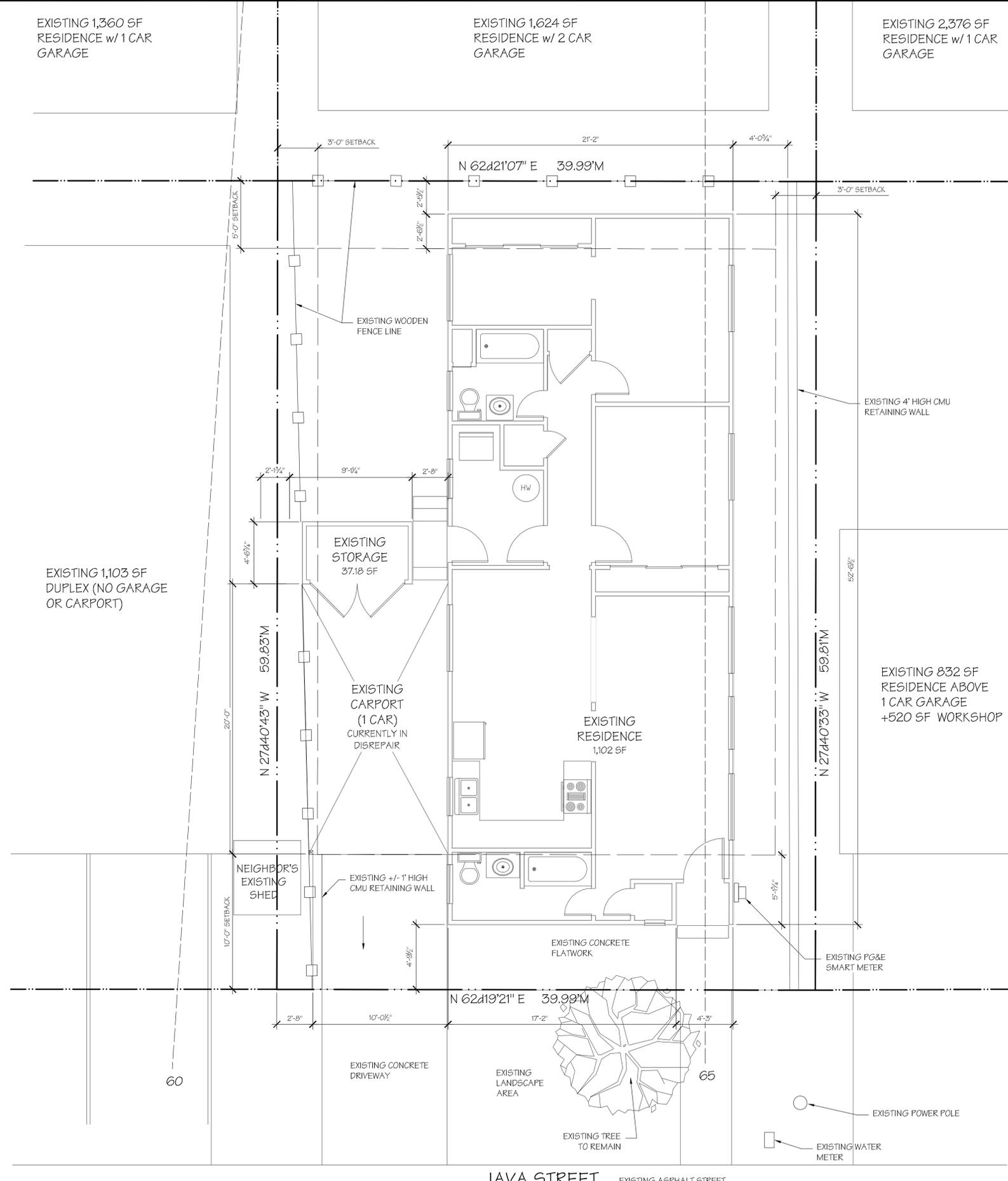
Project Name and Address
GONZALEZ-REYNA RESIDENTIAL REMODEL
 481 JAYA STREET
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Sheet
T1.0
 Of
 Sheets
 Date
 09/17/14

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- These plans are intended for use on this site only and may not be used on any other site without expressed written consent of the designer.

ABBREVIATIONS	SYMBOLS	PROJECT SUMMARY	DIRECTORY	SHEET INDEX	
<p>ADJUSTABLE ADJ. ALTERNATE ALT APPROVED APPD APPROXIMATE APPROX. ARCHITECTURAL ARCH ALUMINUM ALUM BENCH MARK BM BEVELED BEV BLOCK BLK BLOCKING BLKG BOARD BD BOTTOM BOT BUILDING BLDG. CABINET CAB CAST IRON CI CELLING CLG CENTER LINE CL COLUMN COL CONCRETE CONC CONNECTION CONN CONTINUOUS CONT CONTRACTOR CONTR CONTROL JOINT CJ COUNTERSINK CTSK CURB YARD CUYD COMPOSITION COMP DETAIL DET DIAGONAL DIAG DIAMETER DIA DIMENSION DIM DOWN DW DOWN SPOUT DS DRAIN DR DRAWING DWG DRAFLAY TRACK DT EACH EA. ELECTRIC (ALL) ELEC. ELECTRIC PANEL EP ELEVATION ELEV. EQUIPMENT EQUIP EXCAVATE EXC. EXISTING... (E) EXIST EQUAL EQ EXPOSED EXP. EXTERIOR EXT. EXPANSION JOINT EJ FACE OF WALL FOW FINISH FIN FIXTURE FIX FLASHING FLASH</p>	<p>FOUNDATION FON FIXED GLASS FIGL FACE OF STUD FOS GAUGE GA GALLON PER GPM GALVANIZED GALV GLASS GL GRADE GR GYPSUM BOARD GYP. BD. GRAB RAIL GR. HARDWOOD HDWD HARDWARE HDW HEADER HDR HORIZONTAL HORIZ HOUR HR HOLLOW METAL HM INCH IN INSULATION INSUL. INTERIOR INT JOINT JT JUNCTION JCT LAVATORY LAV LOW TRANS LT LINTEL LNTL MACHINE MACH MANUFACTURE MFR. MASONRY OPENING MO MECHANICAL MECH. METAL MET MINIMUM MIN. NEW (N) NOT IN CONTRACT NIC NOT APPLICABLE N/A OVER FLOW OVFL ON CENTER O.C. OPENING OPNG OPPOSITE OPP PAIR PR PENNY d PLATE PL PLYWOOD PLWVD POUNDS LBS PROJECTION PROJ PORCELAIN PORC REDWOOD RDWD RADIUS RAD RECEPTACLE RECP REFERENCE REF REQUIRED REQD RISER R ROOM RM ROOF DRAIN RD RAIN WATER RWL LEADER RWL SOLID CORE SC SHELVES SHLVS SCHEDULE SCH SHEETING SHTING SECTION SECT SERVICE SINK SS SHEET SHT SPECIFICATION SPEC SPLASH BLOCK SB SQUARE SQ STANDARD STD STEEL STL STRINGER STR STRUCTURAL STRUCT SIMILAR SIM SUSPENDED SUSP TEMPERED PLATE TP GLASS TEMP. P.G. THICK THK THRESHOLD THRESH TONGUE & GROOVE T&G TYPICAL TYP TOP OF LEDGER TOL TOP OF WALL TOW TOP OF JOIST TOJ VENTILATION VENT VERTICAL VERT VINYL-ASBESTOS VAT TILE VAT VOLUME VOL. WATERPROOF WP WEIGHT WT WINDOW WDW WINDOW DIMENSION W.D. WOOD WD PLATE PL YARD YD</p>	<p>USE ZONE R-1/S-1 OCCUPANCY SFR CONSTRUCTION TYPE V-NR TOTAL NUMBER OF BUILDINGS 1 BUILDING SQUARE FOOTAGE (EXTERIOR WALLS) EXISTING RESIDENCE (WITH PORCH) 1,112.27 SF EXISTING STORAGE 371.8 SF EXISTING CARPORT 209.52 SF REMODELED FIRST FLOOR(W/PORCH) 1,358.97 SF REBUILT CARPORT 220.00 SF STORAGE (UNDER STAIRS) 24.14 SF NEW SECOND FLOOR 487.88 SF NEW SECOND FLOOR DECK 102.93 SF THE CURRENT RESIDENCE WAS BUILT IN 1942 AND IS RECORDED AS HAVING 1,102 SF OF HABITABLE SPACE. THE LOT COVERAGE WAS EXPANDED IN 1975 WHEN A CARPORT WAS ADDED TO THE BUILDING. WE ARE REPLACING THE EXISTING CARPORT AS THE CURRENT ONE IS FALLING DOWN AND UNSAFE. WE ARE REMODELING THE INTERIOR SPACE AND ADDING A SECOND FLOOR. WE WILL SUBTRACT 26.7 SQUARE FEET TO THE EXISTING LOT COVERAGE NUMBERS DUE TO CHANGES.</p>	<p>AREA OF SITE 2,400 SF APN # 065-067-011 LOT: 14 BLOCK: 6D TRACT: ATAS BCH SITE ADDRESS: 481 JAYA STREET MORRO BAY, CA ALLOWABLE LOT COVERAGE: 50% OF 2,400 SF = 1,200 SF ACTUAL LOT COVERAGE: EXISTING: 1,358.97 SF - 56.62% coverage REMODELED: 1,332.27 SF - 55.55% coverage SETBACKS: FRONT: 10 FEET SIDE: 3 FEET BACK: 5 FEET</p>	<p>OWNER: JOSE GONZALEZ & BELINDA REYNA 481 JAYA STREET MORRO BAY, CA 93442 PHONE: (805) 772-3357 SURVEYOR: MBS LAND SURVEYS 3563 SUELDO STREET, SUITE Q SAN LUIS OBISPO, CA 93401 PHONE: (805) 594-1960</p>	<p>T1.0 TITLE SHEET RECORD OF SURVEY TOPOGRAPHIC MAP A1.0 EX SITE & EX FLOOR PLAN A1.1 NEW FLOOR PLANS A2.0 EXTERIOR ELEVATIONS L1.0 LANDSCAPE PLAN</p>
	<p>BLDG. HEIGHT</p> <p>PRIOR TO EITHER ROOF NAILING OR FRAMING INSPECTION, A LICENSED SURVEYOR OR QUALIFIED ENGINEER IS REQUIRED TO MEASURE THE HEIGHT OF THE STRUCTURE AND SUBMIT A LETTER TO THE BUILDING OFFICIAL CERTIFYING THAT THE HEIGHT OF THE STRUCTURE IS IN ACCORDANCE WITH THE APPROVED PLANS AND COMPLIES WITH THE HEIGHT REQUIREMENTS OF THE CITY OF MORRO BAY.</p>	<p>VICINITY MAP</p>			



NOTE: DRIVEWAY TO BE BUILT AS PER CITY HANDOUTS. ENCROACHMENT PERMIT REQUIRED.

NOTE: ALL ROOF WATER TAKEN TO THE STREET IN A NON-EROSIVE MANNER. PER CITY STANDARDS.

- NOTES:
- IF CLEARING OCCURS DURING THE RAINY SEASON, NOVEMBER 1 THROUGH MARCH 31, AN EROSION CONTROL PLAN SHALL BE SUBMITTED AND APPROVED BY THE BUILDING OFFICIAL AND SHALL INCLUDE ANY NECESSARY BONDS OR OTHER ASSURANCES.
 - NEW CONSTRUCTION REQUIRES THAT A SEWER BACKWATER VALVE SHALL BE INSTALLED ON SITE TO PREVENT A BLOCKAGE OF THE MUNICIPAL SEWER MAIN FROM CAUSING DAMAGE TO THE PROPOSED PROJECT.

- EROSION CONTROL NOTES:
- DURING CONSTRUCTION, THE CONTRACTOR MUST DIRECT ALL RUNOFF TO NON-ERODIBLE LOCATIONS.
 - A STAND-BY CREW FOR EMERGENCY WORK SHALL BE AVAILABLE AT ALL TIMES DURING THE RAINY SEASON (OCTOBER 15 THROUGH APRIL 15). NECESSARY MATERIALS SHALL BE AVAILABLE AND STOCKPILED AT CONVENIENT LOCATIONS TO FACILITATE RAPID CONSTRUCTION OF TEMPORARY DEVICES WHEN RAIN IS IMMINENT.
 - THE CONTRACTOR SHALL CONSTRUCT TEMPORARY EROSION CONTROL MEASURES AS SHOWN ON THIS PLAN AND/OR AS DIRECTED BY THE ENGINEER TO CONTROL DRAINAGE WHICH HAS BEEN AFFECTED BY GRADING AND/OR TRENCHING OPERATIONS.
 - A RESPONSIBLE PERSON IS TO BE NAMED HEREIN AND PHONE NUMBER (805) WHO WILL BE ON CALL IN THE EVENT IT IS NECESSARY TO IMPLEMENT EROSION CONTROL MEASURES OR IN THE EVENT OF AN EMERGENCY. (NAME AND NUMBER SHALL BE PROVIDED PRIOR TO THE START OF CONSTRUCTION).
 - ALL PROTECTIVE DEVICES TO BE INSTALLED SHALL BE IN PLACE AT THE END OF EACH WORK DAY WHEN THE FIVE-DAY RAIN PROBABILITY EXCEEDS FORTY PERCENT.
 - AFTER A RAINSTORM, ALL SILT AND DEBRIS SHALL BE REMOVED FROM CHECK BERMS AND SEDIMENTATION BASIN AND THE BASIN PUMPED DRY.
 - THE ENGINEER OF RECORD, OR HIS AUTHORIZED REPRESENTATIVE MAY REQUIRE THE DEVELOPER AT ANY TIME TO INSTALL AND/OR CONSTRUCT ADDITIONAL DRAINAGE STRUCTURES AS NECESSARY TO PREVENT OR CONTROL EROSION.
 - THE EROSION CONTROL DEVICES ON THIS PLAN ARE A GENERAL CONCEPT OF WHAT MAY BE REQUIRED. EROSION CONTROL DEVICES MAY BE RELOCATED, DELETED OR ADDITIONAL ITEMS MAY BE REQUIRED DEPENDING ON ACTUAL SOIL CONDITIONS ENCOUNTERED. EROSION CONTROL DEVICES MAY BE PLACED AT THE DISCRETION OF THE ENGINEER OR THE COUNTY INSPECTOR.
 - THE CONTRACTOR IS RESPONSIBLE TO KEEP IN FORCE ALL EROSION CONTROL DEVICES AND TO MODIFY THOSE DEVICES AS SITE PROGRESS DICTATES.
 - THE CONTRACTOR SHALL MONITOR THE EROSION CONTROL DEVICES DURING STORMS AND MODIFY THEM IN ORDER TO PREVENT PROGRESS OF ANY ONGOING EROSION.
 - THE CONTRACTOR IS RESPONSIBLE FOR CLEANING ANY EROSION OR DEBRIS SPILLING ONTO A PUBLIC STREET.
 - THE CONTRACTOR SHALL CONTACT THE ENGINEER IN THE EVENT THAT THE EROSION CONTROL PLAN AS DESIGNED REQUIRES ANY SUBSTANTIAL REVISIONS.
 - NO CUT OR FILL SLOPES SHALL BE STEEPER THAN 2' HORIZONTAL TO 1' VERTICAL.
 - ALL STRAW WATTLES TO BE INSTALLED AS INDICATED PER MANUFACTURER'S RECOMMENDATIONS.
 - SILT FENCE SHALL BE INSTALLED AS INDICATED PER MANUFACTURER'S RECOMMENDATIONS.
 - SPECIFIC EROSION CONTROL NOTES REFER TO THE CALIFORNIA STORMWATER BMP HANDBOOK AND CALTRANS STANDARD SPECIFICATIONS. THE CONTRACTOR IS RESPONSIBLE TO INSTALL AND MAINTAIN ADEQUATE EROSION CONTROL DEVICES AT ALL TIMES PER THE RECOMMENDATIONS SET FORTH IN SAID REFERENCES.

EXISTING SITE PLAN
SCALE: 1/4"=1'-0"



No.	Revision	Date

Project Name and Address
Kathleen Bergantzel
115 Rosewood Lane
Arroyo Grande, CA 93420
(805) 461-4667

Sheet Title
EXISTING SITE & FLOOR PLAN

Project Name and Address
GONZALEZ-REYNA RESIDENTIAL REMODEL
481 JAYA STREET
MORRO BAY, CA

Sheet
A1.0
Date
09/17/14

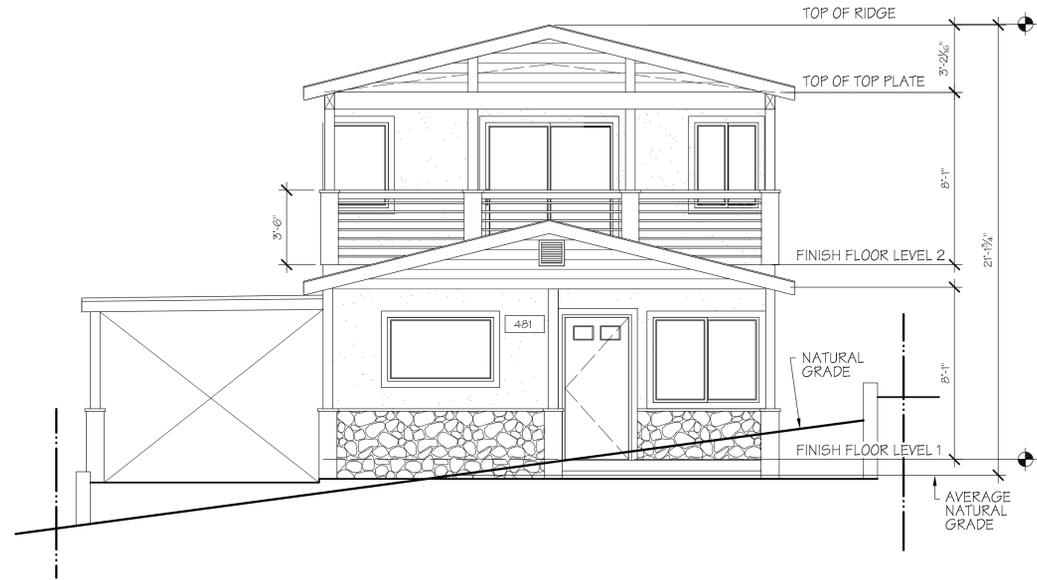
No.	Revision	Date

Project Name and Address
Kathleen Bergantzel
 115 Rosewood Lane
 Arroyo Grande, CA 93420
 (805) 461-4667

Sheet Title
EXTERIOR ELEVATIONS

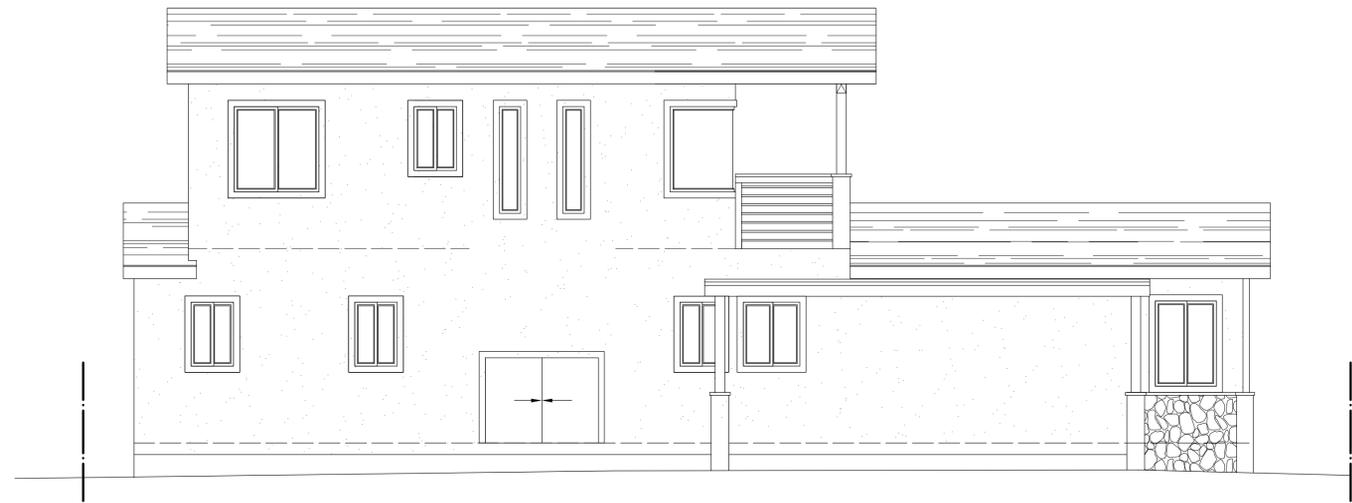
Project Name and Address
GONZALEZ-REYNA RESIDENTIAL REMODEL
 481 JAYA STREET
 MORRO BAY, CA

Sheet
A2.0
 Date
 09/17/14



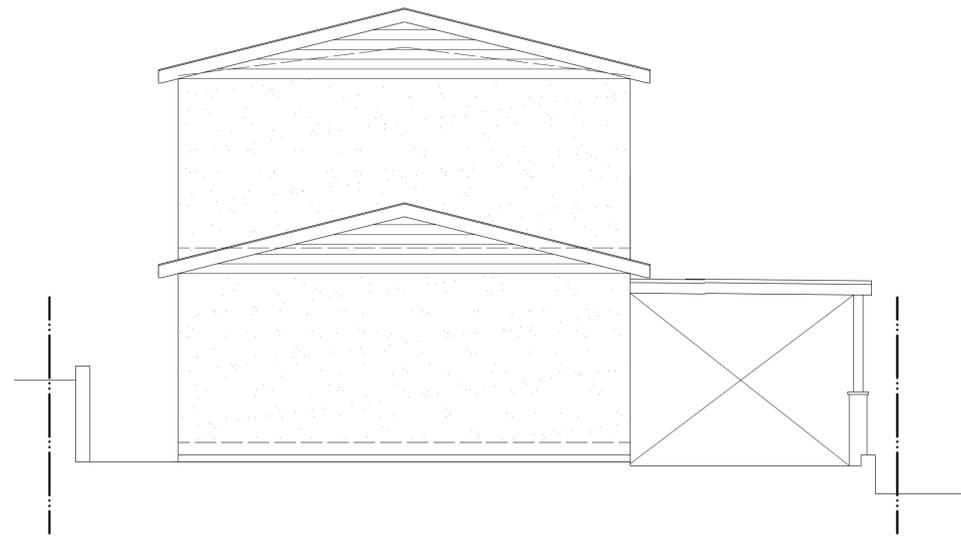
SOUTH ELEVATION (JAVA ST)

SCALE: 1/4"=1'-0"



WEST ELEVATION

SCALE: 1/4"=1'-0"



NORTH ELEVATION

SCALE: 1/4"=1'-0"



EAST ELEVATION

SCALE: 1/4"=1'-0"

EXTERIOR FINISHES:

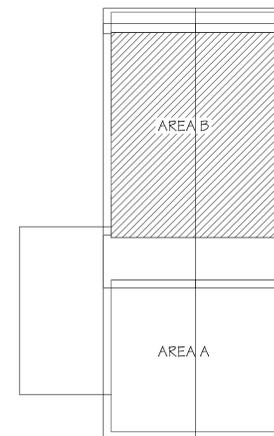
STUCCO:

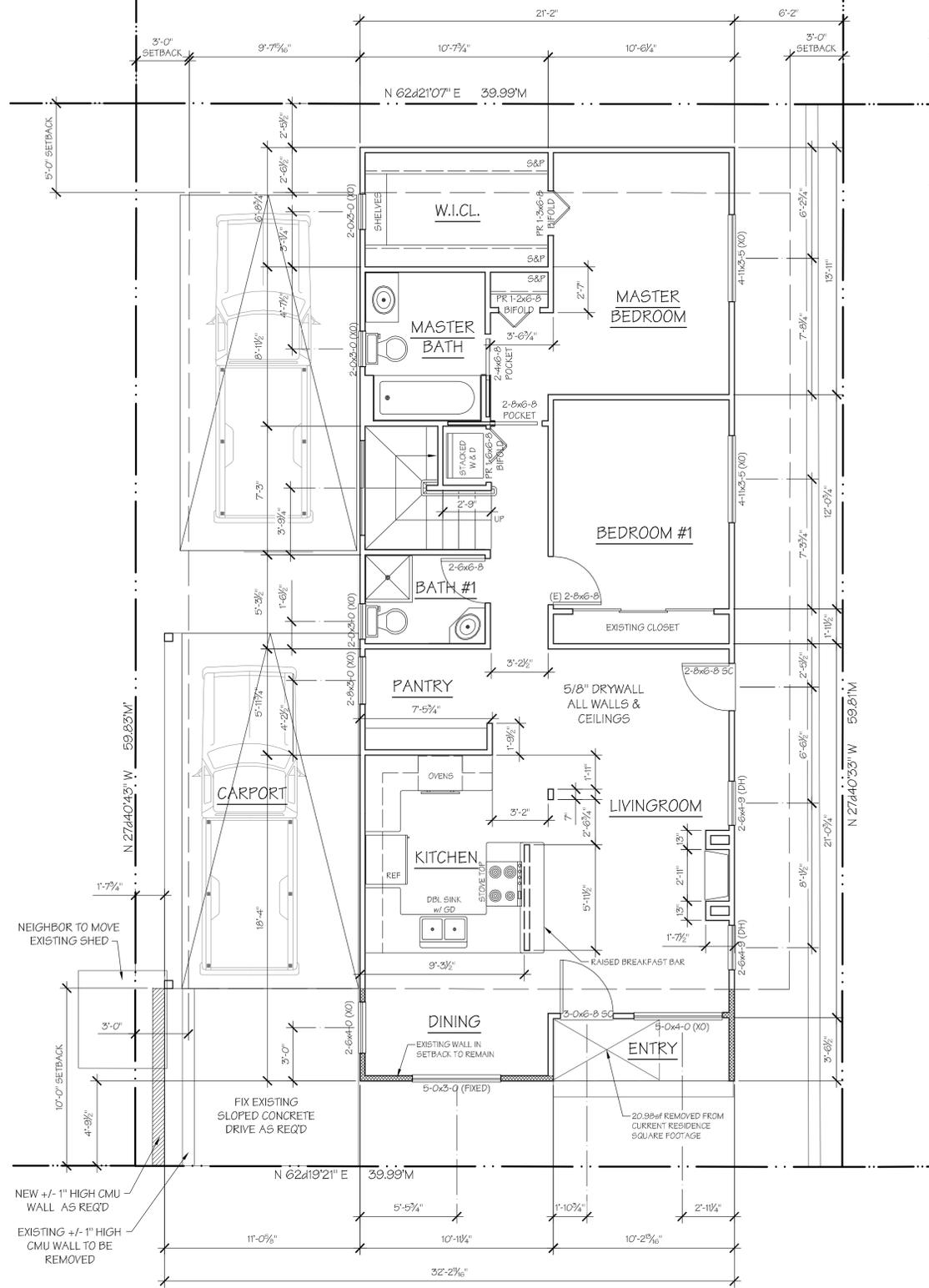
- Backing: 16 gauge wire, six inches to center vertical spacing; or solid sheathing.
- Weatherproof paper: Kraft type building paper No. 15 asphalt saturated felt, apply over backing.
- Lath: Stucco mesh, 1.6 pounds per square yard minimum weight; fasteners spaced six inches center to center vertically and 16 inches center to center horizontally, fur 1/4" out from backing.
- Stucco: Two coat application over masonry; three coat application over wood framing.
 - Scratch coat: 3/8" thickness; one part portland cement to four parts sand, allow 48 hours between coats.
 - Brown coat: 3/8" thickness; one part portland cement to five parts sand; allow seven days between coats.
 - Finish coat: 1/8" thickness; one part portland cement to three parts sand.
 - Lime proportions in accordance with CBC 2507.
- Exterior stucco walls shall be provided with a weep screed at or below the foundation line with a vertical attachment flange of 3 1/2" and shall be attached a minimum of 8" above finish grade (CBC Section 2512.1.2).

ROOF NOTES:

- Roofing materials and installation shall be in accordance with CBC Chapter 15.
- Flash onckets and valleys in accordance with CBC section 1507.2.3.2.
- Flash and counterflash junctions of roofs and vertical surfaces in accordance with CBC section 1507.2.3.
- Roofing materials:
 - Underlayment: 15 lb felt.
 - Roofing: 25 yr composition shingles.
- Flash all plumbing, mechanical and electrical roof penetrations.
- Attic access: 22x30 inches minimum in size, 30 inches minimum clear headroom above. CBC Section 1209.2.
- Provide attic cross ventilation as follows (CBC section 1203.2):
 - Net free ventilation area: 1/150 of attic area, or
 - 1/300 of attic area where at least 50 percent of required ventilating area is provided by ventilators located in the upper portion of attic at least three feet above eaves and the remaining ventilating area is provided by eave vents.
- Ventilating calculation:
 - Attic area: Area A: 402.67 square feet
Area B: 543.18 square feet
 - Ventilating area required: Area A: 402.67 square feet at 1/150 = 2.68 s.f.
Area B: 543.18 square feet at 1/150 = 3.62 s.f.
 - Type of vent used:
Area A: 395.92 sq. inches of ventilation req'd. Use (1) 12"x12" Square Gable Vent w/ NFVA = 60 square inches + (8) Vulcan Eave Vent VE5514 w/ NFVA = 44 in²/each = 352 square inches.

- Area B: 521.45 sq. inches of ventilation req'd. Use (12) Vulcan Eave Vent VE5514 w/ NFVA = 44 in²/each = 528 square inches.
- Protect attic vents against entrance of rain and snow (CBC section 1203.2).
- Cover attic vents with corrosion resistant wire mesh with openings of 1/4" (CBC section 1203.2.1).
- A vapor retarder having a transmission rate not exceeding 1 perm shall be installed on the warm side of the attic insulation. Paper faced insulation is prohibited in attics or other ventilated spaces.





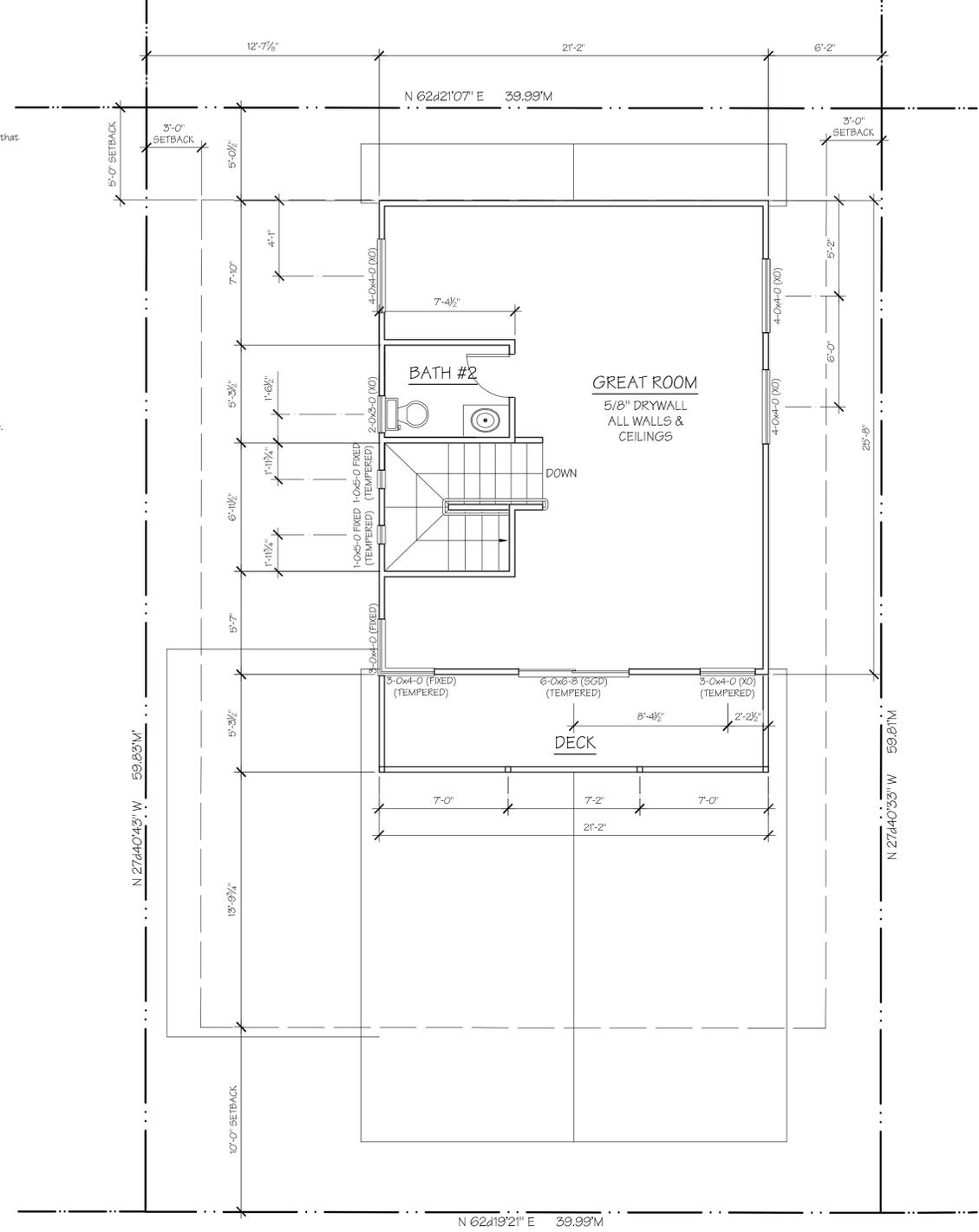
STAIRWAY & WINDOW NOTES:

STAIRWAY:

- The maximum rise of stairways shall be not more than 8" and a minimum run of not less than 9" per Section 1009.3.
- Handrails shall be not less than 34" nor more than 38" above the nosing of the tread and shall be spaced out from the wall not less than 1 1/2".
- Handrails shall be provided on the open sides of all stairways.
- Handrails shall terminate at a point 6" beyond the bottom step.
- Guardrails/Handrails shall be provided with intermediate rails as spaced that no object more than 4" in diameter can pass through the railing per the requirements of Section 1013.3.
- Stairways shall have a minimum headroom of not less than 6'-8" per Section 1009.2.
- Top rail shall be capable of withstanding a 20 plf load applied horizontally at the top of the rail.

WINDOWS AND DOORS:

- Escape windows: Provide at least one window for each bedroom with a minimum net clear opening of 5.7 square feet (CBC 2026.2).
 A. Minimum height 24".
 B. Minimum width 20".
 C. Sill height 44" maximum above finish floor (CBC 2026.3).
- Provide solid core self closing 1 3/8" door between garage and house. (CBC 406.1.4).
- Provide double glazing at all doors and windows unless noted otherwise.
- Provide screens at operable window panes and/or sliding glass doors.
- Provide tempered glazing in the following locations (CBC 2406.3).
 A. Glass panels in doors.
 B. All glass panels within 12" of doors in the same wall plane where the bottom edge of glazing is less than 60" above the floor or walking surface.
 C. Glazing with an area in excess of 9 square feet within 18 inches of finished floor.
 D. Windows in tub and shower enclosures within 60 inches of finished floor.



NOTES:

- Low flow fixtures to be used: 1.5 Gallon Toilets, 2.75 Gal/min shower heads
- Water pressure limited to 80 psi.
- 2x6 stud walls @ plumbing locations where needed.
- Garages, walls and soffits of enclosed usable spaces under stairs shall be protected with type 'X' 5/8" sheetrock (CBC 1009.5.3).
- Skylights shall comply with CBC 2610, ICBO #4676.
- Hose bibbs shall be protected by and approved non-removable type of backflow prevention device. CPC Section 603.3.5.
- Provide access panel (min 12x12") or utility space for all plumbing fixtures having concealed slip-joint connections. CPC 307.4.

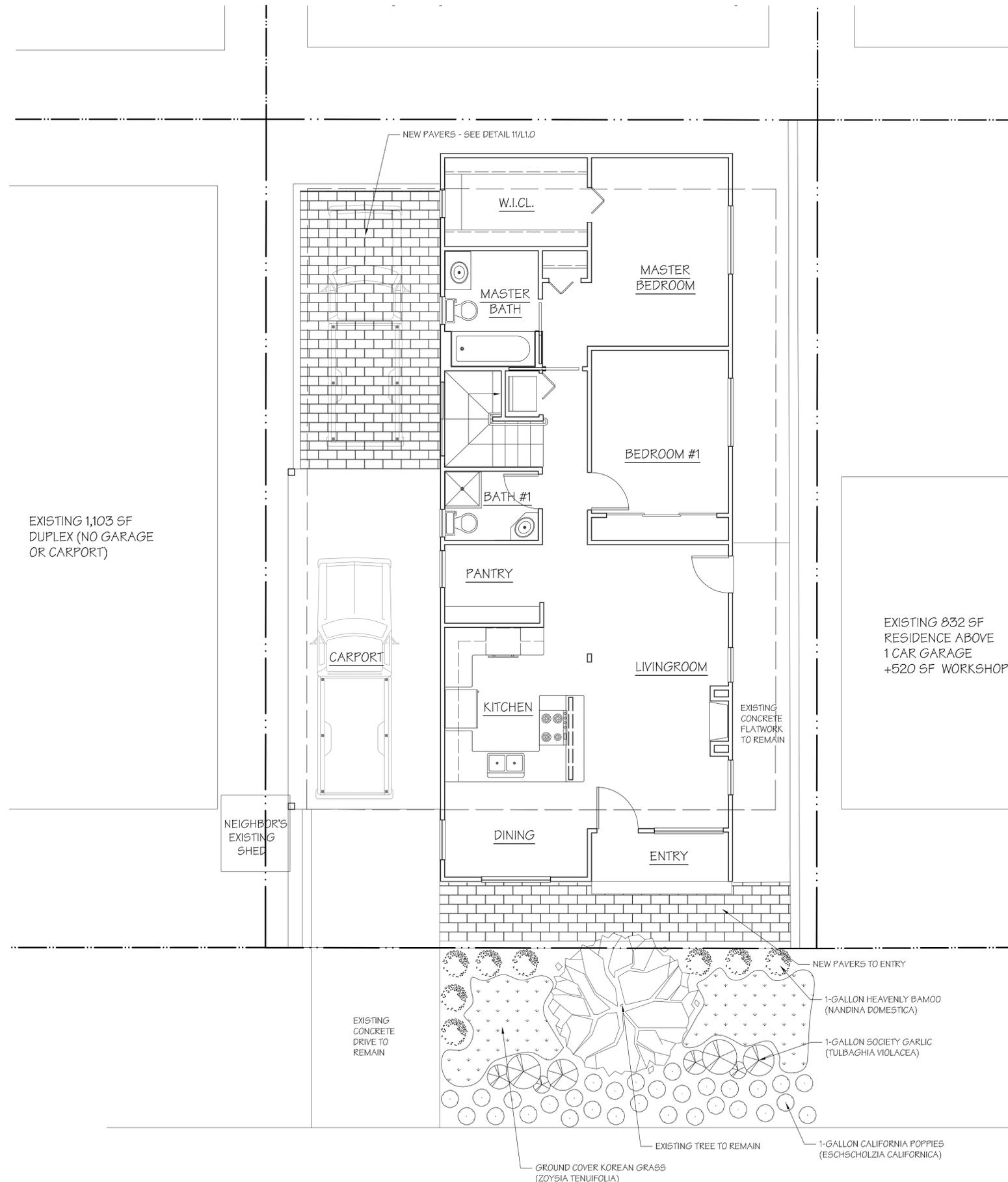
No.	Revision	Date

Prep. Name and Address
Kathleen Bergantzel
 115 Rosewood Lane
 Arroyo Grande, CA 93420
 (805) 461-4667

PROJECT
**REMODELED FIRST FLOOR PLAN
 & NEW SECOND FLOOR PLAN**

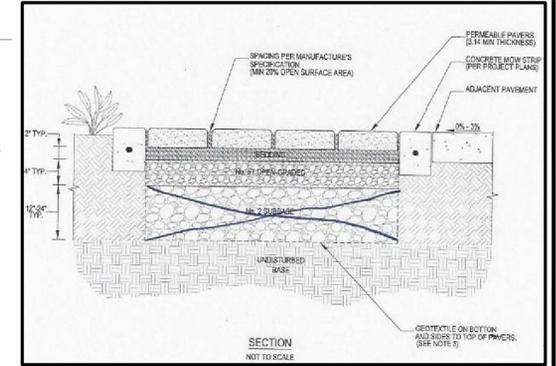
PROJECT NAME AND ADDRESS
GONZALEZ-REYNA RESIDENTIAL REMODEL
 481 JAYA STREET
 MORRO BAY, CA

Sheet
A1.1
 Date
 09/17/14



EXISTING 1,103 SF
DUPLEX (NO GARAGE
OR CARPORT)

EXISTING 832 SF
RESIDENCE ABOVE
1 CAR GARAGE
+520 SF WORKSHOP



PAVER DETAIL

N.T.S.

11

LANDSCAPE PLAN

SCALE: 1/4"=1'-0"



No.	Revision	Date

Project Name and Address
Kathleen Bergantzel
115 Rosewood Lane
Arroyo Grande, CA 93420
(805) 461-4667

LANDSCAPE PLAN

Project Name and Address
GONZALEZ-REYNA RESIDENTIAL REMODEL
481 JAYA STREET
MORRO BAY, CA

Sheet
L1.0
Of
Sheets
Date
09/17/14

EXHIBIT F

PLANNING COMMISSION
CITY OF MORRO BAY
STATE OF CALIFORNIA

June 17, 1976

RESOLUTION NO. 26-75

RESOLUTION APPROVING A VARIANCE

WHEREAS, the Planning Commission has conducted a public hearing to consider testimony and evidence relative to a Variance request by August Caresani to permit structural alterations to an existing nonconforming dwelling located at 471 Java Street; and

WHEREAS, the Planning Commission finds that in this particular case the request is not inconsistent with the Zoning Ordinance of the City of Morro Bay;

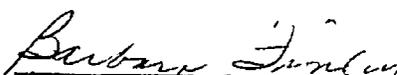
NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Morro Bay that the Variance as requested by August Caresani be granted subject to the condition that the proposed carport be set back at least 10'0" from the front property line.

Upon motion of Chairman Baxter, seconded by Commissioner Greenelsh, and passed by the following vote, to wit:

AYES: Commissioners Cantine, Devlin, Greenelsh, Sanders and Chairman Baxter

NOES: None

The foregoing resolution confirms action taken by the Morro Bay Planning Commission, City of Morro Bay, County of San Luis Obispo, State of California, at a public meeting held on June 16, 1975.



BARBARA FINLEY, Acting Secretary
Morro Bay City Planning Commission

DATE: June 12, 1975

TO: Planning Commission

FROM: Planning Director

SUBJECT: Request for a Variance to permit structural alterations to an existing nonconforming dwelling.

APPLICANT: Mr. and Mrs. August Caresani

LOCATION: Lot 14, Block 6D, Atascadero Beach Tract, located at 471 Java Street, on the north side of Java Street between Tide Avenue and Panorama Drive

ZONE: R-1, S-1

Application

This application requests permission to make structural alterations and to add a one-car carport to an existing dwelling that is nonconforming due to existing setbacks. In accordance with Section 5108.3 (page 61) of the Zoning Ordinance, a nonconforming building may not be structurally altered unless such alteration is in compliance with the regulations established for the district in which it is located. Planning Commission procedures relative to Variances are outlined in Section 5110.4 (page 66) of the Zoning Ordinance.

Analysis

The building in question is located in an R-1, S-1 District which requires a 10 foot front yard setback, a 5 foot rear yard setback and a 3 foot side yard setback. The subject building has a 4'7" front yard setback, a 3 foot rear yard setback and a 5 foot sideyard setback; therefore, the front and rear setbacks are nonconforming.

The building is also nonconforming for another reason: it is a duplex in a single family district. The owner proposes certain interior alterations that would convert the building into a single family residence. It is also proposed to add a single-car carport to the westerly side of the building.

The special circumstances applicable to this building are that it was constructed at a time when only 3 foot setbacks were required

August Caresani
June 12, 1975 - Page Two

and the owner now desires to upgrade the structure. In addition, the building is placed on a lot with a depth of only 60 feet, which further restricts the dwelling size.

Recommendation

Approval of this request is recommended subject to the condition that all new construction conform to the requirements outlined in the Zoning Ordinance.

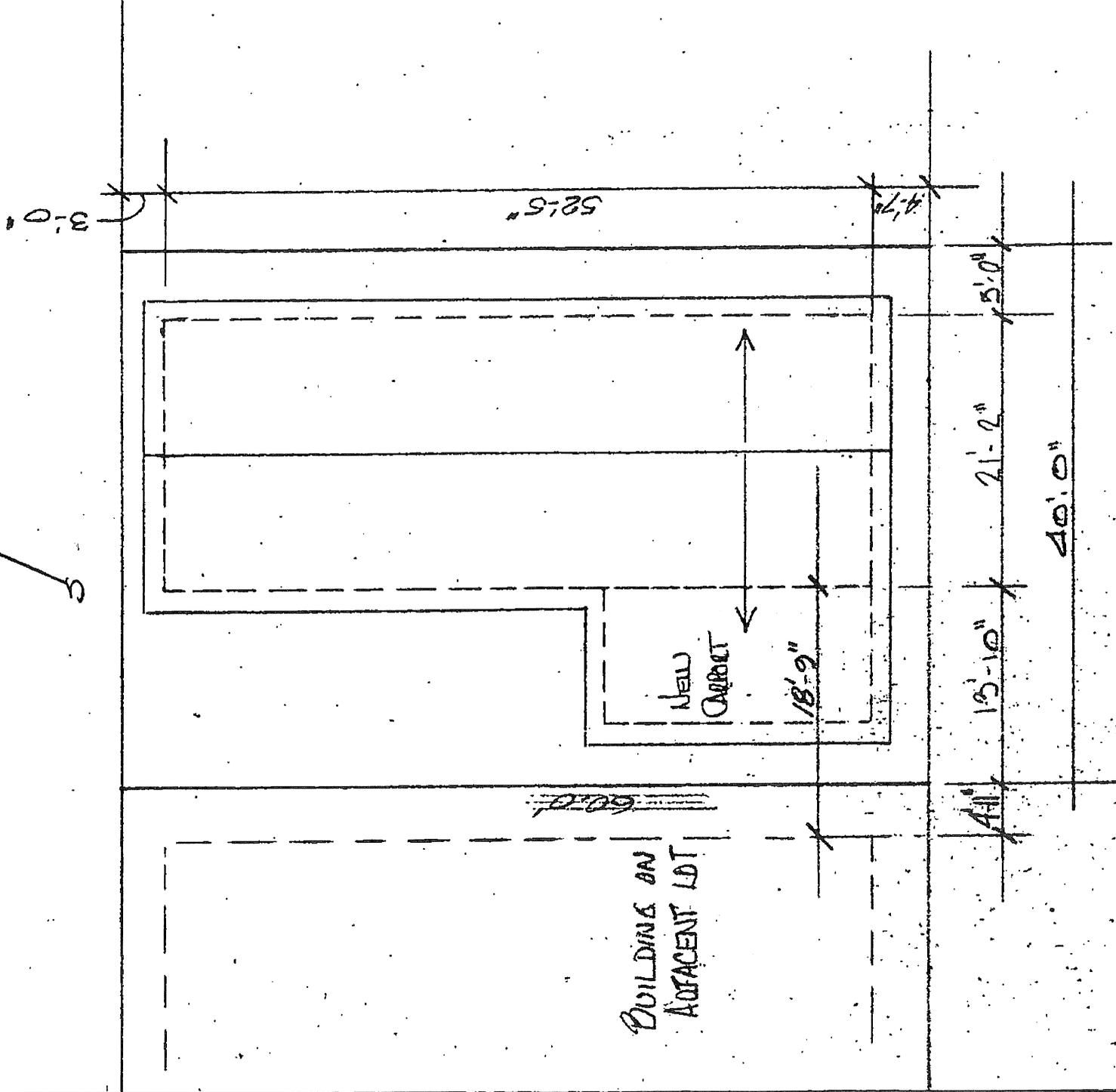
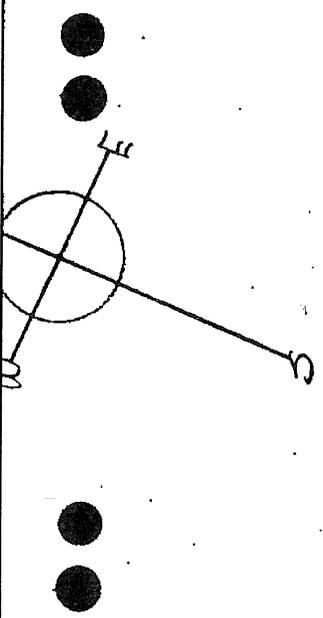

JAMES E. NUZUM
Planning Director

JEN:bf

Attachments: Vicinity Map
Plot plan

EXHIBIT F

EXHIBIT F



JAVA ST.

LOT 4, BLY 6D

MUSCIELO BEACH

MORRO BAY, CALIFORNIA

BUILDING ON
ADJACENT LOT

NEW
CARPORT

52'-5"

3'-0"

41'-0"

18'-9"

21'-2"

15'-0"

40'-0"

6'-0"



AGENDA NO: B-2

MEETING DATE: April 7, 2015

Staff Report

TO: Planning Commissioners

DATE: April 2, 2015

FROM: Cindy Jacinth, Associate Planner

SUBJECT: Coastal Development and Conditional Use Permits approval (CP0-442 & UP0-381) for a BMX Bike Park on vacant City-owned property at 301 Little Morro Creek Road, near the intersection of Little Morro Creek, Radcliff and Main Streets. BMX park to include installation of multiple bike trails and wooden skills features for riders of varying abilities.

RECOMMENDATION:

Forward a favorable recommendation to the City Council to conditionally approve the project as both Concept and Precise plan by adopting a motion including the following action(s):

- A. Adopt Planning Commission Resolution 09-15 which includes the Findings and Conditions of Approval for the project depicted on site development plans dated January 14, 2015.

APPLICANT/AGENT: Bonnie Johnson/
Morro Bay Bike Park Group (MBBPG)

LEGAL DESCRIPTION/APN: 068-183-021 and portion of 068-183-022

PROJECT LOCATION:

The project is located at 301 Little Morro Creek Road, on a flag-lot shaped City-owned property fronting on Little Morro Creek and a portion of PG&E property where designated parking spaces will be located. The vacant lot is surrounded by

adjoining PG&E-owned vacant lots. The specific location is approximately 400 feet north of the intersection of Little Morro Creek Road and Radcliffe.



Prepared By: ___CJ___

Department Review: _____

PROJECT DESCRIPTION:

The Applicant is requesting coastal development and conditional use permit (special use/interim use) approval for a BMX bike skills progression park on vacant City-owned property at 301 Little Morro Creek Road, near the intersection of Little Morro Creek, Radcliff and Main Streets, approximately 400 feet north of the intersection of Radcliffe and Little Morro Creek Road. The BMX Park would include installation of multiple bike trails, approximately 600-750 lineal feet, and earthen and wooden skills features for riders of varying abilities. Plans show a series of three trails for beginner, intermediate, and advanced riders. Site amenities such as park benches, signage detailing rules of conduct for the Bike Park as well as park hours are denoted also. Plans further detail five proposed standard parking stalls and 1 van accessible stall to be constructed on a portion of the neighboring PG&E owned parcel (APN 068-183-022). 4 foot tall snow fencing is proposed to be installed around the perimeter of the park. Landscaping is proposed to be native grasses due to the interim use. No permanent structures are included as a part of this project.

PROJECT SETTING:

<u>Adjacent Zoning/Land Use</u>			
North:	Light Industrial (M-1,PD, I) Vacant Land	South	Single Family Residential (R-1, S.2)
East:	Ag Residential (R-A, PD) Vacant Land	West:	Coastal dependent industrial (M-2, PD, I), Highway 1, Vacant Land

<u>Site Characteristics</u>	
Overall Site Area	0.36 acres
Existing Use	Vacant, City-owned dirt stockpiling
Terrain	Sloping
Vegetation/Wildlife	Grasses, minimal ruderal vegetation
Access	Little Morro Creek, nearest cross street is Radcliffe Avenue
Archaeological Resources	Not within 300 feet of a known archaeological resource.

<u>General Plan, Zoning Ordinance & Local Coastal Plan Designations</u>	
General Plan/Coastal Plan Land Use Designation	General / Light Industrial
Base Zone District	M-1
Zoning Overlay District	PD, (I), Interim Use Overlay

Special Treatment Area	N/A
Combining District	N/A
Specific Plan Area	North Main Specific Plan
Coastal Zone	Located in the Coastal Zone, but not within appeals jurisdiction

PROJECT ANALYSIS:

Background / Discussion:

A bike park was formerly operated by the City Recreation Department from 2000-2005 at 220 Atascadero Road next to a former roller skating rink. When the property was sold in 2005, the bike park closed. Without an alternate location to move to, the bike park ceased operations. The current proposal is a request by the applicant to permit a BMX bike park pursuant to the interim use regulations allowed within the Zoning Ordinance.

At the August 13, 2013 City Council meeting, the City Council authorized a Memorandum of Understanding (MOU) (see Exhibit B) to memorialize the City and the MBBPG’s mutual commitment to proceed in good faith with design and permit processing of a fenced-in Bike Park at the Little Morro Creek Road location. Council supported the idea by approving Resolution 20-13, and directed staff to work with the local bike park interest group to support the establishment, development, and operation of a public bike park on City of Morro Bay property. The Morro Bay Bike Park Group has collaborated with the Central Coast Concerned Mountain Bikers, Inc. (CCCMB) to facilitate this goal. Lila Keiser Park was initially pursued as a possible location, with ultimate consensus on the Little Morro Creek Road location.

In addition, at the January 13, 2015 City Council meeting, the City Council authorized a second MOU between the City and CCCMB for the construction, repair and maintenance of the Bike Park (see Exhibit B). The City Recreation Department’s responsibilities as outlined in the MOU include establishing and publishing the rules of conduct to be posted in two conspicuous locations. Maintenance and repair of the park would be the responsibility of CCCMB. The Recreation Director also retains the right to close the Bike Park temporarily to perform repair or maintenance work necessary to protect the health and safety of the public.

Because the City-owned lot is roughly flag-shaped in appearance, the front portion of the project will encroach onto PG&E property. This is the area where the applicant has proposed parking, which the Applicant has received consent from PG&E Land Management Division. The plans depict 5 parking spaces on gravel surface plus one paved van-accessible ADA parking space with the required ADA path of travel to the bike park.

General Plan/Local Coastal Plan/ Zoning Ordinance consistency

The property is zoned M-1/PD/I/SP as a primary light industrial zone and land use designation. The Planned Development (PD), Interim (I), and Specific Plan (SP) zones are overlay zones which apply special standards to primary zoning districts. The SP denotes the project's location within Area D of the North Main Specific Plan which describes the requirements for conditional use permits for new uses in this area. The purpose of the Interim use overlay zone is intended for certain properties being held for future use to be approved for interim uses to allow for proper utilization of the land. Pursuant to 17.40.080.B3, temporary visitor-serving or recreation uses are conditionally allowed.

The Planning Commission may grant an interim use permit only if the following conditions are met:

- a) The proposed uses is limited to relocatable, nonpermanent structures, or existing structures;
- b.) The propose use is subordinate to the character of the visual setting; and
- c.) The non-owner applicant agrees to remove the interim use after notice from the property owners that the site is necessary for the primary use in the base zoning district.

As an Interim use, a condition of approval has been added to permit the BMX Bike Park for a period of no more than 5 years, with opportunity for renewal of the permit approvals by the Planning Commission at the time (Exhibit A).

The project is consistent with City Recreation goals and policies. Although the City has provided for an increase in Class 1 bike lanes, the project would fulfill an unmet need to provide additional off-road bicycle facilities consistent with policies contained within the Access & Recreation Element and the LCP Coastal Access & Recreation Policies. As an interim use, the project would be considered as a temporary public recreational facility and consistent with Coastal Access & Recreation Policies in the LCP (Policy 1.18) and General Plan (Policy AR-19). Within the Safety Element & Hazard Policies of the LCP (Chapter X), the project, located within the 100-year flood plain has been conditioned to obtain a Floodplain Development Permit prior to issuance of a grading permit by the Building Division. The project has been conditioned to properly drain to resist erosion and sediment control. The only structural component of the project would be the four foot fence.

Planned Development (PD) overlay

Section 17.40.030 of the Municipal Code requires a Concept plan for projects on publicly owned land. Since both a Concept plan and a Precise plan are required for this project, staff is processing them concurrently. The Planned Development overlay zone requirement found at 17.40.030 provide for detailed and substantial analysis of development on parcels which, because of location, size or public ownership, warrant special review. This overlay zone is also intended to allow for the modification of or exemption from the development standards of the primary zone which would otherwise apply if such action would result in better design or other

public benefit.

Staff has decided to process the project in this manner to expedite the processing and because the project has been proposed as an interim use until such time as the City makes decision on the proper utilization of this piece of property. The Applicant has submitted simulations of the various bike courses which depict the sequence of jumps, ramps and dips. The Applicant has informed staff that there may be minor modifications made to the layout of the proposed course (Exhibit C) during the grading of the lot if necessary to determine proper maneuverability and speed distances necessary for bikers to navigate the course.

Parking and Traffic

As stated, the parking plan for this project is limited to a proposal of 5 unpaved parking spaces and one paved van-accessible ADA parking space. The City's parking requirements, found within Section 17.44.020 of the Zoning Ordinance do not have a parking use requirement under commercial recreation for "bike parks." In discussion with the Applicant, it was determined that due to the space needs of the Bike Park ramps and jumps, that it would be infeasible for the Applicant to build a course of sufficient maneuverability and also provide any additional parking over 6 spaces. The Applicant has received consent from the adjacent property owner, PG&E, to place the parking spaces on the portion of their property that lies directly east of the City-owned property fronting onto Little Morro Creek Road. Also, pursuant to the Planned Development overlay, the Planning Commission has authority to modify or exempt development standards if such action would result in better design or other public benefit. The project has been designed to be a public recreation opportunity for the entire community as well as visitors and serves to meet the goals outlined in the City's General Plan and specifically the Access and Recreation Element and goals identified in the Recreation Department's Facilities Master Plan to increase recreational opportunities for off-road biking facilities. It is anticipated that the majority of users will be older youth that will bike ride to the park rather than load a bike into a vehicle which might necessitate increase parking demand.

Though the Applicant has not provided a traffic study specifically for this project, a previous traffic study was done in October, 2014 by OmniMeans Engineering for the intersection at Radcliffe, Main and Little Morro Creek Road for the purpose of addressing existing traffic conditions. Per their recommendations, the Public Works Division recently added a radar feedback sign to encourage drivers to control speed as they approach that intersection. Staff review of the traffic study results and the proposed Bike Park determined that there would negligible traffic increases as a result of the project.

Because there is no specific use demand for Bike Parks in the parking ordinance, staff is recommending that a condition of approval be added to the project to evaluate actual parking

demand for the Park six months after the Bike Park opens. (Exhibit A). The conditional use permit process does allow staff to revisit any aspect of the Bike Park approval, including parking, on an ongoing as needed basis to ensure that it is functioning and/or being utilized in a manner consistent with the approval. In other words, if parking is found to be an issue early on in the Bike Park operation, staff can step in and work with the applicant to resolve the issue.

Grading/ Dirt stockpiling / Dust

The project will be graded to create the bike ramp courses which will consist of a beginner, intermediate and advanced trails. The plans show cut and fill quantities of dirt at 2,150 cubic yard of cut; 2,470 cubic yards of fill material with 320 cubic yards of import material. The County Air Pollution Control District has reviewed the plans and placed conditions on the Applicant which are shown on the title page of the plan which will require dust control measures as well as a standard erosion and sediment control plan to provide protection against erosion of adjacent property and prevent sediment or debris from entering City right of way or adjacent properties. The Applicant has also received permission from PG&E, the adjacent property owner for temporary dirt stockpiling, not to exceed 20 days, during construction of the Bike Park course.

ENVIRONMENTAL DETERMINATION:

Environmental review was performed for this project and was deemed to be categorically exempt pursuant to CEQA Guidelines Section 15304, Class 4. Pursuant to the California Environmental Quality Act, the Class 4 exemption provides for minor public or private alterations in the condition of land, water and/or vegetation which does not involve the removal of healthy, mature, scenic trees except for forestry and agricultural purposes and includes on grading on land with slopes less than ten percent. This exemption is appropriate for this project, because the site is composed of imported fill, due to prior use by the City as property for dirt stockpiling and the proposed grading activities necessary to construct the Bike Park will be performed on land with a slope of less than ten percent

PUBLIC NOTICE:

Notice of a public hearing on this item was posted at the site and published in the Tribune newspaper on March 27, 2015, and mailed directly to all property owners of record within 1,000 feet of the subject site and occupants within 1,000 feet of the site. The notices invited the public to attend the hearing and express any concerns they may have regarding the proposed project.

CONCLUSION:

The proposed BMX Bike Park at 301 Little Morro Creek Road on vacant City-owned property would provide additional recreational activities for the community consistent with the General Plan and Local Coastal Plan. The provision of off-road bike facilities such as this proposed Bike Park would serve to meet the goals of the Recreation Department's Facilities Plan. Staff has

reviewed the project for consistency with City requirements considering use impacts such as traffic, parking, drainage and erosion. Under the Planned Development overlay, modification of standards is permitted upon finding that greater than normal public benefit may result such as improved or innovative site design. The project parking design allows for greater flexibility in bike course layout which serves to better meet the needs of riders of all abilities, whether beginner, intermediate or advanced.

Staff recommends that the Planning Commission forward a favorable recommendation to the City Council to approve the requested Coastal Development Permit and Conditional Use Permit for the BMX Bike Park with the incorporation of the conditions of approval attached herein.

EXHIBITS:

Exhibit A – Planning Commission Resolution 09-15

Exhibit B – January 13, 2015 City Council Staff Report from Joseph Woods, Recreation Director with attachments including:

Council Resolution 20-13;

2013 MOU for Construction, Operation & Maintenance of Bike Park;

Proposed Bike Park Maintenance Form;

MOU for Design and Permitting of a Bike Park; and

MOU between MBBP and CCCMB

Exhibit C – Visual Simulation of Bike Park course layout received March 30, 2015

Exhibit D – Plans/Plan Reductions dated January 14, 2015

Exhibit E – Rules of Conduct Sign Copy dated March 31, 2015

Exhibit F – Neighbor letter received October 1, 2014

EXHIBIT A

RESOLUTION NO. PC 09-15

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION FORWARDING A FAVORABLE RECOMMENDATION TO THE CITY COUNCIL RECOMMENDING APPROVAL OF THE COASTAL DEVELOPMENT AND CONDITIONAL USE PERMITS TO ALLOW A BMX BIKE PARK ON VACANT CITY-OWNED PROPERTY NEAR THE INTERSECTION OF LITTLE MORRO CREEK, RADCLIFFE AND MAIN STREETS. BMX PARK TO INCLUDE INSTALLATION OF THREE BIKE TRAILS, APPROXIMATELY 600-750 LINEAL FEET, AND WOODEN SKILLS FEATURES FOR RIDERS OF VARYING ABILITIES.

WHEREAS, the Planning Commission of the City of Morro Bay (the “City”) conducted a public hearing at the Morro Bay Veteran’s Hall, 209 Surf Street, Morro Bay, California, on April 7, 2015, for the purpose of considering Coastal Development Permit CP0-442 & Conditional Use Permit # UP0-381 for a BMX Bike Park on vacant City-owned property at 301 Little Morro Creek Road with a portion of the adjacent PG&E owned property fronting on Little Morro Creek Road to be used for six parking spaces (APN Number 068-183-021 & 068-183-022) in an area outside of the Coastal Commission Appeals Jurisdiction; and

WHEREAS the City Council of the City of Morro Bay adopted Resolution No. 20-13 supporting the development of a public bike park within the City limits on March 12, 2013; and

WHEREAS the City Council entered into a Memorandum of Understanding with the Morro Bay Bike Park, a duly organized community volunteer organization on August 28, 2013 for facilitating Bike Park Design and Permit Processing; and

WHEREAS the City Council entered into a second Memorandum of Understanding with Central Coast Concerned Mountain Bikers, Inc. a California non-profit corporation on January 13, 2015 for the construction, repair and maintenance of the Little Morro Creek Road Bike Park in the City of Morro Bay; and

WHEREAS, notice of the public hearing was provided at the time and in the manner required by law; and

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; and

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

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Section 1: Findings. Based upon all the evidence, the Planning Commission makes the following findings:

California Environmental Quality Act (CEQA) Finding

1. Pursuant to the California Environmental Quality Act, the project is categorically exempt under Section 15304, Class 4: Minor public or private alterations in the condition of land, water and/or vegetation which does not involve the removal of healthy, mature, scenic trees except for forestry and agricultural purposes and includes on grading on land with slopes less than ten percent. This exemption is appropriate for this project, because the site is composed of imported fill, due to prior use by the City as property for dirt stockpiling and the proposed grading activities necessary to construct the Bike Park will be performed on land with a slope of less than ten percent.

Coastal Development Permit Findings

1. That the project is an allowable use in its zoning district and is also in accordance with the certified Local Coastal Program and the General Plan for the City of Morro Bay and is also in conformance with the coastal access policies of Chapter 3 of the California Coastal Act.

Conditional Use Permit Findings

1. The project will not be detrimental to the health, safety, comfort and general welfare of the persons residing or working in the neighborhood because recreational facilities are permitted uses within the zoning district applicable to the project site and are encouraged by the Local Coastal Plan and will be in accordance with all applicable project conditions and City regulations.
2. The project will not be injurious or detrimental to property and improvements in the neighborhood because as conditioned the BMX bike track is consistent with all City regulations applicable to this project.
3. The project will not be injurious or detrimental to the general welfare of the City because the BMX bike track is a permitted use within the zoning district and the project is conditioned to be consistent with all City regulations.

Planned Development Overlay Findings

1. The project as conditioned with the provision of six parking spaces for the Bike Park provides greater than normal public benefits because it provides recreational opportunities for the whole community in that it accommodates riders of varying abilities. Designing the course to allow for beginner, intermediate and advance bike trails along with public benches for spectators results in improved site design.

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North Main Specific Plan Findings

1. The development standards of the North Main Street specific plan have been met for this project in that the proposed project of a Bike Park on vacant lot does not have existing trees on site and no permanent structures are proposed to be built.

Section 2: Action. The Planning Commission does hereby approve Coastal Development Permit CP0-449 and Conditional Use Permit #UP0-385 for property known as 301 Little Morro Creek Road (APN number 068-401-014) subject to the following conditions:

STANDARD CONDITIONS

1. Permits: This Conditional Use Permit and Coastal Development Permit are granted for the uses described in the April 2, 2015 staff report and all attachments thereto, and as shown on the plans received by the Community Development Department on March 30, 2015. In addition to satisfying all of the foregoing Conditions of Approval for the proposed use, the applicant shall obtain and maintain compliance with all other required permits and approvals.
2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced within two (2) years of the effective date of this approval and is diligently pursued thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Said extensions may be granted by the Community Development Manager, upon finding that the project complies with all applicable provisions of the Morro Bay Municipal Code, General Plan and Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.
3. Changes: Any minor change may be approved by the Community Development Manager. Any substantial change, as so deemed by the Community Development Manager, will require the filing of an application for an amendment to be reviewed by the Planning Commission.
4. Compliance with the Law: All requirements of any law, ordinance or regulation of the State of California, City of Morro Bay, and any other governmental entity shall be complied with in the exercise of this approval.
5. Compliance with Conditions: Prior to issuance of a grading permit for the proposed use or development, the owner or designee accepts and agrees to comply with all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building

EXHIBIT A

inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Community Development Manager and/or as authorized by the Planning Commission. Failure to comply with these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the Morro Bay Municipal Code and is a misdemeanor.

6. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the Morro Bay Municipal Code, and shall be consistent with all programs and policies contained in the Zoning Ordinance, certified Coastal Land Use Plan and General Plan for the City of Morro Bay.
7. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicants failure to comply with conditions of approval. This condition and agreement shall be binding on all successors and assigns.
8. Construction Hours: Pursuant to MBMC Section 9.28.030 (I), noise-generating construction related activities and routine maintenance activities shall be limited to the hours of 7:00 AM to 7:00 PM Monday through Friday, and 8:00 A.M. to 7:00 P.M. on Saturday and Sunday, unless an exception is granted by the Community Development Manager pursuant to the terms of this regulation.
9. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan of the City.

PLANNING CONDITIONS

1. Expiration of Conditional Use Permit: This permit shall expire on May 9, 2020, in which at that time the project will be brought back to Planning Commission for review to determine if an extension will be granted and if any additional conditions are necessary.
2. Landscape Plan: Site plan notes on the plans dated January 14, 2015 specify native vegetation will be planted via City pre-approved seed mix design, or other mix as recommended by a City approved Biologist. A Landscape Plan shall be submitted for review and approval by the Community Development Department within 90 days following the approval of this permit that denotes landscaping details such as location and type of seed mix design as well as bark usage or other landscaping amenities. The landscape plan shall include

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native and drought tolerant species, and shall be consistent with the City Master tree list and City landscape policies.

3. Refuse collection stations shall be provided on-site. A minimum of two trash receptacles and two recycling receptacles with a minimum 50 gallon capacity shall be placed on-site with plans revised to show location of refuse collection stations. Responsibility for emptying of trash and recyclables shall be the responsibility of CCCMB or designated representative consistent with the Memorandum of Understanding between the City and CCCMB dated January 13, 2015. Final design and appearance of refuse containers shall be subject to the approval of the Community Development Manager.
4. Fencing: Fencing shall be limited to 4-foot green or earth toned transparent nylon “snow” fencing surrounding the bike track. Plans shall be revised to change color from proposed orange to green or earth toned in order to blend in with surrounding aesthetics. Said fence shall be designed in a manner that discourages riders from directly entering the park from adjacent private properties and shall be designed to provide flexibility should a rider run into the fence.
5. Parking: The project as proposed provides for 5 regular parking spaces and 1 van-accessible ADA parking space. The alternative parking arrangement is allowable under the Planned Development Overlay requirements. The City Community Development Department shall re-evaluate parking needs based on the census of actual parking demand and present an evaluation report to the Planning Commission no later than six months after permit approval. Applicant shall be subject to additional conditions relative to parking based on Planning Commission review of the project.
6. Bike Parking: Bike parking shall be provided onsite. Plans shall be revised to denote location of bike rack parking with a minimum capacity to park at least 8 bicycles.
7. Signs: Signage shall be limited to an informational sign, which includes the rules and regulations of the park, hours of operation, phone number for emergency or further information etc. and as further described in the MOU dated January 13, 2015.
8. Applicant shall provide to the City Community Development Department a copy of consent of landowner letter or other agreement from PG&E that provides for consent of use of that lot.

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9. Hours of Operation: All activities shall be limited to daytime hours beginning with sunrise and closing at sunset. No lighting shall be allowed without the approval of the Community Development Manager.
10. Archaeology: In the event of the unforeseen encounter of subsurface materials suspected to be of an archaeological or paleontological nature, all grading or excavation shall immediately cease in the immediate area, and the find should be left untouched until a qualified professional archaeologist, knowledgeable in Chumash Culture, or paleontologist, whichever is appropriate, is contacted and called in to evaluate and make recommendations as to disposition, mitigation and/or salvage. The developer shall be liable for costs associated with the professional investigation.

BUILDING CONDITION

1. Building Permit: Prior to construction, the applicant shall submit a complete Building Permit Application and obtain the required Grading Permit.

PUBLIC WORKS CONDITIONS

1. Provide a standard erosion and sediment control plan: The Plan shall show control measures to provide protection against erosion of adjacent property and prevent sediment or debris from entering the City right of way, adjacent properties, any harbor, waterway, or ecologically sensitive area. Use the City of Morro Bay's Erosion and Sediment control handout as a guide.
2. Pave two feet wide shoulder along frontage on Little Morro Creek Road.
3. The proposed bike park is in an area inundated by the 100-year flood as shown on the current FEMA Flood Insurance Rate Map. A Floodplain Development Permit must be obtained prior to issuance of a Building Permit. Show on the plans:
 - a. The mapped limits of the floodplain.
 - b. The actual limits of flooding for existing conditions.
 - c. The future limits of flooding based on proposed conditions.
4. Show cut and fill quantities on the plans.
5. Show direction of drainage flows and all proposed drainage facilities on the plans.

Add the following Notes to the Plans:

1. No work within nor any use of any public rights of way shall occur without an encroachment permit. Encroachment permits are available at the City's Public Works Department located at 955 Shasta Ave. The Encroachment permit shall be issued concurrently with the building permit.
2. Any damage to any of the City's facilities (such as curb/berm, street, sewer line,

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water line, or any public improvements) resulting, directly or indirectly from construction operations related to this project shall be repaired at no cost to the City.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 7th day of April, 2015 upon motion of Commissioner _____ and seconded by Commissioner _____ on the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson Robert Tefft

ATTEST

Scot Graham, Planning Secretary

The foregoing resolution was passed and adopted this 7th day of April, 2015.

EXHIBIT B



AGENDA NO: D-1

MEETING DATE: January 13, 2015

Staff Report

TO: Honorable Mayor and City Council **DATE:** 12/29/2014

FROM: Joseph M. Woods, Recreation and Parks Director

SUBJECT: Review and Approval of Memorandum of Understanding between the Central Coast Concerned Mountain Bikers, Inc. and the City of Morro Bay for the Construction, Repair and Maintenance of the Little Morro Creek Road Bike Park.

RECOMMENDATION

Staff recommends the City Council review and approve the Memorandum of Understanding (MOU) between the City and the Central Coast Concerned Mountain Bikers Inc. (CCCMB) for the construction, repair and maintenance of the Little Morro Creek Road Bike Park.

ALTERNATIVES

- 1) City Council approves the MOU with revisions.
- 2) City Council denies the MOU and directs staff accordingly.

FISCAL IMPACT

To date, the fiscal impact has been the amount of staff time required for meetings and preparation of staff reports. Funds for construction, repair, and maintenance of the Bike Park will be borne by CCCMB.

SUMMARY

The development of a Bike Park in Morro Bay was reintroduced by the public to City Council in early 2013. Council supported the idea by approving Resolution 20-13, and directed staff to work with the local bike park interest group to support the establishment, development, and operation of a public bike park on City of Morro Bay property. The Morro Bay Bike Park group (MBBP) collaborated with the Central Coast Concerned Mountain Bikers (CCCMB) and entered into an Agreement. This collaborative relationship has allowed the bike park project to progressively continue in the design and permitting phase. The construction, repair, and operation MOU will play a part in the permitting process and is attached for review and approval. This MOU has been revised since originally reviewed and recommended by the Recreation & Parks Commission (RPC) on September 18, 2014.

Prepared By: JMW

Dept. Review: JMW

City Manager Review: _____

City Attorney Review: JWP

EXHIBIT B

BACKGROUND

A bike park located in Morro Bay has been a topic of discussion for several years. Action taken by City Council on March 12, 2013, approved Resolution 20-13 supporting the development of a public bike park in Morro Bay. On March 21, 2013, the RPC reviewed Resolution 20-13 as well as letters from the Morro Bay Bike Park organization and Morro Bay Citizens Bike Committee. The recommendation from the RPC was to pursue property on Main Street, as well as property adjacent to Lila Keiser Park for possible site locations. Staff has continued to work with the MBBP organization in both the pursuit of a bike park location and a formal agreement in which to advance the project.

The MBBP aligned with the CCCMB, a non-profit corporation, allowing donors to make tax-deductible, charitable contributions to develop a bike park in Morro Bay. The two organizations executed an MOU on May 21, 2013 which was presented to the City of Morro Bay, expressing their desire to enter into an agreement with the City for bike park design and permitting. Staff drafted an MOU and presented the item to the RPC for review at their regular meeting on July 18, 2013. After reviewing the draft MOU, RPC supported the location and obligations presented with a recommendation for approval by City Council. The MOU for design and permitting a Bike Park in Morro Bay was approved by City Council at their regular meeting of August 13, 2013.

Staff worked with the applicant on meeting the requirements to establish a Bike Park. On September 18, 2014, at their regular meeting, the RPC reviewed the draft construction, operation and maintenance MOU between the City and the MBBP. There was opportunity for public comment; however, no public spoke regarding this item. After discussion of the public hearing item, the RPC recommended staff forward the proposed Bike Park MOU to Council for further review and approval. Prior to City Council's review, staff met with MBBP representatives to discuss the draft MOU and edits to the document were made and mutually agreed upon by both parties.

DISCUSSION

Staff has worked with the applicant throughout the permitting process through meetings and written correspondence. Questions and concerns have been identified and discussed to ensure proper procedures and requirements are met. Highlights of items discussed include, but are not limited to: park signage, fencing, drainage, grading, and access to the proposed park. These items and others have and will be addressed by staff and the Planning Commission during the permitting process.

The Construction, Repair, and Operation MOU has been amended since approved and recommended by RPC in September 2014. The most significant change involved the parties named in the MOU. The change from MBBP to the CCCMB was implemented based on the type of organization and that party's ability to enter into a MOU. The CCCMB is currently a California non-profit corporation and is recognizable by the City. Additional major changes included responsibility of Bike Park removal, which will be solely the City's (7. City's Rights and Obligations), and the inclusion of properties not owned by the City (1. Construction. J.) The attached Construction, Repair, and Operation MOU is reflective of those changes.

EXHIBIT B

CONCLUSION

The CCCMB and the MBBP support the proposed MOU and desire the support and approval of City Council. Attached is the draft Memorandum of Understanding between the City and CCCMB for the construction, repair, and maintenance of a public bike park located on Little Morro Creek Road.

Attachments:

1. MOU for Construction, Operation, and Maintenance of a Bike Park
2. Resolution No. 20-13
3. Proposed Bike Park Maintenance Record Form
4. MOU for Design and Permitting of a Bike Park
5. MOU between MBBP and CCCMB

EXHIBIT B

MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MORRO BAY AND THE CENTRAL COAST CONCERNED MOUNTAIN BIKERS, INC. FOR THE CONSTRUCTION, REPAIR AND MAINTENANCE OF THE LMCR BIKE PARK IN THE CITY OF MORRO BAY

This Memorandum of Understanding (“MOU”) is entered into on January 13, 2015 by and between the City of Morro Bay, a municipal corporation formed under the laws of the State of California (“City”) and Central Coast Concerned Mountain Bikers, Inc., a California non-profit corporation, (“CCCMB”) (collectively, the City and CCCMB are referred to herein as the “Parties”).

WHEREAS, the City owns certain real property located within the City of Morro Bay, commonly known as the vacant lot at Little Morro Creek Road (LMCR); and

WHEREAS, on March 12, 2013, the Morro Bay City Council adopted Resolution No. 20-13 supporting the development of a public bike park within the City limits; and

WHEREAS, the CCCMB is a non-profit corporation that has obtained IRS Code 501(3)(c) status whose mission is to expand the network of sustainable and enjoyable mountain bike trails in San Luis Obispo County and to maintain the trails currently in use; and,

WHEREAS, a local group of mountain biking enthusiasts who seek to establish a bike park in Morro Bay who call themselves the Morro Bay Bike Park Group (“MBBPG”) have affiliated with the CCCMB as a chapter and has entered into a memorandum of understanding with the CCCMB regarding the collection of donations for the purpose of funding the construction, operation and maintenance of a bike park in Morro Bay; and,

WHEREAS, on August 13, 2013, a Memorandum of Understanding was entered into by and between the City and MBBPG for the design and permit processing of a public bike park within the City limits; and

WHEREAS, MBBPG and CCCMB are committed to the construction, operation, and maintenance of a bike park at LMCR currently referred to as the CCCMB Morro Bay Bike Park (the “Bike Park”) and in furtherance thereof has submitted to the City all applications required by the City, including all necessary plans, specifications and engineered drawings, for final approval of the Bike Park; and

WHEREAS, the City has expeditiously processed all of said applications for consideration all together by the City Council; and

WHEREAS, the City has no additional financial resources at this time to commit to the design, construction, operation, or maintenance of the Bike Park; and

WHEREAS, MBBPG, in cooperation with the CCCMB, has raised initial funds for the construction of the Bike Park, is in the midst of a capital fundraising campaign, and expects that it will

EXHIBIT B

raise sufficient funds and secure other commitments for the construction, operation, and maintenance of the Bike Park; and

WHEREAS, the Parties desire a Memorandum of Understanding to document the terms and conditions for the construction, operation, and maintenance of the Bike Park.

NOW THEREFORE, in consideration of the mutual covenants and conditions set forth herein, the Parties agree as follows:

1. **Construction.**

- a. Subject to the requirements set forth below, CCCMB will, at its sole cost, construct all Bike Park elements, fencing, gates, and access walkway(s) from the parking area to the Bike Park entrance, signage, and other similar improvements for the Bike Park. The scope of construction shall include site preparation, starting platforms, biking elements, safety features, fencing, pedestrian access, parking, or other site amenities, if necessary and approved by the City. The Bike Park shall be constructed in conformity with the approved plans and specifications, as reasonably determined by the Director. CCCMB shall contract with one or more properly licensed contractors (“contractors”) to perform all work necessary for the construction of the Bike Park. No members of CCCMB, including members of MBBPG, or any other volunteers shall perform work necessary for the construction of the Bike Park. Construction of the Bike Park shall not be performed, in whole or in part, by the City or under contract with the City.
- b. All contractors shall be subject to the approval of the City and shall not commence work until their licensing and insurance and all other requirements, if any, requested by the City are incorporated into the executed construction contract documents and proof thereof is provided to the satisfaction of the Director of Recreation and Parks (the “Director”). Because the improvement work is being performed by the authority of the Director, pursuant to Labor Code, section 1720(a) (3), and the City is contributing public funds in the form of the waiver of all special use permit and building permit fees, which is not de minimis in amount, as defined by Labor Code, section 1720(c) (3), this project is a public works project subject to payment of prevailing wages as may be required pursuant to Labor Code, section 1771. All contract documents between CCCMB and its contractors or subcontractors shall be submitted to the Director and approved prior to the commencement of that contractor’s work.
- c. CCCMB shall ensure that all contracts related to the construction of the Bike Park contain the indemnification and insurance provisions set forth in Exhibit “A” to this MOU and shall provide proof of compliance to the Director.
- d. All materials used in construction of the project shall be new or like-new, and in either event shall result in first class quality and appearance when incorporated into the project. Materials may be provided by the contractor, purchased at or below market value by CCCMB and provided to the contractor, or donated to CCCMB and provided to the contractor. Materials shall be subject to the approval of the Director or designee.

EXHIBIT B

- e. Construction of the improvements shall comply with all applicable local, state and federal laws, including, but not limited to, the Morro Bay Building Codes and the Americans with Disabilities Act.
- f. Construction of the Bike Park may be performed in increments or phases approved by the Director. Before any increment or phase of construction may begin, CCCMB shall submit the contractor's bid proposal to the Director describing or depicting the work to be done, and in the case of the perimeter fence, the fence location shall be physically marked on the ground. No work shall be commenced until such proposal is approved by the Director, and in the case of the fence, until the fence location is approved by the Director.
- g. CCCMB shall ensure that all contractors have the construction inspected by City personnel as required by the issuance of City building and construction permits for the construction of the Bike Park.
- h. CCCMB shall not authorize any construction work to begin unless it holds sufficient funds to pay the contract price for the work in full. CCCMB shall pay all contractors in a timely manner and shall not allow any claim or lien to be made or filed against the City. In the event of a payment or performance dispute between CCCMB and any contractor, CCCMB shall notify the Director within 10 days of receiving notice of the dispute and shall request the assistance of the City in resolving the dispute.
- i. The City owns the LMCR and shall not charge any permit and inspection fees associated with the processing and issuance of special use permits or building permits. The City will require CCCMB or CCCMB's contractors provide performance and payment bonds for this work as required by the Civil Code. The permitting process to be followed for the Bike Park shall be as set forth in City's land use regulations.
- j. The Parties understand a portion of the area to be used as the Bike Park is not owned or controlled by the City and shall require written consent from that owner. CCCMB shall provide that written consent to City prior to CCCMB or any of its volunteers taking possession of any portion of the LMCR.

2. **Maintenance.**

- a. CCCMB shall perform at its expense all maintenance and repair to the Bike Park and site elements. CCCMB will conduct and submit monthly to the Recreation and Parks Department maintenance inspection records which shall be conducted on a weekly basis. The Parties understand and agree CCCMB may carry out some or all of its maintenance and repair obligations with City volunteers. To the extent CCCMB relies on City volunteers, CCCMB agrees to take the necessary steps to ensure City's volunteers satisfactorily complete CCCMB's obligations

EXHIBIT B

- b. Prior to CCCMB performing any maintenance or repair work at the Bike Park, it shall comply with all City requirements for adopting a City park as set forth in the policies and procedures governing that program and it shall ensure each person performing maintenance or repair work at the Bike Park executes the most current version of the City's Agreement for Individual Volunteer Service.
- c. In the event that fencing needs to be replaced or elements need to be replaced with like material, CCCMB shall pay the reasonable cost of replacement materials and labor appropriate and available. CCCMB will monitor the condition of the Bike Park on a regular basis and promptly remove all debris and litter from the Bike Park to City trash facilities as required by the Director.
- d. Subject to compliance with subsection 2(a), with the guidance and approval of the Director or designee, CCCMB shall perform maintenance, repair, and replacement of certain elements and other similar site amenities of the Bike Park, and the access path from the parking area to the Bike Park entrance, whether made necessary by use by the participants, the public, the weather, or otherwise.
- e. The City shall close the Bike Park for proper routine maintenance, inclement weather, or any deemed safety issue. City shall provide notice to CCCMB regarding any maintenance issue and reserve the right to require CCCMB to reimburse the City for any resources used to correct the stated issue pertaining to the Bike Park provided CCCMB is unresponsive to the City's repair or maintenance request.

3. **Operation of the Bike Park.**

- a. Prior to the opening of the Bike Park, the Director shall establish and publish Rules of Conduct. CCCMB shall have these Rules of Conduct printed on signs made of durable all-weather materials of at least [dimensions] in size and post these signs in at least two conspicuous locations at the Bike Park, including at all entrances. All persons entering the Bike Park shall comply with the Rules of Conduct. The purpose of the Rules of Conduct is to implement safety precautions and provide for the enjoyment of the Bike Park by all bike riders and spectators, with the understanding that riding a bike through the Bike Park courses is a hazardous recreational activity as defined by California Government Code, section 831.7 which involves inherent risk. CCCMB members shall assist in the observance of the Rules of Conduct by informing users of the rules, and/or in such other manner as approved by the Director.
- b. CCCMB is not expected to provide a daily presence of a member or volunteer at the Bike Park, supervise its use, or affirmately enforce the Rules of Conduct.
- c. The Director retains the right to close the Bike Park temporarily to perform repair or maintenance work necessary to protect the health and safety of the public. City shall notify CCCMB or its designee at said time of closure and approximate expectation of reopening.

EXHIBIT B

4. **Good Faith Performance.**

Each party to this MOU will at all times act in good faith in the performance of its duties and responsibilities under this MOU, will use its best efforts to assist the other party, and will be courteous, helpful, cooperative with, and appreciative of the other party.

5. **Insurance Authority Guidelines.**

The City is a member of the Southern California Joint Powers Insurance Authority (the "JPIA"). CCCMB shall conform its activities at the Bike Park to any written guidelines provided by the JPIA and will do nothing to limit or jeopardize the City's liability insurance coverage through the JPIA. All maintenance activities provided by CCCMB shall be provided by volunteers, each of whom shall comply with all of the requirements for volunteers established by the Director.

6. **No Possessory Interest.**

CCCMB understands and agrees that it shall not at any time have a possessory interest in the Bike Park, including the personal or real property that comprise the Bike Park, and that any improvements constructed by CCCMB or its contractors are for the sole benefit of the general public and are the exclusive property of the City.

7. **City's Rights and Obligations.**

Without waiving any rights it may have, the City reserves the right to: (1) remove any Bike Park improvements if the City determines, at its sole discretion, that removal is necessary to protect the public health, safety, or welfare;; (2) relocate the Bike Park as the City Council may determine is in the public interest, and (3) close the Bike Park and remove the improvements if the City Council determines that a threatened danger to the public health, safety or welfare can only be eliminated by such closure and removal.

8. **CCCMB Contact Persons.**

CCCMB shall furnish to the Director the names and telephone numbers of two members of CCCMB , each with authority provided by CCCMB to act alone on behalf of CCCMB, and who will act as the contacts with the Director concerning the this MOU. CCCMB shall notify the Director if a member can no longer serve and will provide the name and telephone number of a replacement.

EXHIBIT B

9. **Written Notice.**

Written notice to the respective parties will be provided as follows:

To the City:

City of Morro Bay
Rec & Parks Department
1001 Kennedy Way
Morro Bay, CA 93442
Attn.: Director

To MBBPG:

2089 Bayview Ave.
Morro Bay, CA 93442
Attn: Bonnie Johnson

10. **Assignment**

CCCMB shall not assign the performance of this MOU, nor any part thereof, without the prior written consent of City.

11. **Governing Law**

The City and Consultant understand and agree that the laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this MOU and also govern the interpretation of this MOU. Any litigation concerning this MOU shall take place in the County of San Luis Obispo Superior Court or federal district court with jurisdiction over City.

12. **Entire MOU**

This MOU contains the entire understanding between the parties relating to the obligations of the parties described in this MOU. All prior or contemporaneous MOUs, understandings, representations, and statements, verbal or written, are merged into this MOU and shall be of no further force or effect. Each party is entering into this MOU based solely upon the representations set forth herein and upon each party's own independent investigation of any and all facts such party deems material.

13. **Time**

City and CCCMB agree time is of the essence in this MOU.

14. **Construction**

The parties agree each has had an opportunity to have their counsel review this MOU and any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this MOU or any amendments or exhibits thereto. The captions of the sections are for convenience and reference only, and are not intended to be construed to define or limit the provisions to which they relate.

EXHIBIT B

15. **Amendments**

This MOU is the final, complete, and exclusive statement of the terms of the understanding between the Parties, supersedes all previous understandings between the Parties as to its subject matter. Amendments to this MOU shall be in writing and shall be made only with the mutual written consent of all the parties to this MOU.

16. **Authority To Execute This MOU**

The person or persons executing this MOU on behalf of CCCMB warrants and represents he/she has the authority to execute this MOU on behalf of Consultant and has the authority to bind CCCMB to the performance of its obligations hereunder.

17 **Effective Date of MOU**

This MOU will be effective upon approval by the City Council and execution by the Parties. IN WITNESS WHEREOF, the parties hereto have caused this MOU to be executed at Morro Bay, California.

<p>CITY OF MORRO BAY</p> <p>_____</p> <p>Jamie L. Irons, Mayor</p> <p>Date:</p> <p>ATTEST:</p> <p>_____</p> <p>Jamie Boucher, City Clerk</p> <p>APPROVED AS TO FORM:</p> <p>_____</p> <p>Joseph W. Pannone, City Attorney</p>	<p>CCCMB</p> <p>By: _____</p> <p>_____</p> <p>Its _____</p> <p>Date:</p> <p>By: _____</p> <p>_____</p> <p>Its _____</p> <p>Date:</p> <p>APPROVED AS TO FORM:</p> <p>_____</p>
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EXHIBIT B

RESOLUTION NO. 20-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORRO BAY SUPPORTING THE DEVELOPMENT OF A PUBLIC BIKE PARK WITHIN THE CITY LIMITS

THE CITY COUNCIL City of Morro Bay, California

WHEREAS, the Recreation and Parks Department operated a BMX bike track at 220 Atascadero Road from 2000 to 2005; and

WHEREAS, the real property at 220 Atascadero Road was sold to a private party by voluntary sale on April 15, 2005; and

WHEREAS, the bike track was subsequently removed by the new owner and replaced with an RV Park; and

WHEREAS, the citizens of Morro Bay expressed interest during public comment at the February 26, 2013 City Council meeting to establish a bike park on public land within the city limits of Morro Bay; and

WHEREAS, said interested citizens presented available resources to establish and operate a bike park within City limits.

NOW, THEREFORE, **BE IT RESOLVED** by the City Council of the City of Morro Bay to support the establishment, development, and operation of a bike park on City property for public use.

PASSED AND ADOPTED by the City Council of the City of Morro Bay at a regular meeting thereof held this 12th day of March, 2013 by the following roll call vote:

AYES: Irons, C. Johnson, N. Johnson, Leage, Smukler
NOES: None
ABSENT: None



JAMIE IRONS, MAYOR

ATTEST:



JAMIE BOUCHER, CITY CLERK

EXHIBIT B



City of Morro Bay, California
 Recreation and Parks Department
Bike Park Maintenance Record

Weekly:

Note please round time to nearest quarter hour.

Maintenance Task	<u>Week 1</u> Date:	<u>Week 2</u> Date:	<u>Week 3</u> Date:	<u>Week 4</u> Date:
Inspect signage at bike park entries.				
Inspect signage on bike park features.				
Inspect/clear all hazardous debris throughout park, on riding surfaces, and within fall zones (bailout lines) of riding features (i.e. large holes, loose rocks, trash).				
Inspect and water dirt features to reduce erosion and dust and to maintain compactness.				

Time Worked: Time Worked: Time Worked: Time Worked:

Comments:

Monthly:

Maintenance Task	Date:
Inspect all hardware to insure nuts, bolts, screws, etc. are tight and secure. Replace damaged hardware (e.g. sheared off heads, bent shafts).	
Inspect, secure or replace damaged wood features (i.e. cracking/splitting of wooden supports or stringers, dry rot, etc.)	
Inspect, secure and stabilize all rock and wooden trail features to ensure structural integrity.	
Inspect and improve site drainage where needed.	
Inspect and maintain dirt features including all jumps, beams, rollers, pump track, etc. where needed to repair brake bumps, holes, erosion.	
Inspect and secure the boundary fence.	
Inspect for vandalism or non-approved park modifications.	
Confirm users are observing all safety rules and regulations.	

Time Worked (Monthly):

Comments:

Name: _____ Supervisor: _____

Month: _____ Total time worked this month (FT): _____ (Seasonal): _____ Total: _____

EXHIBIT B

MEMORANDUM OF UNDERSTANDING BIKE PARK DESIGN AND PERMIT PROCESSING

This Memorandum of Understanding ("MOU") is entered into by and between the City of Morro Bay, a Municipal Corporation formed under the laws of the State of California, hereinafter referred to as the "City"; and Morro Bay Bike Park, a duly organized community volunteer organization hereinafter referred to as "MBBP." Collectively, the City and MBBP are referred to herein as the "Parties."

WHEREAS, the City owns certain real property located within its corporate limits in the City of Morro Bay, known as the vacant lot at Little Morro Creek Road (LMCR); and

WHEREAS, the City has made clear that it has no financial resources at this time to commit to the design, development, operation, or maintenance of the Bike Park; and

WHEREAS, MBBP is a duly organized community volunteer organization committed to establishing biking recreation within Morro Bay, including but not limited to the design, and permitting of the Bike Park; and

WHEREAS, MBBP has associated itself with the Central Coast Concerned Mountain Bikers ("CCCMB"), which has formal federal and state non-profit status, for the purpose of raising funds in the name of CCCMB-MORRO BAY BIKE PARK, for the design, development, operation, and maintenance of the Bike Park in Morro Bay; and

WHEREAS, CCCMB has designated the Bike Park as a CCCMB project and has agreed to disburse funds raised by MBBP as directed by MBBP, and consistent with its charitable purposes, for the design, development, operation, and maintenance of the Bike Park; and

WHEREAS, MBBP has raised funds for the design and permitting of the Bike Park and has caused to be prepared preliminary plans for the Bike Park, and expects that it can raise funds and secure other commitments for the development, operation, and maintenance of the Bike Park; and

WHEREAS, the Parties desire a Memorandum of Understanding to document their mutual commitment to proceed in good faith with the permitting process for the Bike Park, including consideration of amendment of the Master Plan, subject to one or more future public hearings and the discretion of the City Council in its ultimate approval or disapproval of the Bike Park.

EXHIBIT B

NOW THEREFORE, in consideration of the mutual covenants and conditions set forth herein, the Parties agree as follows:

1. MBBP will proceed expeditiously as follows:
 - a. Prepare all design documents and plans required for amendment of the Master Plan (the "Amendment") and for such other approvals and permits (collectively, the "Permits") for the Bike Park as required by the City.
 - b. Apply for the Amendment and the Permits as required by the City.
 - c. Submit all documents and provide all plans, prepared by appropriate professionals, required by the City for the Amendment and the Permits.
 - d. Perform, by appropriate professionals, all environmental analysis and review for the Amendment and the Permits as required by the City.
2. The City will proceed as follows:
 - a. Advise MBBP in writing within 30 days of all requirements for a complete Amendment application.
 - b. Morro Bay City Council to officially designate and reserve the empty lot at LMCR for the development of a fenced in Bike Park ("Bike Park").
 - c. Advise MBBP in writing within 30 days of all other Permits that will be required by the City and of all requirements for complete applications for such Permits.
 - d. Advise MBBP in writing within 30 days of any other Permits that, to the knowledge of the City, will be required by any other governmental agency, and, to the knowledge of the City, all requirements for complete applications for such Permits.
 - e. Process the Amendment application and all Permit applications at a staff level expeditiously and advise MBBP of the status of such processing upon request.
 - f. Schedule all required hearings at the earliest possible date convenient to MBBP.
 - g. Upon request of MBBP, provide all pertinent information necessary for MBBP to fulfill its responsibilities under this MOU.

EXHIBIT B

3. The City will waive all Amendment and Permit processing fees normally charged applicants by the City, including fees for environmental review by City staff. Within 30 days of request by the City, MBBP will pay all other fees and costs charged by any third party associated with the preparation and submittal of plans and documents required for the Amendment and Permits.

4. Each party to this MOU will at all times act in good faith in the performance of its duties and responsibilities under this MOU, will use its best efforts to assist the other party, and will be courteous, helpful, cooperative with, and appreciative of the other party.

5. The Parties agree that in the event of approval of the Amendment and Permits, they will enter into a further memorandum of understanding regarding the development (construction), operation, and maintenance of the Bike Park.

6. MBBP will furnish to the City the names and telephone numbers of two representatives of MBBP, each with authority to act alone on behalf of MBBP, and who will act as the contacts with the City concerning the subject matter of this MOU. MBBP will notify the City in writing if a representative can no longer serve and will provide the name and telephone number of a replacement.

The City will furnish MBBP the names and telephone numbers of two representatives of the City, each with the authority to act alone on behalf of the City, and who will act as the contacts with MBBP concerning the subject matter of this MOU. The City will notify MBBP in writing if a representative can no longer serve and will provide the name and telephone number of a replacement.

7. Written notice to the respective parties will be provided as follows:

To the City:

City of Morro Bay
Department of Recreation & Parks
Attention: Director
1001 Kennedy Way
Morro Bay, CA 93442

To MBBP:

Morro Bay Bike Park
c/o Bonnie Johnson
2089 Bayview Avenue
Morro Bay, CA 93443

EXHIBIT B

8. This MOU shall be effective upon approval by the City Council and execution by the Parties. The persons executing this MOU represent that they are duly authorized by the party they represent to execute and bind that party. This MOU is the final, complete, and exclusive statement of the terms of the understanding between the Parties, supersedes all previous understandings between the Parties as to its subject matter, and may be amended only in a further writing executed by both Parties.

IN WITNESS WHEREOF, the parties hereto have caused this MOU to be executed at Morro Bay, California, on the dates written below.

<p>CITY OF MORRO BAY</p>  _____ Jamie L. Irons, Mayor <p>Date:</p> <p>ATTEST:</p>  _____ Dana Swanson, Deputy City Clerk <p>APPROVED AS TO FORM:</p>  _____ Rob Schultz, City Attorney	<p>MBBP</p> <p>By: </p> _____ Bonnie Johnson President <p>Date: 8/28/13</p> <p>APPROVED AS TO FORM:</p>  _____ Brandon Kato
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EXHIBIT B

MEMORANDUM OF UNDERSTANDING

This is a Memorandum of Understanding ("MOU") between Central Coast Concerned Mountain Bikers a Non-Profit Corporation hereinafter referred to as "CCCMB" and Morro Bay Bike Park, a duly organized community volunteer organization hereinafter referred to as "MBBP".

RECITALS

Whereas, MBBP desires to install a Bike Park in the City of Morro Bay to increase the recreational activity opportunities for youth and others in the community and region; and

Whereas, the City of Morro Bay has indicated a willingness to grant MBBP access to and use of City Property for the installation of a Bike Park through the adoption of Resolution No. 20-13 ; and

Whereas, the parties desire to enter into this MOU to establish a framework for a productive working relationship for the funding, design and construction of a Bike Park in the City of Morro Bay in a quality and timely manner; and

Now, therefore, in consideration of the foregoing and the terms set forth below, the parties agree as follows:

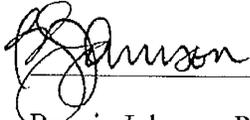
1. MBBP shall be responsible for raising funds through donations and fundraising events towards a Bike Park in the City of Morro Bay.
2. CCCMB shall act as the umbrella foundation for the Bike Park. All funds raised by MBBP for the Bike Park will be processed through CCCMB. It is understood and acknowledged that donations made towards the BMX/Pump Track Bike Park are to be treated as charitable contributions to CCCMB to allow donors the option of claiming deductions that may be applicable to them under relevant tax regulations.
3. CCCMB shall not use any funds raised towards the Bike Park for any other purpose other than towards expenses or costs for the Bike Park unless the parties agree otherwise in writing.
4. CCCMB sole responsibility under the terms of this MOU is to permit donors to make charitable contributions to install a Bike Park in Morro Bay and to issue appropriate payments as instructed in writing.

EXHIBIT B

5. CCCMB shall be responsible for maintaining records of all cash received and held for the Bike Park. CCCMB shall make these records available at all times to MBBP to view.
6. CCCMB shall allow MBBP to become a Chapter of CCCMB and ^BMBBP will participate in any/all requirements and privileges of a chapter, including but not limited to, a MBBP representative attending CCCBM board meetings and reporting to the CCCMB Board all accounting and activities of MBBP.

Morro Bay Bike Park

Central Coast Concerned Mountain Bikers

 5/21/13
Bonnie Johnson, President

 5/21/15
Greg Bettencourt, President

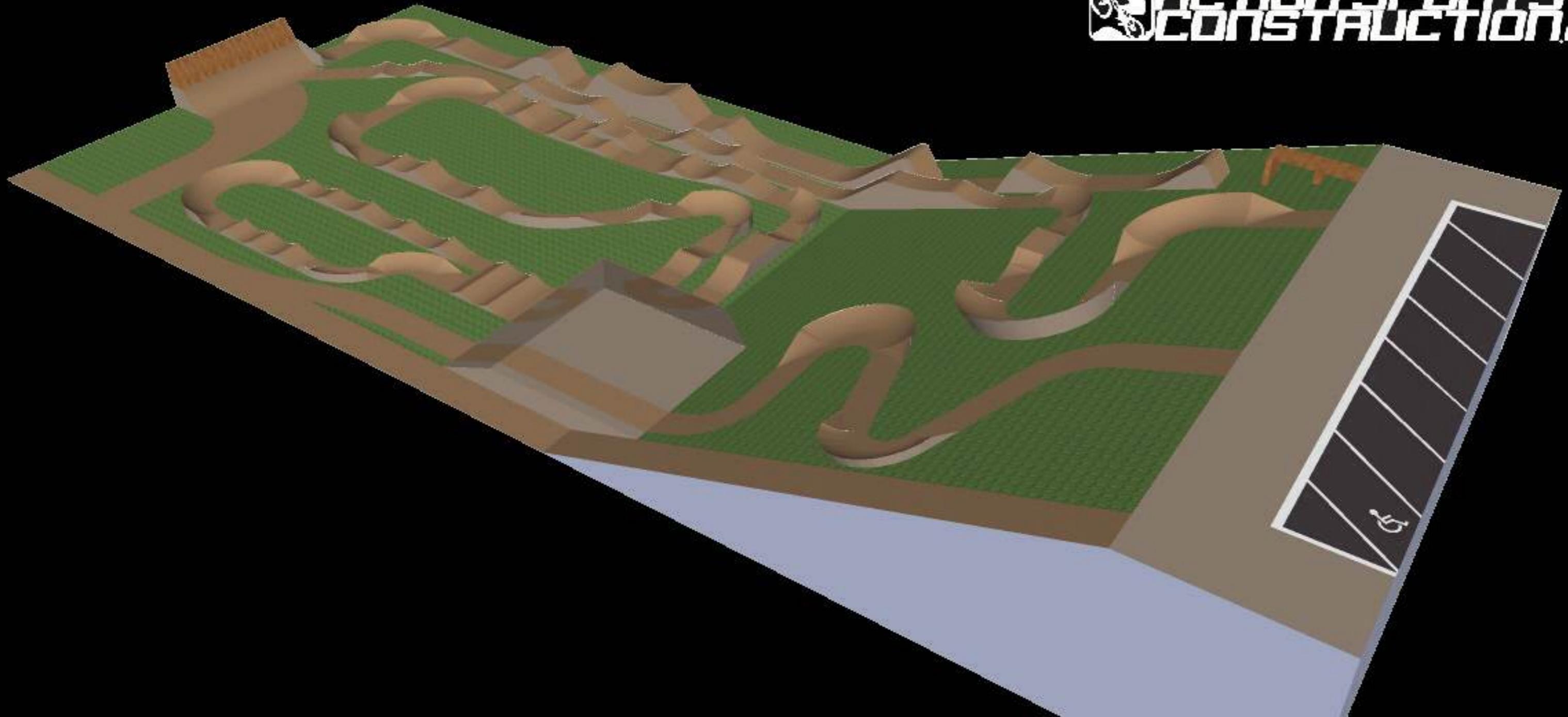


EXHIBIT C

Proposed Bike Park Course Layout

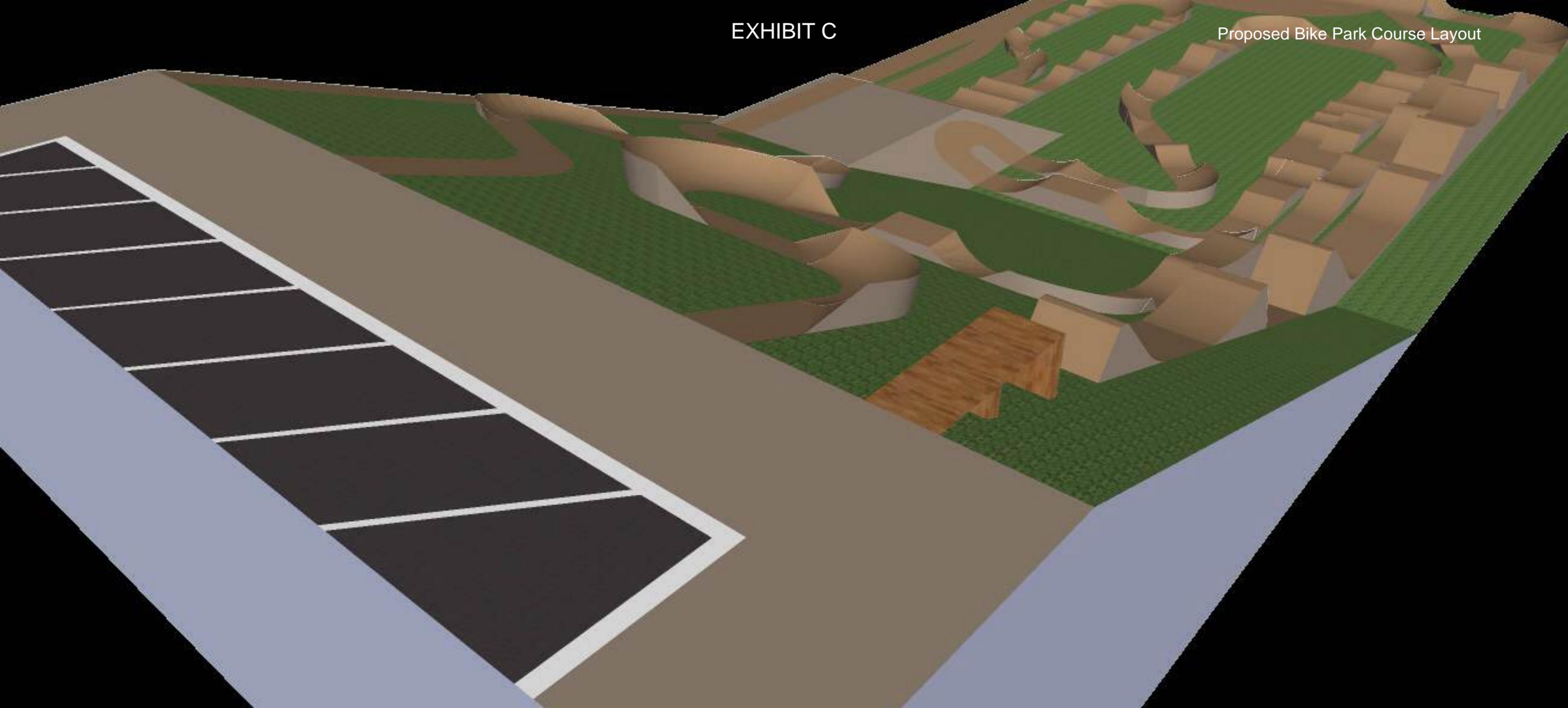


EXHIBIT C

Proposed Bike Park Course Layout



EXHIBIT C

Proposed Bike Park Course Layout



EXHIBIT C

Proposed Bike Park Course Layout

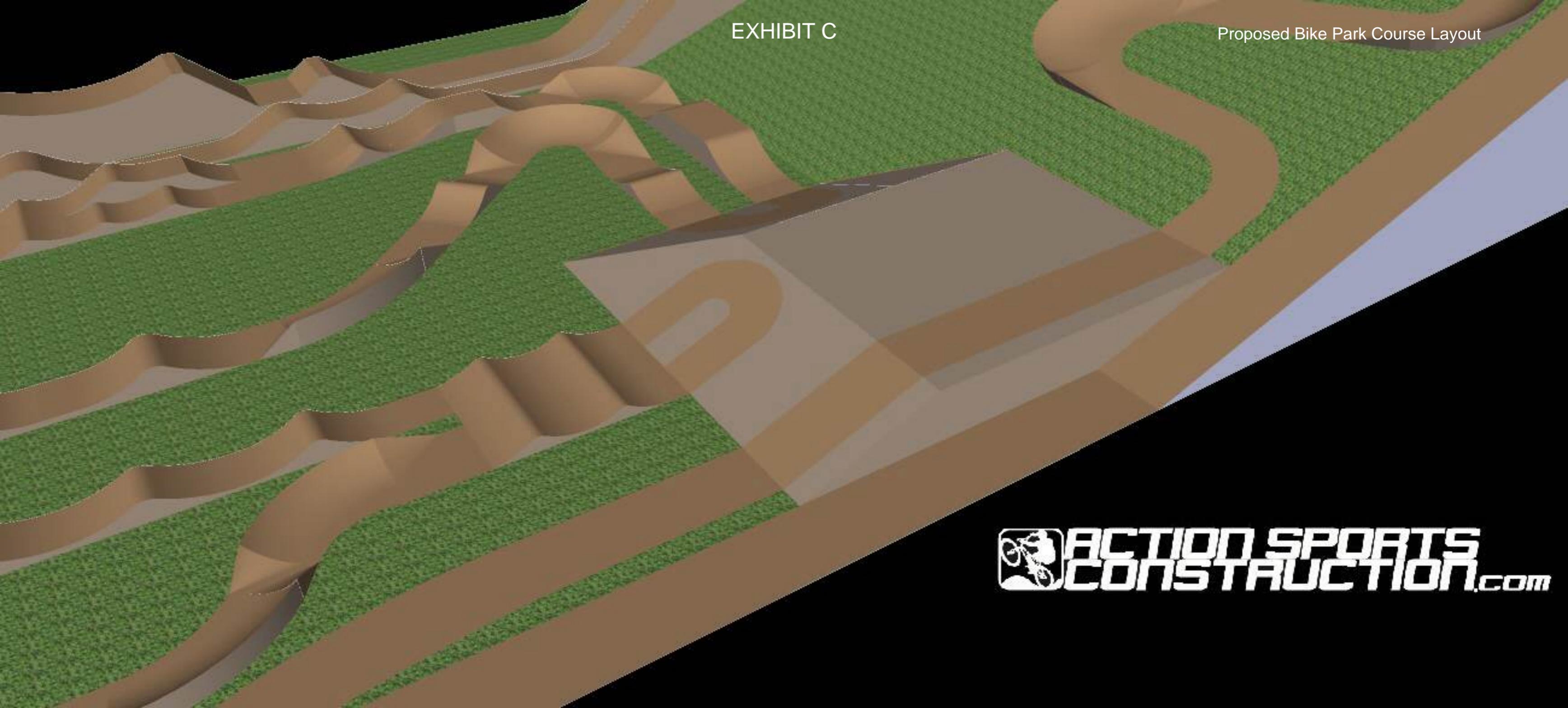


EXHIBIT C

Proposed Bike Park Course Layout

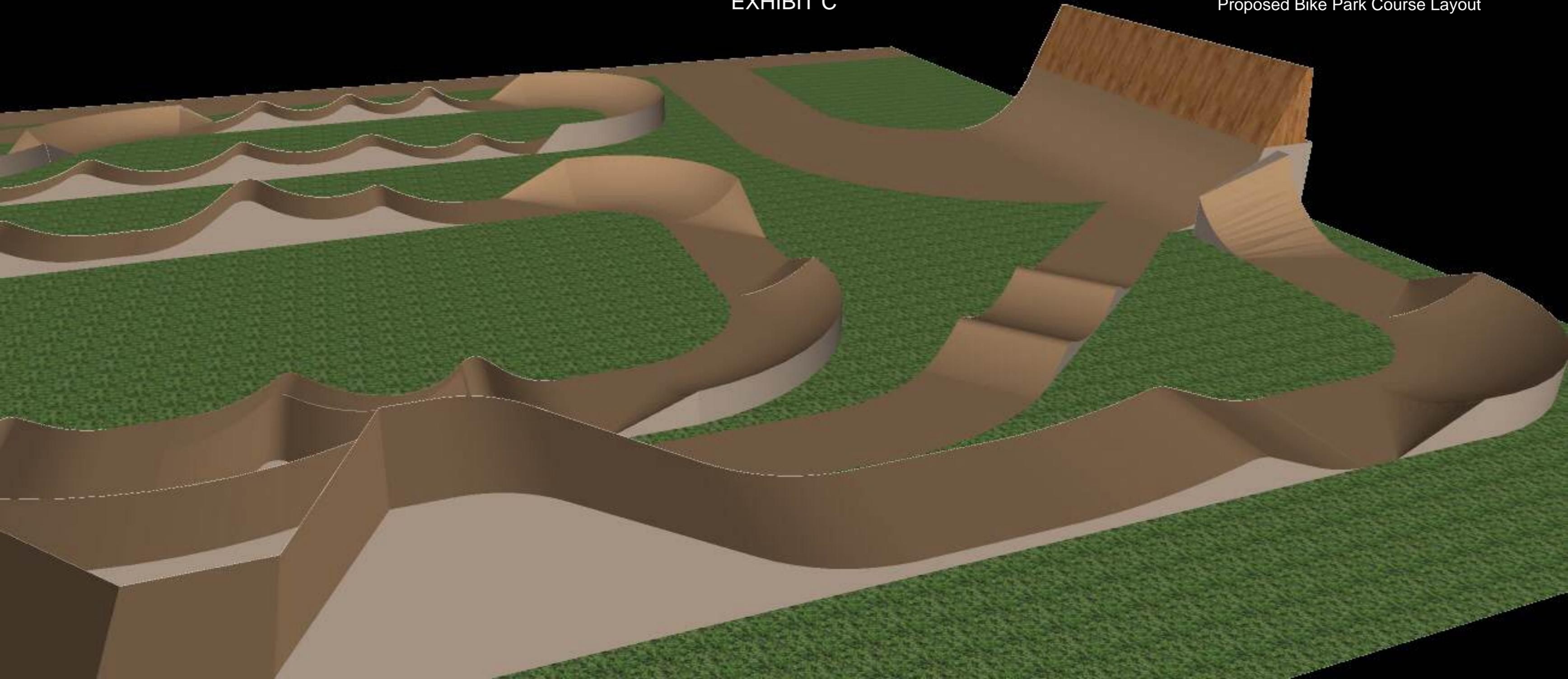


EXHIBIT C

Proposed Bike Park Course Layout

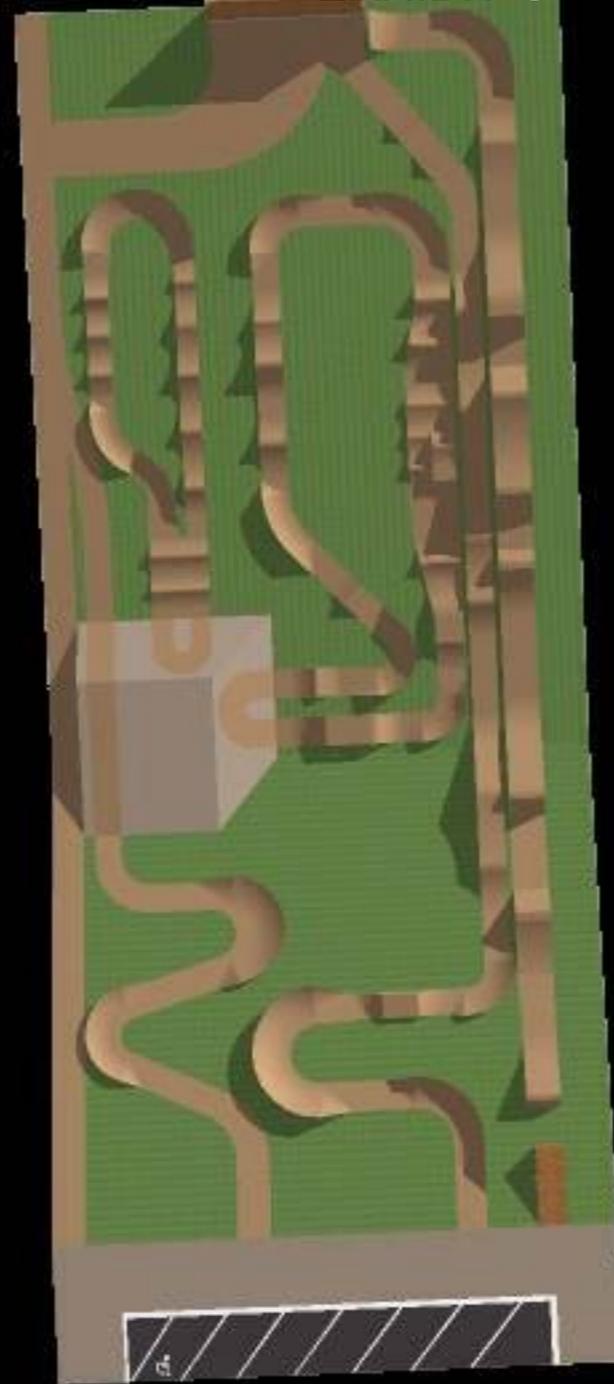
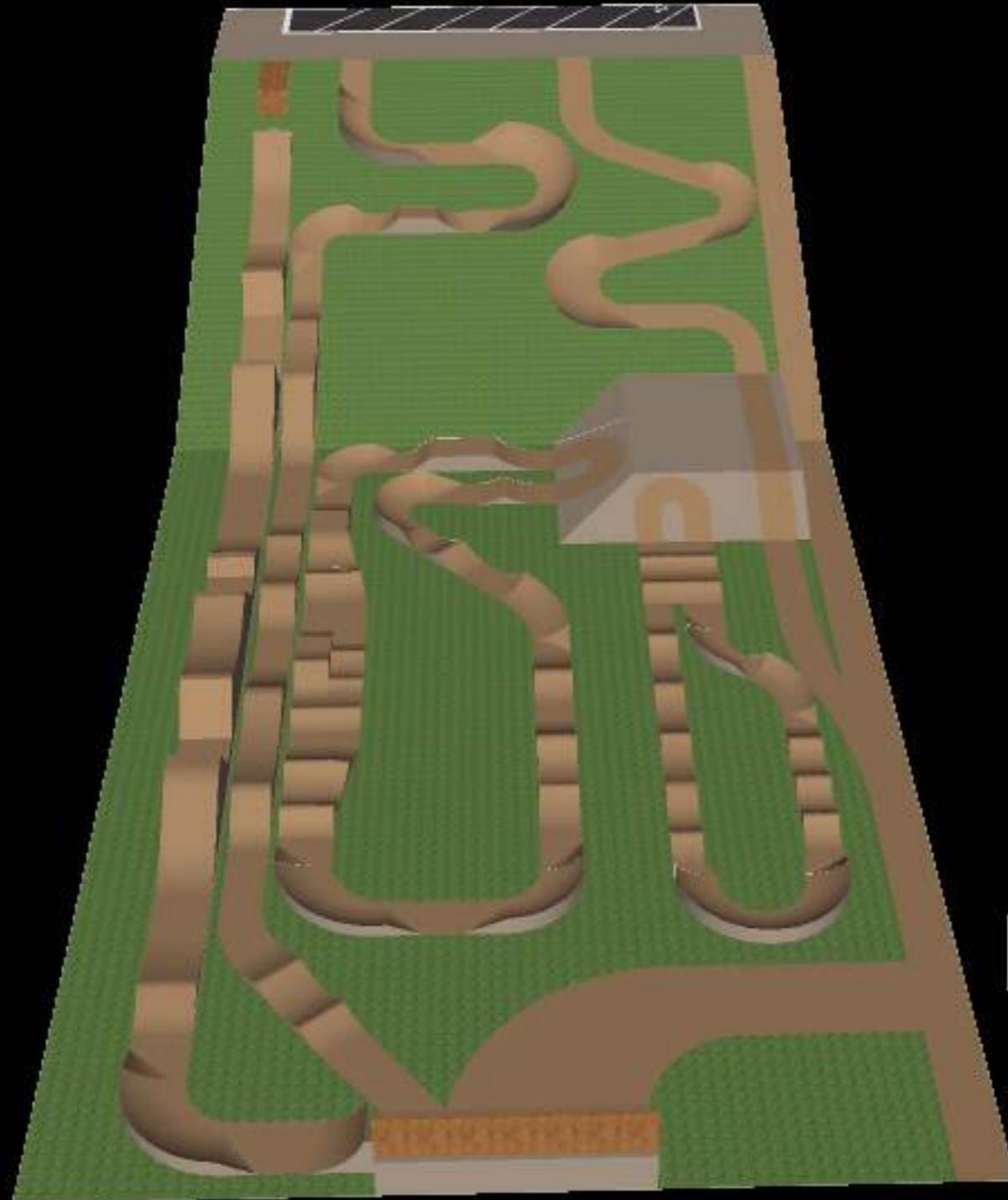


EXHIBIT C

Proposed Bike Park Course Layout



 **ACTION SPORTS**
CONSTRUCTION.com

EXHIBIT C

Proposed Bike Park Course Layout



EXHIBIT C

Proposed Bike Park Course Layout

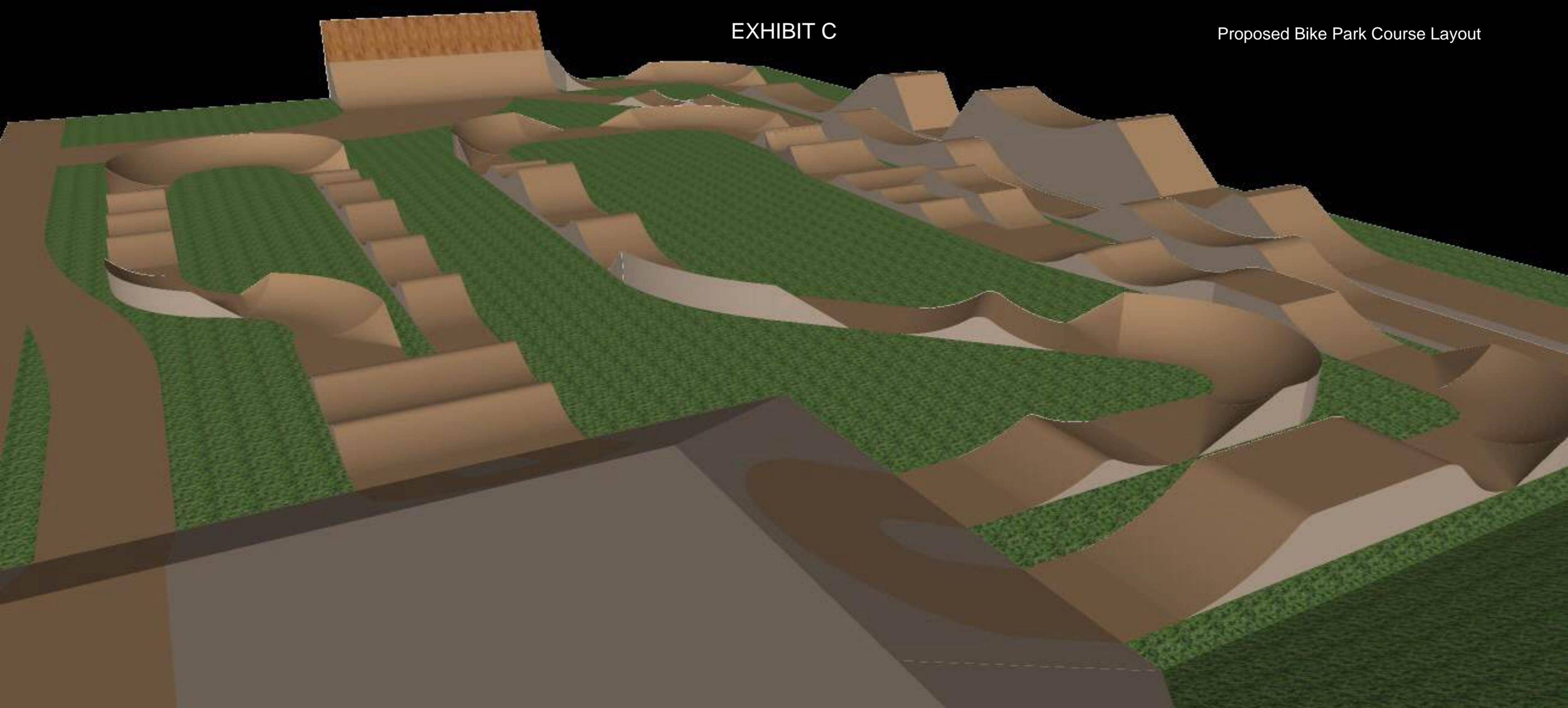




EXHIBIT C

Proposed Bike Park Course Layout

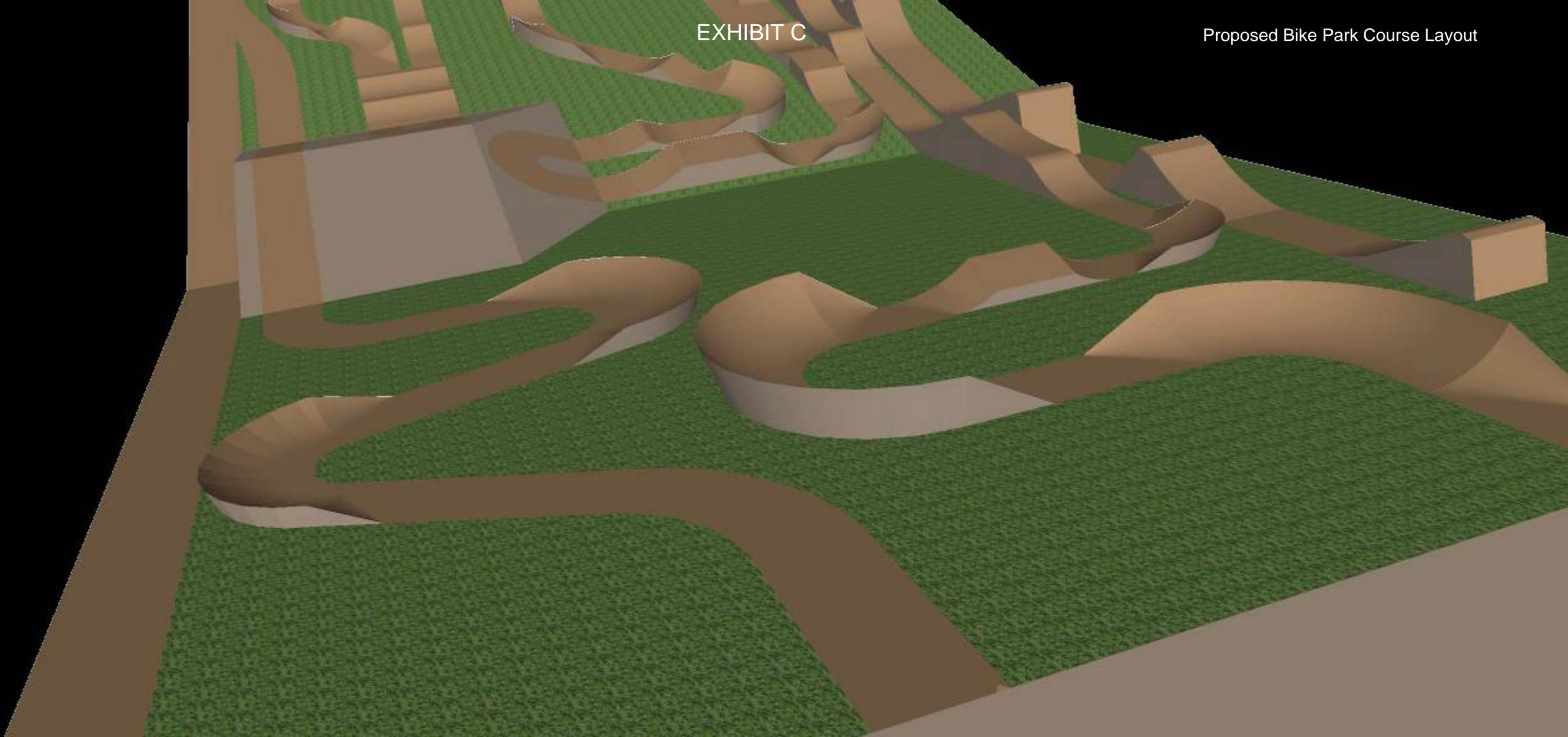


EXHIBIT C

Proposed Bike Park Course Layout

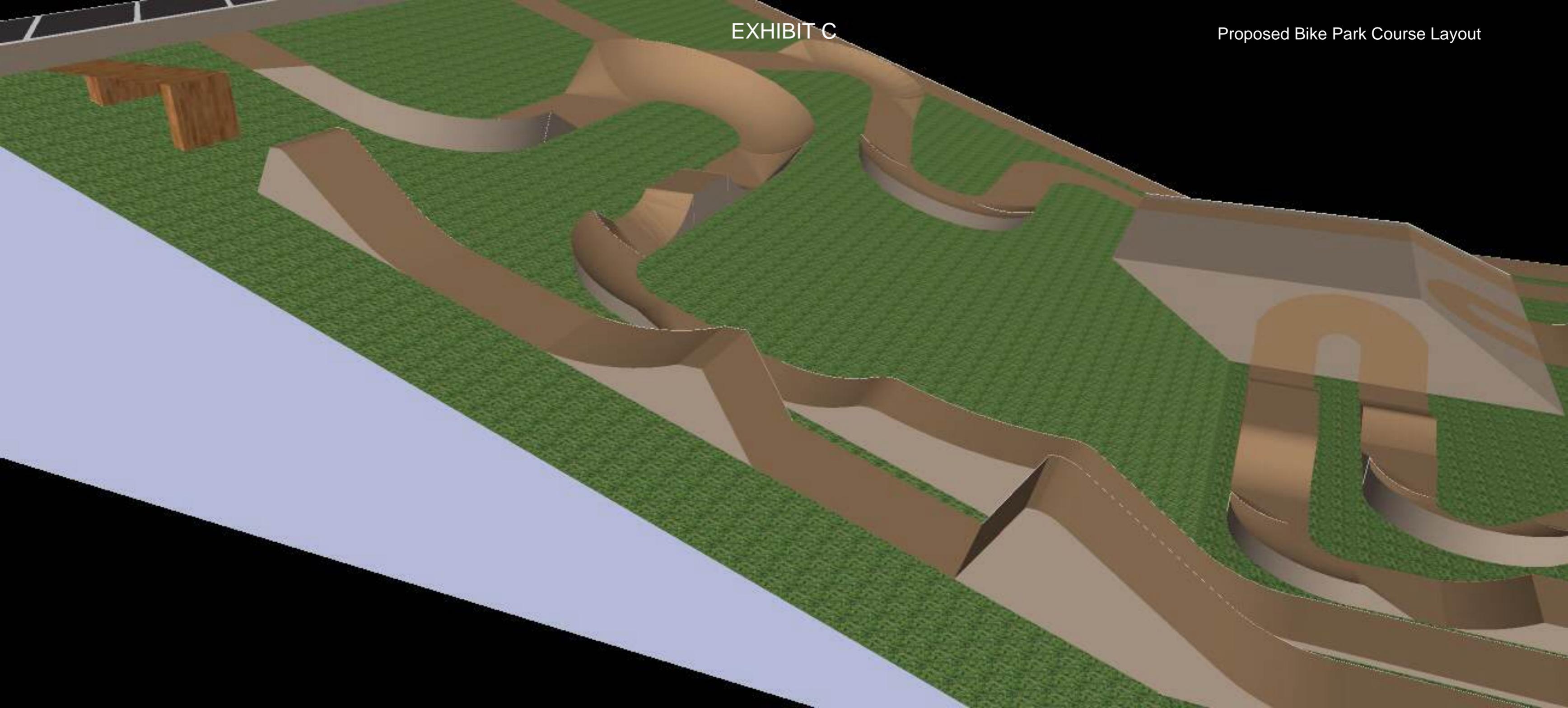


EXHIBIT C

Proposed Bike Park Course Layout



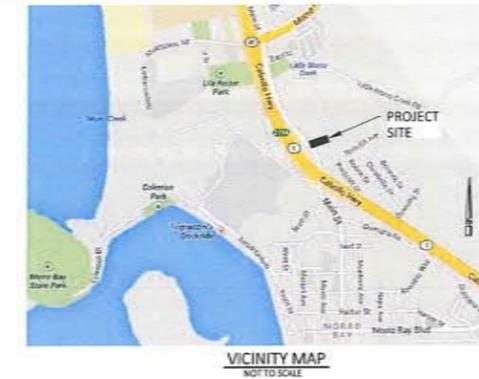
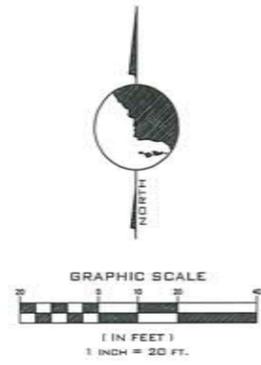
EXHIBIT C

Proposed Bike Park Course Layout



EXHIBIT D

MORRO BAY BIKE PARK 301 LITTLE MORRO CREEK RD, MORRO BAY



PREPARED BY:
CIVIL DESIGN STUDIO
 CIVIL ENGINEERING ARCHITECTURE INTERIORS
 1000 S. G ST. SUITE 100
 MORRO BAY, CA 93422
 805-801-2132



LEGEND

INDEX CONTOUR (EXISTING)	---	(100)	
INTERMEDIATE CONTOUR (EXISTING)	---		
CENTERLINE	---		
EDGE OF PAVEMENT	---		
UNDERGROUND NATURAL GAS	---	G	
OVERHEAD UTILITY	---	OH	
UNDERGROUND WATER	---	UW	
ELECTRIC METER	---	EM	
POWER POLE	---	PP	
FINISHED GRADE (DIRT)	---	FG	
FINISHED SURFACE (HARDSCAPE)	---	FS	
PROPOSED "SNOW" FENCING (4FT HIGH)	---		
PER DETAIL SHEET C-3	---		

37.7	FG	INDICATES FINISHED SURFACE ELEVATION
3.1%	FG	INDICATES FINISH SURFACE GRADE
2:1	FG	INDICATES FINISH SURFACE SLOPE (HORIZ:VERT)
[Pattern]		INDICATES AC PAVEMENT
[Pattern]		INDICATES GRAVEL SURFACING
[Pattern]		INDICATES ACCESSIBLE PATH SURFACE

PROJECT DATA:

ADDRESS:	301 LITTLE MORRO CREEK RD, MORRO BAY
ZONING:	M-1 / PD / I / SP
APN:	068-183-021, 022
LEGAL DESC.:	PTN LOT 8, RANCHO SAN BERNANDO
LOT AREA:	0.58 ACRES
SETBACKS:	N/A
CURRENT USE:	VACANT
PROPOSED USE:	BIKE PARK
PROPERTY OWNER(S):	CITY OF MORRO BAY (APN 068-183-021) FIGRE (APN 068-183-022)
APPLICANT:	BONNIE JOHNSON MORRO BAY BIKE PARK 2089 BAYVIEW AVE MORRO BAY, CA 93422 805-550-4672
ENGINEER OF RECORD:	ROBERT D. WINSLOW, PE 70825 CIVIL DESIGN STUDIO 9700 EL CAMINO REAL, SUITE 300 ATASCADERO, CA 93422
PROJECT DESCRIPTION:	PROPOSED CONSTRUCTION OF A BIKE SKILLS PROGRESSION PARK ON A CITY OWNED PARCEL (APN 068-183-021) CONSISTING OF MULTIPLE TRAILS AND EARTHEN AND WOODEN SKILLS FEATURES FOR RIDERS OF VARYING ABILITIES. 5 STANDARD PARKING STALLS AND 1 VAN ACCESSIBLE STALL TO BE CONSTRUCTED ON A PORTION OF THE NEIGHBORING PG&E OWNED PARCEL (APN 068-183-022). "SNOW" FENCING TO BE INSTALLED AROUND THE PERIMETER OF THE PARK PER DETAIL SHEET C-3.

SURVEY NOTES

- THE HORIZONTAL DATUM FOR THIS SURVEY IS THE NORTH AMERICAN DATUM OF 1983, AS SHOWN ON THE RECORD OF SURVEY RECORDED IN BOOK 97 AT PAGE 50.
- THE VERTICAL BASIS FOR THIS SURVEY IS CITY OF MORRO BAY BENCHMARK A-101. ELEVATION = 21.437 NGVD 29 SURVEY FEET. THE CONTOUR INTERVAL IS 1 FOOT.
- UNDERGROUND UTILITY LOCATIONS ARE PLOTTED BASED ON ABOVE GROUND PAINT MARKS BY OTHERS. ABOVE GROUND SURFACE STRUCTURES. ACTUAL LOCATION MAY DIFFER. ADDITIONAL UNDERGROUND UTILITY LINES MAY EXIST. FOR INFORMATION REGARDING UTILITY LOCATION, SIZE, DEPTH, CONDITION, AND CAPACITY CONTACT UTILITY OR MUNICIPAL PUBLIC SERVICE FACILITY.
- EASEMENTS AFFECTING THE PROPERTY SHOWN HEREON MAY EXIST. NO TITLE INFORMATION WAS PROVIDED. NO ATTEMPT HAS BEEN MADE TO PLOT EASEMENTS.

CONSTRUCTION NOTES

- APPLICABLE CODES: 2013 CALIFORNIA BUILDING CODE INCLUDING APPENDIX I; APPENDIX 33 OF THE 1997 UNIFORM BUILDING CODE, AS AMENDED AND ADOPTED BY THE CITY OF MORRO BAY (CITY OF MORRO BAY GRADING ORDINANCE).
- NO WORK WITHIN NOR ANY USE OF ANY PUBLIC RIGHTS OF WAY SHALL OCCUR WITHOUT AN ENCROACHMENT PERMIT. ENCROACHMENT PERMITS ARE AVAILABLE AT THE CITY'S PUBLIC SERVICES OFFICE LOCATED AT 955 SHASTA AVE. THE ENCROACHMENT PERMIT SHALL BE ISSUED CONCURRENTLY WITH THE BUILDING PERMIT.
- ANY DAMAGE TO ANY OF THE CITY'S FACILITIES (SUCH AS CURB/SIDEWALK, STREET, SEWER LINE, WATER LINE, OR ANY PUBLIC IMPROVEMENTS) RESULTING, DIRECTLY OR INDIRECTLY FROM CONSTRUCTION OPERATIONS RELATED TO THIS PROJECT SHALL BE REPAIRED AT NO COST TO THE CITY.
- EARTHWORK QUANTITIES:**
 CUT: 2,150 CY
 FILL: 2,470 CY
 IMPORT: 320 CY
 *THE EARTHWORK QUANTITIES SHOWN HEREON DO NOT ACCOUNT FOR OVEREXCAVATION, CONSOLIDATION, SCARPIFICATION, OR IMPORT OF ENGINEERED FILL AS MAY BE REQUIRED.
- PLACEMENT OF FILL:**
 5.1. NO FILL SHALL BE PLACED ON THE EXISTING GROUND SURFACE UNTIL THE GROUND HAS BEEN CLEARED OF WEEDS, DEBRIS, TOPSOIL, DELETERIOUS MATERIAL AND SCARIFIED, MOISTURE CONDITIONED, AND COMPACTED.
 5.2. CUT AND FILL SLOPES SHALL BE NO STEEPER THAN THREE FEET HORIZONTAL TO ONE FOOT VERTICAL.
 5.3. FILLS SHALL BE COMPACTED TO 85% RELATIVE COMPACTION.
 5.4. FILL MATERIAL SHALL BE PLACED IN 12" MAXIMUM LIFTS, MOISTURE CONDITIONED, AND COMPACTED TO 85% RELATIVE COMPACTION.
 5.5. ALL EXPOSED SLOPES SHALL BE PLANTED PER THE EROSION CONTROL PLANS AND IRRIGATED UNTIL GROUND COVER IS ESTABLISHED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CLEANING AND DISPOSAL OF THE PROPOSED WORK AREA. THE CONTRACTOR SHALL DISPOSE OF ALL MATERIAL LEGALLY AND IS RESPONSIBLE FOR COMPLYING WITH LOCAL RECYCLING ORDINANCES.
- THE STOCKPIPING OF EXCESS MATERIAL IS SUBJECT TO THE APPROVAL OF THE CITY.
- SANITARY FACILITIES SHALL BE MAINTAINED ON SITE THROUGHOUT THE DURATION OF CONSTRUCTION.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE LOCATION OF AND PROTECT ALL EXISTING UTILITIES AND TO ENSURE THAT SERVICE IS NOT DISRUPTED TO EXISTING FACILITIES.
- ALL EXISTING DRAINAGE COURSES ON THE PROJECT SITE MUST CONTINUE TO FUNCTION, ESPECIALLY DURING STORM CONDITIONS AND APPROVED PROTECTIVE MEASURES AND TEMPORARY DRAINAGE PROVISIONS MUST BE USED TO PROTECT EXISTING STRUCTURES AND ADJACENT PROPERTIES DURING THE CONSTRUCTION PROJECT. IN ALL CASES, THE CONTRACTOR AND/OR OWNER SHALL BE HELD LIABLE FOR ANY DAMAGE DUE TO OBSTRUCTING EXISTING DRAINAGE PATTERNS.
- EXPORTED MATERIAL SHALL BE TAKEN TO A LEGAL DUMP SITE OR PERMITTED RECEIVING SITE APPROVED BY THE LOCAL AGENCY HAVING JURISDICTION.
- PERMISSION IS REQUIRED FROM THE ADJACENT PROPERTY OWNER WHENEVER WORK IS PROPOSED OR NECESSARY ACROSS THE PROJECT'S PROPERTY LINES.
- ANY DIRT, ROCK, DEBRIS OR CONSTRUCTION MATERIAL THAT IS TRACKED OR DROPPED WITHIN THE PUBLIC RIGHT OF WAY DURING THE TRANSPORTATION OF THAT MATERIAL OR EQUIPMENT ASSOCIATED WITH THE PROJECT SHALL BE CLEANED OR REMOVED DAILY.
- THE CONTRACTOR IS RESPONSIBLE FOR IDENTIFYING AND OBTAINING REQUIRED PERMITS FROM THE DIVISION OF OCCUPATIONAL SAFETY AND HEALTH (OSHA).
- RULE 403. AIR QUALITY CONTROL MUST BE IMPLEMENTED DURING CONSTRUCTION:**
 15.1. A PERSON SHALL NOT CAUSE OR ALLOW THE EMISSIONS OF FUGITIVE DUST FROM ANY TRANSPORT, HAULING, CONSTRUCTION OR STORAGE ACTIVITY SO THAT THE PRESENCE OF SUCH DUST REMAINS VISIBLE IN THE ATMOSPHERE BEYOND THE PROPERTY LINE OF THE EMISSION SOURCE. (DOES NOT APPLY TO EMISSION EMANATING FROM UNPAVED ROADWAYS OPEN TO PUBLIC TRAVEL OR FARM ROADS. THIS EXCLUSION SHALL NOT APPLY TO INDUSTRIAL OR COMMERCIAL FACILITIES).
 15.2. A PERSON SHALL TAKE EVERY REASONABLE PRECAUTION TO MINIMIZE FUGITIVE DUST EMISSIONS FROM UNPAVED AREAS, EXCAVATION, GRADING, CLEARING OF LAND AND SOLID WASTE DISPOSAL OPERATIONS.
 15.3. A PERSON SHALL NOT CAUSE OR ALLOW PARTICULATE MATTER TO EXCEED 100 MICROGRAMS PER CUBIC METER WHEN DETERMINED AS THE DIFFERENCE BETWEEN UPWIND AND DOWNWIND SAMPLES COLLECTED ON HIGH VOLUME SAMPLERS AT THE PROPERTY LINE FOR A MINIMUM OF FIVE HOURS.
 15.4. A PERSON SHALL TAKE EVERY REASONABLE PRECAUTION TO PREVENT VISIBLE PARTICULATE MATTER FROM BEING DEPOSITED UPON PUBLIC ROADWAYS. PRECAUTIONS SHALL INCLUDE, BUT ARE NOT LIMITED TO, THE REMOVAL OF PARTICULATE MATTER FROM EQUIPMENT PRIOR TO THE MOVEMENT ON

PAVED STREETS ONTO WHICH SUCH MATERIAL HAS BEEN DEPOSITED.

- SUBSECTIONS (22.1) AND (22.2) SHALL NOT BE APPLICABLE WHEN THE WIND SPEED INSTANTANEOUSLY EXCEEDS 40 KILOMETERS (25 MILES) PER HOUR, OR WHEN THE AVERAGE WIND SPEED IS GREATER THAN 25 KILOMETERS (15 MILES) PER HOUR. THE AVERAGE WIND SPEED DETERMINATIONS SHALL BE ON A 15 MINUTE AVERAGE AT THE NEAREST OFFICIAL AIR MONITORING STATION OR BY A WIND INSTRUMENT LOCATED AND MONITORED ON SITE.
- CONSTRUCTION ACTIVITIES SHALL OCCUR ONLY BETWEEN THE HOURS OF 7:00 AM AND 7:00 PM, MONDAY THROUGH FRIDAY AND BETWEEN THE HOURS OF 9:00 AM AND 6:00 PM SATURDAYS, UNLESS OTHERWISE AUTHORIZED BY THE OWNER AND CITY.
- CONTRACTOR SHALL USE LOW EMISSION MOBILE CONSTRUCTION EQUIPMENT DURING ALL SITE PREPARATION, GRADING AND CONSTRUCTION ACTIVITIES, WHERE FEASIBLE.
- CONTRACTOR SHALL MAINTAIN ALL CONSTRUCTION ENGINES TUNED CONSISTENT WITH MANUFACTURER'S SPECIFICATIONS DURING ALL SITE PREPARATION, GRADING AND CONSTRUCTION ACTIVITIES.
- CONTRACTOR SHALL USE LOW SULFUR FUEL FOR STATIONARY CONSTRUCTION EQUIPMENT AS REQUIRED BY AQMD RULE 431.1 AND 431.2 AND SHALL USE EXISTING POWER SOURCES AND CLEAN FUEL GENERATORS WHEN POSSIBLE AS EARLY AS POSSIBLE TO MINIMIZE DIRT TRACKOUT TO THE PUBLIC RIGHT OF WAY.
- CONSTRUCTION PARKING SHALL BE ON-SITE. TRAFFIC CONTROL AND ACCESS SHALL BE IN ACCORDANCE WITH THE AGENCY HAVING JURISDICTION OVER THE PROJECT.
- THE SPEED OF CONSTRUCTION VEHICLES ON-SITE SHALL BE LIMITED TO 15 MILES PER HOUR.
- TRUCKS AND LARGE CONSTRUCTION VEHICLES SHALL OBTAIN APPROVED ROUTES FROM THE AGENCY'S PUBLIC WORKS DEPARTMENT.
- THE CONTRACTOR SHALL CONTROL DUST IN AREAS USED FOR OFF-PAVEMENT PARKING, MATERIAL LAYDOWN AREAS OR THOSE AREAS AWAITING FUTURE CONSTRUCTION. FREQUENTLY ACCESSED AREAS SHALL BE PAVED OR BASED AS EARLY AS POSSIBLE TO MINIMIZE DIRT TRACKOUT TO THE PUBLIC RIGHT OF WAY.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE FOLLOWING MEASURE:
 24.1. CESSATION OF ACTIVITIES DURING A STAGE 2 SMOG EPISODE. CALL 800-342-4022 FOR THE DAILY SMOG FORECAST.
 24.2. TRUCK ROUTES AND SCHEDULES FOR THE RECEIPT OF MATERIALS SHALL BE COORDINATED WITH THE APPROPRIATE AGENCIES.
- WHERE FEASIBLE, ON-ROAD AND OFF-ROAD VEHICLES AND EQUIPMENT SHALL BE TURNED OFF AND SUBSEQUENTLY RESTARTED IF THE ANTICIPATED DURATION OF IDLING IS EXPECTED TO EXCEED FIVE MINUTES.
- THE CONTRACTOR SHALL IMPLEMENT THE FOLLOWING HIGH WIND DUST CONTROL MEASURE WHEN INSTANTANEOUS WIND SPEEDS EXCEED 25 MILES PER HOUR.
 25.1. TERMINATION / MODIFICATION OF SCRAPERS, GRADERS OR DOZERS ON UNPAVED SURFACES UNTIL WINDS SUBSIDE.
 25.2. APPLICATION OF WATER AS NEEDED TO ANY UNPAVED SURFACE WITH VEHICLE OR EQUIPMENT OPERATIONS.
 25.3. APPLICATION OF WATER OR OTHER DUST CONTROL MATERIAL TO ANY PREVIOUSLY GRADED SURFACE IF DUST EMANATION IS VISIBLE FROM SUCH A SURFACE.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING EQUIPMENT TO PREVENT VISIBLE SOOT FROM REDUCING LIGHT TRANSMISSION THROUGH THE EXHAUST STACK BY MORE THAN 25 PERCENT FOR MORE THAN THREE MINUTES PER HOUR AND USE LOW SULFUR FUEL AS REQUIRED BY THE APPROPRIATE AGENCY.
- TRUCKS USED IN HAULING DIRT TO OR FROM THE SITE ON PUBLIC ROADS WILL BE COVERED OR WILL MAINTAIN A SIX INCH DIFFERENTIAL BETWEEN THE MAXIMUM HEIGHT OF ANY MATERIAL HALLED AND THE TOP OF THE TRAILER. HALL TRUCK DRIVERS WILL LOAD PRIOR TO LEAVING THE SITE TO PREVENT SOIL LOSS DURING TRANSPORTATION.
- PURSUANT TO SECTION 8773 OF THE BUSINESS AND PROFESSIONS CODE, EXISTING SURVEY MONUMENTS SHALL BE NOTICED AND DOCUMENTED BEFORE CONSTRUCTION. IF ANY MONUMENTS ARE DISTURBED DURING CONSTRUCTION THE CONTRACTOR SHALL PAY A LICENSED LAND SURVEYOR OR REGISTERED ENGINEER TO RESET SUCH MONUMENTS.
- PERMANENT EROSION CONTROL MEASURES:
 - ALL NON-TRAIL AND NON-PARKING AREAS SHALL BE REVEGETATED, AND THE VEGETATION ESTABLISHED, AS SOON AS PRACTICABLE, BUT NO LATER THAN OCTOBER 15TH.
 - SEEDING SHALL COMPLY WITH CITY FIRE-APPROVED SEED MIX DESIGN, OR OTHER MIX AS RECOMMENDED BY A CITY APPROVED BIOLOGIST.
 - PERMANENT SOIL BINDER SHALL BE USED ON EARTHEN TRAIL PATHS AND WITHIN THE PARKING AREA TO MINIMIZE SOIL EROSION.

RECEIVED

JAN 30 2015

City of Morro Bay
Public Services Department

REV.	DATE	DESCRIPTION

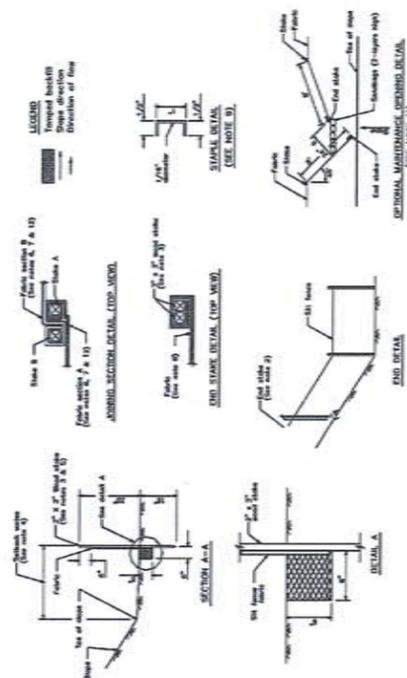
MORRO BAY BIKE PARK
 301 LITTLE MORRO CREEK RD
 MORRO BAY, CALIFORNIA

SITE PLAN

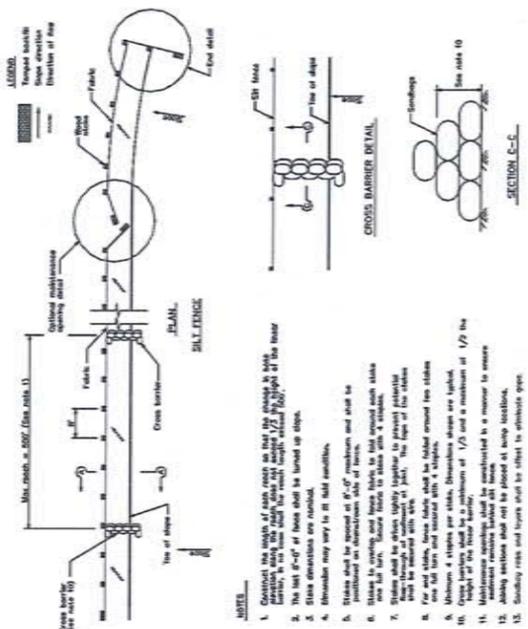
SHEET TITLE: _____
 PROJECT NO.: _____
 ORIGINAL DATE: _____
 REVISIONS:

 SHEET SIZE: 24" X 36"
 HORZ. SCALE: _____
 VERT. SCALE: _____
C-1

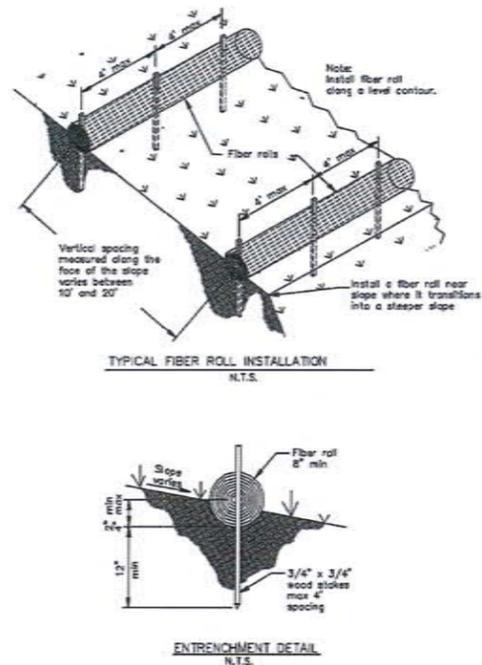
SE-1 Silt Fence



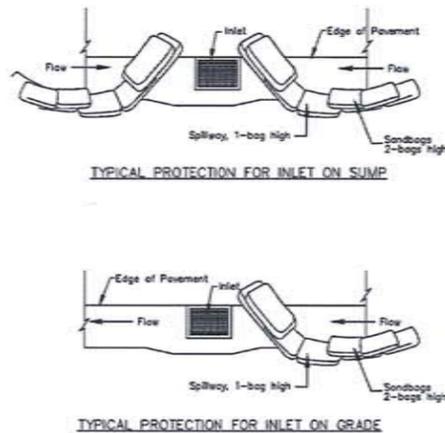
Silt Fence SE-1



SE-5 Fiber Rolls



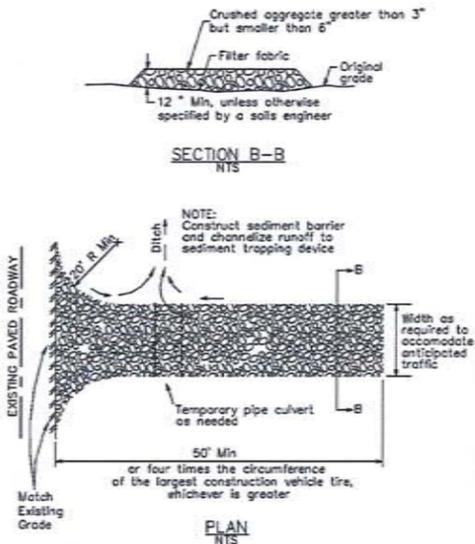
SE-10 Storm Drain Inlet Protection



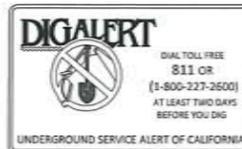
NOTES:
 1. Intended for short-term use.
 2. Use to inhibit non-storm water flow.
 3. Allow for proper maintenance and cleanup.
 4. Bags must be removed after adjacent operation is completed.
 5. Not applicable in areas with high silts and clays without filter fabric.

D1 PROTECTION TYPE 3
 NOT TO SCALE

Stabilized Construction Entrance/Exit TC-1



RECEIVED
 JAN 30 2015



City of Morro Bay			
Public Services Department			
REV.	DATE	BY	DESCRIPTION OF REVISIONS

PROJECT NAME: MORRO BAY BIKE PARK
 301 LITTLE MORRO CREEK RD
 MORRO BAY, CALIFORNIA

PROJECT NO.:
 ORIGINAL DATE: 05/14/03
 REVISIONS:

SHEET TITLE: EROSION & SEDIMENTATION CONTROL DETAILS

SHEET SIZE: 24" X 36"

HORIZ. SCALE:
 VERT. SCALE:

C-5

PLAN PREPARED BY: CIVIL DESIGN STUDIO
 AND: FREDERICK AND SUSTAINABLE TRAIL ASSOCIATION (FASTA)
 DEVIN NEWTON, BOARD MEMBER
 805-801-2132



EXHIBIT E

CITY OF MORRO BAY

RECREATION DEPARTMENT

1001 Kennedy Way
Morro Bay, CA 93442

March 31, 2015

Bonnie Johnson
Morro Bay Bike Park
Central Coast Concerned Mountain Bikers
2089 Bayview Avenue
Morro Bay, CA 93442

Dear Bonnie:

Pursuant to the Construction Repair and Maintenance MOU, the director shall establish and publish rules of conduct prior to the opening of the Bike Park. Please see the Rules of Conduct signage below.

MORRO BAY BIKE PARK (LOGO LINE)(CMB)(CCCMB)(MBB)

- **PARK IS OPEN FROM 7 AM TO DUSK**
- **USE PARK AT OWN RISK. THIS IS A NON-SUPERVISED FACILITY**
- **HELMET AND KNEE PADS REQUIRED AT ALL TIMES**
- **ALL DOGS MUST BE LEAST AND ARE PROHIBITED ON TRACK**
- **DO NOT MODIFY TRACK OR FEATURES**
- **ABSOLUTELY NO DIGGING**
- **INCLEMENT WEATHER CLOSES TRACK**
- **ALWAYS RIDE WITHIN YOUR ABILITY**
- **RESPECT PARK CLOSURES**
- **BE AWARE OF OTHER USERS AT ALL TIMES**
- **PACK IT IN, PACK IT OUT – THANKS**
- **USE OF THIS FACILITY MAY BE HAZARDOUS**
- **USE INDICATES ACCEPTANCE OF INHERENT RISKS**

**CITY OF MORRO BAY
CREATING COMMUNITY THROUGH PEOPLE, PARKS, AND PROGRAMS
HAVE FUN AND BE SAFE**


JOSEPH M. WOODS
RECREATION DIRECTOR
CITY OF MORRO BAY

EXHIBIT F

October 1, 2014

City of Morro Bay
Mayor and City Council members
Public Services/Planning Division
955 Shasta Avenue
Morro Bay, CA 93442

RECEIVED
OCT 01 2014
City of Morro Bay
Public Services Department

RECEIVED
City of Morro Bay
OCT - 1 2014
City Hall

Re: UPO-081 – Special/interim use permit for BMX Bike Park

Dear Mayor, City Council members, and Planning Division Representatives:

I have been made aware that a special/interim use permit application was submitted for a BMX bike park for use at 301 Little Morro Creek Road. **I am a Harbor Tract resident and I have a strong objection to this use of this city property for the following reasons:**

1. Main Street is the only north-south roadway joining the main part of town and North Morro Bay;
2. Main Street is a very heavily traveled two-lane road in both directions;
3. The proposed bike park is immediately across Main Street from a freeway off-ramp;
4. There is no easy or safe access for bicyclists from the west side of Main Street to the east side of Main Street to the proposed bike park – it is between two curves with low visibility and fast-moving traffic;
5. The only access to Little Morro Creek Road is from Radcliff;
6. The only access to the Harbor Tract subdivision is from Radcliff;
7. The only exit from both Little Morro Creek Road and the Harbor Tract is at the T-intersection of Radcliff onto Main Street;
8. The intersection of Radcliff and Main Street is already dangerous, with a nearly blind entry exit in both directions from Radcliff onto Main Street;
9. There is no way to improve traffic visibility south at this intersection;
10. There is no way to improve traffic visibility north at this intersection;
11. The angle of the intersection from Radcliff south onto Main Street is more than a 45-degree angle which causes a blind spot for drivers on Radcliff looking south, and for drivers passing under the overpass going north;
12. Speed limits are not enforced on Main Street immediately north or south of Radcliff;
13. Bicyclists crossing Radcliff at Main will be nearly invisible to motorists turning either direction from Radcliff;
14. Traffic control devices cannot be used at this already difficult intersection;
15. Heavy traffic at Radcliff and Main Streets already causes significant traffic delays in exiting Little Morro Creek Road and the Harbor Tract;
16. The heavier traffic on weekends and holidays make this intersection even more difficult and dangerous exiting Radcliff either north or south;
17. There is already a significant bike-pedestrian bikeway on the west side of the highway with lower or no vehicular traffic, and there is no easy access to the proposed bike park from the bikeway on the west side of the highway;
18. The proposed bike park will add vehicular traffic to an already challenged intersection;
19. The City is already invested in plans for a pedestrian and bike bridge and pathway extending of the embarcadero walkway connecting Morro Bay and North Morro Bay;
20. Most of the current bicyclists on Main Street are adults who can navigate heavy and fast-moving vehicle traffic, and the bike park at this location will add children without adults to this mix; and
21. This piece of city-owned property was previously designated to be an alternate entrance and exit roadway to Little Morro Creek Road and the Harbor Tract.

It has been noted and protested by the residents on Little Morro Creek Road and the Harbor Tract that the city is considering putting in a bike park at a city-owned property to the detriment of those residents. The intersection of Radcliff and Main Street is an already dangerous intersection with no remedy other than to move the entrance/exit

EXHIBIT F

road (currently Radcliff). The only location to move the entrance/exit road to is the city-owned property being considered for the bike park. Relocation of the exit onto Main Street at 301 Little Morro Creek Road was identified many years ago based upon statements by Rob Livick and Noah Smuckler at a February 6th meeting at the Community Center with approximately 50-60 neighborhood protestors present. Mr. Livick also stated that the city can't afford to relocate the exit, so they are considering allowing the bike park for that property instead. This is inexcusable, and the implied suggestion by Mr. Livick that the protesting residents could be penalized by making the exit onto Main Street from Radcliff a right-turn only was not appreciated based upon the number of moans in the room. The solution is not to make a difficult situation impossible, the solution is to use the land as previously identified and make it a safe exit from this residential area, or to at least not make it worse by adding more traffic and small children on bicycles. If forced to make a right turn (which will not make children on bicycles any easier), where will vehicles be allowed to safely turn around to go south on Main Street? With the proposed project at Highway 41, traffic will become impossible at that intersection, so it will have to be some point before that on Main Street with many curves and a narrow bridge.

It is also interesting to note that this location showed up on the city's website as the "Future BMX Bike Park Summer 2014" on February 13, 2014, four months before the Special Use Permit application was submitted. Is Morro Bay's process so broken that the city can advertise for venues that have not yet been considered and approved by the Planning Division and the City Council? What will the city's defense be for its poor planning when the first person (perhaps a child) is injured or killed and it is named as a co-defendant to a lawsuit?

In June Traffic counters were put on Radcliff and just north of Radcliff on Main Street. Please note that if information gathered from these counters is being used in consideration of this project, the counters were only left in place for a few days, they were removed before typical heavy weekend traffic, and they were not in place during a typical busy holiday weekend which was less than two weeks away.

Not only is the use of this property for a bike park fundamentally unfair to nearby property owners and residents who should have safe access to and from their homes, it is also poor planning on the part of City to allow the bike park at this location. It will add traffic to a challenged intersection with vehicles transporting young children and their bicycles to the bike park. It will bring children of all ages on bicycles to a high traffic street where speed limits already are not followed, and it will cause young bicyclists riding on Main Street from North Morro Bay to cross an extremely busy road to a recreation area immediately across from a freeway exit. At the February 6th meeting at the Community Center, the bike park organizers spoke of having bike rodeos and attracting kids from outside of our area for events (presumably being transported by vehicles). We don't need the extra congestion or the distraction of drivers by young bicyclists on a heavily traveled two-lane street with fast-moving traffic on a day-to-day basis, and we don't need it for events planned for the bike park. Almost every day there are cars parked on Little Morro Creek Road at the bike park area watching children on bicycles and the park hasn't been built. In spite of what the presenters claimed, it WILL increase vehicular traffic.

The children should *absolutely* have a SAFE bike park area. This location is NOT it. There should be an area on the west side of the highway that is more suitable and safe for this type of use, somewhere near already existing and newly proposed bicycle-friendly pathways and parking lots. The location of 301 Little Morro Creek Road for a BMX bike park is a recipe for disaster, and puts the city at risk for a catastrophic event caused by the city's poor planning if it is allowed to be built.

I highly encourage you to recommend disapproval for a BMX Bike Park to be located at 301 Little Morro Creek Road, which is a location not suitable for this use, and which was previously identified as an alternate exit for the property owners and residents of Little Morro Creek Road and the Harbor Tract.



Pam Sines
1351 Clarabelle Drive
Morro Bay, CA 93442



AGENDA NO: B-3

MEETING DATE: April 7, 2015

Staff Report

TO: Planning Commissioners

DATE: April 7, 2015

FROM: Joan Gargiulo, Contract Planner

SUBJECT: Appeal of Director denial of Administrative Coastal Development Permit CP0-450. Applicant requests a rear garage entry setback of 5 feet where 15 feet is required at **2740 Elm Street**.

RECOMMENDATION:

Deny the appeal and uphold the Director's denial of the Coastal Development Permit CP0-450 for 2740 Elm Street and plans date stamp received February 2, 2015.

ALTERNATIVES:

1. Uphold the appeal, thereby reversing the Director's denial and approving Coastal Development Permit CP0-450.
2. Continue review to a date certain and provide direction to staff and the applicant regarding revisions to project design.

APPELLANTS: Edward Jeffers (Kathleen Bergantzel, Agent)

APPLICANTS: Edward and Sonia Jeffers

LEGAL DESCRIPTION/APN: 068-226-007

SUMMARY:

On December 9, 2014 staff denied the application for a coastal development permit for the demolition of one unit of an existing duplex and the subsequent construction of a new 2,031 square-foot single-family residence with a five foot rear yard garage entry setback, where 15 feet is required. Specifically, the project is 2,782 square feet and includes a new 1,523 square-foot single-family residence with 509 square-foot garage and the existing 750 square-foot secondary dwelling unit. The existing dwelling unit to be demolished has a nonconforming 4.5' side-yard setback. The project proposal indicates the new single-family residence will be constructed within the required side-yard setback, thereby remedying one nonconformity. An appeal of this

Prepared By: ___ JG ___

Department Review: _____

decision was submitted on February 2, 2015, and the project is before the Planning Commission as the appellant body.

PROJECT SETTING:

The project is located in a residential neighborhood in the Del Mar neighborhood, west of Highway One, south of San Jacinto, and north of Highway 41. The approximately 4,000 square foot street to street lot is designated Low-Medium Density Residential and zoned R-1/S.2. Housing in the surrounding area includes a mix of one and two-story homes ranging from approximately 650 square feet to 1600 square feet.

Adjacent Zoning/Land Use			
North:	R-1/S.2 Single-family residential use	South:	R-1/S.2 Single-family residential use
East:	R-1/S.2 Single-family residential use	West:	R-1/S.2 Single-family residential use

Site Characteristics	
Site Area	Approximately 4,000 square feet
Existing Use	Residential
Terrain	Virtually level and developed
Vegetation/Wildlife	Previously disturbed site
Archaeological Resources	Site is not located within 300 feet of an archeological resource
Access	Elm Street and Fir Street

General Plan, Zoning Ordinance & Local Coastal Plan Designations	
General Plan/Coastal Plan Land Use Designation	Low-Medium Density Residential
Base Zone District	R-1
Zoning Overlay District	S.2
Special Treatment Area	N/A
Combining District	N/A
Specific Plan Area	N/A
Coastal Zone	Located in the Coastal Zone, however not in the Appeals Jurisdiction nor Original Jurisdiction

Zoning Ordinance Standards			
	Standards	Existing	Proposed
Front Setback	15 feet	24.5 feet	24.5 feet
Side-Yard Setback	5 feet	4.5 feet	5 feet
Rear Setback	5 feet	2.5 feet	5 feet
Garage Entry Setback	15 feet	n/a	5 feet
Height	25 feet	Single Story	24 feet
Lot Coverage	50%	39.5%	49.95%
Parking	2 Car Garage	2 Open and Uncovered	2 Car Garage

PROJECT DISCUSSION:

Staff considered the proposed project in light of the City’s Zoning Ordinance, General Plan, and Local Coastal Plan and found the requested development inconsistent with the applicable City documents listed above and denied Coastal Development Permit CP0-450 on December 9, 2014. This denial was subsequently appealed to the Planning Commission as the appellants “wish to be allowed to move forward with the primary residence without having to remove the existing secondary residence.” The Appellant’s grounds for appeal and staff’s response to said appeal is presented below.

APPEAL ISSUE: Appellants Edward and Sonia Jeffers based an appeal of the project on the following grounds (See Exhibit B for the full appeal form):

Rear Garage Entry Setback:

“As the garage is facing the rear property line which has a five foot setback and not the front which has a fifteen foot setback, and a precedent has been set by the two neighboring houses (garage also facing rear property line without fifteen foot setback). We wish to be allowed to move forward with the primary residence without having to remove the existing secondary residence. Refer to plans as to why required two-car garage has been placed as it has.”

Staff Response:

The required setback for a garage entry is 15 feet from the property line in the R-1/S.2 residential zone (MBMC Section 17.48.050). The purpose of the garage setback standard is to ensure that vehicles can be parked in a private driveway, outside of the garage, without protruding into the public right-of-way. The neighboring house to the south, 2720 Elm Street, was constructed prior to incorporation of the City and is therefore considered to be a legal nonconforming structure due to the inadequate rear garage entry setback. The neighboring house to the north, 2750 Elm Street, received a building permit in 1986 to add a second story and a garage at the rear of the lot. No Conditional Use Permit or variance was granted for this project and a building permit was

issued allowing the garage entry to be built at a 5 foot setback. This permit approval and subsequent construction created a nonconformity. When the neighbors at 2760 Elm Street requested and received approval for a variance to allow for a 10 foot rear garage entry setback, the nonconforming garage setback at 2750 Elm Street was discussed and incorrectly utilized as a finding supporting the reduced setback. The utilization of the existing setback for an adjacent property that was approved in a manner inconsistent with the Zoning Code setback requirements in place at the time, cannot and should not be utilized to justify future variances.

ENVIRONMENTAL DETERMINATION

Projects that are disapproved by public agencies are not subject to CEQA pursuant to Section 15720 of the guidelines.

PUBLIC NOTICE: Notice of this item was published in the San Luis Obispo Tribune newspaper on March 27, 2015 and all property owners of record within 300 feet and occupants within 300 feet of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application.

CONCLUSION: The minimum rear setback requirement for the property is fifteen feet. The project does not include a request for a variance to allow the rear setback to be reduced from the required fifteen foot minimum nor does there appear to be findings to support such a request. The project as proposed cannot therefore be approved in a manner consistent with the City's Local Coastal Program/Implementation Plan/Zoning Code. The appeal provides no reference to alternate Zoning Code language that would allow for a reduced rear setback nor does the applicant provide justification for the reduction beyond the fact that adjacent properties have a similar rear setback to that being requested. The adjacent properties that contain the reduced rear setback sought by the applicant, appear to have been approved either in conflict with the setback policies in place at the time or predate the City's incorporation. In either instance, the findings necessary to support the requested reduction in rear setback do not appear to be present. Staff recommends that the Planning Commission deny the appeal and uphold the Director denial of the Administrative Coastal Development Permit #CP0-450 by adopting Resolution No. 10-15.

EXHIBITS:

- Exhibit A – Planning Commission Resolution 10-15 dated April 7, 2015
- Exhibit B – Appeal received from Appellant dated 02/02/2015
- Exhibit C – Project plans date stamped received 02/02/2015

EXHIBIT A

RESOLUTION NO. PC 10-15

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION DENYING THE APPEAL AND THEREBY DENYING THE APPROVAL OF ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT (CP0-450) FOR THE DEMOLITION OF ONE EXISTING DWELLING UNIT TO BE REPLACED WITH A SINGLE-FAMILY RESIDENCE WITH A REAR GARAGE ENTRY SETBACK OF 5 FEET WHERE 15 FEET IS REQUIRED AT 2740 ELM STREET. THE PROJECT INCLUDES A 1,523 SQUARE-FOOT SINGLE FAMILY RESIDENCE WITH A 509 SQUARE-FOOT GARAGE AND A 750 SQUARE-FOOT SECONDARY DWELLING UNIT.

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 April 7, 2015, for the purpose of considering an appeal filed against Coastal Development Permit #CP0-450; and

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

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

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

Section 1: Findings. Based upon all the evidence, the Commission makes the following findings:

California Environmental Quality Act (CEQA)

1. Pursuant to the California Environmental Quality Act, the Director has found the project as proposed categorically exempt under Section 15303, Class 3(a), "New Construction or Conversion of Small Structures," because the project is a single-family home in a residential zone and does not have a significant effect on the environment.

Coastal Development Permit Findings

2. The Planning Commission finds the development of a garage in the proposed location to with an entry at the rear of the lot and a five foot setback to be inconsistent with the applicable provisions of the zoning ordinance.
3. The Planning Commission finds the project as proposed is consistent with the character of the neighborhood in which it is located. It is surrounded by compatible uses of low density development, has similar bulk and scale of the adjacent structures, and like other structures in the neighborhood, the proposed project is two stories with a two-car garage.

4. The Planning Commission finds that the development of the project will cause safety concerns in the neighborhood due to the inadequate length of the driveway. Cars parked in the driveway will encroach into the street.

Section 2. Action. The Planning Commission does hereby deny the appeal filed on February 2, 2015 thereby denying Coastal Development Permit #CP0-450 for 2740 Elm Street.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 7th day of April, 2015 on the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Robert Tefft, Chairperson

ATTEST

Scot Graham, Planning Secretary

The foregoing resolution was passed and adopted this 7th day of April, 2015.

EXHIBIT B



CITY OF MORRO BAY

Public Services Department
Planning Division

955 Shasta Avenue
Morro Bay, CA 93442
(805) 772-6577

APPEAL FORM

In CCC Appeals Jurisdiction?

- YES – *No Fee*
 NO – *Fee Paid:* Yes No

Project Address being appealed: CDP for 2740 Elem Street, #CP0-450	
Appeal from the decision or action of (governing body or City officer): <input type="checkbox"/> Administrative Decision <input checked="" type="checkbox"/> Planning Commission <input type="checkbox"/> City Council	
Appeal of action or specific condition of approval: Construction of new primary residence due to setback requirements of required two car garage entry at rear of property.	
Permit number and type being appealed (ie. coastal permit, use permit, tentative subdivision): CP0-450	
Date decision or action rendered: December 9, 2014	
Grounds for the appeal (attach additional sheets as necessary): The Director finds the proposed project does not meet the setback requirements pursuant to Morro Bay Municipal Code Section 17.40.050 which states that garage entries shall be set back 15 feet from the property line.	
Requested relief or action: As the garage is facing the rear property line which has a five foot setback and not the front which has a fifteen foot setback, and a precedent has been set by the two neighboring houses (garage also facing rear property line without fifteen foot setback). We wish to be allowed to move forward with the primary residence without having to remove the existing secondary residence. Refer to plans as to why required two car garage has been placed as it has.	
Appellant (please print): Edward Jeffers	Phone: (661) 255-2034
Address: 25528 Via Juana, Valencia, CA 91355	
Appellant Signature: _____ Date: _____	

FOR OFFICE USE ONLY	
Accepted by:	Date appeal filed:
Appeal body:	Date of appeal hearing:

FEB 02 2015



CITY OF MORRO BAY

Public Services Department
Planning Division

955 Shasta Avenue
Morro Bay, CA 93442
18051 772-8577

City of Morro Bay
Public Services Department

APPEAL FORM

Is CCC Appeals Jurisdiction?

YES - No Fee
 NO - Fee Paid. Yes No

Project Address being appealed	
CCP for 2740 Elm Street, #CPG-450	
Appeal from the decision or action of (governing body or City officer)	
: Administrative Decision <input checked="" type="checkbox"/> Planning Commission <input type="checkbox"/> City Council	
Appeal of action or specific condition of approval	
Construction of new primary residence due to setback requirements of required two car garage entry at rear of property.	
Permit number and type being appealed (ie. casual permit, use permit, temporary subdivision) CPG-450	
Date decision or action rendered: December 8, 2014	
Grounds for the appeal (attach additional sheets as necessary): The Director finds the proposed project does not meet the setback requirements pursuant to Morro Bay Municipal Code Section 17.40.050 which states that garage entries shall be set back 15 feet from the property line.	
Requester relief or action: As the garage is facing the rear property line which has a five foot setback and not the front which has a fifteen foot setback, and a precedent has been set by the two neighboring houses (garage also facing rear property line without fifteen foot setback). We wish to be allowed to move forward with the primary residence without having to remove the existing secondary residence. Refer to plans as to why required two car garage has been placed as it has.	
Appellant (please print):	Phone:
Edward Jeffers	(881) 255-2034
Address:	
25528 Via Juana, Valencia, CA 91355	
Appellant Signature: <i>Ed Jeffers</i>	Date: 1/30/15

FOR OFFICE USE ONLY

Accepted by	Date appeal filed
Appeal body	Date of appeal hearing

EXHIBIT B

From: EDWARD JEFFERS ejeffers@sbcglobal.net
 Subject: Kathy, please date it. Thanks, Sonia
 Date: January 29, 2015 at 7:39 PM
 To: Mom kbergantzel@yahoo.com

RECEIVED

FEB 02 2015

City of Morro Bay
 Public Services Department



CITY OF MORRO BAY

Public Services Department
 Planning Division
 955 Shasta Avenue
 Morro Bay, CA 93442
 18051 772-8577

APPEAL FORM

In CCC Appeals Jurisdiction?

YES - No Fee
 NO - Fee Paid: Yes No

Project Address being appealed CCP for 2740 Elm Street, ACPG-450	
Appeal from the decision or action of (governing body or City officer): <input type="checkbox"/> Administrative Decision <input checked="" type="checkbox"/> Planning Commission <input type="checkbox"/> City Council	
Appeal of action or specific condition of approval: Construction of new primary residence due to setback requirements of required two car garage entry at rear of property.	
Permit number and type being appealed (ie: coastal permit, use permit, tentative subdivision): CPN-432	
Date decision or action rendered: December 9, 2014	
Grounds for the appeal (attach additional sheets as necessary): The Director finds the proposed project does not meet the setback requirements pursuant to Morro Bay Municipal Code Section 17.40.050 which states that garage entries shall be set back 15 feet from the property line.	
Request for relief or action: As the garage is facing the rear property line which has a five foot setback and not the front which has a fifteen foot setback, and a precedent has been set by the two neighboring houses (garage also facing rear property line without fifteen foot setback). We wish to be allowed to move forward with the primary residence without having to remove the existing secondary residence. Refer to plans as to why required two car garage has been placed as it has.	
Appellant (please print): Edward Jeffers	Phone: (661) 255-2034
Address: 25528 Via Juana, Valencia, CA 91355	
Appellant Signature: <i>E. Jeffers</i>	Date: _____

FOR OFFICE USE ONLY

Accepted by: _____	Date appeal filed: _____
Appeal body: _____	Date of appeal hearing: _____

GENERAL NOTES:

- This project must comply with the latest adopted applicable codes, including but not limited to the following, and shall be considered to be part of these drawings:
 - The 2013 California Building Code. (based on 2012 IBC)
 - The 2013 California Residential Code. (based on 2012 IRC)
 - The 2013 California Mechanical Code. (based on 2012 IMC)
 - The 2013 National Electrical Code. (based on 2011 NEC)
 - The 2013 California Plumbing Code. (based on 2012 UPC)
 - The 2013 California Energy Code.
 - The 2013 California Fire Code. (based on the 2012 IFC)
 - The 2013 California Green Building Standards Code. (CalGreen)
 - Local ordinances.
- The contractor shall examine the working drawings, architectural, mechanical and electrical, and shall notify the designer of any discrepancies which he may find, prior to proceeding with the work.
- The contractor shall verify and be responsible for all dimensions and conditions at the site and shall notify the designer of discrepancies between the actual conditions and information shown in the drawings before proceeding with the work.
- The General Contractor is responsible for all coordination of work and trades with regard to scheduling, ordering materials, inspection and completion.
- The General Contractor is responsible for verification of all rough openings with related trades.
- These basic General Notes are integral to the drawings. Notify the designer before proceeding with the work if any disparity arises between the drawings and these general notes.
- All work shall conform to the best practice prevailing in the various trades comprising the work.
- Specific notes and details shall take precedence over general notes and typical details. Dimensions shall be similar to these details that are related in location, intent or function.
- The General Contractor shall guarantee the weatherproof integrity of the entire project for a period of one year after project completion.
- All sub-contractors shall be held responsible for all conditions, ordinances, codes, and requirements pertinent to their category of the work as dictated by the regulatory agencies.
- The General Contractor is to maintain the site in a clean and neat manner. He shall remove and legally dispose of all debris, rubbish, and other materials not intended for application.
- It is the owners responsibility to verify property corners and to have them marked prior to foundation inspection.
- These plans are intended for use on this site only and may not be used on any other site without expressed written consent of the designer.

SHEET INDEX

T1	TITLE SHEET
TS1	SURVEY
C1	EXISTING & PROPOSED SITE
A1	FLOOR PLAN - LEVEL 1
A2	FLOOR PLAN - LEVEL 2
A3	ELEVATIONS
A4	ELEVATIONS

DIRECTORY

OWNER:
EDWARD & SONJA JEFFERS
 25928 VIA JUANA
 VALENCIA, CA 91355-2916
 PHONE: (310) 435-8999

CIVIL ENGINEER
BEAUTZ ENGINEERING
 1360 15TH STREET
 LOS ANGELES, CA 90042
 (805) 528-5235

PROJECT SUMMARY

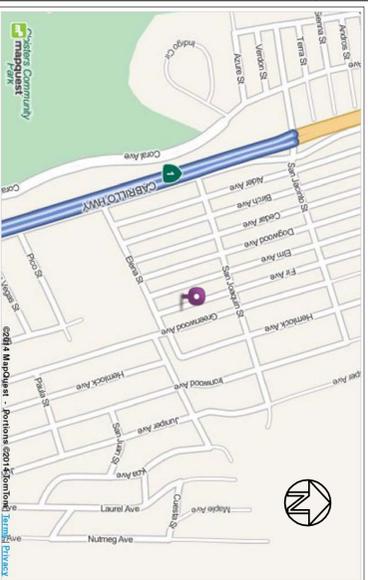
ZONING: R-16-2
 OCCUPANCY: RES
 CONSTRUCTION TYPE: V-4K
 TOTAL NUMBER OF BUILDINGS: 1
 BUILDING SQUARE FOOTAGE: 507.20 SF
 HABITABLE SPACE - LEVEL 1: 1,016.73 SF
 HABITABLE SPACE - LEVEL 2: 1,322.99 SF
 TOTAL: 1,322.99 SF

GARAGE: 506.83 SF
 DECK - LEVEL 2: 81.66 SF
 BALCONY - LEVEL 2: 42.21 SF
 EXISTING SECONDARY RESIDENCE: 750 SF

ACTUAL BUILDING COVERAGE: 1,899.60 SF
 DRIVEWAY AREA: 80 SF
 MINIMUM PERVIOUS AREA REQUIRED: 196.75 SF
 BALCONY: 20.01 SF
 ACTUAL PERVIOUS AREA: 20.01 SF
 4000 - 1,899.60 - 80 - 196.75 - 30.78 = 1,800.87 SF

PROJECT DESCRIPTION: THE PROPERTY CURRENTLY HAS TWO SEPARATE UNITS ON IT, ONE IS 750 SF AND THE OTHER IS 830 SF. THERE IS CURRENTLY NO COVERED PARKING AND THE PARKING IS DOWN THE SIDE OF THE PROPERTY PARTIALLY IN THE SETBACK FOR BOTH UNITS. WE ARE REMOVING THE 830 SF UNIT AND REPLACING IT WITH A 1522 SF PRIMARY UNIT PLUS TWO CAR GARAGE. THE 750 SF UNIT WILL BECOME A SECONDARY UNIT WITH ONE UNCOVERED EXISTING PARKING SPACE.

VICINITY MAP



SYMBOLS

- ① — DIMENSIONAL GRID LINE
- ① — DOOR NUMBER (REFER TO DOOR SCHEDULE)
- ① — WINDOW NUMBER (REFER TO WINDOW SCHEDULE)
- FA1 — FRAME TYPE (GLAZING)
- SW1 — SHEAR WALL TYPE (REFER TO SHEAR WALL SCHEDULE)
- AI — DETAIL NUMBER/SHEET SHOW ON
- AI — SECTION CUT (REFER TO BUILDING SECTIONS)
- 1 — REFERENCE NOTES

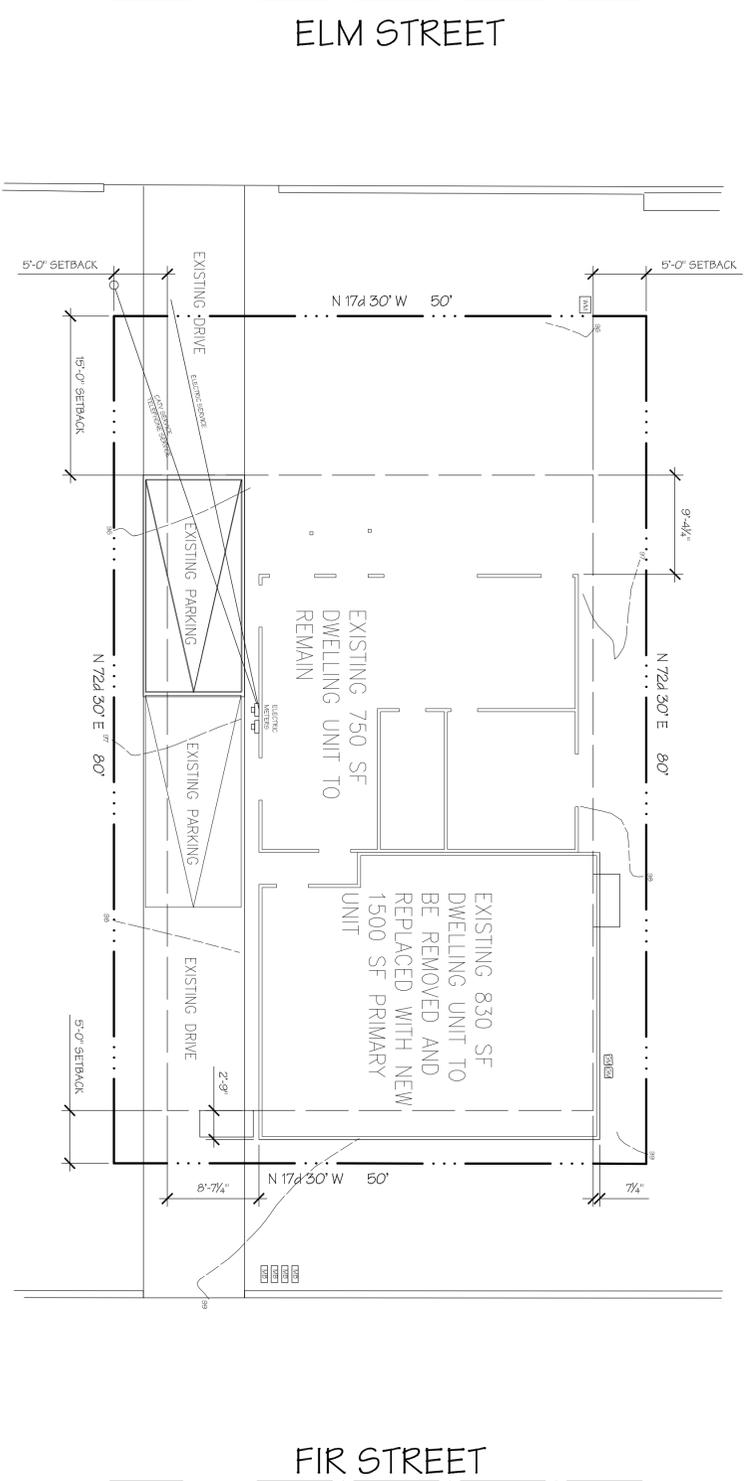
BLDG. HT. CALC.

BUILDING HEIGHT CALCULATION
 LOW: 97.73'
 HIGH: 98.67'
 AVERAGE NATURAL GRADE: (97.73' + 98.67')/2 = 98.20'
 MAXIMUM ALLOWABLE HEIGHT: 98.20' + 25.00' = 123.20'
 ACTUAL BUILDING HEIGHT: F.F.E. = 99.24' + 23.86' = (123.20')

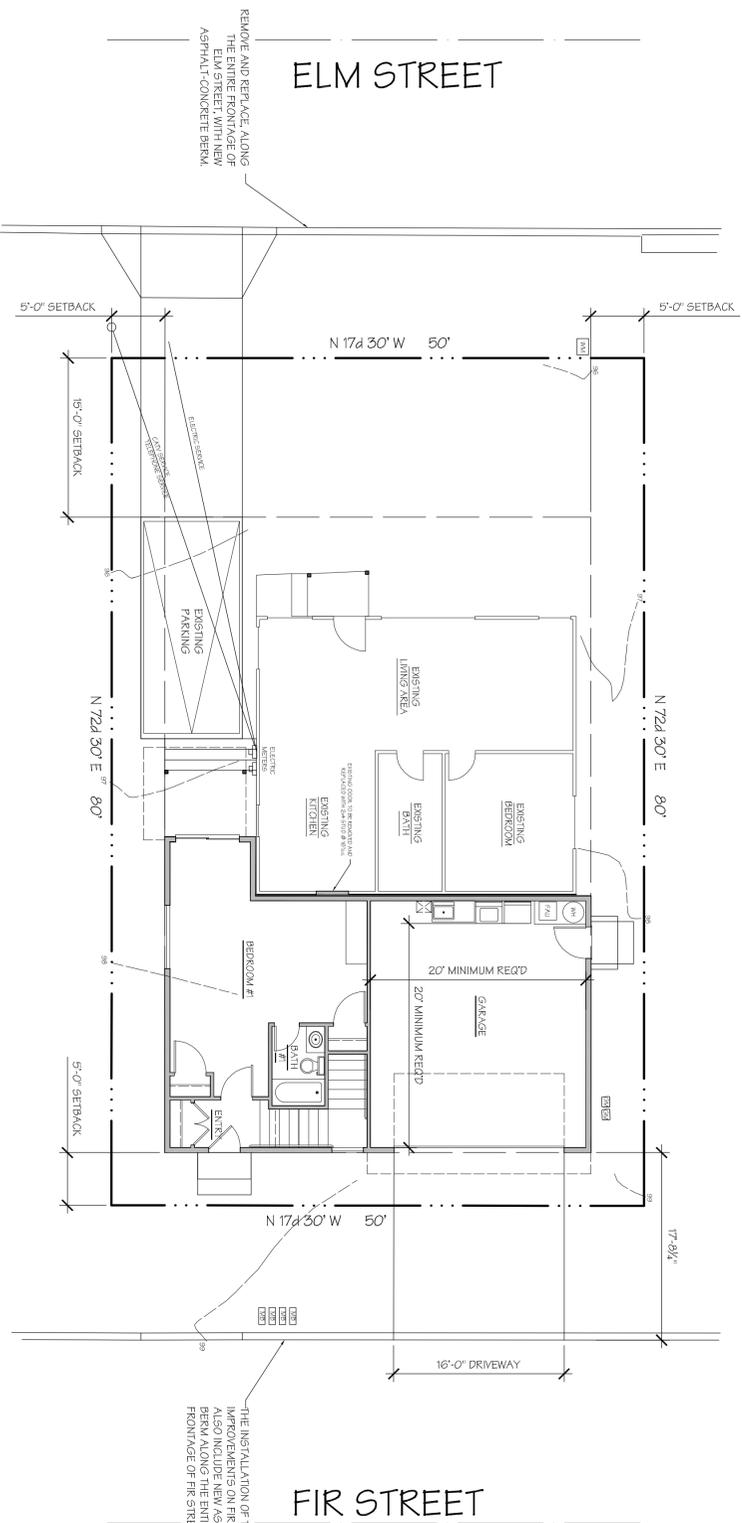
PRIOR TO EITHER ROOF NAILING OR FRAMING INSPECTION, A LICENSED SURVEYOR OR QUALIFIED ENGINEER IS REQUIRED TO MEASURE THE HEIGHT OF THE STRUCTURE AND SUBMIT A LETTER TO THE BUILDING OFFICIAL CERTIFYING THAT THE HEIGHT OF THE STRUCTURE IS IN ACCORDANCE WITH THE APPROVED PLANS AND COMPLES WITH THE HEIGHT REQUIREMENTS OF THE CITY OF MORRO BAY.

ABBREVIATIONS

ADJUSTABLE	AJ	ADJUSTMENT	ADJ	ADJUSTMENT	ADJ
APPROVED	APP	APPROXIMATE	APPR	APPROXIMATE	APPR
ARCHITECTURAL	ARCH	ARCHITECTURAL	ARCH	ARCHITECTURAL	ARCH
BENCH MARK	BM	BENCH MARK	BM	BENCH MARK	BM
BLOCK	BLK	BLOCK	BLK	BLOCK	BLK
BOND	BND	BOND	BND	BOND	BND
BUILDING	BLDG	BUILDING	BLDG	BUILDING	BLDG
CABINET	CAB	CABINET	CAB	CABINET	CAB
CAST IRON	CI	CAST IRON	CI	CAST IRON	CI
CEILING	CL	CEILING	CL	CEILING	CL
CENTER LINE	CL	CENTER LINE	CL	CENTER LINE	CL
CONCRETE	CONC	CONCRETE	CONC	CONCRETE	CONC
CONNECTION	CONN	CONNECTION	CONN	CONNECTION	CONN
CONTRACTOR	CONTR	CONTRACTOR	CONTR	CONTRACTOR	CONTR
COURTESY	CRTS	COURTESY	CRTS	COURTESY	CRTS
CURB/YARD	CURB	CURB/YARD	CURB	CURB/YARD	CURB
COMPOSITION	COMP	COMPOSITION	COMP	COMPOSITION	COMP
DETAIL	DET	DETAIL	DET	DETAIL	DET
DIAGONAL	DIAG	DIAGONAL	DIAG	DIAGONAL	DIAG
DAWNER	DIA	DAWNER	DIA	DAWNER	DIA
DIVISION	DIV	DIVISION	DIV	DIVISION	DIV
DOWN SLOPE	DR	DOWN SLOPE	DR	DOWN SLOPE	DR
DRAIN	DR	DRAIN	DR	DRAIN	DR
DRAWING	DWG	DRAWING	DWG	DRAWING	DWG
DRAW/PLAY TRACK	DT	DRAW/PLAY TRACK	DT	DRAW/PLAY TRACK	DT
EACH	EA	EACH	EA	EACH	EA
ELECTRIC PANEL	ELEC	ELECTRIC PANEL	ELEC	ELECTRIC PANEL	ELEC
ELEVATION	ELEV	ELEVATION	ELEV	ELEVATION	ELEV
EXPANDED	EXP	EXPANDED	EXP	EXPANDED	EXP
EXCAVATE	EXC	EXCAVATE	EXC	EXCAVATE	EXC
EQUAL	EQ	EQUAL	EQ	EQUAL	EQ
EXTEND	EXT	EXTEND	EXT	EXTEND	EXT
EXPANSION JOINT	EJ	EXPANSION JOINT	EJ	EXPANSION JOINT	EJ
FACE OF WALL	FW	FACE OF WALL	FW	FACE OF WALL	FW
FIGURE	FIG	FIGURE	FIG	FIGURE	FIG
FLASHING	FLASH	FLASHING	FLASH	FLASHING	FLASH
FOUNDATION	FOUN	FOUNDATION	FOUN	FOUNDATION	FOUN
FACE OF STUD	FS	FACE OF STUD	FS	FACE OF STUD	FS
GALVE	GA	GALVE	GA	GALVE	GA
GALVANIZED	GA	GALVANIZED	GA	GALVANIZED	GA
GALV	GA	GALV	GA	GALV	GA
GROOVE	GR	GROOVE	GR	GROOVE	GR
GRAB VALVE	GRV	GRAB VALVE	GRV	GRAB VALVE	GRV
HARDWOOD	HWD	HARDWOOD	HWD	HARDWOOD	HWD
HORIZONTAL	HRZ	HORIZONTAL	HRZ	HORIZONTAL	HRZ
HOUR	HR	HOUR	HR	HOUR	HR
HOLLOW METAL	HM	HOLLOW METAL	HM	HOLLOW METAL	HM
INSULATION	INS	INSULATION	INS	INSULATION	INS
INTERIOR	INT	INTERIOR	INT	INTERIOR	INT
JUNCTION	JT	JUNCTION	JT	JUNCTION	JT
LAVATORY	LAV	LAVATORY	LAV	LAVATORY	LAV
LINE	LNTL	LINE	LNTL	LINE	LNTL
TEMPERED PLATE	TEMP	TEMPERED PLATE	TEMP	TEMPERED PLATE	TEMP
THRESHOLD	THRSH	THRESHOLD	THRSH	THRESHOLD	THRSH
TONGUE & GROOVE	T&G	TONGUE & GROOVE	T&G	TONGUE & GROOVE	T&G
TOP OF FINISH	TOF	TOP OF FINISH	TOF	TOP OF FINISH	TOF
TOP OF WALKER	TOW	TOP OF WALKER	TOW	TOP OF WALKER	TOW
TOP OF JOIST	TOJ	TOP OF JOIST	TOJ	TOP OF JOIST	TOJ
VENTILATION	VENT	VENTILATION	VENT	VENTILATION	VENT
VERTICAL	VRT	VERTICAL	VRT	VERTICAL	VRT
VOLUME	VOL	VOLUME	VOL	VOLUME	VOL
WATERPROOF	WP	WATERPROOF	WP	WATERPROOF	WP
WEIGHT	WT	WEIGHT	WT	WEIGHT	WT
WINDOW	WIN	WINDOW	WIN	WINDOW	WIN
WINDOW DIMENSION	WD	WINDOW DIMENSION	WD	WINDOW DIMENSION	WD
WOOD	WD	WOOD	WD	WOOD	WD
YARD	YD	YARD	YD	YARD	YD



EXISTING SITE PLAN
SCALE: 1/8"=1'-0"



PROPOSED SITE PLAN
SCALE: 1/8"=1'-0"



Prior to either roof nail or framing inspection a licensed surveyor is required to measure the height of the structure and submit a letter to the Planning Division, certifying that the height of the structure is in accordance with the approved set of plans and complies with the height requirements of the Morro Bay, Municipal Code, Section 17.12.310

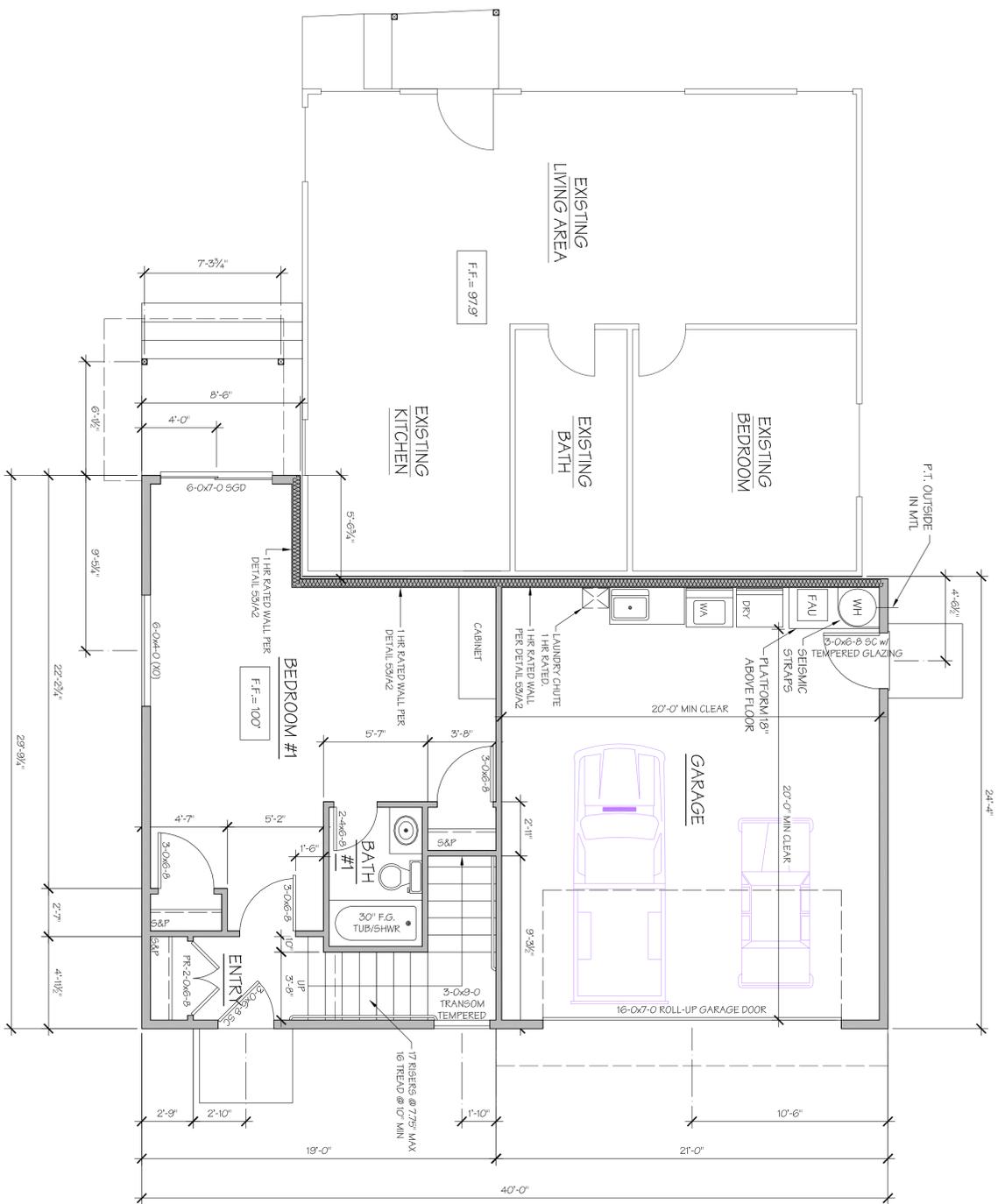
REMOVE AND REPLACE ALONG THE ENTIRE FRONTAGE OF ELM STREET WITH NEW ASPHALT CONCRETE BENCH

THE INSTALLATION OF THE DRIVEWAY IMPROVEMENTS ON FIR STREET SHALL ALSO INCLUDE NEW ASPHALT CONCRETE BENCHES TO BE INSTALLED AT THE FRONTAGE OF FIR STREET

- NOTES:
- IF CLEARING OCCURS DURING THE RAINY SEASON, NOVEMBER 1 THROUGH MARCH 31, AN EROSION CONTROL PLAN SHALL BE SUBMITTED AND APPROVED BY THE BUILDING OFFICIAL AND SHALL INCLUDE ANY NECESSARY BONDS OR OTHER ASSURANCES.
 - IF THE EXISTING SEWER LATERAL IS USED, UPON ISSUANCE OF THE BUILDING PERMIT, THE CONTRACTOR SHALL PERFORM A VIDEO INSPECTION OF THE LATERAL AND SUBMIT TO PUBLIC WORKS. LATERAL SHALL BE REPAIRED IF NECESSARY. A SEWER BACKWATER VALVE AND DOWNSTREAM CLEANOUT, EXTENDED TO GRADE, SHALL BE INSTALLED ON THE SEWER LATERAL.
 - IF THE EXISTING SEWER LATERAL IS UNABLE TO BE USED AND A NEW LATERAL IS REQUIRED, THE EXISTING LATERAL SHALL BE ABANDONED.
 - NEW CONSTRUCTION REQUIRES THAT A SEWER BACKWATER VALVE SHALL BE INSTALLED ON SITE TO PREVENT A BLOCKAGE OF THE MUNICIPAL SEWER MAIN FROM CAUSING DAMAGE TO THE PROPOSED PROJECT.
- ENCROACHMENT PERMITS:
- A STANDARD ENCROACHMENT PERMIT SHALL BE REQUIRED FOR THE PROPOSED DRIVEWAY WHICH SHALL COMPLY WITH B-6 (DRIVEWAY RAMPS, SIZE AND LOCATION).
 - A SEWER ENCROACHMENT PERMIT SHALL BE REQUIRED FOR THE INSTALLATION OF THE SEWER LATERAL.
 - WHEN UTILITY CONNECTIONS REQUIRE PAYMENT CUTS, A TRAFFIC CONTROL PLAN INDICATING APPROPRIATE SIGNING, MARKING, BARRICADES AND FLAGGERS MUST BE SUBMITTED WITH THE ENCROACHMENT PERMIT APPLICATION.
- NOTE: ALL ROOF WATER SHALL BE TAKEN TO THE STREET IN A NON-EROSIVE MANNER, PER CITY STANDARDS.
- NOTE: NO WORK SHALL OCCUR (OR USE OF) THE CITY'S RIGHT OF WAY WITHOUT AN ENCROACHMENT PERMIT. ENCROACHMENT PERMITS ARE AVAILABLE AT THE CITY OF MORRO BAY PUBLIC SERVICES OFFICE, LOCATED AT 985 SHASTA AVENUE. THE ENCROACHMENT PERMIT SHALL BE ISSUED CONCURRENTLY WITH THE BUILDING PERMIT.
- NOTE: ANY DAMAGE TO CITY FACILITIES, I.E. CURB/BERM, STREET, SEWER LINE, WATER LINE OR ANY PUBLIC IMPROVEMENTS SHALL BE REPAIRED AT NO COST TO THE CITY OF MORRO BAY.

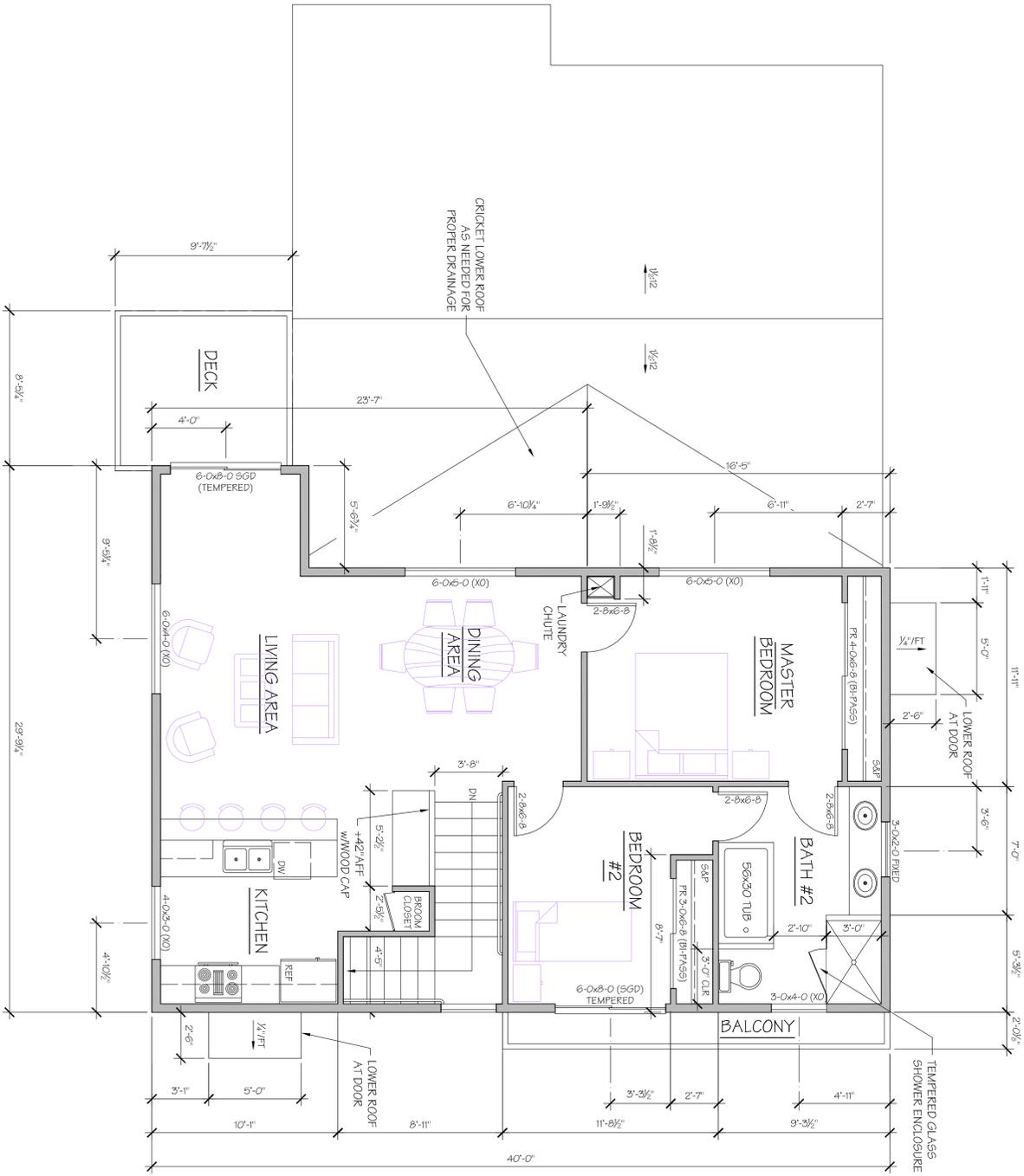
EROSION CONTROL NOTES:

- DURING CONSTRUCTION, THE CONTRACTOR MUST DIRECT ALL RUNOFF TO NON-ERODIBLE LOCATIONS.
- AS NEEDED BY THE CONTRACTOR, EROSION CONTROL MEASURES SHALL BE INSTALLED AT ALL NECESSARY LOCATIONS TO FACILITATE EXHIBD CONSTRUCTION OF TEMPORARY DEVICES WHEN RAIN IS IMMINENT.
- THE CONTRACTOR SHALL CONSTRUCT TEMPORARY EROSION CONTROL MEASURES AS SHOWN ON THIS PLAN AND/OR AS DIRECTED BY THE ENGINEER TO CONTROL DRAINAGE WHICH HAS BEEN AFFECTED BY GRADING AND/OR CONSTRUCTION.
- THE CONTRACTOR SHALL CONSTRUCT TEMPORARY EROSION CONTROL MEASURES AS SHOWN ON THIS PLAN AND/OR AS DIRECTED BY THE ENGINEER TO CONTROL DRAINAGE WHICH HAS BEEN AFFECTED BY GRADING AND/OR CONSTRUCTION.
- THE CONTRACTOR SHALL CONSTRUCT TEMPORARY EROSION CONTROL MEASURES AS SHOWN ON THIS PLAN AND/OR AS DIRECTED BY THE ENGINEER TO CONTROL DRAINAGE WHICH HAS BEEN AFFECTED BY GRADING AND/OR CONSTRUCTION.
- AFTER A RAINSTORM, ALL SILT AND DEBRIS SHALL BE REMOVED FROM CHECK BENS AND SEDIMENTATION BASIN AND THE BASIN FLOWED DRY.
- THE ENGINEER OF RECORD OR HIS AUTHORIZED REPRESENTATIVE MAY REQUIRE THE CONTRACTOR TO INSTALL ADDITIONAL EROSION CONTROL DEVICES AS NECESSARY TO PREVENT OR CONTROL EROSION.
- THE EROSION CONTROL DEVICES ON THIS PLAN ARE A GENERAL CONCEPT OF WHAT MAY BE REQUIRED. EROSION CONTROL DEVICES MAY BE RELOCATED, DELETED OR ADDITIONAL ITEMS MAY BE REQUIRED DEPENDING ON ACTUAL SOIL CONDITIONS AND OTHER FACTORS. THE CONTRACTOR SHALL CONTACT THE ENGINEER OF RECORD FOR ANY ADDITIONAL EROSION CONTROL DEVICES AS NECESSARY TO PREVENT OR CONTROL EROSION.
- THE EROSION CONTROL DEVICES ON THIS PLAN ARE A GENERAL CONCEPT OF WHAT MAY BE REQUIRED. EROSION CONTROL DEVICES MAY BE RELOCATED, DELETED OR ADDITIONAL ITEMS MAY BE REQUIRED DEPENDING ON ACTUAL SOIL CONDITIONS AND OTHER FACTORS. THE CONTRACTOR SHALL CONTACT THE ENGINEER OF RECORD FOR ANY ADDITIONAL EROSION CONTROL DEVICES AS NECESSARY TO PREVENT OR CONTROL EROSION.
- THE CONTRACTOR IS RESPONSIBLE TO KEEP IN FORCE ALL EROSION CONTROL DEVICES AND TO MODIFY THOSE DEVICES AS SITE PROGRESS DICTATES.
- THE CONTRACTOR SHALL MONITOR THE EROSION CONTROL DEVICES DURING STORMS AND MODIFY THEM IN ORDER TO PREVENT PROGRESS OF ANY Ongoing EROSION RESPONSIBLE FOR CLEANING ANY EROSION OR DEBRIS FROM THE SITE.
- THE CONTRACTOR SHALL MONITOR THE EROSION CONTROL DEVICES DURING STORMS AND MODIFY THEM IN ORDER TO PREVENT PROGRESS OF ANY Ongoing EROSION RESPONSIBLE FOR CLEANING ANY EROSION OR DEBRIS FROM THE SITE.
- THE CONTRACTOR SHALL CONTACT THE ENGINEER IN THE EVENT THAT THE EROSION CONTROL PLAN AS DESIGNED REQUIRES ANY SUBSTANTIAL REVISIONS.
- NO CUT OR FILL SLOPES SHALL BE STEEPER THAN 2 HORIZONTAL TO 1.
- ALL STRAW MATS SHALL BE INSTALLED AS INDICATED PER MANUFACTURERS RECOMMENDATIONS. SEE DETAIL 59/C.
- SILT FENCE SHALL BE INSTALLED AS INDICATED PER MANUFACTURERS RECOMMENDATIONS. SEE DETAIL 59/C.
- SPECIFIC EROSION CONTROL NOTES REFER TO THE CALIFORNIA SICKWATER CONTROL ACT AND THE CALIFORNIA SICKWATER CONTROL ACT PERMITS AND THE EROSION CONTROL DEVICES AT ALL TIMES PER THE RECOMMENDATIONS SET FORTH IN SAID REFERENCES.



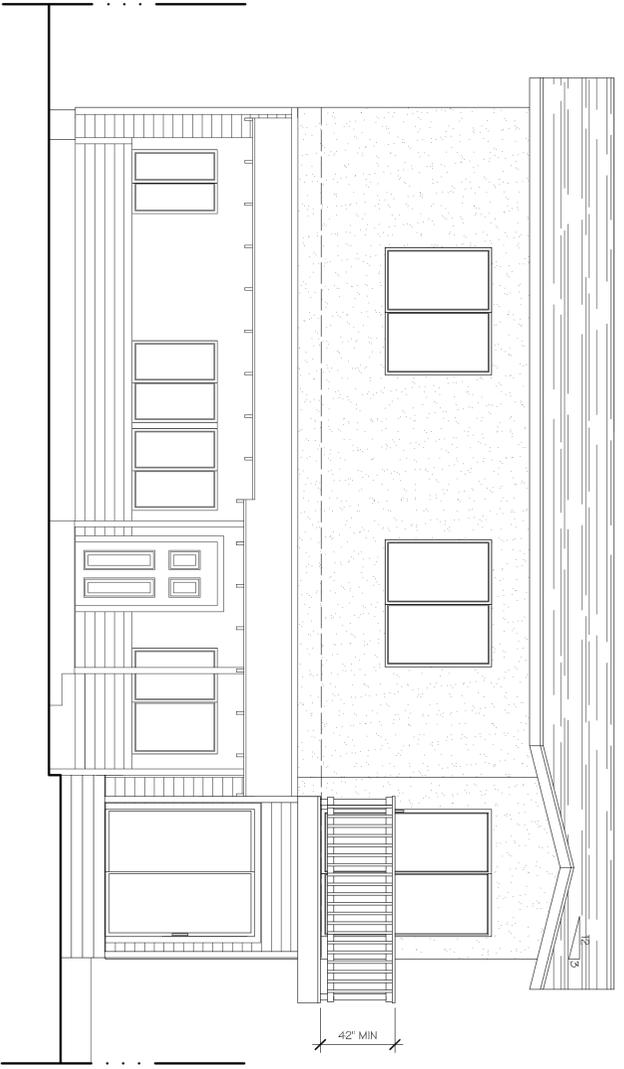
LOWER FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 LOWER FLOOR: 507.20 SF
 GARAGE: 508.53 SF





UPPER FLOOR PLAN
 SCALE: 1/4"=1'-0"
 UPPER FLOOR: 1,015.73 SF
 DECK: 81.66 SF
 BALCONY: 42.21 SF

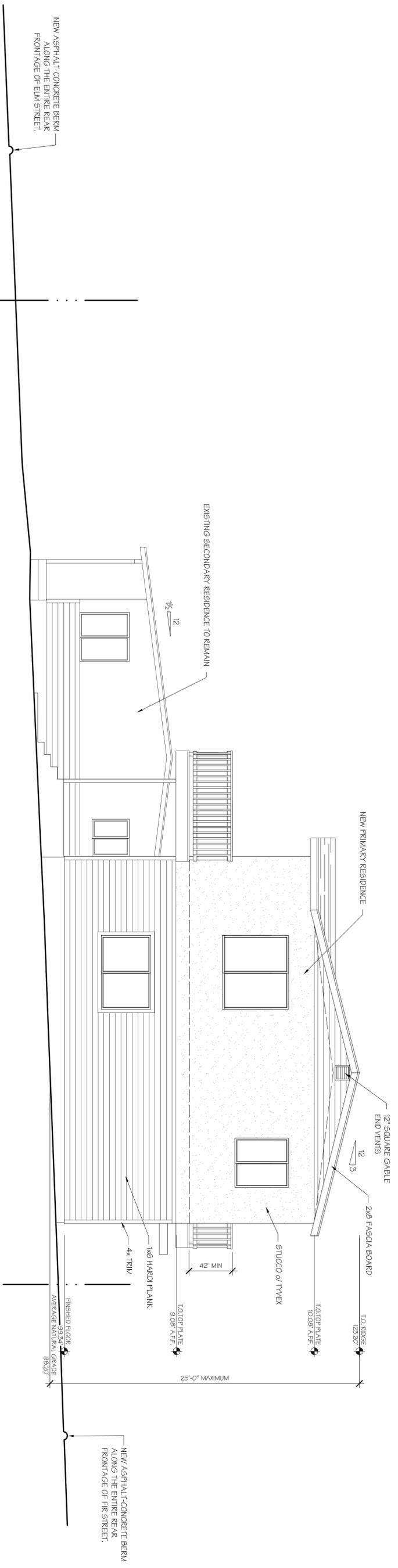




WEST ELEVATION (ELM STREET)
SCALE: 1/4"=1'-0"

- EXTERIOR FINISHES:**
1. Ducting: 1/8 gauge wire, six inches to center vertical spacing or solid sheathing.
 2. Scaffolding: 1/2" x 1/2" x 1/2" EMT pipe. Light type building paper No. 15 applied saturated felt, apply over backing.
 3. Lath: Stucco mesh, 1.8 pounds per square yard minimum weight; fasteners spaced six inches center to center vertically and 16 inches center to center horizontally, fur "lay" out from backing.
 4. Finish: Two coat application over masonry, three coat application over wood framing.
 - A. Scratch coat: 3/8" thickness, one part portland cement to four parts sand, allow 48 hours between coats.
 - B. Brown coat: 5/8" thickness, one part portland cement to five parts sand, allow seven days between coats.
 - C. Finish coat: 1/4" thickness, one part portland cement to three parts sand.
 - D. Line proportions in accordance with CBC 2507.
 5. Exterior stucco walls shall be provided with a weep screed at or below the foundation line with a vertical attachment flange of 3/16" and shall be attached a minimum of 2" above finish grade (CBC Section 2507.12).

- ROOF NOTES:**
1. Roofing materials and installation shall be in accordance with CBC Chapter 15.
 2. Flash on decks and valleys in accordance with CBC section 1507.29.2.
 3. Flash and counterflash junctions of roofs and vertical surfaces in accordance with CBC section 1507.29.3.
 4. Roofing materials:
 - A. Roofing: 25 yr composition shingles.
 - B. Flash all plumbing, mechanical and electrical roof penetrations.
 - C. Attic access: 2x2x0 inches minimum in size, 30 inches minimum clear headroom above, CBC Section 1209.2.
 7. Provide attic cross ventilation as follows (CBC section 1209.2):
 - A. 1200 of attic area shall be provided with a minimum of required ventilating area in the upper portion of attic at least three feet above eaves and the remaining ventilating area is provided by gable vents.
 - C. Ventilating calculation:
 1. Attic area: 3682.5 square feet
 2. Required area: 1200 square feet at 1/150 = 8.00 sq. ft.
 3. 1/150 of total attic: 3682.5 sq. ft. x 1/150 = 24.55 square feet of ventilation req'd. (CBC 1209.2)
 4. Square Gable Vents w/ NFVA = 120 square inches + (19) Vulcan Elbow Vents YES914 w/ NFVA = 44 sq. ft. x 144 sq. in./sq. ft. = 6366 square inches.
 8. Protect attic vents against entrance of rain and snow (CBC section 1209.2).
 9. Cover attic vents with corrosion resistant wire mesh with openings of 1/4" (CBC section 1209.2).
 10. A vapor retarder having a transmission rate not exceeding 1 perm shall be installed on the warm side of the attic insulation. Paper faced insulation is prohibited in attics or other ventilated spaces.



SOUTH ELEVATION
SCALE: 1/4"=1'-0"



AGENDA NO: B-4

MEETING DATE: April 7, 2015

Staff Report

TO: Planning Commissioners

DATE: April 7, 2015

FROM: Joan Gargiulo, Contract Planner

SUBJECT: Appeal of Administrative Coastal Development Permit #CP0-448 for demolition of an existing single-family residence and new construction of a 2,467 square-foot single-family residence with a 766 square-foot garage at 845 Ridgeway

RECOMMENDATION:

Deny the appeal, adopt the Class 3 Categorical Exemption, and uphold the Director's approval of Coastal Development Permit CP0-448 for 845 Ridgeway and development plans dated August 8th, 2014 by adopting Planning Commission Resolution 11-15.

ALTERNATIVES:

1. Uphold the appeal, thereby reversing the Director's approval and deny CP0-448.
2. Continue review to a date certain and provide direction to staff and the applicant regarding revisions to project design.

APPELLANTS: Kenneth Blackwell and Lisa Wieler

APPLICANTS: Helen Torino and Eric Salin

LEGAL DESCRIPTION/APN: 066-233-007

SUMMARY:

An Administrative Coastal Development Permit was issued on February 24, 2015 for the demolition of an existing 1,258 sq. ft. single-family residence and new construction of a 2,467 sq. ft. single-family residence with a 766 sq. ft. garage, a 30 sq. ft. front porch, and a 90 sq. ft. deck at 845 Ridgeway. An appeal of this action was submitted by Kenneth Blackwell and Lisa Wieler on February 24, 2015.

Prepared By: ___ JG ___

Department Review: ___ SG ___

REGULATORY SETTING:

The function and duties of the Planning Commission as the appellant body are to review the appeal, administrative record and written correspondence received by staff and included in the staff report, and take one of the following actions:

- A. Conduct a public hearing considering the concerns raised by the appellant, and uphold or deny the appeal; or
- B. If new evidence comes to light at the hearing that was not previously reviewed by staff, remand the matter back to staff for further review and action.

The Planning Commission, under option A above, shall conduct a no de novo review in that the appellant body shall consider only the same application, plans and related materials that were the subject of the original decision.

PROJECT SETTING:

The project is located in a residential neighborhood in the Morro Heights neighborhood, west of Kern Avenue and east of Main Street. The nearly 9,000 square-foot lot is designated Low-Medium Density Residential and zoned R-1. Housing in the surrounding area includes a mix of one- and two-story homes ranging from approximately 1,500 to 4,000 square feet.

Adjacent Zoning/Land Use			
North:	R-1/ Single-family residential	South:	R-1/ Single-family residential
East:	R-1/ Single-family residential	West:	R-1/ Single-family residential

Site Characteristics	
Site Area	Approximately 8,984 square feet
Existing Use	Residential
Terrain	Gently sloping down to the north west, graded and developed
Vegetation/Wildlife	Previously disturbed site
Archaeological Resources	Site is not located within 300 feet of an archeological resource
Access	Ridgeway and Fresno Avenues

General Plan, Zoning Ordinance & Local Coastal Plan Designations	
General Plan/Coastal Plan Land Use Designation	Low-Medium Density Residential
Base Zone District	R-1
Zoning Overlay District	N/A
Special Treatment Area	N/A
Combining District	N/A
Specific Plan Area	N/A
Coastal Zone	Located in the Coastal Zone, however not in the Appeals Jurisdiction nor Original Jurisdiction

Zoning Ordinance Standards			
	Standards	Existing	Proposed
Front Setback	20 feet	19.94 feet	20.75 feet
Side-Yard Setback	5 feet	9.44 feet	10.92 feet
Rear Setback	10 feet	71.5 feet	46 feet
Height	25 Feet	Approx. 17 feet	24'8"
Lot Coverage	Max 45%	16%	23%
Parking	2 Car Garage	2 Car Garage	2 Car Garage

PROJECT DISCUSSION:

Staff considered the proposed project in light of the City's General Plan, Local Coastal Plan (LCP) and the Zoning Ordinance. The requested development was found to be consistent with the applicable City documents listed above and a Coastal Development Permit was issued on February 24, 2015 (the approved development plans can be found in Exhibit D attached below). This approval was subsequently appealed to the Planning Commission by the neighbors to the east, Kenneth Blackwell and Lisa Wieler, based on concerns regarding view protection and neighborhood compatibility. The Appellants' grounds for appeal and staff's response to said appeal is presented below with Appellant's information italicized followed by staff response in regular print.

APPEAL ISSUES:

Appellants Kenneth Blackwell and Lisa Wieler base an appeal of the project on the following grounds (See Exhibit B attached below for the full appeal form):

Appeal Issue #1:

Public View Protection: The proposed Torino project violates the preservation of public views because it will block the line of site to Morro Rock and the sea for 135 feet. This area of

Ridgeway is designated as Scenic Views and of Visual Significance in both the Land Use Plan and the General Plan. Our neighborhood is the 'Adjacent Hillsides' of Area 4 in the Land Use Plan

Staff Response:

The City does not protect private views across private property. The City does protect public views and the project as a demolition / reconstruction of a single family home in an existing single family neighborhood is consistent with both zoning regulations as well as policies within the General Plan and Local Coastal Plan. It is unclear how the new home would block an area of 135 feet as the proposed home is approximately 51-feet in depth. The neighborhood is not located within "Adjacent Hillsides of Area 4", but rather is located within Area 7, Central Morro Bay. This area "is bounded on the north by Scott Avenue and the PG&E property, on the east by State Highway One, on the south by the Morro Bay State Park, and on the west by Morro Avenue" (LCP chapter 1, page 15). See image of "Figure 3: Planning Areas" of the LCP in Exhibit F attached below.

Appeal Issue #2:

Neighborhood Compatibility: The existing homes comply with the LCP by incorporating minimal heights from the street to protect views and preserve natural land forms.

Staff Response:

The project as designed is consistent with the General Plan/ LCP and Zoning Ordinance standards. Morro Bay Municipal Code (MBMC) Section 17.48.190 defines compatibility as development that is "visually compatible with the character of the surrounding area and any design themes adopted for the area by the City." There are no design themes adopted for this area and the visual renderings of the proposed project illustrate architectural features that are similar to many homes in the immediate vicinity. The proposed project was reviewed by staff for conformance with the General Plan, the LCP, and the Zoning Ordinance. The project was found to have met or exceeded all development standards for the R-1 zoning district as set forth in MBMC Section 17.24.040. The project as proposed would increase both the existing front yard and side yard setbacks, while keeping lot coverage at 23% where 45% coverage is allowable. Though the new home proposes increasing from a single story to a two-story home, the design is tastefully articulated and blends with the neighborhood style found with existing homes.

Appeal Issue #3:

Privacy Concerns: We are extremely concerned that this project will eliminate the privacy we enjoy from our westerly facing windows. In addition, all privacy will be lost to the back and side yards of the 3 homes to the east, west, and north that border the property lines.

Staff Response:

Development regulations as set forth in the Morro Bay zoning ordinance do not account for privacy concerns. The proposed project, as shown on development plans in Exhibit D below,

includes large side and rear yard setbacks and varied window placements. Windows are located either high up towards the ceiling and/or offset from the window locations of neighboring residences. The project exceeds the minimum side yard setbacks. Where a 5 foot side yard setback is required in this zone, the applicant is proposing a 12.25 foot side yard setback along the east property line. In addition, plans depict the rear portion of the new home to be single story as shown on the east elevation.

Appeal Issue #4:

Bulk, Scope, and Scale: Under the General Plan, (1) new residences and new residential additions are often out of scale and character with other residences in the vicinity, and (2) the current allowable height and bulk for residential development is not appropriate for some portions of the community.

Staff Response:

The project meets or exceeds the development standards for this R-1 residential zone as set forth in Section 17.24.040 of the Zoning Ordinance. The applicant exceeded these requirements by keeping a large rear setback of 46 ft. where 10 ft. is required, minimizing lot coverage to 23% where 45% coverage is allowed, significantly increasing the side-yard setbacks to more than double the required 5 feet, and by keeping the master bedroom extension in the rear of the house to one story. This portion of the rear of the residence which would be re-built as a single story also serves to reduce the bulk of the rear of the property. By constraining the proposed development footprint on this property, the bulk and scale of the proposed project is compatible with the bulk and scale of the surrounding neighborhood of one- and two-story homes ranging in size from approximately 1,500 to 4,000 square feet. The residence's architectural design is consistent with the broad range of existing architectural styles found in the Morro Heights neighborhood.

Appeal Issue #5:

Private View Protection: The Torino project will destroy our view. If built, this structure will rob us of the very reason we bought our home. The LCP's chapter on Objectives, Policies, and Programs has as its very first objective, "To enhance, protect and preserve the existing and potential visual resources of Morro Bay and its surroundings." If this project is approved, the character of our home will be vastly altered for the worse. This project as designed would deflate the fair market value of our home.

Staff Response:

The project as designed meets all development standards for the R-1 zoning district and is consistent with General Plan and Local Coastal Plan policies. The R-1 zone allows for two-story construction with a 25 foot height limit from average natural grade. A condition of approval for height certificate was added to the project and the applicant's proposal is within the height

allowance. The City of Morro Bay does not protect private views. However, in consideration of the neighbors, the applicant has proposed significantly increased side-yard setbacks, a large rear setback more than 4 times the required distance, limiting the rear of the structure to one-story, and proposes lot coverage to approximately half of the maximum allowable lot coverage.

ENVIRONMENTAL DETERMINATION

Environmental review was performed for this project. The property is more than 50 years old, and therefore required preparation of a historical resources assessment pursuant to the California Environmental Quality Act to determine whether the proposed project would have a significant effect upon the environment. The results of the historical analysis were negative. Staff review of this analysis resulted in the determination that the project would qualify for a Categorical Exemption under the Class 3 exemption for construction of a single-family residence in a residential zone. The project does not meet any of the Exemption Exceptions noted in section 15300.2 of the guidelines. The project constitutes infill development on a lot that is currently developed with a single family home. There are no known unusual circumstances applicable to the lot that do not otherwise apply to the lots in the vicinity. The project is not located adjacent to a Scenic Highway and the existing residence has been evaluated and determined to not qualify as a Historical Resource.

PUBLIC NOTICE: Notice of this item was published in the San Luis Obispo Tribune newspaper on March 27, 2015 and all property owners of record within 300 feet and occupants within 300 feet of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application.

CONCLUSION: Staff review of the project found the proposal meets all City requirements for General Plan, Local Coastal Plan, and Zoning Ordinance. The project meets or exceeds all requirements for this zoning district, including for lot coverage and building area. A portion of the rear of the residence would be re-built as a single story which also serves to reduce the bulk of the rear of the property. In addition, the project is consistent with the draft neighborhood compatibility guidelines currently under development by Planning Commission. Therefore, staff has concluded that the grounds for an appeal of the project's approval are inadequate to repeal the Director's approval of the Administrative Coastal Development Permit based on the above staff analysis. The project submittal was sufficient to make the necessary findings for approval including that the project is consistent with the City's General Plan, Local Coastal Program and the Municipal Code.

Staff recommends that the Planning Commission deny the appeal, adopt the Class 3 Categorical Exemption, and uphold the Director approval of the Administrative Coastal Development Permit #CP0-448 subject to the findings and conditions of approval as specified by Planning Commission Resolution #11-15 attached below as Exhibit A.

EXHIBITS:

Exhibit A – Planning Commission Resolution 11-15 dated 04/07/15

Exhibit B – Appeal received from Appellants dated 02/24/2015

Exhibit C – Administrative Coastal Development Permit CP0-448 approved 02/24/2015

Exhibit D – Approved Plans / Reductions date stamped 08/08/2014

Exhibit E – Neighborhood Petition received 02/09/2015

Exhibit F – “Planning Areas” Figure 3 from the Local Coastal Plan

Exhibit G – “Scenic Views” Figure 30 from the Local Coastal Plan

EXHIBIT A

RESOLUTION NO. PC 03-14

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION DENYING THE APPEAL OF THE APPROVAL OF ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT (CP0-448) FOR THE DEMOLITION OF THE EXISTING RESIDENCE AND CONSTRUCTION OF A NEW TWO STORY SINGLE-FAMILY RESIDENCE AT 845 RIDGEWAY AVENUE. THE HOUSE IS PROPOSED TO BE 2,467 SQUARE FEET WITH A 766 SQUARE-FOOT TWO-CAR GARAGE, A 30 SQUARE-FOOT FRONT PORCH, AND A 90 SQUARE-FOOT DECK.

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 April 7, 2015, for the purpose of considering an appeal filed against Coastal Development Permit #CP0-448; and

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

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

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

Section 1: Findings. Based upon all the evidence, the Commission makes the following findings:

California Environmental Quality Act (CEQA)

1. Pursuant to the California Environmental Quality Act, the Director has found the project as proposed categorically exempt under Section 15303, Class 3(a), "New Construction or Conversion of Small Structures," because the project is a single-family home in a residential zone and does not have a significant effect on the environment.

Coastal Development Permit Findings

2. The Planning Commission finds the development of a new single-family residence is consistent with the applicable provisions of the General Plan and certified Local Coastal Program.
3. The Planning Commission finds the project as proposed is consistent with the character of the neighborhood in which it is located. It is surrounded by compatible uses of low density development; has similar bulk and scale to the adjacent structures; and like other structures in the neighborhood, the proposed project is two stories and has an attached two car garage.

4. The Planning Commission finds that the development of a new single-family residence will not cause any health and safety concerns, and will not impact neighboring uses, environmentally sensitive habitat areas, or otherwise create significant impacts.

Section 2. Action. The Planning Commission does hereby approve Coastal Development Permit #CP0-448 subject to the following conditions:

STANDARD CONDITIONS

1. Compliance with the Law: All requirements of any law, ordinance or regulation of the State of California, City of Morro Bay, and any other governmental entity shall be complied with in the exercise of this approval.
2. Compliance with Conditions: By signing the Acceptance of Conditions of Approval form, the owner or designee accepts and agrees to comply with all Conditions of Approvals. Deviation from this requirement shall be permitted only by written consent of the Public Services Director and/or as authorized by the Planning Commission. Failure to comply with these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the Morro Bay Municipal Code and is a misdemeanor.
3. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the Morro Bay Municipal Code, and shall be consistent with all programs and policies contained in the Zoning Ordinance, certified Coastal Land Use Plan and General Plan for the City of Morro Bay.
4. Conditions of Approval: The Findings and Conditions of Approval shall be included as a full-size sheet in the Building Plans.

CODE REQUIREMENTS:

1. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this approval and is diligently pursued thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Said extensions may be granted by the Public Services Director, upon finding that the project complies with all applicable provisions of the Morro Bay Municipal Code, General Plan and Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request. (MBMC Section 17.58.130)
2. Changes: Any minor change may be approved by the Public Services Director. Any substantial change will require the filing of an application for an amendment to be reviewed by the Planning Commission. (MBMC Section 17.58.120)

3. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicants failure to comply with conditions of approval. This condition and agreement shall be binding on all successors and assigns. (MBMC Section 5.30.540)
4. Construction Hours: Pursuant to Morro Bay Municipal Code Section 9.28.030.I, Construction or Repairing of Buildings. The erection (including excavating), demolition, alteration or repair of any building or general land grading and contour activity using equipment in such a manner as to be plainly audible at a distance of fifty feet from the building other than between the hours of seven a.m. and seven p.m. on weekdays and eight a.m. and seven p.m. on weekends except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the community development department, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for a period of three days or less while the emergency continues. (MBMC Section 9.28.030)

Planning Conditions:

1. Building Height Certification: Note on the site plan prepared for the building permit, "Prior to either roof nail or framing inspection a licensed surveyor is required to measure the height of the structure and submit a letter to the Planning Division, certifying that the height of the structure is in accordance with the approved set of plans and complies with the height requirements of the Morro Bay, Municipal Code Section 17.12.310." (MBMC Section 17.12.310)
2. Dust Control: That prior to issuance of a grading permit, a method of control to prevent dust and wind blow earth problems, shall be submitted for review and approval by the Building Official. (MBMC Section 17.52.070)
3. Archaeology: In the event of the unforeseen encounter of subsurface materials suspected to be of an archaeological or paleontological nature, all grading or excavation shall immediately cease in the immediate area, and the find should be left untouched until a qualified professional archaeologist, knowledgeable in local indigenous culture, or paleontologist, whichever is appropriate, is contacted and called in to evaluate and make recommendations as to disposition, mitigation and/or salvage. The developer shall be liable for costs associated with the professional investigation. (MBMC Section 17.48.310)
4. The northwest corner of the property must be left free and clear of visual obstructions pursuant to Morro Bay Municipal Code 17.48.210.
5. The applicant shall comply with all Planning conditions listed above and obtain a final

inspection from the Planning Division at the necessary time in order to ensure all conditions have been met.

Building Conditions:

1. Prior to construction, the applicant shall submit a complete building permit application and obtain the required building permit.

Fire Conditions:

1. Automatic fire sprinklers. An automatic fire sprinkler system, in accordance with NFPA 13-D, California Fire Code (Section 903), California Residential Code (Section R313), and Morro Bay Municipal Code (Section 14.08.090(L)(1)) is required.

Applicant shall submit plans to Morro Bay Public Services for review.

2. Carbon monoxide alarms in dwelling units and sleeping units. An approved carbon monoxide alarm shall be installed in dwellings having a fossil fuel-burning heater or appliance, fireplace or an attached garage. Carbon monoxide alarms shall be listed as complying with UL 2034 and be installed and maintained in accordance with NFPA 720 and the manufacturer's instructions. (CRC R315.2)

Applicant shall install carbon monoxide alarms in accordance with California Residential Code, (Section R315.2).

Public Works Conditions:

1. Frontage Improvements: The installation of frontage improvement with the exception of sidewalks is required. Show the installation of a City standard driveway approach (B-7 or B-8), curb and street tree. An encroachment permit is required for any work within the Right of Way.
2. Sewer Lateral Verification: Indicate on the plans the location of the sewer lateral and if the lateral is proposed or existing (it appears from our records that the existing lateral is located towards the front and center of the property). If the existing sewer lateral is going to be used the following must be completed prior to building permit issuance:
 - a. Conduct a video inspection of the conditions of existing sewer lateral prior to building permit issuance. Submit a DVD to City Public Services Department. Repair or replace as required to prohibit inflow/infiltration.
3. Erosion and Sediment Control: Provide a standard erosion and sediment control plan (MBMC 12.04 & 14.48). The Plan shall show control measures to provide protection against erosion of adjacent property and prevent sediment or debris from entering the City right of way, adjacent properties, any harbor, waterway, or ecologically sensitive area. This Plan shall be provided with the Building Permit application.

Add the following Notes to the Plans:

4. No work within nor any use of any public rights of way shall occur without an encroachment permit. A standard encroachment permit shall be required for the proposed driveway replacement. Encroachment permits are available at the City's Public Services Office located at 955 Shasta Ave. The Encroachment permit shall be issued concurrently with the building permit.
5. Any damage to City facilities, i.e. curb/berm, street, sewer line, water line, or any public improvements shall be repaired at no cost to the City of Morro Bay.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 7th day of April, 2015 on the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Robert Tefft, Chairperson

ATTEST

Scot Graham, Planning Secretary

The foregoing resolution was passed and adopted this 7th day of April, 2015.

EXHIBIT B



CITY OF MORRO BAY

Public Services Department
Planning Division

955 Shasta Avenue
Morro Bay, CA 93442
(805) 772-6577

APPEAL FORM

In CCC Appeals Jurisdiction?

YES - No Fee
 NO - Fee Paid: Yes No

Project Address being appealed: 845 Ridgeway	
Appeal from the decision or action of (governing body or City officer): <input checked="" type="checkbox"/> Administrative Decision <input type="checkbox"/> Planning Commission <input type="checkbox"/> City Council	
Appeal of action or specific condition of approval: Demolition of existing single family residence and the construction of a 3,216 sq. ft. single family residence.	
Permit number and type being appealed (ie. coastal permit, use permit, tentative subdivision): CPO-448	
Date decision or action rendered: 02/11/2015	
Grounds for the appeal (attach additional sheets as necessary): See attached.	
Requested relief or action: See attached.	
Appellant (please print): Kenneth Blackwell & Lisa Wieler	Phone: (805) 709-4057
Address: 411 Fresno St., Morro Bay, CA 93442	
Appellant Signature: <i>Kenneth Blackwell & Lisa Wieler</i>	Date: 02/19/2015

FOR OFFICE USE ONLY

Accepted by:	Date appeal filed:
Appeal body:	Date of appeal hearing:

Kablackwell@sbcglobal.net

EXHIBIT B

GROUNDNS FOR APPEAL

Background

We purchased our first home in Morro Bay in 2003. In 2008, we sold that home and purchased our current home at 411 Fresno Avenue in the Heights. We have lived and worked in this community for the past 12 years. Prior to that, we lived in Paso Robles.

Both of us are employed locally. Lisa is a radiologist at SLO Diagnostics and Kenny is a musician. Kenny performs regularly in Morro Bay at Tognazzini's Dockside and the Libertine Pub on the Embarcadero, as well as concerts at the Inn at Morro Bay, Coalesce Bookstore, Shine Café and Harbor Fest. Kenny also does benefit performances for charity. Lisa cares for patients from Morro Bay and all over the Central Coast.

One of the things we love about our home is the location. Ridgeway is a dynamic street where one can find dog-walkers, joggers, cyclists, hikers and neighbors out enjoying life on a daily basis. Those of us who traverse Ridgeway share a special bond that comes from sharing the incredible views of the bay and rock, the classic features of the homes, and the general character of the street. We are concerned that this project will forever alter the character of the neighborhood and destroy scenic public and private views.

LCP Requirements

The Local Coastal Program (LCP) guides development and contains ground rules for future development. The proposed project violates several conditions of the LCP that govern protection of public views and neighborhood compatibility. We also find that laws governing the protection of private views are adopted by forward-thinking local governments around California and the nation, and that now is the time for Morro Bay to adopt such policies for our own General Plan.

A. Public View Protection

The proposed Torino project violates the preservation of public views because it will block the line of site to Morro Rock and the sea for 135 feet. This area of Ridgeway is designated as Scenic Views and of Visual Significance in both the Land Use Plan and the General Plan. (See Form 30-31 and Figure VR-1, VR-2 attached.)

Our neighborhood is the "Adjacent Hillsides" of Area 4 in the Land Use Plan. This is described as:

"The backdrop of the community, the hills climbing up from the coastal bench and the agricultural flatlands of the Morro and Chorro Valleys are a

EXHIBIT B

significant visual resource. Those portions of hillsides in the City that are already developed provide spectacular views of the sea, bay, and rock, as well as urban areas to the residents of these areas.

The Coastal Act Policies as well as the LCP also provide public view protection.

“The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, and to minimize the alteration of natural land forms, to be visually compatible with the character of the surrounding areas. . . . New development in highly scenic areas such as those designated on Figure VR-1, shall be subordinate to the character of its setting. (LCP 226)”

The proposed development is designated on VR-1 and VR-2. This project will seriously impact public views from an area that is well-traversed by many residents and visitors throughout the year. It is the primary access for many people heading into Morro Bay State Park and Black Hill, or simply using the street for other purposes. Under the LCP’s Assessment of Scenic Values, a scenic value is something that is looked at which has significant man-made or natural qualities and which contributes to the identity of a community or area. As one of the most beautiful streets in the Heights, Ridgeway is well-known for its scenic value because of the lovely period homes and unbeatable views. Going uphill, one can see the surrounding forests of Black Hill; going downhill, one can see the Morro Rock, Estero Bay and sea. People come to Ridgeway just because it is an amazing place to be. A significant portion of this will be lost if the project is allowed to proceed.

There is a section of the LCP that address conflicts and issues which we believe applies here. It states:

“While Morro Bay has been blessed with a physical setting of unique and spectacular visual quality, the community can improve, take better advantage of, and prevent abuses to its visual character.

“It is desirable to enhance Morro Bay’s views. It is equally desirable that the City consciously seek to take better advantage of its visual qualities while attempting to restore and repair the damage that has been done to those qualities.”

We appeal this project because it qualifies as both a conflict and an issue. A petition against the project was circulated and signed by 72 concerned Morro Bay residents. Nearly all of them live in

EXHIBIT B

the immediate area of the project. The few who don't are regular visitors to Ridgeway. We oppose the design because it abuses the visual character of the area we love.

Helen and Eric Torino live in Vermont. We have been in email contact with them, requesting that they modify the project to preserve views. A few alternative design ideas were presented to them, but to no avail. According to Scot Graham, the Planning Department notified them of the petition and offered a few suggestions, but they are unwilling to change the plans as submitted. Michael Boudreau, the architect of the project, is also aware that the design creates conflict and issues. In talking with Mr. Boudreau about our concerns, he responded, "Maybe it's time you built up." That is not a solution and the very idea of it is disturbing.

B. Neighborhood Compatibility

Urban environmental assessment includes compatibility with surrounding structures, compatibility with topography, and the preservation of public views. (LCP) This project is not compatible with the surrounding homes which are primarily one-story. Those that are split-level or two-story fall away from the grade of the intersection at Ridgeway and Fresno streets so that they appear to be one-story in height. The existing homes comply with the LCP by incorporating minimal heights from the street to protect views and preserve natural land forms. At this particular intersection of Ridgeway and Fresno, the topography is relatively flat. A design of this type will stand out from the surrounding homes and give the appearance of a much larger bulk, scope and scale. At its full height of 24 feet, 8 inches, the Torino project will carry maximum impact against the look and character of the other dwellings. This home will block scenic views of the sea, bay and rock for 135 feet on the downhill approach to the intersection at Fresno Street. (See attached photos.)

1. Privacy Concerns

Neighborhood compatibility is a term of art that also includes privacy protection. We are extremely concerned that this project will eliminate the privacy we enjoy from our westerly facing windows. In addition, all privacy will be lost to the back and side yards of the 3 homes to the east, west and north that border the property lines. Multiple large and small second story windows and sliding glass door will produce a significant "fishbowl" effect. The height, scope and scale of the proposed structure is not consistent with the surrounding homes.

2. Bulk, Scope and Scale

Under the General Plan, (1) new residences and new residential additions are often out of scale and character with other residences in the vicinity, and (2) the current allowable height

EXHIBIT B

and bulk for residential development is not appropriate for some portions of the community. The allowable height and bulk that works in other neighborhoods is out of proportion here because of the topography and the character of the neighborhood.

In considering future development, the LCP states, "Hillside areas should utilize more unique methods of locating units. The use of flat land subdivision design is unacceptable in a hillside setting." (Program VR-2.) Although the Ridgeway-Fresno intersection is fairly flat, these concepts apply to the Torino project because Ridgeway is a steep connector street with a large change in elevation, and the connecting streets in this area descend downward from Ridgeway.

Currently, there are two projects under construction nearby. One is on Estero Avenue; the other is on Kern. Both these projects are two-story, yet these new rooflines do not appear much higher than the one-story homes to either side. The second story of the Torino home will have a height of 24 feet, 8 inches facing Ridgeway and it will tower over the homes to either side. Even though the home is about three times the size of the existing home, we agree that this project is not dramatically large in terms of a footprint. However, neighborhood compatibility is so much more than counting square feet, and neighborhood character means preserving the look and feel of the surroundings. This design is not compatible in bulk, scope and scale.

3. Private View Protection

Many forward-looking cities have incorporated private view protection and view equity concepts into their ordinances. Arroyo Grande, Malibu, Monterey, Del Mar, Laguna Beach, Carmel-By-the-Sea, Sausalito, Tiburon, and Palos Verdes are just a few, and these cities are similar to Morro Bay in that they all have scenic water views to protect. Our Planning Department staff will be the first to tell you that Morro Bay has no private view protections. We are not sure if this is completely accurate, based on the language in the LCP. But if that is the case, it needs to change now. The General Plan is undergoing revision and now is the time to start this conversation.

On March 12, 2012, the Malibu City Council adopted the View Restoration Ordinance, adopted and codified into the Municipal Code, which allows the preservation of primary views as they existed on February 13, 2012 or a date thereafter. In Malibu, a primary view means visually impressive scenes of the Pacific Ocean, offshore islands, the Santa Monica Mountains, canyons, valleys or ravines. There is a fee of \$271 paid to the City for documenting an existing view for future reference. Your primary view is taken from any "main viewing area" in your commercial, institutional, or residential structure.

EXHIBIT B

In Tiburon, a goal of the Design Guidelines for Hillside Dwellings is to preserve existing views as much as possible and allow new dwellings access to views similar to those enjoyed from existing dwellings. It states, "No single item, with regard to his dwelling, is more precious to the resident of Tiburon than his view. . . . Applicants for building permits & neighborhood residents must often compromise to obtain satisfactory solutions to view blockage problems. Story poles, erected at the correct height and staff-determined locations can show how much view is blocked very accurately and are usually required where view blockage is a potential problem." This is followed by Principle 1: Locate all new dwellings so they interfere minimally with views of adjacent dwellings. (See attached excerpts from Tiburon Design Guidelines.)

It is our opinion that private view protection is an integral part of Neighborhood Compatibility. To assume that one person's private enjoyment of a view is secondary to another's is anti-compatibility in principle.

The Torino project will destroy our view. There is no kinder way to say it. If built, this structure will rob us of the very reason we bought our home. We paid a premium to have this view. Our home was built in 1952 and the view has remained unchanged for the past 63 years. Our right to enjoy this vantage is no less than the right of the Torinos. It makes no sense to allow them to usurp what we have in the name of growth. The Torinos emailed us that the former owners obtained permits to build a 4,000 square foot structure and that their design is much smaller by comparison. That is a non-sequitur that has little bearing on our quality of life.

When the LCP states that, "The current allowable height and bulk for residential development is not appropriate for some portions of the community. Such buildings would in many cases block important views and conflict with the character of individual neighborhoods," it does not state "public views" but recognizes that all views are an important element of protecting neighborhood character.

The LCP's chapter on Objectives, Policies and Programs has as its very first objective, "To enhance, protect and preserve the existing and potential visual resources of Morro Bay and its surroundings." Are private views not considered a visual resource? We think they are. The City must develop guidelines regarding form, height and placement of trees which protect and frame views. If a resident must conform his landscaping to protect his neighbor's view, how can blocking that same view with a house be seen as acceptable? In the design criteria for Coleman Drive, "[S]tructures shall be sited to protect existing views to Morro Rock and to and along the ocean and structures shall be subordinate to the character of the setting." Why is this not true for all of Morro Bay as a whole?

EXHIBIT B

The LCP rightly states that, "The character of residential neighborhoods in Morro Bay is largely a reflection of their natural setting. The well-established and well-tended charm of Morro Heights and older bluff-top residences is visible from the Embarcadero and Coleman Drive areas. " If this project is approved, the character of our home will be vastly altered for the worse. Our home will forever be taken in context to "the house next door."

None of these arguments speak to the devaluation of our property as a result of this project. After speaking with two real estate agents, our best estimate is that this project as designed would deflate the fair market value of our home by \$100,000 to \$150,000. The Torinos would certainly be filing an appeal if they found themselves in our position. Without the view, our home could be just another small 1952 dwelling on any street in any town. The view is part of the character. The view is heartbreakingly beautiful. The views of all Morro Bay residents are worth protecting as an integral part of their investment and their quality of life.

REQUESTED RELIEF OR ACTION

We respectfully ask that this permit be denied for the reasons set forth above.

In the alternative, we ask that the Planning Commission require revised plans that (1) fully comply with the Morro Bay Land Use Plan and General Plan; (2) preserve and protect scenic views and visual resources of the area; and (3) require story poles for the public. We also request that any revised designs approved by the City of Morro Bay create minimal impact on our private views.

EXHIBIT B

FIGURE VR-1

SCENIC VIEWS

MORRO BAY LOCAL COASTAL PLAN

- ▣▣▣ Streets Providing Views
- Vista Point
- Excellent View
- Good View
- Fair View
- Angle of View

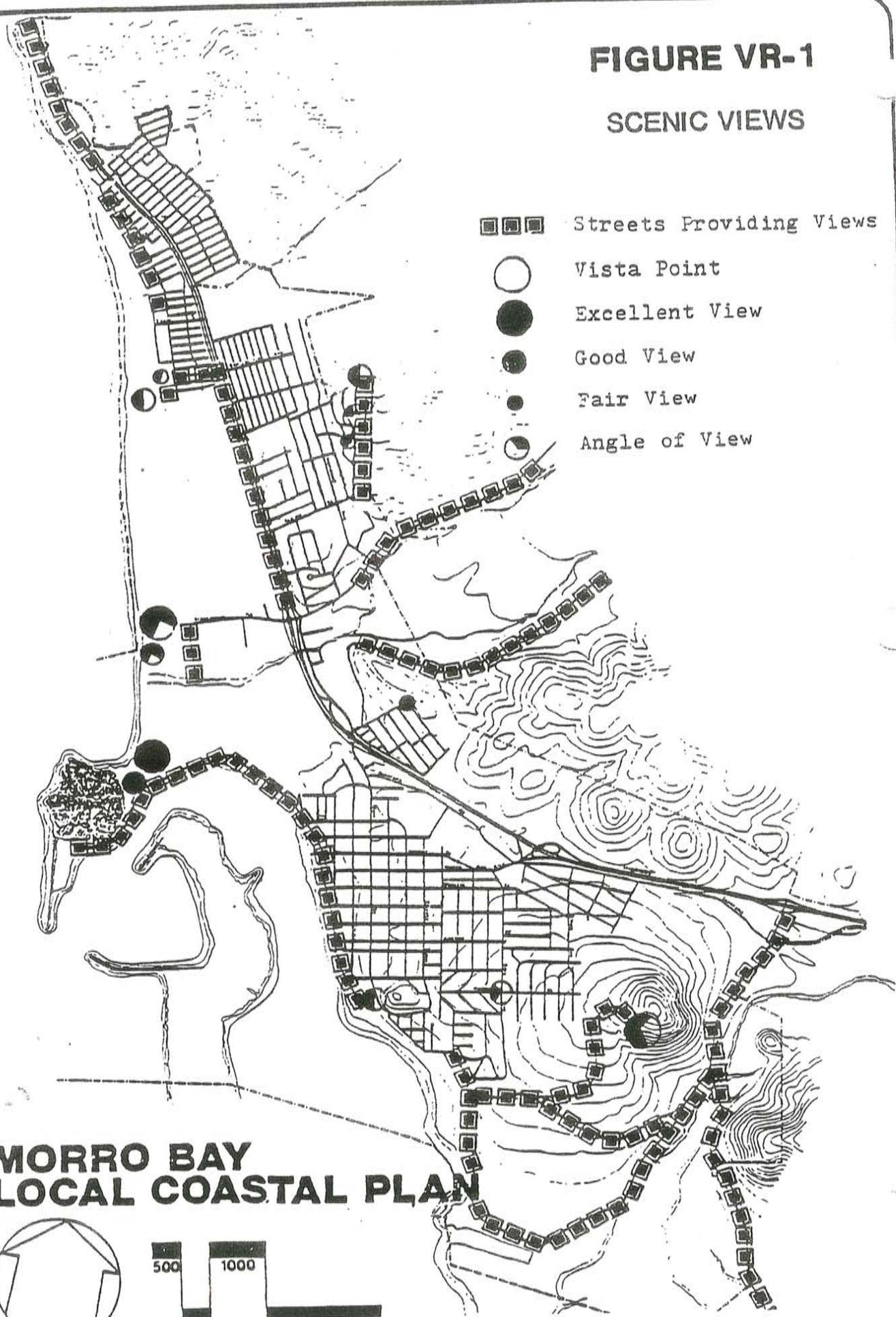
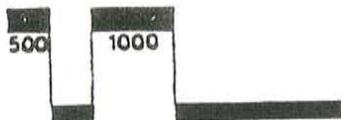


EXHIBIT B

FIGURE VR-2

AREAS OF
VISUAL SIGNIFICANCE

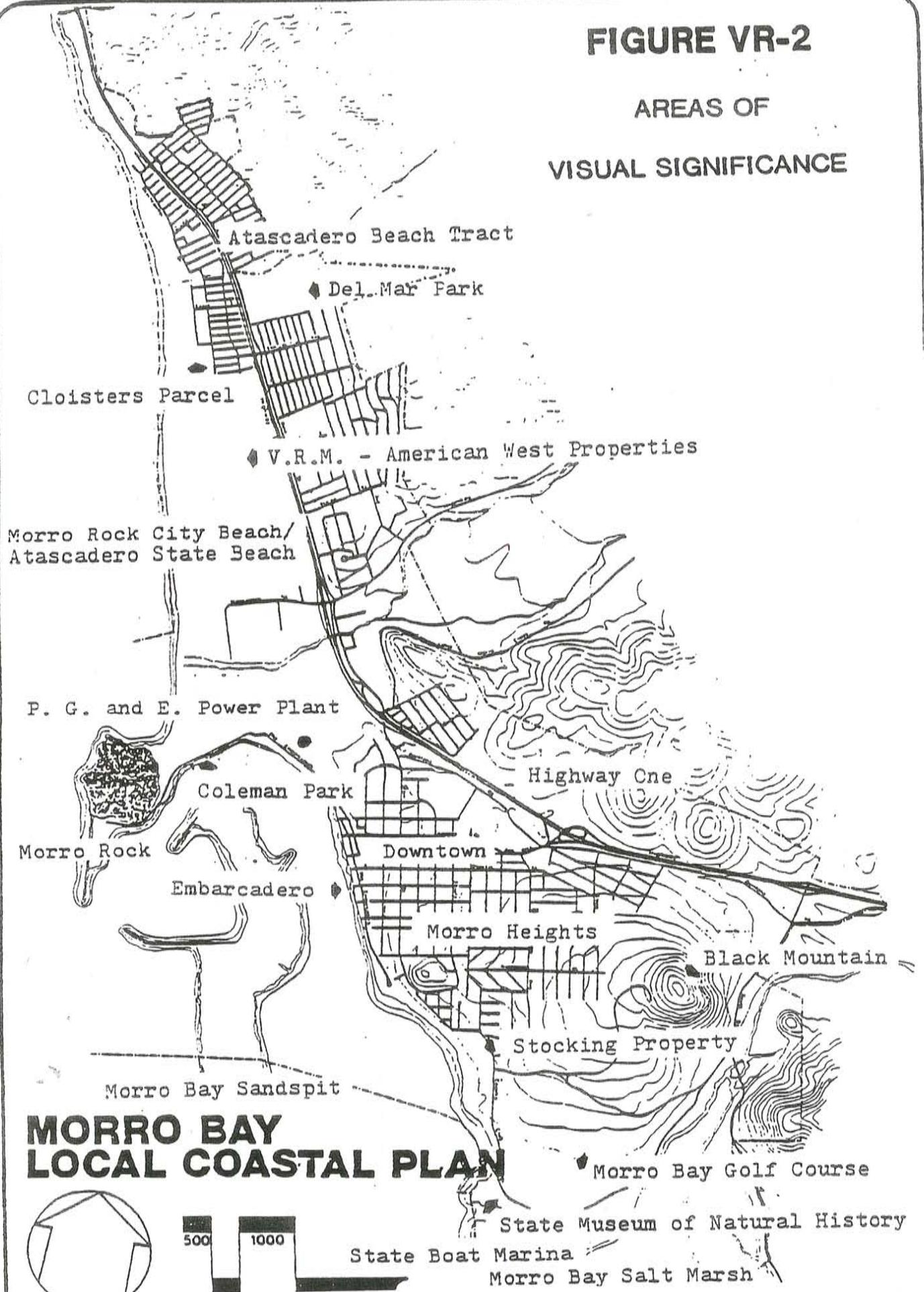


EXHIBIT B

FIGURE 31.
AREAS OF
VISUAL SIGNIFICANCE

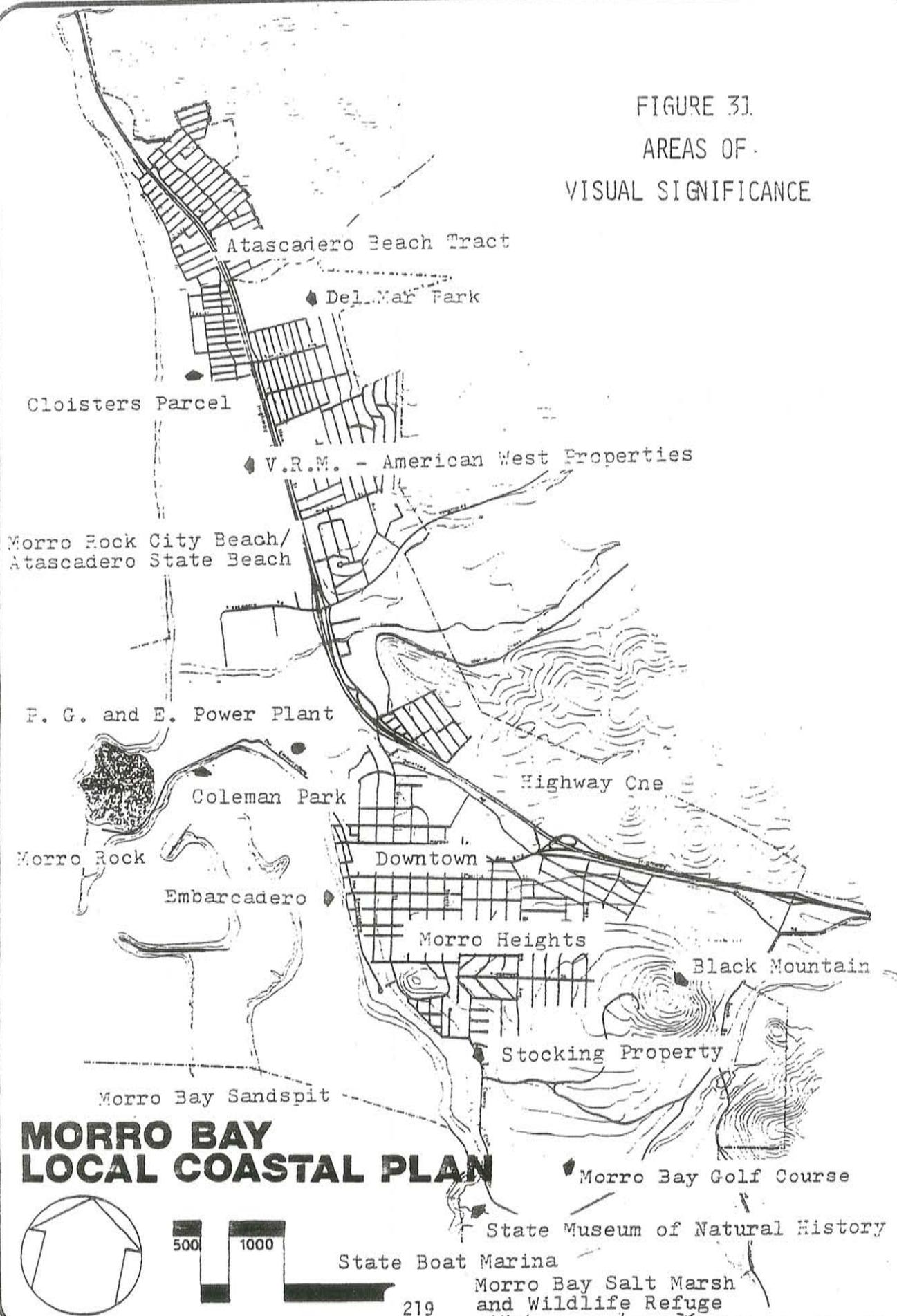


EXHIBIT B

FIGURE 30
SCENIC VIEWS

MORRO BAY LOCAL COASTAL PLAN

- ▣▣▣ Streets Providing Views
- Vista Point
- Excellent View
- Good View
- Fair View
- ◐ Angle of View

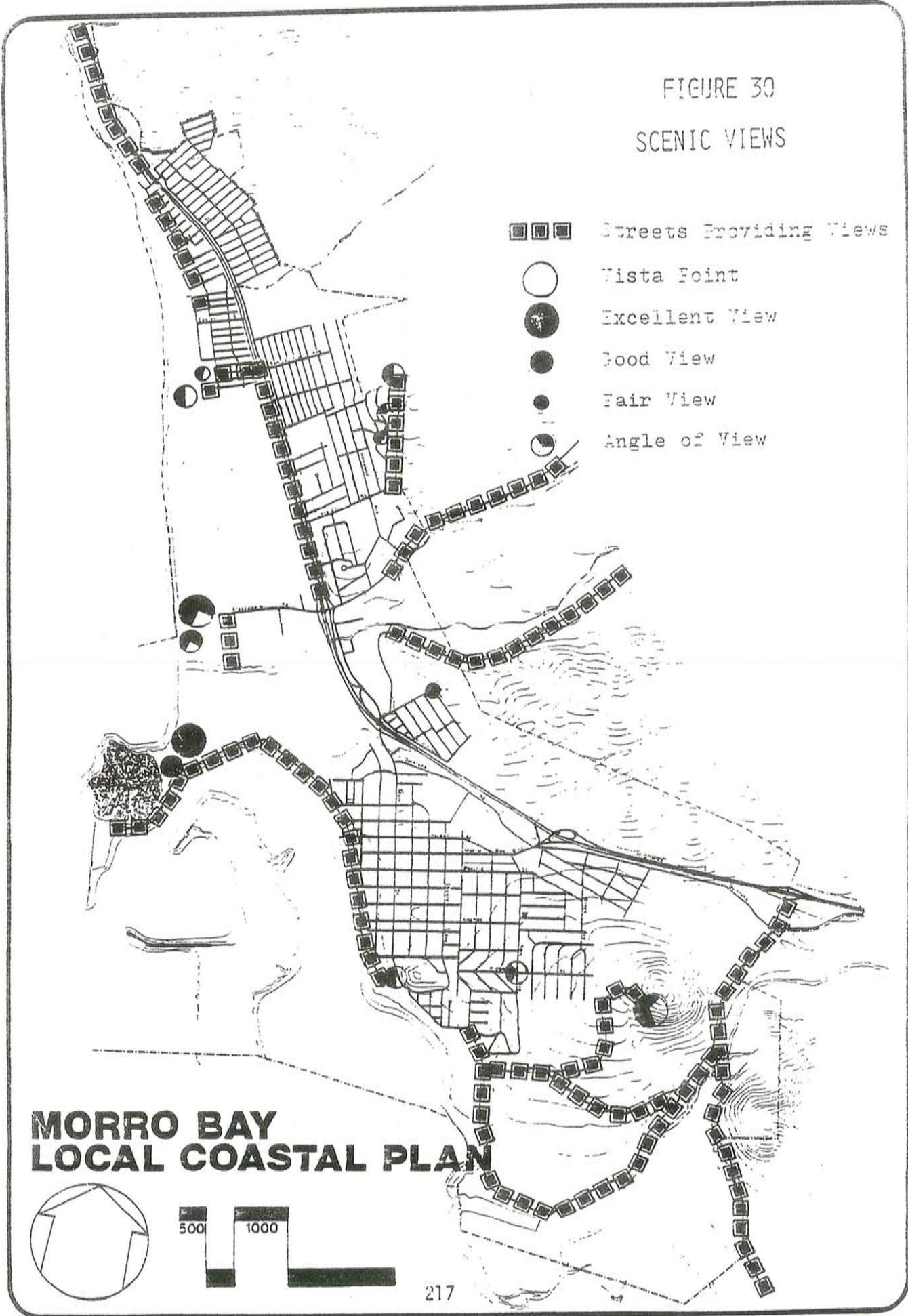
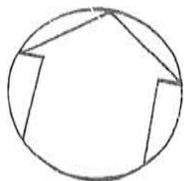
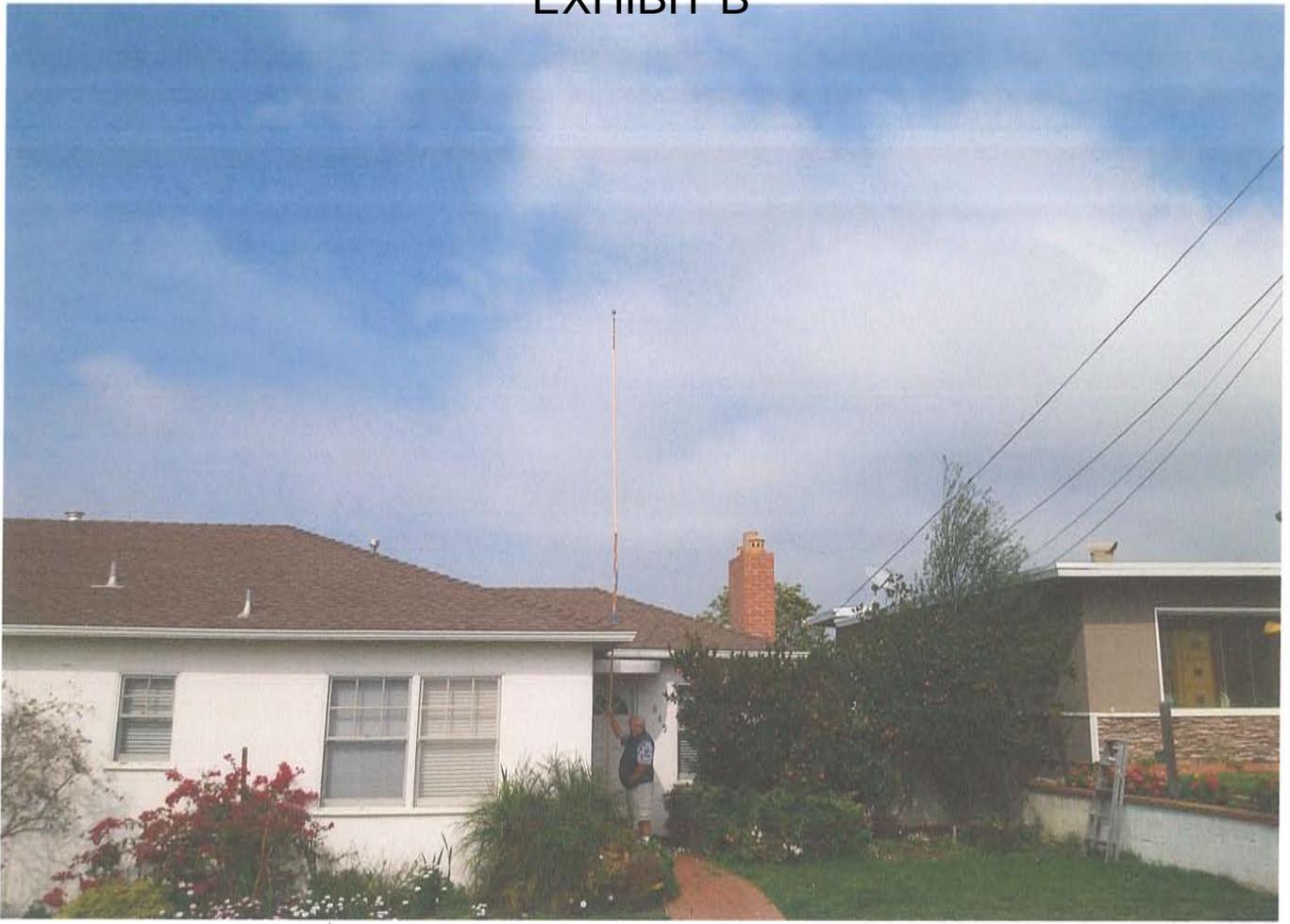


EXHIBIT B



Story pole, at 24'8" at 845 Ridgeway

EXHIBIT B



EXHIBIT B



Ridgeway St. at Fresno Ave., looking east

EXHIBIT B

Ridgeway at Fresno Ave, looking South west

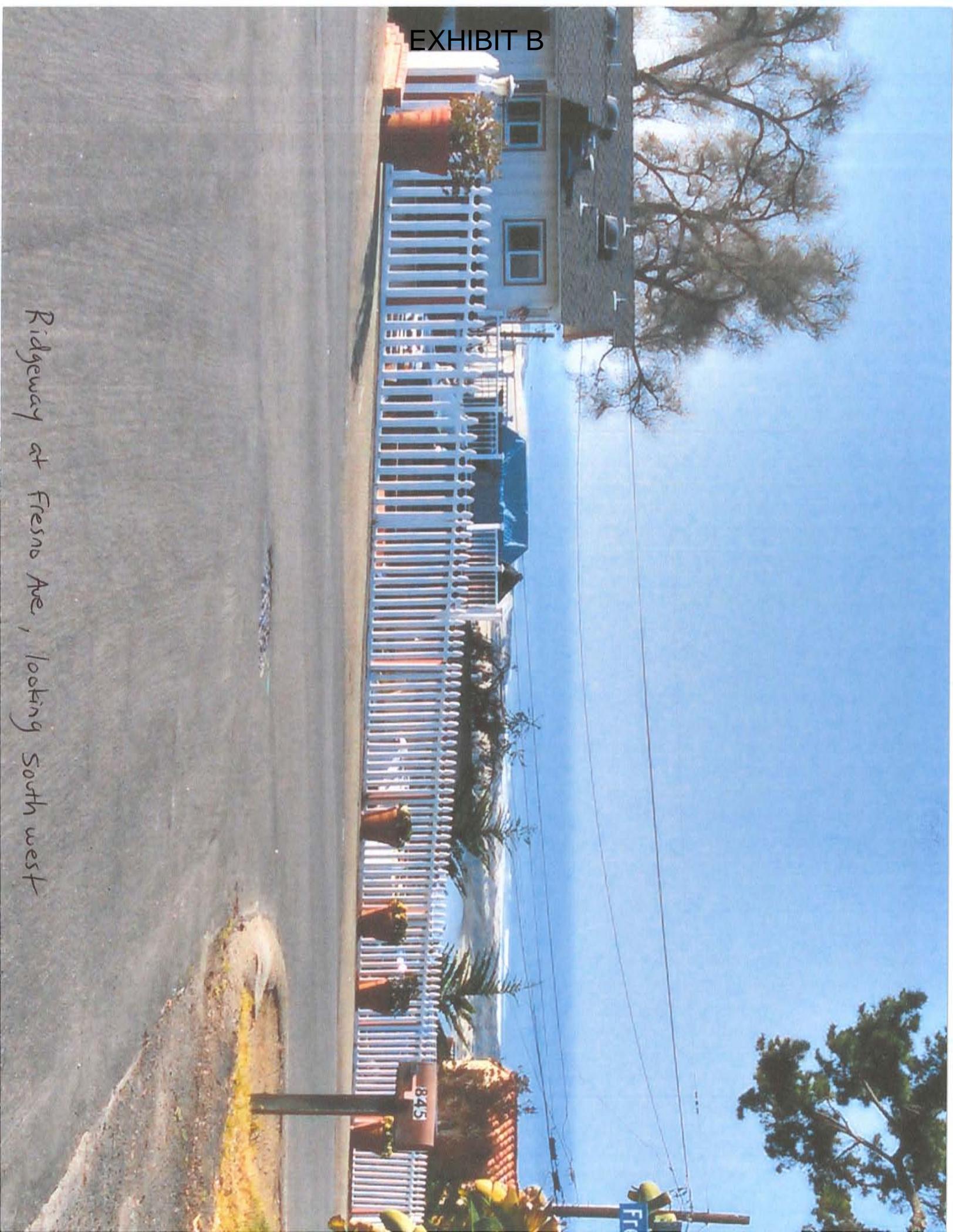


EXHIBIT B



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Our 63 year views (a, b and c)

EXHIBIT B

9



②

EXHIBIT B

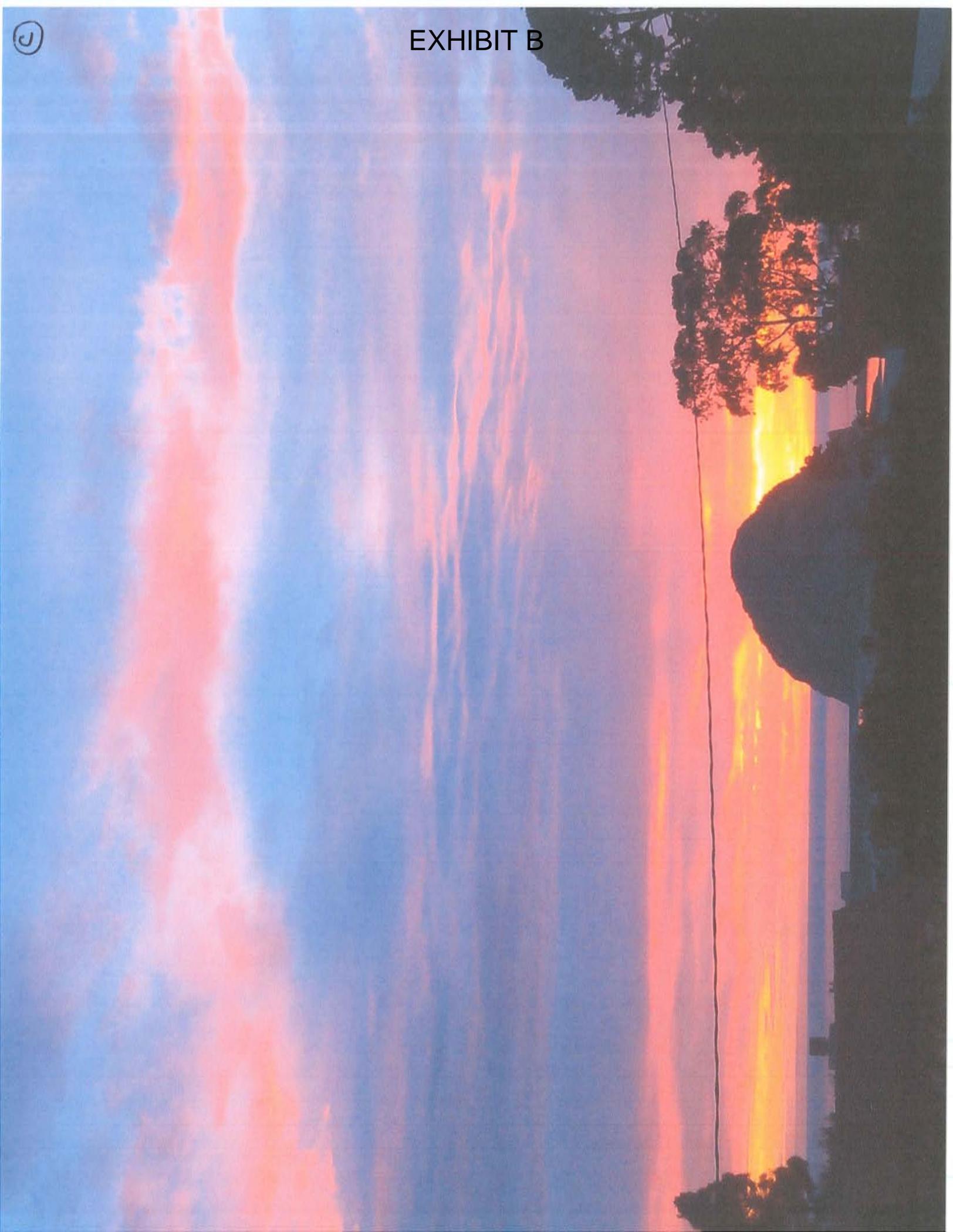
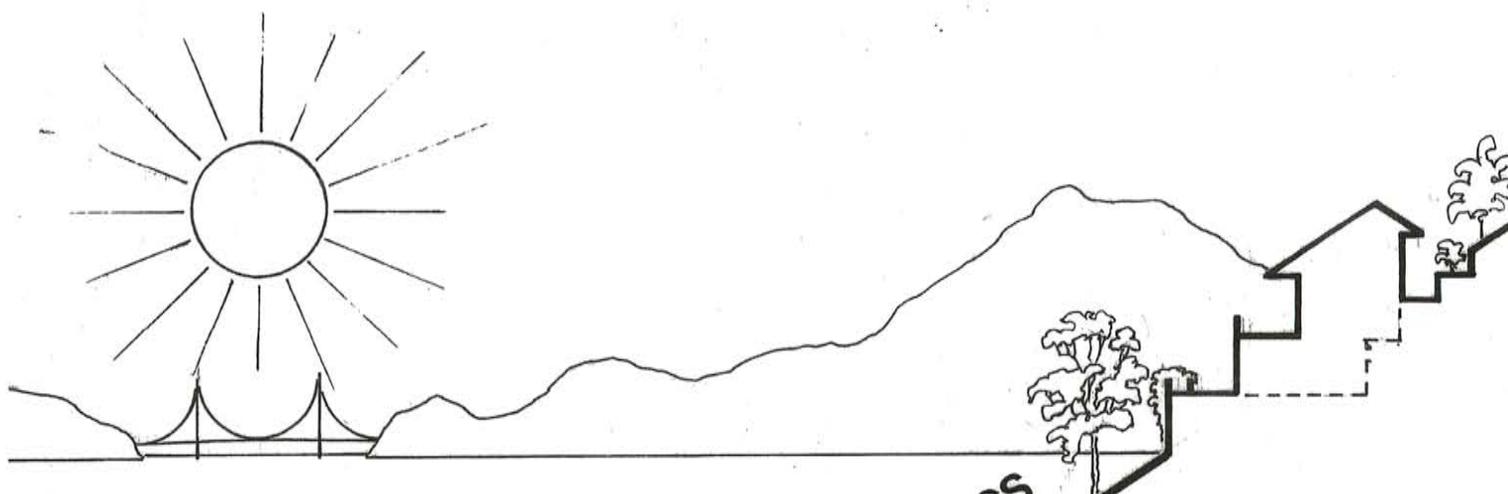


EXHIBIT B



TOWN OF TIBURON DESIGN GUIDELINES FOR

HILLSIDE DWELLINGS

AND GENERAL DESIGN GUIDELINES FOR
NEW CONSTRUCTION AND REMODELING

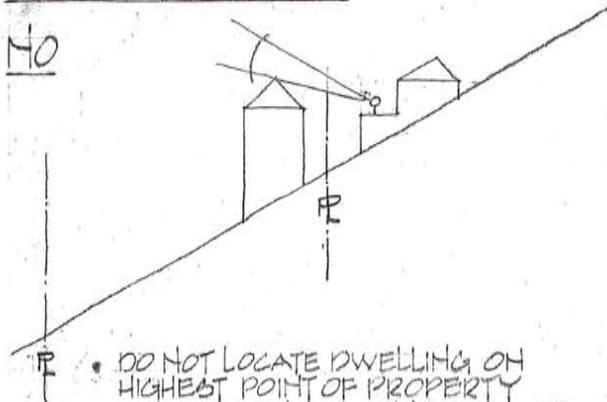
PREPARED FOR: (415) 435-0956
TIBURON PLANNING DEPARTMENT
1155 TIBURON BOULEVARD, TIBURON, CALIFORNIA, 94920
COPYRIGHT OCTOBER 1981 JAMES S. MALOTT

EXHIBIT B

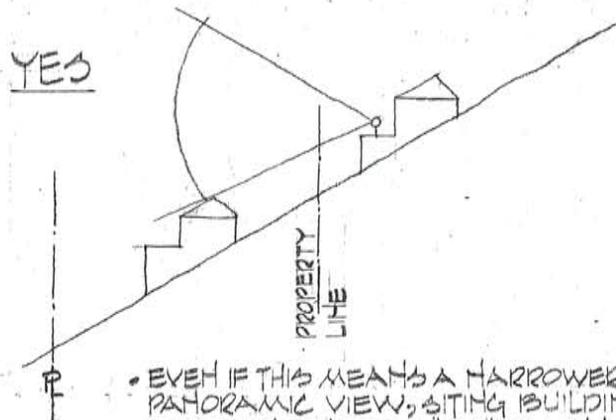
GOAL III: TO PRESERVE EXISTING VIEWS AS MUCH AS POSSIBLE AND ALLOW NEW DWELLINGS ACCESS TO VIEWS SIMILAR TO THOSE ENJOYED FROM EXISTING DWELLINGS.

NO SINGLE ITEM, WITH REGARD TO HIS DWELLING, IS MORE PRECIOUS TO THE RESIDENT OF TIBURON THAN HIS VIEW. THE VIEW MAY BE PANORAMIC OR A SLOT BETWEEN TWO OTHER DWELLINGS. IT MAY LOOK AT THE SAN FRANCISCO BAY OR MOUNT TAMALPAIS, AT A FOREST GLEN OR ACROSS A MEADOW TO A NEARBY ATTRACTIVE NEIGHBORHOOD. THE NATURE OF THE VIEW AND THE PRESERVATION OF IT MAKE UP ABOUT A THIRD OF THE DISCUSSIONS BEFORE THE BOARD OF ADJUSTMENTS AND REVIEW. APPLICANTS FOR BUILDING PERMITS & NEIGHBORHOOD RESIDENTS MUST OFTEN COMPROMISE TO OBTAIN SATISFACTORY SOLUTIONS TO VIEW BLOCKAGE PROBLEMS. STOREY POLES, ERECTED AT THE CORRECT HEIGHT AND STAFF-DETERMINED LOCATIONS CAN SHOW HOW MUCH VIEW IS BLOCKED VERY ACCURATELY AND ARE USUALLY REQUIRED WHERE VIEW BLOCKAGE IS A POTENTIAL PROBLEM.

PRINCIPLE I: LOCATE ALL NEW DWELLINGS SO THEY INTERFERE MINIMALLY WITH VIEWS OF ADJACENT DWELLINGS.



- DO NOT LOCATE DWELLING ON HIGHEST POINT OF PROPERTY IF IN SO DOING IT WILL OBSCURE VIEW OF ANOTHER DWELLING.



- EVEN IF THIS MEANS A HARROWER PANORAMIC VIEW, SITING BUILDING OUT OF PLANE OF ANOTHER WILL HELP AVOID A NEIGHBORHOOD BATTLE WITH RESULTING DELAYS.
- ROOF LINES & WALL LINES SHOULD BE CONSIDERED CAREFULLY TO AVOID VIEW PROBLEMS.

TIBURON DESIGN GUIDELINES

- DEVELOPERS, LAND SUBDIVIDERS: PRETHINK SUBDIVISION LANDSPLITS SO PROPOSED BUILDING SITES WILL NOT INTERFERE WITH EACHOTHER OR WITH EXISTING OR PROPOSED DWELLING SITES

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EXHIBIT B

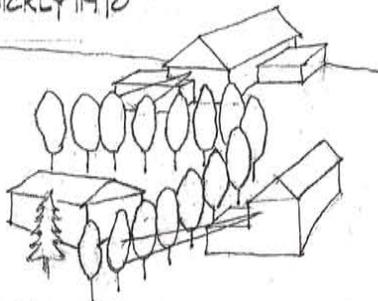
PRINCIPLE 2: PLAN LANDSCAPING SO IT DOES NOT GROW INTO VIEW BLOCKS FOR NEIGHBORING DWELLINGS.

A
NO

- COLUMNAR TREES ACROSS VIEW GROW QUICKLY INTO PROBLEMS

- TOO DENSE TREE BLOCKS OWN VIEW

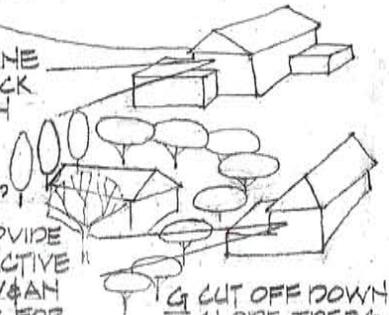
- DOWN SLOPE TREES GROW INTO VIEW BLOCKS



YES

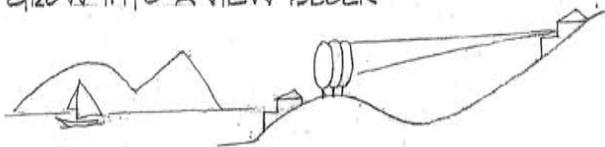
- LOW TREES SCREEN PRIVACY.

- HIGH TREES IN LINE DOWN HILL BLOCK LESS VIEW THAN THOSE ACROSS HILL
- OPEN TREES (OAK, MADRONE), WELL PRUNED, CAN PROVIDE DRAMATIC, ATTRACTIVE FRAME FOR VIEW & AN IDEAL SUN BLOCK FOR WEST-FACING DWELLINGS



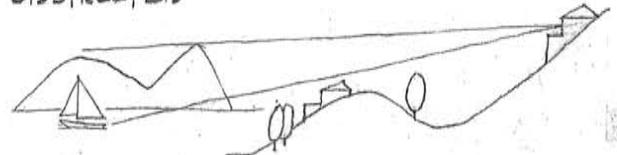
B
NO

- TREES PLANTED WHERE THEY GROW INTO A VIEW BLOCK



YES

- PLANTING SO VIEWS NOT OBSTRUCTED



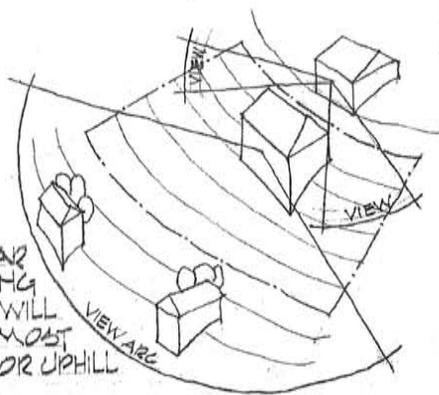
TIBURON DESIGN GUIDELINES

- BUILDERS SHOULD EXPLORE THEIR SITE FROM NEARBY AND DISTANT VANTAGE POINTS TO MAKE SURE STRUCTURES AND LANDSCAPING DO NOT CREATE VIEW BLOCKS FOR NEIGHBORS-- EVEN VERY DISTANT NEIGHBORS CAN HAVE THEIR VIEW BLOCKED BY TREES

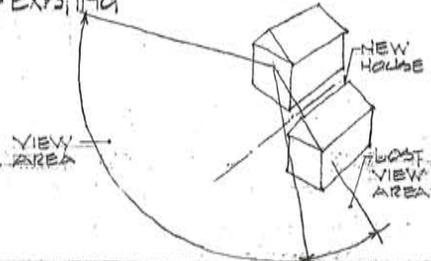
EXHIBIT B

PRINCIPLE B: VIEWS SHOULD BE PRESERVED AS MUCH AS POSSIBLE WITHIN REASON
 HOWEVER, NOT EVERYONE CAN HAVE A PANORAMIC VIEW. THE NEIGHBORHOOD AND THE DEVELOPER AND ARCHITECT OF A NEW DWELLING MUST WORK TOGETHER TO OBTAIN THE BEST SOLUTION BETWEEN SLOT VIEWS, VIEW CORRIDORS AND PANORAMIC VIEWS. REMEMBER, THE SLOT VIEW IS JUST AS IMPORTANT TO THE PERSON WHO OWNS IT AS THE 360° PANORAMIC VIEW IS TO ITS OWNER. BUT THE SLOT VIEW CAN BE OBSCURED BY JUST ONE TREE OR POORLY SITED DWELLING.

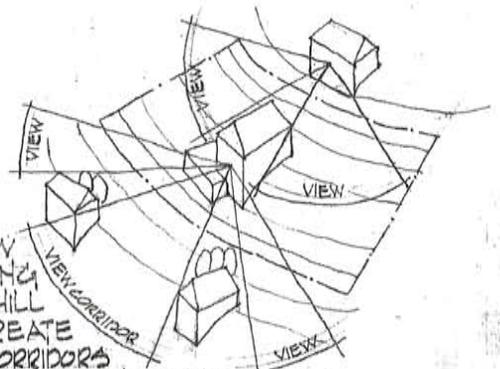
NO



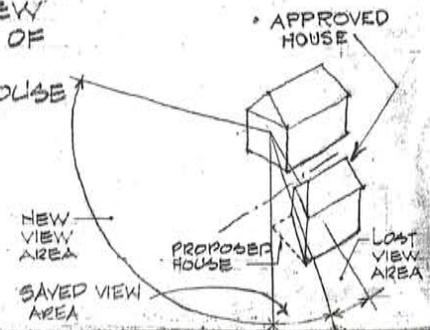
- SITING THE BUILDING UPHILL NEAR THE EXISTING DWELLING WILL OBSTRUCT MOST OF VIEW FOR UPHILL HOUSE.
- A PORTION OF VIEW IS LOST WHEN NEW DWELLING IS SITED IN FRONT OF EXISTING HOUSE.



YES



- SITING THE NEW DWELLING DOWN HILL WILL CREATE VIEW CORRIDORS BETWEEN EXISTING HOUSES. UPHILL HOUSE RETAINS SIMILAR VIEWS.
- BY "SLICING OFF" A CORNER OF NEW HOUSE, MOST OF VIEW FROM ADJACENT HOUSE IS RETAINED.



TIBURON DESIGN GUIDELINES

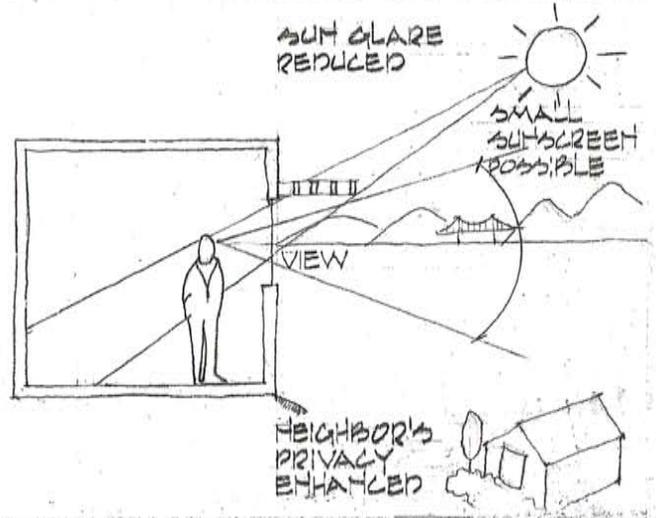
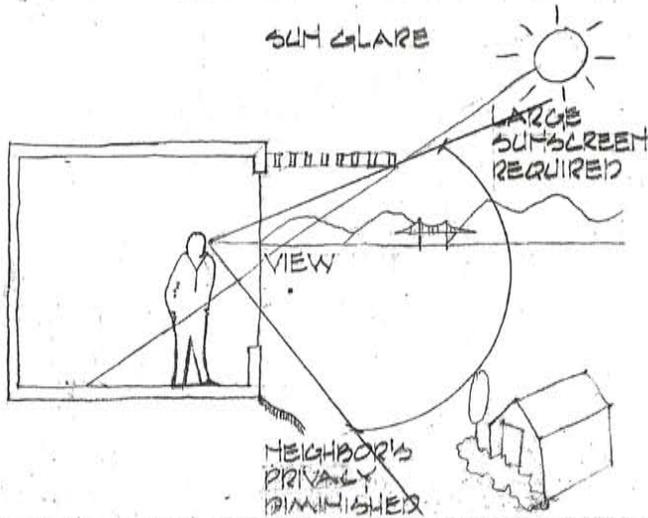
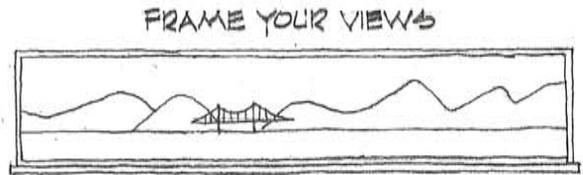
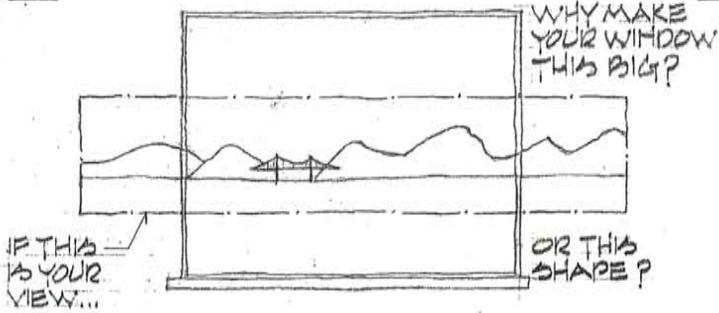
- USE EVERY ARCHITECTURAL AND PLANNING DEVICE POSSIBLE TO MAXIMIZE AND PRESERVE VIEWS |

EXHIBIT B

PRINCIPLE 5: HORIZONTAL VIEW ARE - VIEW FRAMING
MOST DISTANT VIEWS IN TIBURON ARE HORIZONTAL VIEWS.

NO

YES



TIBURON DESIGN GUIDELINES

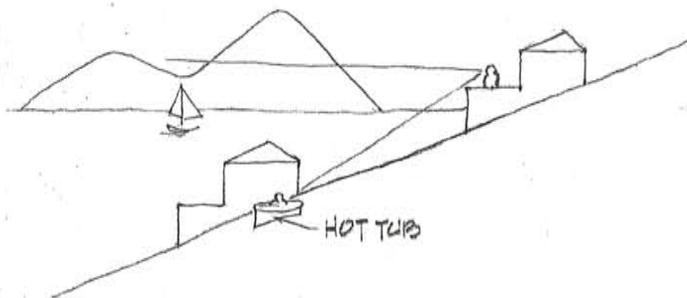
USE WINDOWS PROPERLY TO FRAME VIEWS WHILE AVOIDING EXCESSIVE SUN GLARE OR PRIVACY PROBLEMS

EXHIBIT B

PRINCIPLE 6: PRIVACY AND VIEWS ARE SOMETIMES IN DIRECT CONFLICT

THERE MUST BE COMPROMISE BETWEEN CONFLICTING OBJECTIVES OF EXISTING DWELLINGS AND NEW ONES. VIEWS ARE VERY IMPORTANT BUT SO IS PRIVACY. PRETHINKING SOLUTIONS TO THIS PROBLEM IS IMPORTANT.

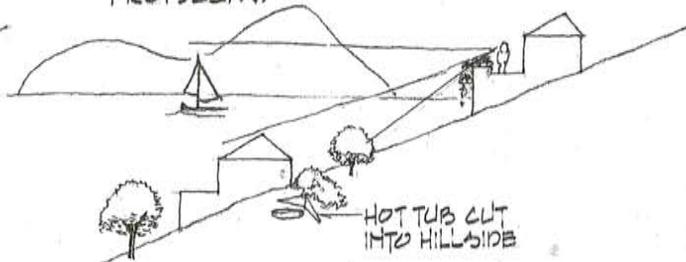
NO



- PRIVACY PROBLEM FOR BOTH DWELLINGS.

YES

- WIDE PLANTER KEEPS PEOPLE FROM DECK EDGE, RESOLVES PRIVACY PROBLEM.



- SCREEN PLANTING PROTECTS LOWER NEIGHBOR FROM FEELING "OVERBEARING" WEIGHT OF HOUSE ABOVE.
- LOW TREE SCREEN DOESN'T BLOCK VIEW.

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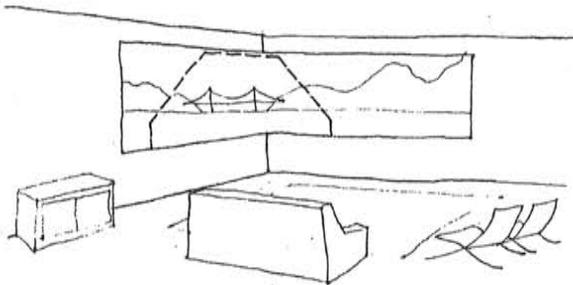
PRINCIPLE 7: PARTIAL VIEW BLOCKAGE SHOULD BE AVOIDED WHENEVER POSSIBLE.

HOWEVER, AS MUCH AS WE DISLIKE IT, VIEWS FROM EXISTING DWELLINGS MUST OFTEN BE COMPROMISED BY NEW DWELLINGS OR ADDITIONS IN FRONT OF THE EXISTING STRUCTURE. REMEMBER TOO THAT, ONCE BUILT, THE NEW STRUCTURE BECOMES PART OF THE VIEW NOT A BLOCK TO THE VIEW. IT IS THE CHANGE IN THE VIEW THAT IS SO DIFFICULT TO ACCEPT. SINCE VIEW BLOCKAGE IS SO SUBJECTIVE, IT IS OFTEN NECESSARY TO ACCURATELY PHOTOGRAPH THE ENTIRE VIEW, FROM SIDE TO SIDE, AND DRAW IN THE PROPOSED BLOCKING ELEMENT IN ORDER GAUGE THE MAGNITUDE AND IMPACT OF THE VIEW BLOCKAGE. THE FOLLOWING ARE SOME IMPORTANT CONCEPTS WITH REGARD TO VIEW BLOCKAGE:

- * A. VIEW PROTECTION IS MORE IMPORTANT FOR THE PRIMARY LIVING AREAS OF A DWELLING (E.G. LIVING ROOM, DINING ROOM, FAMILY ROOM, GREAT ROOM, KITCHEN, AND DECKS ASSOCIATED WITH THESE ROOMS) THAN FOR LESS ACTIVELY USED AREAS OF A DWELLING (E.G. BEDROOM, BATHROOM, STUDY, OFFICE, DEN).

NO

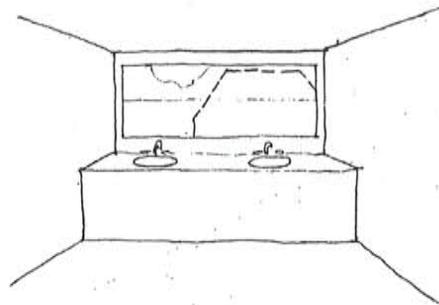
- PROPOSED STRUCTURE BLOCKS LIVING ROOM VIEW



- GREAT IMPACT ON LIVABILITY

YES

- PROPOSED STRUCTURE BLOCKS BATHROOM VIEW



- LITTLE IMPACT ON LIVABILITY

TIBURON DESIGN GUIDELINES

* AMENDED AUGUST 6, 2003

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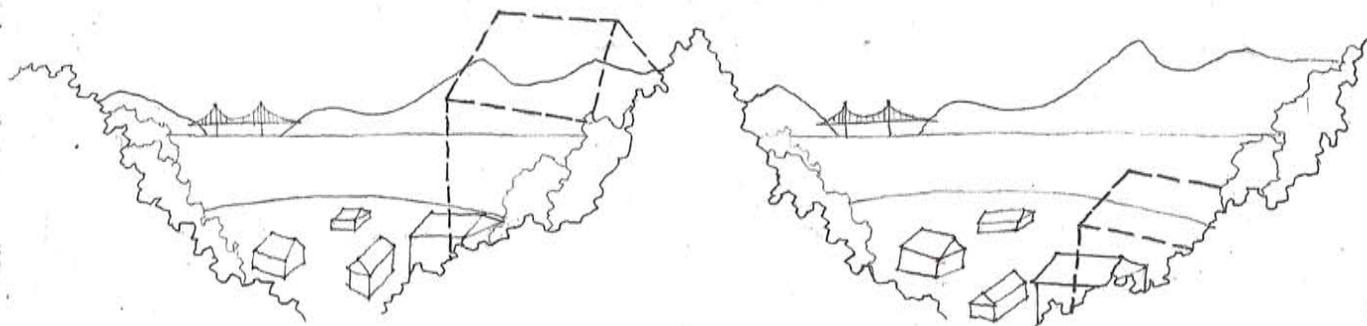
33

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B. HORIZON LINE IS MOST SENSITIVE PART OF VIEW, THEN FOREGROUND THEN MIDDLEGROUND. IF POSSIBLE, AVOID CUTTING HORIZON LINE OF A NEIGHBOR'S VIEW.

NO

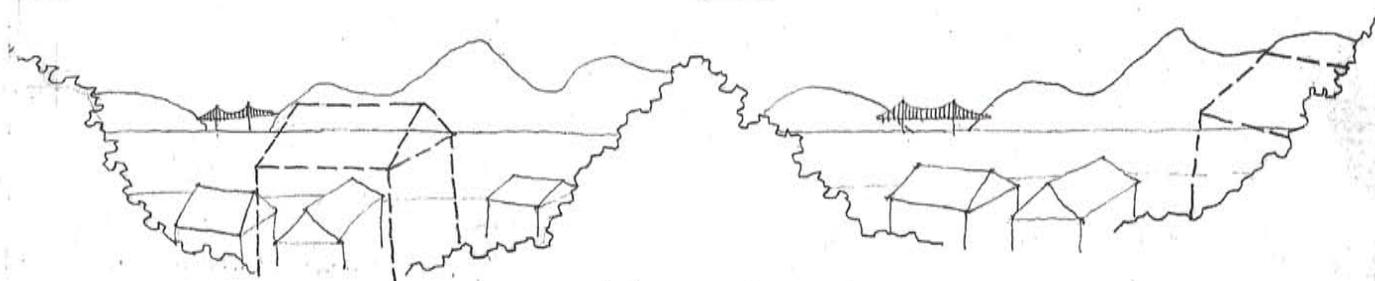
YES



C. BLOCKAGE OF CENTER OF VIEW MORE DAMAGING THAN BLOCKAGE OF SIDE OF VIEW.

NO

YES



• PROPOSED STRUCTURE
BLOCKS CENTER OF VIEW

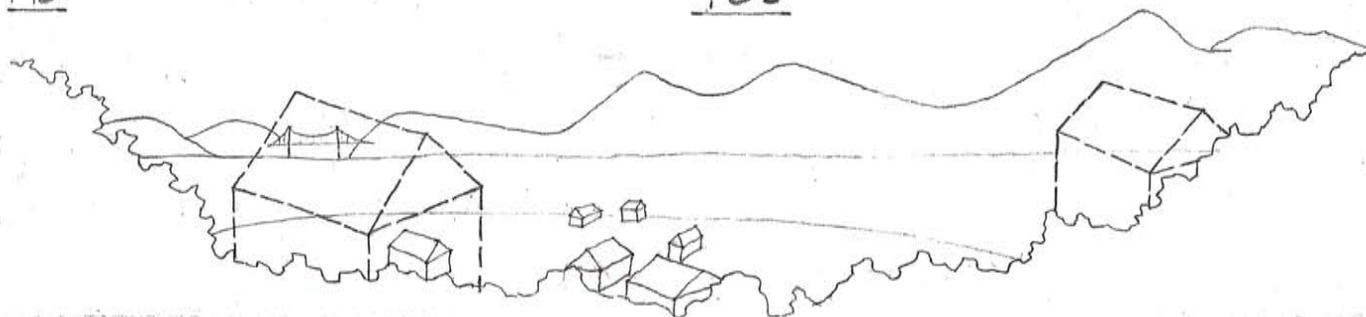
• PROPOSED STRUCTURE
BLOCKS SIDE OF VIEW

EXHIBIT B

D. BLOCKAGE OF IMPORTANT OBJECTS IN THE VIEW (GOLDEN GATE BRIDGE, BELVEDERE LAQUON, SAUSALITO, ANGEL ISLAND) IS MORE DIFFICULT TO ACCEPT THAN BLOCKAGE OF OTHER, LESS WELL-KNOWN LANDMARKS.---

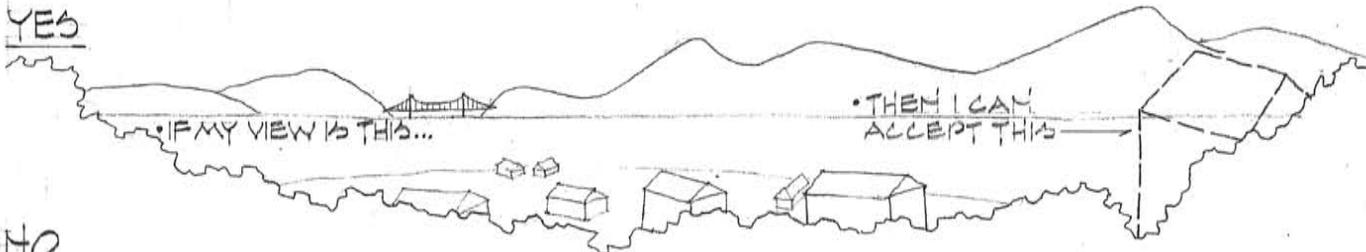
NO

YES



E. A WIDE PANORAMIC VIEW CAN ACCEPT MORE VIEW BLOCKAGE THAN THE SMALLER SLOT VIEW.

YES



NO

• IF MY VIEW IS THIS...
• THEN I CAN ACCEPT THIS
• BUT IF MY VIEW IS THIS...
• THEN I DON'T WANT TO ACCEPT THIS

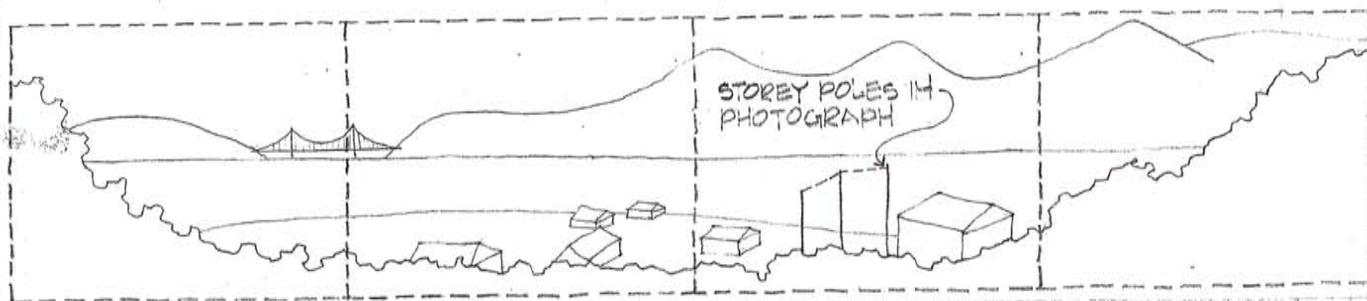
TIBURON DESIGN GUIDELINES

- IF MORE THAN 10% OF VIEW IS AFFECTED, IT CAUSES A SIGNIFICANT PROBLEM FOR THE NEIGHBOR

EXHIBIT B

F. IN MEASURING A VIEW FOR BLOCKAGE PURPOSES, THE ENTIRE PANORAMA SHOULD BE CONSIDERED. TO PRESENT THE PROBLEM EFFECTIVELY, THE VIEW SHOULD BE PHOTOGRAPHED COMPLETELY FROM VIEW STOP ON RIGHT TO VIEW STOP ON LEFT

- TAKE OVERLAPPING PHOTOGRAPHS FROM SAME VIEW SPOT, TAPE TOGETHER FOR PROPER PRESENTATION.



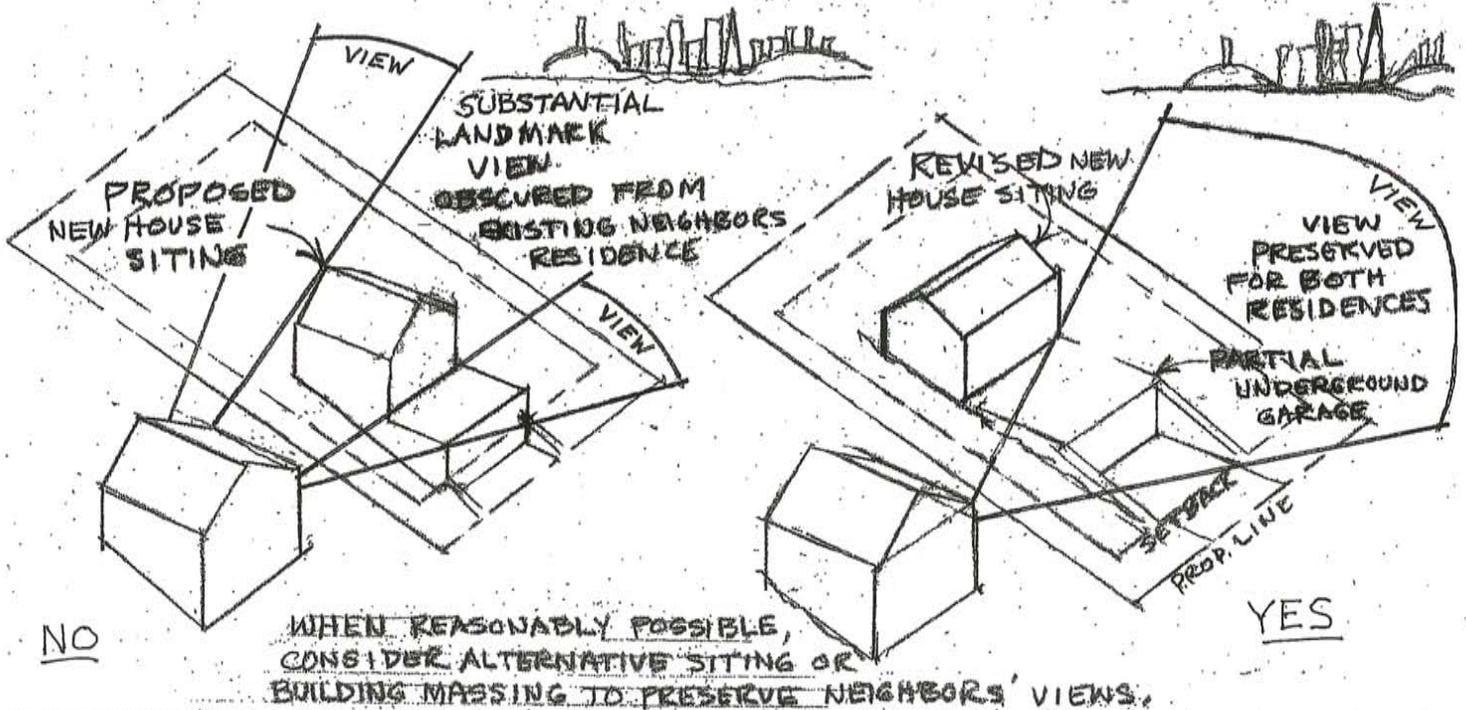
- USING THIS TECHNIQUE, PHOTOGRAPHS OF STOREY POLES CAN BE USED TO CREATE AN ACCURATE REPRESENTATION OF THE PROPOSED PROJECT.

NOTE: THE MORE ACCURATE AND COMPLETE THE PRESENTATION, THE BETTER BOARD MEMBERS, NEIGHBORS, AND OTHERS CONCERNED ARE ABLE TO JUDGE IT. MANY OR ALL OF THE FOLLOWING ITEMS MAY BE REQUIRED, AND SHOULD BE USED BY THE DESIGNER TO JUDGE AND, IF NECESSARY, MODIFY HIS PROJECT BEFORE BRINGING IT TO A PUBLIC HEARING TO RATIONALIZE AN ALREADY-COMPLETED DESIGN.

- | | |
|--|---------------------|
| • PLANS, ELEVATIONS, SECTIONS | • PERSPECTIVES |
| • STORY POLES & RIDGE STRINGS | • MODELS |
| • PHOTOGRAPHS SHOWING STORY POLES
(OVERLAY OR MONTAGE OF PROJECT) | • SURVEYS |
| • PHOTOGRAPHS FROM NEIGHBORING VANTAGE POINTS | • LANDSCAPING PLANS |

EXHIBIT B

PRINCIPLE 8: A VIEW ACROSS A VACANT LOT IS OFTEN CONSIDERED TO BE A "BORROWED" VIEW, WHICH IS LIKELY TO BE COMPROMISED BY THE EVENTUAL DEVELOPMENT OF THE VACANT LOT. A BORROWED VIEW IS ONE WHICH IS TEMPORARY IN NATURE AND WHICH MAY REASONABLY BE EXPECTED TO CHANGE UPON DEVELOPMENT OF THE LOT. CONSIDERATION MAY BE GIVEN TO PRESERVING PORTIONS OF A BORROWED VIEW IF THIS IS THE ONLY SUBSTANTIAL VIEW FOR A NEIGHBORING HOME.



WHEN REASONABLY POSSIBLE, CONSIDER ALTERNATIVE SITING OR BUILDING MASSING TO PRESERVE NEIGHBORS' VIEWS.

TIBURON DESIGN GUIDELINES

"BORROWED" VIEWS OVER ADJACENT OR NEARBY PROPERTIES ARE LIKELY TO BE AFFECTED BY NEW DEVELOPMENT

EXHIBIT C



CITY OF MORRO BAY
COMMUNITY DEVELOPMENT DEPARTMENT
955 Shasta Avenue
Morro Bay, CA 93442

February 24, 2015

Michael Boudreau, Architect
1009 Morro Street, Ste 205
San Luis Obispo, CA 93401

Subject : #CP0-448 Coastal Development Permit for 845 Ridgeway

Description:

Coastal Development Permit for the demolition of the existing single-family residence and the subsequent construction of a 3,216 sq. ft. single-family residence at 845 Ridgeway. Specifically, the project includes 2,420 sq. ft. of habitable floor area with a 766 sq. ft attached garage, a 30 sq. ft. front porch, and a 90 sq. ft. back porch.

Dear Mr. Boudreau:

The City of Morro Bay Public Services Department conditionally approved your request. This action does not constitute a building permit. Any further processing of this project must be initiated by the applicant, subject to the applicable rules and regulations of the Morro Bay Municipal Code. ***Please be advised that you must return the enclosed Acceptance of Conditions form, signed, to this department or the action is null and void.***

The Morro Bay Municipal Code provides for an appeal of the action by the Planning Commission within ten (10) days of adoption and anyone wishing to appeal may do so in writing by delivering such letter to the office of the City Clerk. There is a fee for processing appeals except for those not coastal permits in the coastal appeals jurisdiction.

Please also find enclosed the Notice of Exemption for your project. The City of Morro Bay no longer files notices of exemptions. You may file the Notice of Exemption with the County Clerk's office located in the County Government Building in San Luis Obispo. The filing Fee is \$50.00 and the County requires the original Notice of Exemption and at least one copy.

Section 15062 (d) of The California Environmental Quality Act (CEQA) provides:

"The filing of a Notice of Exemption and the posting on the list of notices start a 35 day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. If a Notice of Exemption is not filed, a 180 day statute of limitations will apply."

Sincerely,

Scot Graham
Community Development Manager, Public Services Department

By:

EXHIBIT C



CITY OF MORRO BAY COMMUNITY DEVELOPMENT DEPARTMENT

Coastal Development Permit

This approval is based upon the attached findings and is valid only if the attached conditions are met and only after the applicable appeal period. Failure to comply with the conditions of this permit shall, at the discretion of the Community Development Manager pursuant to Municipal Code Section 17.60.150, render this entitlement null and void.

CASE NO: CP0-448

THIS PERMIT IS HEREBY APPROVED AND ISSUED FOR:

SITE ADDRESS: 845 Ridgeway

APPLICANT: Michael Boudreau for Helen Torino and Eric Salin

APN/LEGAL: 066-233-007

DATE APPROVED: February 24, 2015

APPROVED BY: Community Development Manager

CEQA DETERMINATION: Categorical Exemption, Class 3, CEQA Guidelines Section 15303(e)

DESCRIPTION OF APPROVAL:

Coastal Development Permit for the demolition of the existing single-family residence and the subsequent construction of a 3,216 sq. ft. single-family residence at 845 Ridgeway. Specifically, the project includes 2,420 sq. ft. of habitable floor area with a 766 sq. ft attached garage, a 30 sq. ft. front porch, and a 90 sq. ft. back porch.

Please see reverse for Permit Effective Date.

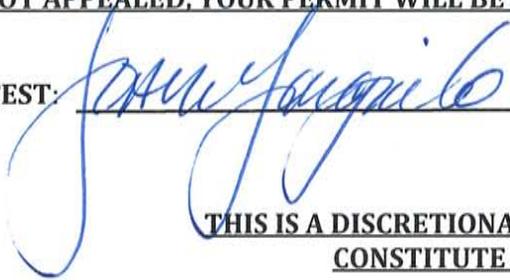
EXHIBIT C

YOUR PROPERTY IS LOCATED IN THE CITY OF MORRO BAY JURISDICTION, THERE IS AN APPEAL PERIOD OF TEN (10) *Calendar days*, WITHIN WHICH TIME YOUR PERMIT IS APPEALABLE TO THE CITY COUNCIL/PLANNING COMMISSION

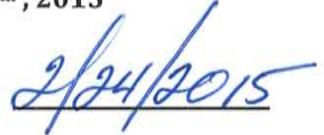
YOUR PROPERTY IS LOCATED IN THE COASTAL COMMISSION APPEALS JURISDICTION: THE FOLLOWING COASTAL COMMISSION APPEAL PERIOD APPLIES TO YOUR PROJECT: This City decision is appealable to the California Coastal Commission pursuant to the California Public Resource Code, Section 30603. The applicant or any aggrieved person may appeal this decision to the Coastal Commission within TEN (10) *Working days* following Commission receipt of this notice and after expiration of the City of Morro Bay appeal period. Appeals must be in writing and should be addressed to: California Coastal Commission, 725 Front Street, Ste. 300, Santa Cruz, CA 95060, Phone: 415-427-4863. If you have any questions, please call the City of Morro Bay Community Development Department, 772-6264.

IF NOT APPEALED, YOUR PERMIT WILL BE EFFECTIVE: Friday, March 6th, 2015

ATTEST: _____



DATE: _____



THIS IS A DISCRETIONARY APPROVAL AND DOES NOT CONSTITUTE A BUILDING PERMIT

EXHIBIT C

APPLICANT'S ACCEPTANCE
OF
CONDITIONS OF APPROVAL

CASE NO. CP0-448

SITE LOCATION: 845 RIDGEWAY, MORRO BAY

APPLICANT NAME: MICHAEL BOUDREAU FOR HELEN TORINO AND ERIC SALIN

APPROVAL BODY: COMMUNITY DEVELOPMENT MANAGER

DATE OF ACTION: 2/24/2015

I, _____ the undersigned, have read and
(APPLICANT'S NAME - PLEASE PRINT)

reviewed the conditions of approval imposed by the Approval Body in its action

approving Case Number: CP0-448

I UNDERSTAND AND ACCEPT SAID CONDITIONS AND AGREE TO FULLY COMPLY WITH THEM.

APPLICANT'S SIGNATURE

DATE

EXHIBIT C

CITY OF MORRO BAY NOTICE OF EXEMPTION

TO: San Luis Obispo Co. Clerk
County Government Center
San Luis Obispo CA 93401

Office of Planning & Research
1400 Tenth Street
Sacramento, CA 95814

FROM: City of Morro Bay
Community Development Department
955 Shasta Avenue
Morro Bay, CA 93442

Project Title: Demolition and reconstruction of SFR

Project Location - Specific: 845 Ridgeway (APN 066-233-007)

Project Location - City: MORRO BAY **County:** SAN LUIS OBISPO

Description

of Project: Coastal Development Permit for the demolition of the existing single-family residence and the subsequent construction of a 3,216 sq. ft. single-family residence at 845 Ridgeway. Specifically, the project includes 2,420 sq. ft. of habitable floor area with a 766 sq. ft attached garage, a 30 sq. ft. front porch, and a 90 sq. ft. back porch.

Name of Public Agency Approving the Project: CITY OF MORRO BAY, 955 SHASTA AVE, MORRO BAY, CA 93442

Name of Person or Agency Carrying Out Project: Michael Boudreau, 1009 Morro St, Ste, 205, SLO, Ca 93401

Exempt Status: (Check One)

Reasons why project is exempt: New construction of a single-family residence in a residential zoning district.

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Categorical Exemption:
Type and Section Number: 15303, Class 3(e)
- Statutory Exemption Code No. _____

Lead Agency: City of Morro Bay, 955 Shasta Ave, Morro Bay, CA 93442

Contact Person: Joan Gargiulo, Contract Planner **Telephone:** 805-772-6270

Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Certification:

I hereby certify that the public agency has made the above finding and that the project is categorically exempt from CEQA.

Signature:  Title: Contract Planner Date: 2/24/2015

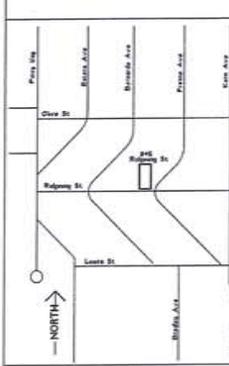
EXHIBIT D

General Project Notes

RESIDENCE GROUP R-3, TYPE V-B CONSTRUCTION
CITY OF MORRO BAY
SAN LUIS OBISPO COUNTY, CALIFORNIA

- ALL WORK SHALL COMPLY WITH THE FOLLOWING:
202 CALIFORNIA RESIDENTIAL CODE (BASED ON 200 IRC)
202 CALIFORNIA BUILDING CODE (BASED ON 200 IRC)
202 CALIFORNIA ELECTRICAL CODE (BASED ON 200 NEC)
202 CALIFORNIA MECHANICAL CODE (BASED ON 200 IMC)
202 CALIFORNIA PLUMBING CODE (BASED ON 200 UPC)
202 CALIFORNIA FIRE CODE (BASED ON 200 FPC)
202 CALIFORNIA GREEN BUILDING STANDARDS CODE
- REFER TO NOTES ON ALL PLANS AND SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS.
- THE CONTRACTOR SHALL REVIEW ALL CONSTRUCTION DOCUMENTS AND SITE CONDITIONS AND VERIFY ALL DIMENSIONS, ELEVATIONS, AND CONDITIONS PRIOR TO COMMENCEMENT OF WORK. THE ARCHITECT SHALL BE IMMEDIATELY NOTIFIED OF ANY SUCH DISCREPANCIES.
- GUARANTEES: CONTRACTOR SHALL GUARANTEE THE WORK IN GENERAL. THE BEST INTEREST OF THE CLIENT IS THE CONTRACTOR'S OBLIGATION. COMPLETE RAIN-PROOFING OF STRUCTURE SHALL BE GUARANTEED FOR TWO YEARS.
- TOLERANCES: CONSTRUCTION TOLERANCES SHALL NOT EXCEED 1/4" FOR 10' FEET OF ANY AND ALL LINEAR SURFACES.
- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, GRADES, AND OTHER CONDITIONS AT THE SITE BEFORE COMMENCING ANY WORK.
- THE CONTRACTOR SHALL LOCATE AND EXPOSE ALL PROPERTY CORNERS AND STAKES, THE SIDE YARD PROPERTY LINES PRIOR TO THE FOUNDATION EXCAVATION.
- GENERAL CONTRACTOR SHALL COORDINATE ALL REQUIRED INSPECTIONS WITH LOCAL BUILDING OFFICES AND UTILITY COMPANIES.
- NOTIFY ARCHITECT IMMEDIATELY IF DISCREPANCIES ARE FOUND IN THIS DOCUMENT. GENERAL DETAILS SUPERSEDED PLAN NOTES ARE THE BEST INTEREST OF THE CLIENT. NOTIFY ARCHITECT AND GENERAL CONTRACTOR OF ALL DISCREPANCIES.
- ARCHITECT SHALL BE NOTIFIED AT LEAST (2) DAYS BEFORE SITE CLEARING OPERATIONS BEGIN. THERE SHALL BE PRESENT TO OBSERVE STRIPPING OF DELETERIOUS MATERIAL IN THE FIELD.
- GEOTECHNICAL ENGINEER SHALL BE NOTIFIED AT LEAST (2) DAYS BEFORE SITE CLEARING OPERATIONS COMMENCE AND SHOULD BE PRESENT TO OBSERVE STRIPPING OF DELETERIOUS MATERIAL AND PROVIDE CONSULTING TO THE GRADING CONTRACTOR IN THE FIELD.
- AN APPROVED AUTOMATIC FIRE SPRINKLER SYSTEM IS TO BE INSTALLED PER NATIONAL FIRE PROTECTION ASSOCIATION PARAPHLET 202 SPRINKLER SYSTEMS OR CRC SECTION R303.1.
- PROVIDE ADDRESS POSTING WITH A MIN. 4" HIGH LETTERS WITH CONTRASTING BACKGROUND PLAINLY VISIBLE FROM STREET.
- A FINAL INSPECTION BY COUNTY AND CAL FIRE IS REQUIRED PRIOR TO OCCUPANCY.
- ALL DIMENSIONS ARE TO FACE OF STUD OR CENTER OF WALL, UNLESS NOTED OTHERWISE.
- STAIRS - THE RISE OF STAIRS SHALL NOT BE LESS THAN 7" INCHES OR GREATER THAN 17" INCHES. THE GREATEST RISE/HIGH SHALL NOT EXCEED THE SMALLEST 3/4" INCH. THE TREAD SHALL NOT BE LESS THAN 10" INCHES. CRC SECTION R311.4.
- HANDRAILS AT STAIRS SHALL BE NOT LESS THAN 1 1/4" INCH HIGH MORE THAN 40" INCHES ABOVE FINISH FLOOR. DESIGNED TO RESIST 100 LBS. AT TOP OF RAIL. 300 POUNDS CONCENTRATED LOAD. HANDRAILS PROJECTING FROM THE WALL SHALL HAVE A MIN. SPACE OF 1 1/2" INCHES BETWEEN THEM. AND HANDRAILS SHALL NOT BE INSTALLED IF STAIRWAY IS 44" INCHES IN WIDTH OR LESS. HANDRAIL HT. SHALL BE NOT LESS THAN 34" INCHES OR MORE THAN 38" INCHES ABOVE FINISH OF STAIRS. CRC SECTION R311.7. ENDS OF HANDRAILS SHALL BE RETURNED TO WALL OR HAVE ROUNDED TERMINATIONS OR BENDS.
- GUARDRAILS ARE REQUIRED AT ALL STAIRS, LANDINGS, RAMPS, TO RESIST 80 PLF AT TOP OF RAIL. 300 POUNDS CONCENTRATED LOAD. PATIOS AND BALCONIES WHERE MORE THAN 30" ABOVE GRADE OR FLOOR BELOW. GUARDRAILS SHALL BE A MIN. OF 42" INCHES HIGH. OPER GUARDRAILS SHALL HAVE INTERMEDIATE RAILS OR ORNAMENTAL PATTERN SUCH THAT A 4" INCH SPHERE CANNOT PASS THROUGH. OPENINGS FOR REQUIRED GUARDS OR THE SIDES OF TAIL TREADS SHALL NOT ALLOW A SPHERE OF 43/8 INCHES PASS THROUGH. CRC SECTION R302. WITHIN THE RESIDENCE, GUARDRAILS ABOVE TOP RAIL, ALSO SERVES AS A HANDRAIL. SHALL HAVE A HEIGHT NOT LESS THAN 34 INCHES AND NOT MORE THAN 38 INCHES MEASURED VERTICALLY ABOVE THE LEADING EDGE OF THE TREAD. CRC SECTION R302.2.
- ATTIC ACCESS SHALL BE 22-INCHES BY 30-INCHES AND LOCATED IN A READILY ACCESSIBLE LOCATION, 30-INCHES MINIMUM OF UNOBTSTRUCTED HEAD ROOM. CRC SECTION 801 THE ATTIC ACCESS SHALL BE WEATHER STRIPPED AND INSULATION EQUIVALENT TO THAT OF THE CEILING SHALL BE INSTALLED ON THE ACCESS PANEL. PROVIDE POWER RECEPTICAL WITH SWITCH AND LIGHT.
- ALL ROOF FLASHING SHALL COMPLY WITH MINIMUM SET FORTH IN CRC SECTION R303.2.
- TILE ROOF APPLICATION SHALL BE PER MANUFACTURERS SPECIFICATIONS FOR ROOF SLOPE, SHOWN AND PER CRC SECTION R303.3.
- ALL PAINT SYSTEMS AND COBINATIONS SHALL BE RATED FOR SPECIFIED USE AND EXPOSURE WITH COMPATIBLE SEALERS/PRESERS AND FINISH COATS.
- PROVIDE WATER RESISTANT CEMENT BOARD BEHIND ALL CERAMIC TILE OR OTHER WALL FINISHES AS PER REQUIREMENTS OF THE CRC STANDARDS.
- USE 5/8" TYPE "X" GYPSUM BOARD ON ALL WALLS AND CEILING OF THE GARAGE, INCLUDING ALL BEAMS AND POSTS WHICH MAY OCCUR. 5/8" GYPSUM WALL BOARD PER CRC SECTION R302.2.
- ONE-HOUR WALLS SHALL BE CONSTRUCTED OF 5/8" TYPE "X" GYPSUM BOARD AS DESCRIBED ON PLANS.
- ALL LIVING WALLS ADJACENT TO THE GARAGE SHALL HAVE A ONE-HOUR AREA SEPARATION CONSTRUCTION WITH 5/8" GYPSUM BOARD FROM THE FINISH FLOOR, ON ALL WALLS AND CEILING OF THE GARAGE, INCLUDING ALL BEAMS AND POSTS WHICH MAY OCCUR. WALL GYPSUM WALL BOARD PER CRC TABLE R303.3.5.
- ALL INTERIOR WALL AND CEILING FINISHES SHALL HAVE A FLAME-SPREAD INDEX OF NOT GREATER THAN 200. CRC SECTION R302.1.
- FIRE STOPS AND BLOCKING IS REQUIRED IN OPENINGS AROUND VENTS, PIPES DUCTS, CHIMNEYS, REFRIGERATORS AND SHEAR OPENINGS TO PREVENT PASSAGE OF FIRE THROUGH FLOOR, WALLS AND CEILING. IN ATTIC, PROVIDE FIRE STOP IN CONCEALED SPACES AND WALLS OVER 10" IN LENGTH. PROVIDE FIRE STOP AT GAS PIPES. CRC SECTION R303.3.

Vicinity Map



Project Information

Address: 845 Ridgeway Ave.
Morro Bay, California

APN: 014-233-001

Fire Hazard Zoning: R-1

Zoning: R-1

School District: -

Planning Area: Group R-3, Single Family Residence

Construction Type: VB

Water: -

Building Area

Existing Building

Living Area: 1,040 SF

Garage: 218 SF

Total: 1,258 SF

3,120 sq ft

Existing Building

First Floor Living Area: 1,034 SF

Second Floor Living Area: 1,384 SF

Total Living Area: 2,420 SF

Covered Front Porch: 144 SF

Garage: 218 SF

Total: 2,782 SF

Design Team

Owner: Helen Torno & Eric Salin
845 Ridgeway Avenue
Morro Bay, California
802 301-1118

Architect: Michael Boudreau, AIA
1009 Morro Street, Suite 205
San Luis Obispo, CA 93401
805 544 0400 phone

Structural: Charles Ashley Jr. SE
Ashley & Vance Engineering Inc.
143 Monterey Street
San Luis Obispo, CA 93401
805 545-0010 ext. 111

Civil/Survey: Trust Vance PE
Ashley & Vance Engineering Inc.
143 Monterey Street
San Luis Obispo, CA 93401
805 545-0010 ext. 112

Soils: Krag Cremer, PE
GeoSolutions
220 High Street
San Luis Obispo, CA 93401
805 543 8534 phone

Development Standards

Item	Required	Proposed
Lot Area	8,984 SF	Existing
Building Height	25' Max	24'-0" *
Building Setbacks		
Front, Ridgeway Ave	30'	20.15'
Side, West Prop Line	10'	10.92'
Rear, North Prop Line	10'	4'
Side, East Prop Line	10'	12.25'
* = Above Average Natural Grade ANG		
Lot Coverage Existing (Impervious)		
Building Footprint:	1,258 SF	14%
Concrete Driveway:	208 SF	
Front Porch & Back Patio/Porch:	348 SF	
Total:	1,814 SF	20%
Lot Coverage New (Impervious)		
Building Footprint:	1,801 SF	20%
Concrete Driveway:	498 SF	
Front Porch:	30 SF	
Back Porch and Stairs:	40 SF	
Garage Door Landing:	28 SF	
Total:	2,421 SF	27%

2009 @ 23%

21 EXTERIOR PLASTER SYSTEM SHALL BE 1/2" THREE COAT SYSTEM OVER METAL LATH OVER COMPATIBLE BUILDING PAPER BACKING WITH SMOOTH TROUSEL FINISH APPLIED PER MANUFACTURERS SPECIFICATIONS IN COMPLIANCE WITH CRC SECTION R702.4

WINDOWS & DOORS

- USE OPENING SCHEDULE, SHEET A41.
- SAFETY GLAZING- CRC SECTION R308.4 PROVIDE PERMANENTLY MARKED TEMPERED GLASS IN THE FOLLOWING LOCATIONS:
A GLAZING IN ALL DOORS
B GLAZING IN FIXED AND OPERABLE PANELS ADJACENT TO A DOOR WHERE THE EXPOSED EDGE OF THE GLAZING IS WITHIN A 24-INCH ARC OF EITHER VERTICAL EDGE OF THE DOOR IN A CLOSED POSITION 1 WHERE THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 10-INCHES ABOVE THE FINISH FLOOR SURFACE.
C GLAZING IN DOORS AND ENCLOSURES FOR ALL TUBS AND SHOWERS.
D GLAZING IN WINDOWS ABOVE SHOWERS AND TUBS WHERE THE BOTTOM EDGE OF THE GLASS IS LESS THAN 40-INCHES ABOVE THE FINISH FLOOR SURFACE.
E GLAZING IN WALLS ENCLOSING STAIRWAY LANDINGS OR 6/8" X FEET OF THE BOTTOM OR TOP OF STAIRWAYS WHERE THE BOTTOM EDGE OF THE GLASS IS LESS THAN 40 INCHES ABOVE FINISH FLOOR SURFACE. REFER TO CRC SECTION R308. REQUIREMENTS AND EXCEPTIONS.
- SKYLIGHT GLAZING SHALL COMPLY WITH CRC SECTION R308.4. GLAZING SHALL BE DUAL PANE TEMPERED LOW-E CLEAR GLASS OVER CLEAR LAMINATED GLASS. PROVIDE VELLUX MODEL R3840 OPERABLE SKYLIGHT BY SCREEN, OR SIZE SHOWN ON PLAN.
- ALL WINDOWS SHALL BE DUAL PANE AND SHALL COMPLY WITH THE TITLE 24, STATE OF CALIFORNIA ENERGY CONSERVATION REQUIREMENTS. SEE SCHEDULE SHEET A41.
- THE MINIMUM NET GLAZED AREA SHALL NOT BE LESS THAN 8% OF THE FLOOR AREA OF THE ROOF SERVED. CRC SECTION R303.1.
- VENTILATION AREA REQUIRED, THE MINIMUM OPERABLE AREA TO THE OUTDOORS SHALL BE 4% OF THE FLOOR AREA BEING VENTILATED. CRC SECTION R303.1.
- ALL WEATHERSTRIPPING, CAULKING, AND SEALING OF EXTERIOR DOORS, WINDOWS, AND WEATHERING ENVELOPE OPENINGS AS REQUIRED BY THE STANDARDS, SHALL BE SUBJECT TO FIELD INSPECTION.
- ALL WINDOWS SHALL BE DUAL PANE AND SHALL COMPLY WITH THE TITLE 24, STATE OF CALIFORNIA ENERGY CONSERVATION REQUIREMENTS.
- BEDROOM EGRESS - UNLESS AN EXTERIOR DOOR IS PROVIDED, ONE WINDOW SILL IN EACH BEDROOM SHALL HAVE A FINISHED HEIGHT OF NOT MORE THAN 44" ABOVE THE FLOOR. SUCH A WINDOW SHALL HAVE A CLEAR OPENING AREA OF NOT LESS THAN 5.7 SQUARE FEET WITH NO PLASTER OR LESS THAN 2" IN HEIGHT AND 20" IN WIDTH. CRC SECTION R310.
- ALL MANUFACTURED DOORS AND WINDOWS SHALL BE CRC CERTIFIED AND LABELED.

INSULATION

- INSULATION SHALL BE INSTALLED IN ATTIC/CEILING, ALL EXTERIOR WALLS, WALLS AROUND WATER HEATERS, WALLS AROUND AIR CONDITIONING PACKS, REFRIGERATORS, EXTERIOR FLOOR JOISTS. INSULATION CONTRACTOR SHALL PROVIDE A COPY OF THE "CERTIFICATE OF COMPLIANCE".
- ALL INSULATION SHALL HAVE A MAXIMUM FLAME SPREAD RATING OF 25 AND A MAXIMUM SMOKE RATING OF 450. CRC SECTION R302.10 PLASTER OR FINISH IS PROHIBITED IN ATTIC OR OTHER VENTILATED SPACES.
- INSULATION SHALL BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS.
- INSULATE AREAS AS FOLLOWS MINIMUM:
-INVENTED SPACE, R-30 AIR-IMPERMEABLE INSULATION APPLIED DIRECTLY TO UNOBTSTRUCTED ROOF SHEATHING OR CRC 300 SECTION R801.4 INVENTED ATTICS
-WALLS, R-11 AT 2x4 JOIST FOR R-13 HIGH DENSITY BATT)
-RAISED FLOOR SPACE, R-11
-R-30 OR GREATER, 5P ROOF PANELS
- HEIGHT TO COMBUSTIBLE MATERIALS ABOVE KITCHEN RANGES 30" UNPROTECTED, 24" PROTECTED, HORIZONTAL.

45 INSULATE ALL HOT WATER PIPES WITH R-4 FLEXIBLE CLOSED CELL PIPS INSULATION.

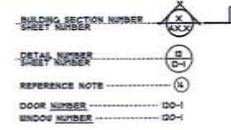
CAL GREEN BUILDING STANDARDS

- RESIDENTIAL MANDATORY REQUIRES CHAPTER 4-CAL GREEN 1405 SITE DEVELOPMENT
THE PROJECT SHALL HAVE A STORM WATER DRAINAGE AND RETENTION PLAN IN EFFECT DURING CONSTRUCTION. REFER TO SAPPY BY CIVIL ENGINEER.
- 1403 INDOOR WATER USE
INTERIOR PLUMBING FIXTURES SHALL MEET THE FOLLOWING FLOW RATES (MAXIMUM):
SHOWERSHEADS - 2 GPM + 80 PSI
LAV FAUCETS - 1.5 GPM + 10 PSI
KITCHEN FAUCETS - 1.8 GPM + 10 PSI
TOILETS - 1.25 GAL/FLUSH
ALL FIXTURES SHALL MEET ASME A 2012/CSA B01.1 STANDARDS
- 1404 OUTDOOR WATER USE
LANDSCAPE IRRIGATION CONTROLLER SHALL HAVE WEATHER OR SOLI PROTECTIVE SENSORS FOR AUTOMATIC ADJUSTED IRRIGATION. REFER TO LANDSCAPE DRAWING.
- 1402 ENHANCED DURABILITY AND REDUCED MAINTENANCE
ALL OPENINGS IN THE BUILDING ENVELOPE SHALL BE SEALED IN ACCORDANCE WITH THE CALIFORNIA ENERGY CODE.
- 1408 CONSTRUCTION WASTE REDUCTION, DISPOSAL AND RECYCLING
THE PROJECT SHALL HAVE CONSTRUCTION WASTE MANAGEMENT PLAN TO RECYCLE OR REUSE A MINIMUM OF 50% OF CONSTRUCTION DEBRIS. SUBMIT DOCUMENTATION COMPLYING WITH THE CALGREEN SECTION 4105.2 OR THE WASTE MANAGEMENT ORDINANCE TO THE ENFORCING AGENCY.
- 1404 BUILDING MAINTENANCE AND OPERATION
PRIOR TO FINAL INSPECTION, PROVIDE OPERATION AND MAINTENANCE MANUAL TO OWNER FOR ALL EQUIPMENT AND APPLIANCES, INCLUDING WATER HEATERS, PAU SYSTEMS, WATER SAVING DEVICES AND SPRINKLER CONTROLS. ALSO INCLUDE INSTRUCTIONS FOR WATER AND ETE GRABBERS, I MAINTENANCE EDUCATION MATERIAL ABOUT RELATIVE HUMIDITY INSIDE BUILDING, WATER CONSERVATION/IRRIGATION AND DIVERSION OF WATER AWAY FROM BUILDING
- 1503 PREFRACES
ALL GAS BURNING PREFRACES SHALL BE DIRECT-VENT SEALED COMBUSTION TYPE.
- 1504 POLLUTANT CONTROL
ALL DUCTS AND MECHANICAL EQUIPMENT SHALL BE SEALED AT THE TIME OF ROUGH INSTALLATION OR STORAGE ON THE JOB SITE WITH PLASTIC OR OTHER ACCEPTABLE MEASURES UNTIL FINAL STARTUP OF THE SYSTEM.
- ADHESIVE SEALANTS AND CAULK SHALL MEET THE VOC LIMITS AS SHOWN IN TABLE 4504.1 AND 4504.2 CALGREEN
- PANTS AND COATINGS SHALL MEET THE VOC LIMITS AS SHOWN IN TABLE 4504.3 CALGREEN.
- CARPET SYSTEMS SHALL COMPLY WITH SECTION 4504.3, CALGREEN. ALL COMPOSITE GOOD PRODUCTS SHALL COMPLY WITH SECTION 4504.4 AND TABLE 4504.4, CALGREEN FORMALDEHYDE LIMITS.
- 1505 INDOOR HUMIDITY CONTROL
ALL CONCRETE SLABS SHALL HAVE A VAPOR RETARDER.
- ALL FRAMING MATERIAL SHALL NOT BE ENCLOSED WHEN THE HUMIDITY CONTENT EXCEEDS 16%. HUMIDITY CONTENT MUST BE VERIFIED USING A HUMIDITY METER IN ACCORDANCE WITH THE DIRECTIONS ON SECTION 4505.3 CALGREEN PRIOR TO ENCLOSURE.
- 1506 INDOOR AIR QUALITY AND EXHAUST
ALL BATH EXHAUST FANS SHALL BE ENERGY STAR COMPLIANT. DIRECTLY TO UNOBTSTRUCTED BUILDING, I CONTROLLED BY A HURDSTAT. HUMIDISTAT CONTROL SHALL BE ADJUSTABLE BETWEEN 10% AND 80%.
- 1507 ENVIRONMENTAL COMFORT
SHOULD HOUS EXHAUST FANS SHALL HAVE INSULATED COVERS OF MINIMUM R-13 THAT CLOSE WHEN THE FAN IS OFF.
HEATING AND AIR-CONDITIONING SYSTEMS SHALL COMPLY WITH SECTION 4501.2, CALGREEN.

Sheet Index

- A0 COVER SHEET
 - A1.1 EXISTING SITE PLAN
 - A1.2 PROPOSED SITE PLAN
 - A2.1 FIRST FLOOR PLAN
 - A2.2 SECOND FLOOR PLAN
 - A3.1 EXTERIOR ELEVATIONS & SECTIONS
- City of Morro Bay
Administrative Approval
CDD-448
Project #s)
Approved as Submitted
Approved with Changes
Approval Date: 2/24/2015
Planner: [Signature]

Symbol Legend



Michael Boudreau
Architecture + Design
1009 Morro Street Suite 205
San Luis Obispo, CA 93401
(805) 546 0400
(805) 546 0400 fax

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City of Morro Bay
Public Services Department



Remove & Replace
Single Family
Residence

845 Ridgeway Ave.
Morro Bay, CA

APN: 066-233-007

© 2014

Date August 7, 2014

Revisions

Project No: 2013-108

Scale No Scale

Sheet Title

Cover Sheet

Sheet Number

A0

EXHIBIT D

EXISTING AREA SUMMARY	
IMPERVIOUS COVERAGE	
BUILDING FOOTPRINT	1288 SF
CONCRETE DRIVEWAY	728 SF
CONCRETE FRONT PORCH	750 SF
CONCRETE BACK PORCH AND STAIRS	348 SF
TOTAL IMPERVIOUS COVERAGE:	1834 SF
PERVIOUS COVERAGE	
FRONT SIDEWALK PAVERS	81 SF

Michael Boudreau
 Architecture + Design
 1009 Morro Street Suite 205
 San Luis Obispo, CA 93401
 (805) 549 0400
 MBSarchitecture.com

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 Public Services Department

PRELIMINARY PLAN
 NOT FOR CONSTRUCTION

Remove & Replace Single Family Residence
 845 Ridgeway Ave.
 Morro Bay, CA

APN: 066-233-007

Date August 7, 2014

Revisions

Job Number 2013-108

Scale 1" = 5'-0"

Sheet Title

Existing Site Plan

Sheet Number

A 1.1

- SITE NOTES**
- 1 EXISTING TREES/SHRUB TO REMAIN
 - 2 EXISTING TREES/SHRUB TO BE REMOVED
 - 3 EXISTING POWER POLE TO REMAIN, OVERHEAD SERVICE TO BE ROOFED
 - 4 EXISTING CONCRETE TO BE REMOVED
 - 5 NEW CONCRETE DRIVEWAY SEE CIVIL SHEETS
 - 6 EDGE OF EXISTING PAVEMENT TO REMAIN
 - 7 BOUNDARY OF AREA TO REMAIN UNCHANGED
 - 8 NEW PERMEABLE PAVERS
 - 9 EXISTING RETAINING WALL TO BE ROOFED
 - 10 EXISTING ELEC. METER MAIN CONNECTION
 - 11 NEW METER MAIN 100 AMP 240V/120V SINGLE-PHASE 10,000 AIC
 - 12 EXISTING PAVERS TO BE REMOVED
 - 13 EXISTING GRAVEL PATH TO BE ROOFED
 - 14 EXISTING FENCE LINE TO REMAIN
 - 15 EXISTING FENCE LINE TO BE REMOVED
 - 16 NOT USED
 - 17 GAS METER TO BE RELOCATED
 - 18 NEW GAS METER LOCATION
 - 19 WATER MAIN CONNECTION TO BE RELOCATED
 - 20 NEW WATER MAIN CONNECTION
 - 21 WATER METER LOCATION

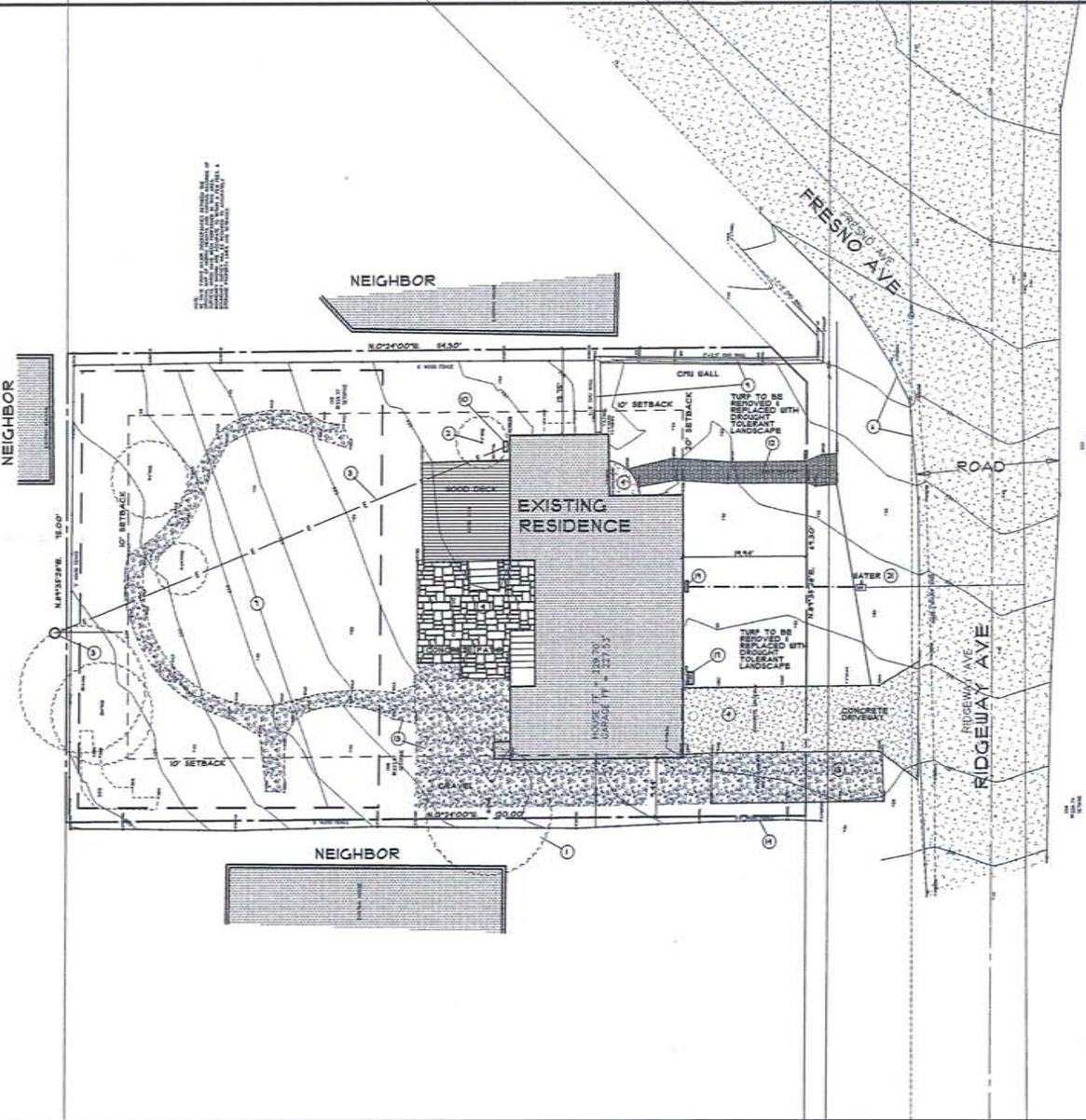
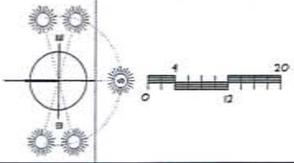
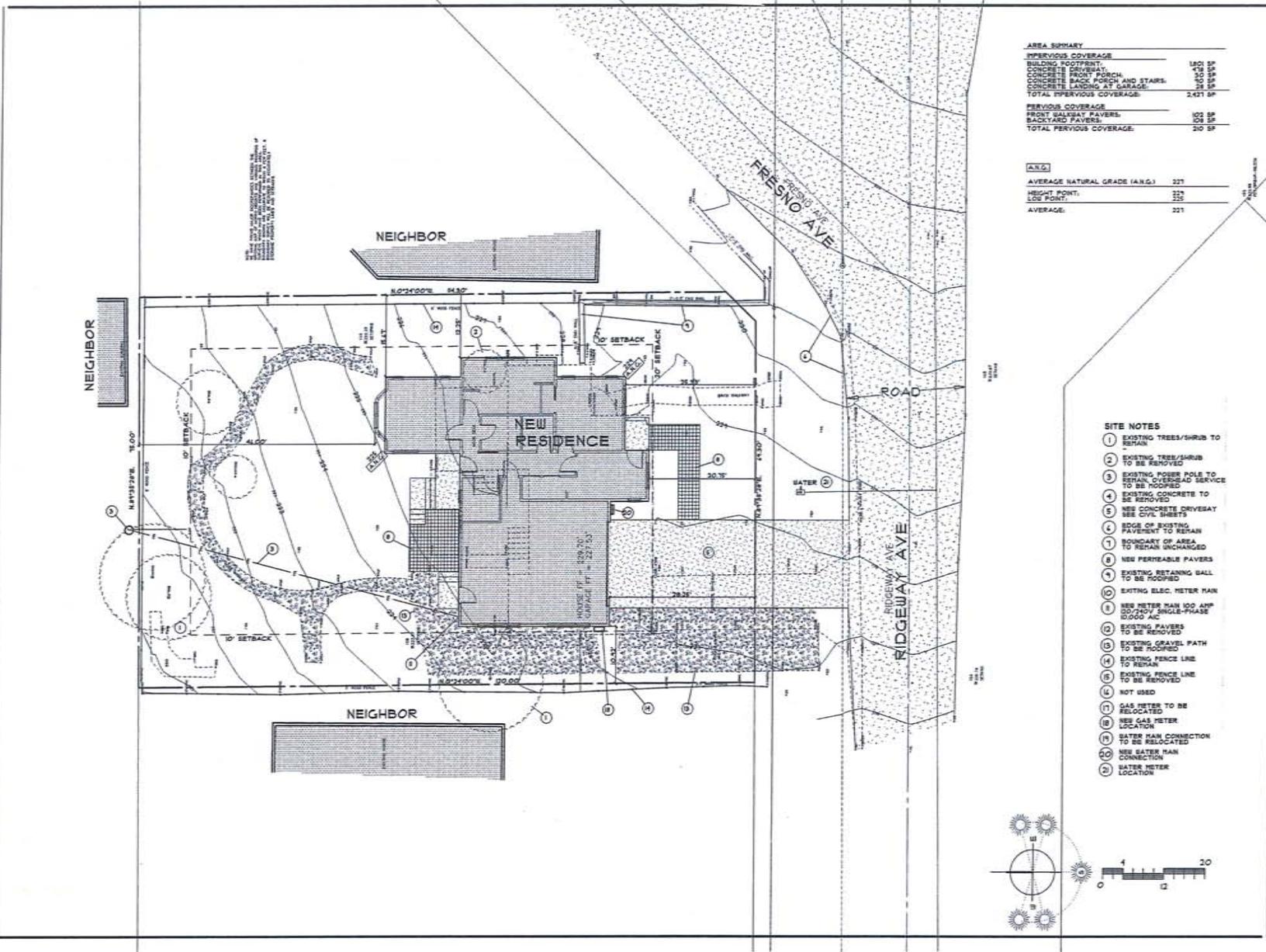


EXHIBIT D



AREA SUMMARY

IMPERVIOUS COVERAGE	
BUILDING FOOTPRINT	1801 SF
CONCRETE FRONT PORCH	100 SF
CONCRETE BACK PORCH AND STAIRS	100 SF
CONCRETE LANDING AT GARAGE	28 SF
TOTAL IMPERVIOUS COVERAGE	2,421 SF
PERVIOUS COVERAGE	
FRONT SALKWAY PAVERS	100 SF
BACKYARD PAVERS	108 SF
TOTAL PERVIOUS COVERAGE	210 SF

(A.N.G.)

AVERAGE NATURAL GRADE (A.N.G.)	221
HIGHEST POINT:	222
LOWEST POINT:	219
AVERAGE:	221

- SITE NOTES**
- 1 EXISTING TREES/SHRUB TO REMAIN
 - 2 EXISTING TREE/SHRUB TO BE REMOVED
 - 3 EXISTING POSE POLE TO REMAIN, OVERHEAD SERVICE TO BE REPOPED
 - 4 EXISTING CONCRETE TO BE REPOPED
 - 5 NEW CONCRETE DRIVEWAY SEE CIVIL SHEETS
 - 6 EDGE OF EXISTING PAVEMENT TO REMAIN
 - 7 BOUNDARY OF AREA TO REMAIN UNCHANGED
 - 8 NEW PERMEABLE PAVERS
 - 9 EXISTING RETAINING WALL TO BE REPOPED
 - 10 EXISTING ELEC. METER MAIN
 - 11 NEW METER MAIN 100 AMP 207/240V SINGLE-PHASE 100,000 AIC
 - 12 EXISTING PAVERS TO BE REPOPED
 - 13 EXISTING GRAVEL PATH TO BE REPOPED
 - 14 EXISTING FENCE LINE TO REMAIN
 - 15 EXISTING FENCE LINE TO BE REMOVED
 - 16 NOT USED
 - 17 GAS METER TO BE RELOCATED
 - 18 NEW GAS METER LOCATION
 - 19 WATER MAIN CONNECTION TO BE RELOCATED
 - 20 NEW WATER MAIN CONNECTION
 - 21 WATER METER LOCATION

Michael Boudreau
 Architecture + Design
 1009 Morro Street Suite 209
 San Luis Obispo, CA 93401
 (805) 549 0400
 MJB@architect.com

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 Public Services Department

PRELIMINARY PLAN
 NOT FOR CONSTRUCTION

Remove & Replace Single Family Residence
 845 Ridgeway Ave.
 Morro Bay, CA

APN: 066-233-007

Date August 7, 2014

Revisions

Job Number 2013-108

Scale 1" = 5'-0"

Sheet Title

Proposed Site Plan

Sheet Number

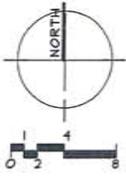
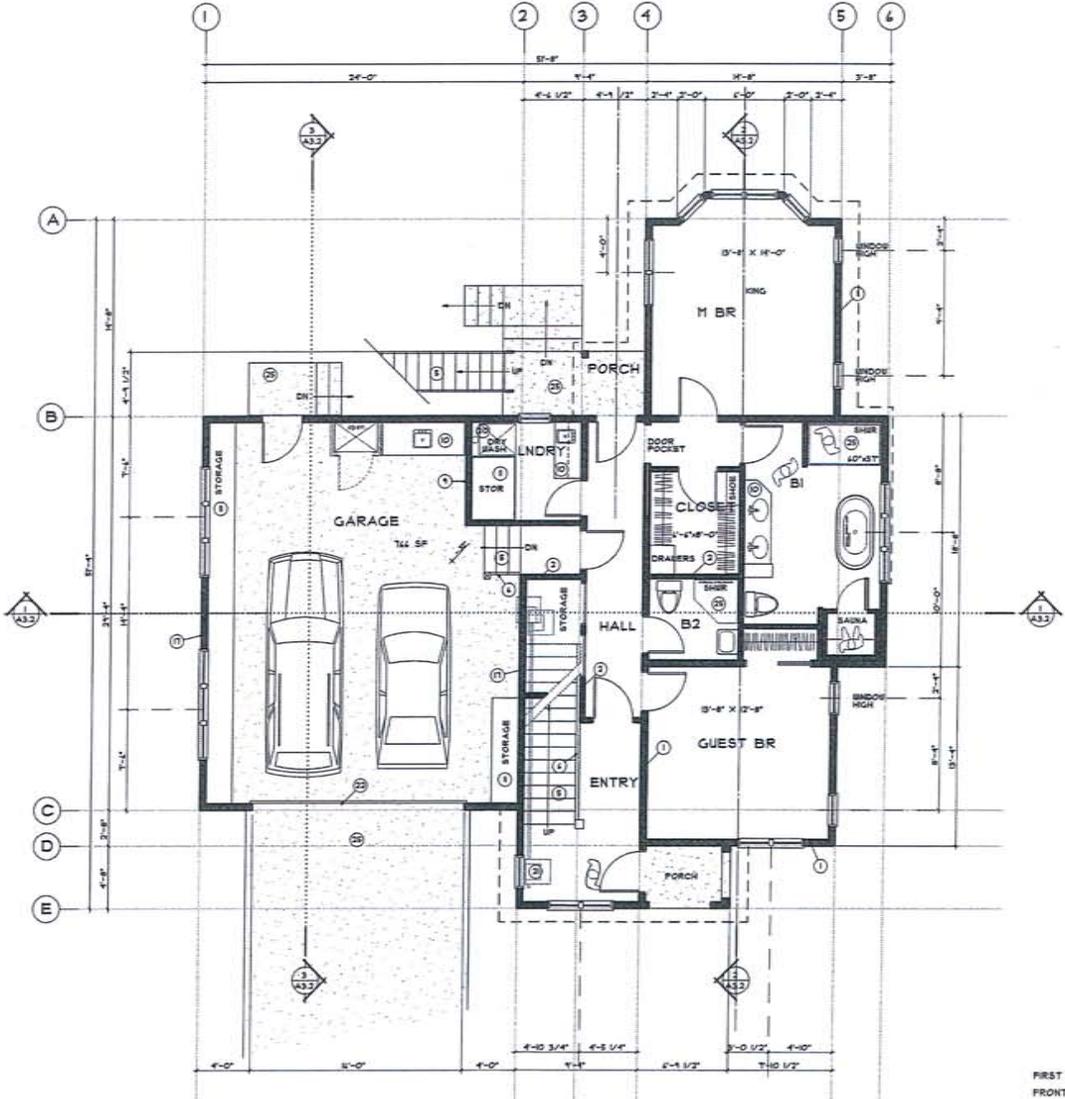
A 1.2

EXHIBIT D

Michael Boudreau
 Architecture + Design
 1009 Morro Street Suite 205
 San Luis Obispo, CA 93401
 (805) 549 0400
 (805) 549 0493 fax

PLAN REFERENCE NOTES:

- ① SKIUD FRAMED WALL TYPICAL UNLESS NOTED OTHERWISE. ISOLATE EXT. WALL TO FACE OF BUILDING BRACK. BATT. BETWEEN STUDS TIGHT AT SIDE, TOP & BOTTOM.
- ② SKI NON-BEARING TO SAVE SPACE.
- ③ NOT USED.
- ④ LOW FRAMED WALL.
- ⑤ STAIRWAY - 1/2" x 1/4" FAK RISER TREAD & 1/2" EXCEPT WHERE NOTED. NOTE 14, SHEET A O.
- ⑥ HANDRAIL - DETAIL D/D-3 NOTE 14, SHEET A O. SHOP DRAWING REQUIRED.
- ⑦ GUARDRAIL - NOTE 8 SHEET A O. SHOP DRAWING REQUIRED.
- ⑧ STORAGE COUNTERSINKER LOCATION FRAME 2ND FLOOR OPENING.
- ⑨ FIRE PROTECTION - INTERIOR. USE 5/8" TYPE "X" PANELED GYP. BS. WALL & CIG. ALL SURFACES.
- ⑩ BUILT-IN BASE CABINET
- ⑪ FULL-HEIGHT CABINET
- ⑫ BOOKCASE
- ⑬ OVERHEAD WALL CABINET
- ⑭ COUNTERTOP
- ⑮ STORAGE SHELVING
- ⑯ ROOF OR BALL LINE ABOVE RECESSED. SEE MEP SHEETS.
- ⑰ ELECTRICAL PANEL - RECESSED. SEE MEP SHEETS.
- ⑱ FIREPLACE. SEE MEP SHEETS.
- ⑲ ALL GARAGE WALLS ON 4" HIGH CONCRETE CURB.
- ⑳ BASKET & DRIVER & DUCT/VENT SEE MEP SHEETS
- ㉑ CHAIR LIFT
- ㉒ OVERHEAD DOOR AND OPENER
- ㉓ SHOWER ENCLOSURE SEE NOTE 25, SHEET A O. ALL TUBS/SHOWER ENCLOSURES SHOP DRAWINGS REQUIRED.
- ㉔ SLOPE TO DRAIN, NO CURB
- ㉕ CONCRETE SLAB, SLOPE AWAY FROM BUILDING 1/4" FT. SCORE LINE & 1 FT. O.C. FAK, EACH BAY.
- ㉖ DUCTING THROUGH FLOOR DRAFT STOP ALL SIDES
- ㉗ WITH ACCESS DOORS FINISH NOTE 14, SHEET A O.
- ㉘ CHARGES TILE ROOF VENT "SLAT" 15" x 18" SQ. IN. FREE AREA TILE ROOFING SYSTEM OVER COMPATIBLE MEMBRANE
- ㉙ WATER SYSTEM DISTRIBUTION MANIFOLD
- ㉚ FIRE SPRINKLER VALVE LOCATION
- ㉛ DATA HUB, EXHAUST WITH FAK SEE MEP PLANS
- ㉜ GUTTER AND DOWNSPOUT SYSTEM
- ㉝ RECESSED IRONING BOARD IRON-A-BAY 18 1/2" x 41 1/2", BOTTOM AT 30"



FIRST FLOOR AREA: 1034 SF
 FRONT COVERED PORCH: 30 SF
 GARAGE: 144 SF

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City of Morro Bay
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Remove & Replace
 Single Family
 Residence

845 Ridgeway Ave.
 Morro Bay, CA

APN: 066-233-007

Date August 7, 2014

Revisions

Project No: 2013-108

Scale 1/4" = 1'-0"

Sheet Title

First Floor Plan

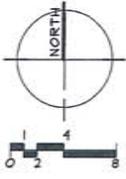
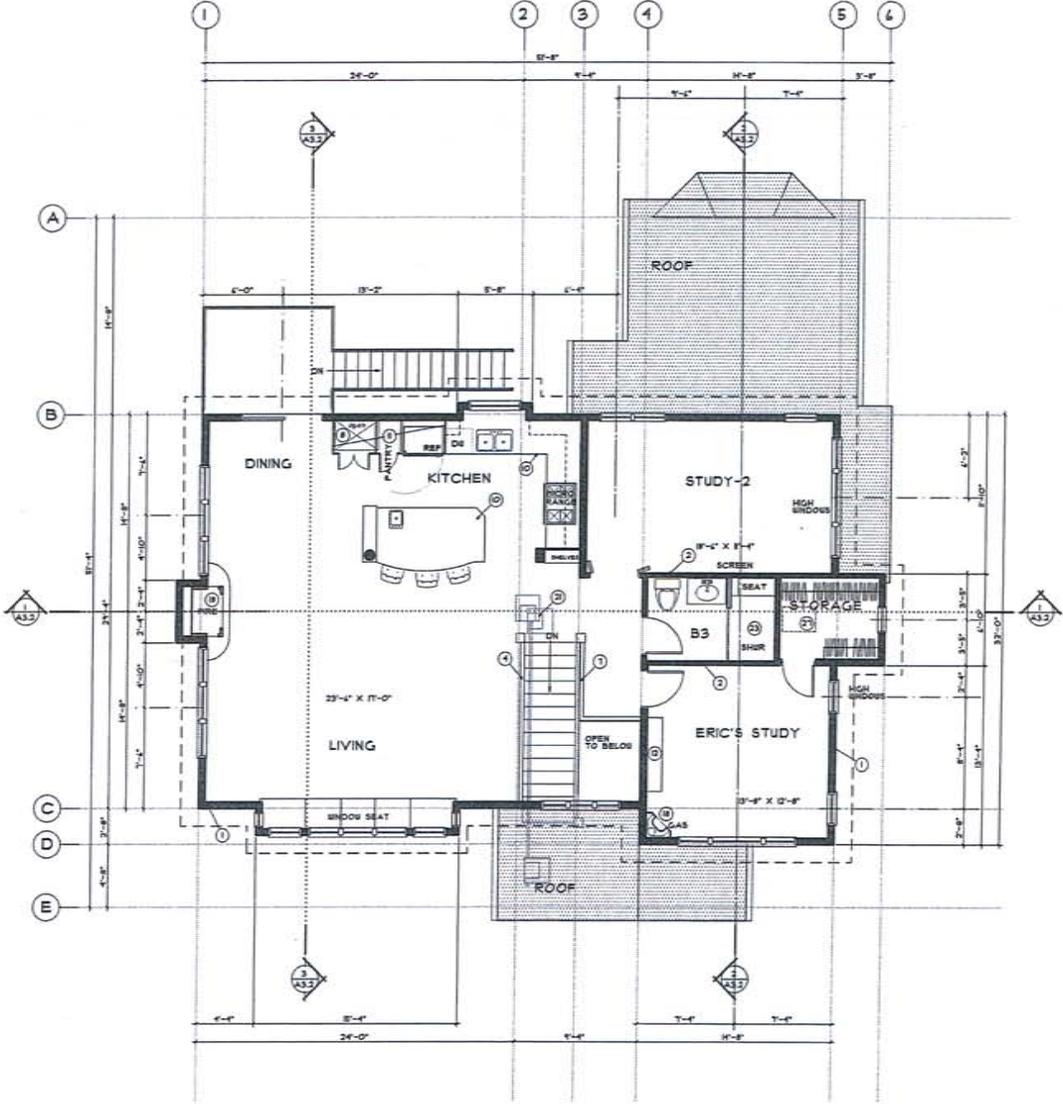
Sheet Number

A 2.1

EXHIBIT D

Michael Boudreau
 Architecture + Design
 1009 Morro Street Suite 205
 San Luis Obispo, CA 93401
 (805) 549 0400
 (805) 549 0400 fax

- PLAN REFERENCE NOTES:**
- 1 2X4 UD FRAMED GALL TYPICAL UNLESS NOTED OTHERWISE. SHALL BE SET GALL TO FACE OF BUILDING BRAY. UNFACED BATH SET BRAY STUDS TIGHT AT SIDE, TOP & BOTTOM.
 - 2 2X4 NON-BEARING TO SAVE SPACE
 - 3 NOT USED.
 - 4 LOW FRAMED GALL
 - 5 STAIRWAY - 1/2" X 1/4" RAK RISER TREADS 1/2" X 3/4" X 1/2" UNLESS NOTED. NOTE II, SHEET A 01
 - 6 HANDRAIL - DETAIL D/D-3 NOTE II, SHEET A 01 SHOP DRAWING REQUIRED.
 - 7 GUARDRAIL NOTE II SHEET A 01 SHOP DRAWING REQUIRED.
 - 8 STORAGE POSSIBLE DISPENSER LOCATION REAR 2ND FLOOR OPENING
 - 9 FIRE PROTECTION - INTERIOR. USE 5/8" TYPE "X" RATED GYPSUM WALL & GYPSUM SURFACES.
 - 10 BUILT-IN BASE CABINET
 - 11 FULL-HEIGHT CABINET
 - 12 BOOKCASE
 - 13 OVERHEAD GALL CABINET
 - 14 COUNTERTOP
 - 15 STORAGE SHELVING
 - 16 ROOF OR GALL LINE ABOVE
 - 17 ELECTRICAL PANEL - RECESSED. SEE REF SHEETS
 - 18 FIREPLACE. SEE REF SHEETS
 - 19 ALL GARAGE WALLS ON 4" HIGH CONCRETE CURB.
 - 20 WASHER & DRYER & DUCT/VENT SEE REF SHEETS
 - 21 CHAIR LIFT
 - 22 OVERHEAD DOOR AND OPENER
 - 23 SHOWER ENCLOSURE SEE NOTE II, SHEET A 01 ALL TEMPLERED GLASS. SHOP DRAWINGS REQUIRED.
 - 24 SLOPE TO DRAIN, NO CURB
 - 25 CONCRETE SLAB, SLOPE AWAY FROM BUILDING 1/4" PER SCORE LINE & FT. G. RAK. EACH BAY
 - 26 DUCTING THROUGH FLOOR DRAFT STOP ALL JOES
 - 27 ATTIC ACCESS 30"x30" MINIMUM NOTE II, SHEET A 01
 - 28 CHAGEN'S TILE ROOF VENT "CLAY" 5"x6" SQ. IN. FREE AREA
 - 29 TILE ROOFING SYSTEM OVER COMPATIBLE REINFORCE
 - 30 WATER SYSTEM DISTRIBUTION MANIFOLD
 - 31 FIRE SPRINKLER VALVE LOCATION
 - 32 DATA HUB, EXHAUST WITH FAN SEE REF PLANS
 - 33 GUTTER AND DOWNSPOUT SYSTEM
 - 34 RECESSED IRONING BOARD IRON-A-WAY 11/4" X 11/4" 1/2" BOTTOM AT 30"



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 AUG 08 2014

City of Morro Bay
 Public Services Department

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City of Morro Bay
 Public Services Department

Remove & Replace
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 Residence

645 Ridgeway Ave.
 Morro Bay, CA

APN: 066-233-007

Date August 7, 2014

Revisions

Project No: 2013-108

Scale 1/4" = 1'-0"

Sheet Title

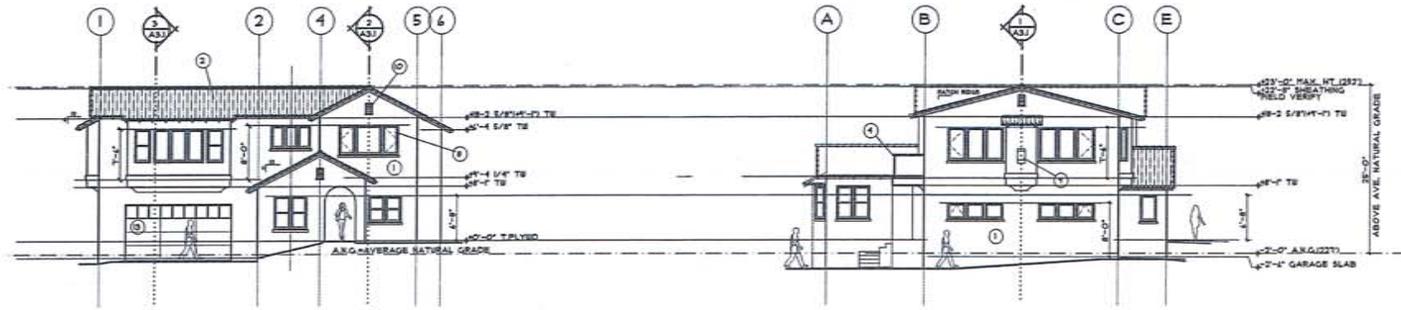
Second Floor Plan

Sheet Number

A 2.2

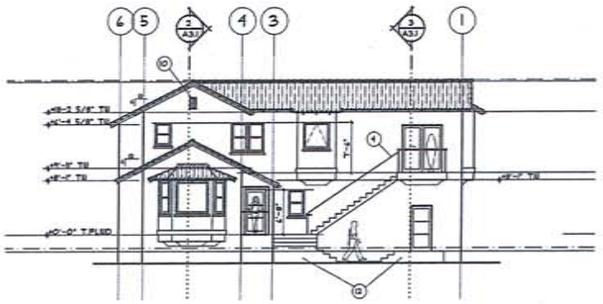
SECOND FLOOR AREA: 1384 SF

EXHIBIT D

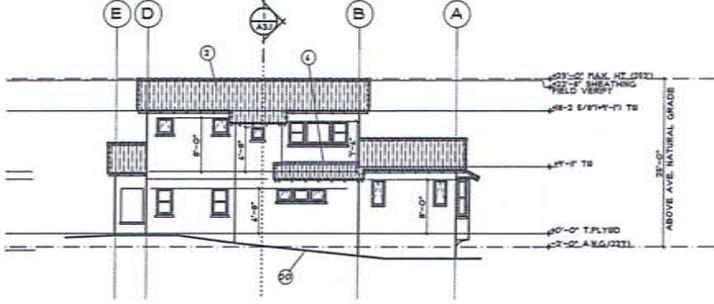


SOUTH ELEVATION - FRONT
1/8" = 1'-0"

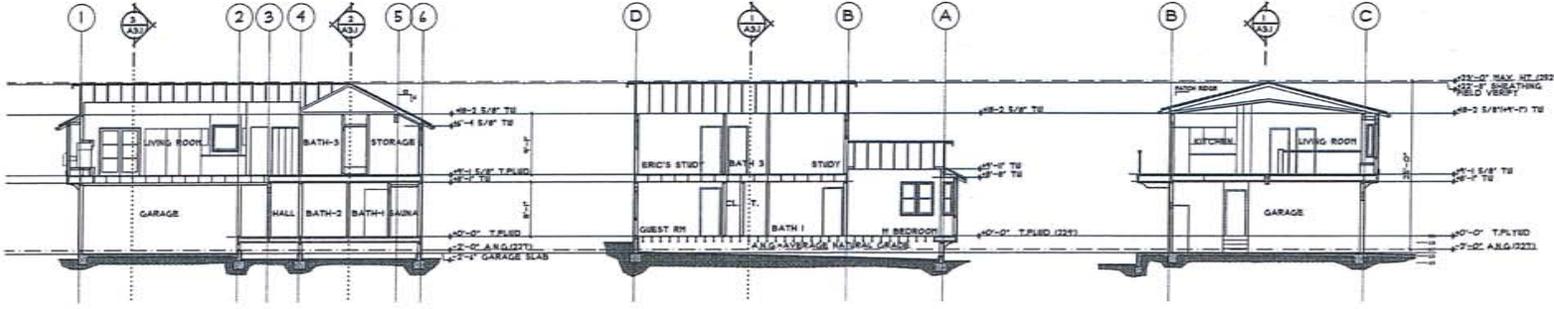
WEST ELEVATION - SIDE
1/8" = 1'-0"



NORTH ELEVATION - REAR
1/8" = 1'-0"



EAST ELEVATION - SIDE
1/8" = 1'-0"



SECTION 1
1/8" = 1'-0"

SECTION 2
1/8" = 1'-0"

SECTION 3
1/8" = 1'-0"

Michael Boudreau
Architecture + Design
1000 Morro Street, Suite 205
San Luis Obispo, CA 93401
(805) 549 0400
MTBArchitecture.com

- KEYNOTES**
- ① CEMENT PLASTER SYSTEM, SAND FINISH
NOTE --, SHEET --
 - ② RED CLAY S-TILE SYSTEM
CLASS "A" SATED
NOTE --, SHEET --
 - ③ STAIR HANDRAIL & GUARDRAIL, SEE NOTE--
SHEET --
 - ④ METAL GUARDRAIL
SLOOP GRADINGS REQUIRED
POWDER COAT FINISH
 - ⑤ PRECAST SILL/FRONT/CAPE
CORING, SHAPED PLASTER
 - ⑥ COPPER FLASHING
 - ⑦ LIGHT FIXTURE SURFACE INT.
SHIELD TO PREVENT SPILL
ONTO NEIGHBOR
 - ⑧ DUAL PANE WINDOW SYSTEM
SEE --
 - ⑨ DIRECT VENT, IS LISTED
FOR FIREPLACE, SEE REF
 - ⑩ NOT USED
 - ⑪ BUILDING RETAINING WALL
SHOWN DASHED
 - ⑫ PRE-CAST COLUMNS
SHOP DEGS REQUIRED
 - ⑬ GARAGE DOOR
 - ⑭ GUTTER AND DOWNSPOUT

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PLANNING DEPARTMENT
CITY OF MORRO BAY
AUG 08 2014

Remove & Replace
Single Family
Residence
845 Ridgeway Ave.
Morro Bay, CA

APN: 066-233-007

©
Date August 7, 2014

Revisions

Job Number 2013-108

Scale 1/8" = 1'-0"

Sheet Title

Elevations/Sections

Sheet Number

A 3.1

City of Morro Bay
Public Services Department

EXHIBIT E

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FEB 09 2015

City of Morro Bay
Public Services Department

Petition Regarding Construction at 845 Ridgeway St. in Morro Bay

As residents of Morro Heights in Morro Bay, we, the undersigned, feel the need to express our concern over the proposed 2 story construction at 845 Ridgeway. Being that we live in an area of visual significance, the protection of our neighborhood's character and public views of Morro Rock are essential to the aesthetic value of our neighborhood. We strongly oppose the 2 story aspect of the plan, as it will impact 135 feet of Morro Rock views along the intersection of Ridgeway and Fresno Ave., which has become a major thoroughfare for area walkers, joggers, cyclists and motorists.

We ask that the Planning Dept. consider an alternative to the proposed plans, as there is a need now, more than ever, to protect our views of the most significant visual feature of Morro Heights.

- 1 Name Ken Hustad Address 991 Ridgeway Morro Bay
Signature [Signature]
- 2 Name Lisa Wieler Address 411 Fresno Ave, Morro Bay
Signature [Signature]
- 3 Name JERRI CROYLE Address 437 BERNARDO AVE
Signature [Signature]
- 4 Name Marlo Franklin Address 371 Bernardo AVE
Signature [Signature]
- 5 Name Judy Walters Address 385 Arbutus Ave.
Signature [Signature]
- 6 Name Tom Walters Address 385 ARBUTUS AVE
Signature [Signature]
- 7 Name Ruth Peck Address 550 Ridgeway St.
Signature [Signature]
- 8 Name Roderick Peck Address 550 Ridgeway St.
Signature [Signature]
- 9 Name Jason Biley Address 875 Ridgeway St.
Signature [Signature]
- 10 Name Minh Biley Address 875 Ridgeway St
Signature [Signature]

EXHIBIT E

Petition Regarding Construction at 845 Ridgeway St. in Morro Bay

As residents of Morro Heights in Morro Bay, we, the undersigned, feel the need to express our concern over the proposed 2 story construction at 845 Ridgeway. Being that we live in an area of visual significance, the protection of our neighborhood's character and public views of Morro Rock are essential to the aesthetic value of our neighborhood. We strongly oppose the 2 story aspect of the plan, as it will impact 135 feet of Morro Rock views along the intersection of Ridgeway and Fresno Ave., which has become a major thoroughfare for area walkers, joggers, cyclists and motorists.

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- 11 Name Denise Rea Address 425 Fresno Ave Morro Bay
Signature Denise M Rea
- 12 Name STEVE REZONICO Address 421 FRESHO AV MORRO BAY
Signature Stephen Rezonico
- 13 Name Janet Colburn Address 421 Fresno Ave
Signature Janet Colburn
- 14 Name Nathalia K. Merzouyan Address 821 Ridgeway
Signature NATHALIA K. MERZOYAN
- 15 Name Dennis Cutschaw Address 821 RIDGEWAY ST.
Signature DENNIS CUTSHAW
- 16 Name H. H. H. H. Address 901 Marina, 93442
Signature H. H. H. H.
- 17 Name John Sayers Address 994 Balboa St #15 93442
Signature John Sayers
- 18 Name Patrick Leonard Address 800 Ridgeway St. #13 93442
Signature Patrick Leonard
- 19 Name Andrew Johnson Address 805 Ridgeway, Morro Bay, Ca
Signature Andrew Johnson
- 20 Name Steven Johnson Address 805 Ridgeway, Morro Bay, CA
Signature Steven Johnson

EXHIBIT E

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- 21 Name Carol Johnson Address 805 RIDGEWAY MORRO BAY
Signature [Signature]
- 22 Name [Signature] Address 805 Ridgeway Morro Bay CA
Signature [Signature]
- 23 Name Martha Johnson Address 805 Ridgeway MB CA
Signature [Signature]
- 24 Name S. Elliott Johnson Address 805 Ridgeway MB CA
Signature [Signature]
- 25 Name Jo Ann Gray Address 429 Bernardo M.B.
Signature [Signature]
- 26 Name [Signature] Address 325 Bernardo MB
Signature DORIS KANDAKAR
- 27 Name [Signature] Address 725 Bernardo
Signature [Signature]
- 28 Name Michael Belz Address 141 Bradley Ave
Signature [Signature]
- 29 Name Verna G Riley Address 400 Fresno Ave
Signature [Signature]
- 30 Name Tom Riley Address 400 Fresno Ave
Signature [Signature]

EXHIBIT E

Petition Regarding Construction at 845 Ridgeway St. in Morro Bay

As residents of Morro Heights in Morro Bay, we, the undersigned, feel the need to express our concern over the proposed 2 story construction at 845 Ridgeway. Being that we live in an area of visual significance, the protection of our neighborhood's character and public views of Morro Rock are essential to the aesthetic value of our neighborhood. We strongly oppose the 2 story aspect of the plan, as it will impact 135 feet of Morro Rock views along the intersection of Ridgeway and Fresno Ave., which has become a major thoroughfare for area walkers, joggers, cyclists and motorists.

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- 31 Name Tranne March Address 391 Arbutus AV
Signature [Signature]
- 32 Name David Rose Address 391 Arbutus Ave
Signature [Signature]
- 33 Name Anthony V Toscano Address 424 Fresno Ave.
Signature [Signature]
- 34 Name KATHLEEN W. DEANO Address 424 FRESNO AVE
Signature [Signature]
- 35 Name Nancy Beattie Address 964 Acacia St Morro Bay
Signature [Signature]
- 36 Name Alex Beattie Address 564 Acacia St, Morro Bay
Signature [Signature]
- 37 Name [Signature] Address 211 Palm, MB
Signature [Signature]
- 38 Name Lenny Beattie Address 411 Fresno M. Bay
Signature [Signature]
- 39 Name KATHERINE CALDWELL Address 1530 Lester Ave, Morro Bay, CA
Signature [Signature]
- 40 Name Susan Hernandez Address 453 Fairview Ave Morro Bay
Signature [Signature]

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Petition Regarding Construction at 845 Ridgeway St. in Morro Bay

As residents of Morro Heights in Morro Bay, we, the undersigned, feel the need to express our concern over the proposed 2 story construction at 845 Ridgeway. Being that we live in an area of visual significance, the protection of our neighborhood's character and public views of Morro Rock are essential to the aesthetic value of our neighborhood. We strongly oppose the 2 story aspect of the plan, as it will impact 135 feet of Morro Rock views along the intersection of Ridgeway and Fresno Ave., which has become a major thoroughfare for area walkers, joggers, cyclists and motorists.

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- * 41 Name _____ Address _____
Signature _____
- 42 Name Niyana Tehrani Address 821 RIDGEWAY ST MORRO BAY
Signature [Signature]
- 43 Name LENORE A. ERICKSON Address 424 BERNARDO AVE, MORRO BAY
Signature Lenore A. Erickson
- 44 Name Tim Laughman Address 195 Kern Avenue
Signature [Signature]
- 45 Name Ann Mewny Address 790 LUISITA ST. MORRO BAY
Signature [Signature]
- 46 Name Barbara Porter Address 648 Kern
Signature Barbara Porter
- 47 Name Andrew Walsh Address 260 Kern Ave
Signature [Signature]
- 48 Name Jody Compton Address 195 Kern Ave
Signature [Signature]
- 49 Name Gerald Anderson Address 367 Fresno Ave
Signature _____
- 50 Name Betty Winholtz Address 405 Acacia
Signature Betty Winholtz

* Did not copy well: Chase Cutshaw 821 Ridgeway St.

EXHIBIT E

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- 51 Name Theodore de'Mont Address 530 Estero Ave Morro Bay
Signature [Signature]
- 52 Name Mary Huestis Address 454 Estero Ave Morro Bay
Signature [Signature]
- 53 Name KAREN J. REA Address 375 ARCHDIA AVE MORRO BAY
Signature [Signature]
- 54 Name Franz Phaniv Address 410 Kern Avenue
Signature [Signature]
- 55 Name Kalila Vilky Address 242 Main St. Morro Bay
Signature [Signature]
- 56 Name GOV 3000 Address 362 SHASTA AVE MORRO BAY
Signature [Signature]
- 57 Name PAT BOYD Address 375 FRESNO AVE.
Signature [Signature]
- 58 Name Dick Boyd Address 375 Fresno Ave
Signature [Signature]
- 59 Name Jeff Blackwell Address 570 Fresno Ave
Signature [Signature]
- 60 Name JAMES HOWARTH Address 931 RIDGEWAY ST.
Signature [Signature]

EXHIBIT E

Petition Regarding Construction at 845 Ridgeway St. in Morro Bay

As residents of Morro Heights in Morro Bay, we, the undersigned, feel the need to express our concern over the proposed 2 story construction at 845 Ridgeway. Being that we live in an area of visual significance, the protection of our neighborhood's character and public views of Morro Rock are essential to the aesthetic value of our neighborhood. We strongly oppose the 2 story aspect of the plan, as it will impact 135 feet of Morro Rock views along the intersection of Ridgeway and Fresno Ave., which has become a major thoroughfare for area walkers, joggers, cyclists and motorists.

We ask that the Planning Dept. consider an alternative to the proposed plans, as there is a need now, more than ever, to protect our views of the most significant visual feature of Morro Heights.

- 61 Name NANCY BAST Address 450 FAIRVIEW AV
Signature Nancy Bast
- 62 Name Grant Crowl Address 490 Fairview Ave
Signature Grant Crowl
- 63 Name ROGER EWING Address P.O. BOX 1323
Signature Roger Ewing
- 64 Name DAVID WEISMAN Address 470 ESTERO AV
Signature David Weisman
- 65 Name JACK MCDURDY Address 901 Morro Bay Blvd. Space 30
Signature Jack McDurdy
- 66 Name Cherie Coulon Address 1701 Los Osos Valley Rd
Signature Cherie Coulon
- 67 Name Paula Horvath Address #20931 Ridgeway St MB
Signature Paula Horvath
- 68 Name Royal Marten Address 901 Ridgeway St
Signature Royal Marten
- 69 Name James S. Brundage Address 751 Cabrillo Pl., Morro Bay CA
Signature James S. Brundage
- 70 Name Ruth Bianchi Address 751 Cabrillo Pl. Morro Bay CA
Signature Ruth Bianchi

EXHIBIT F

City of Morro Bay
Coastal Land Use Plan
Chapter I

FIGURE 3

PLANNING AREAS

- 1-North Morro Bay
- 2-Atascadero Beach
- 3-Del Mar
- 4-Morro Highlands
- 5-Morro Rock
- 6-Bayfront
- 7-Central Morro Bay
- 8-State Park
- 9-Harbor and Navigable Ways
- 10-Sand Spit

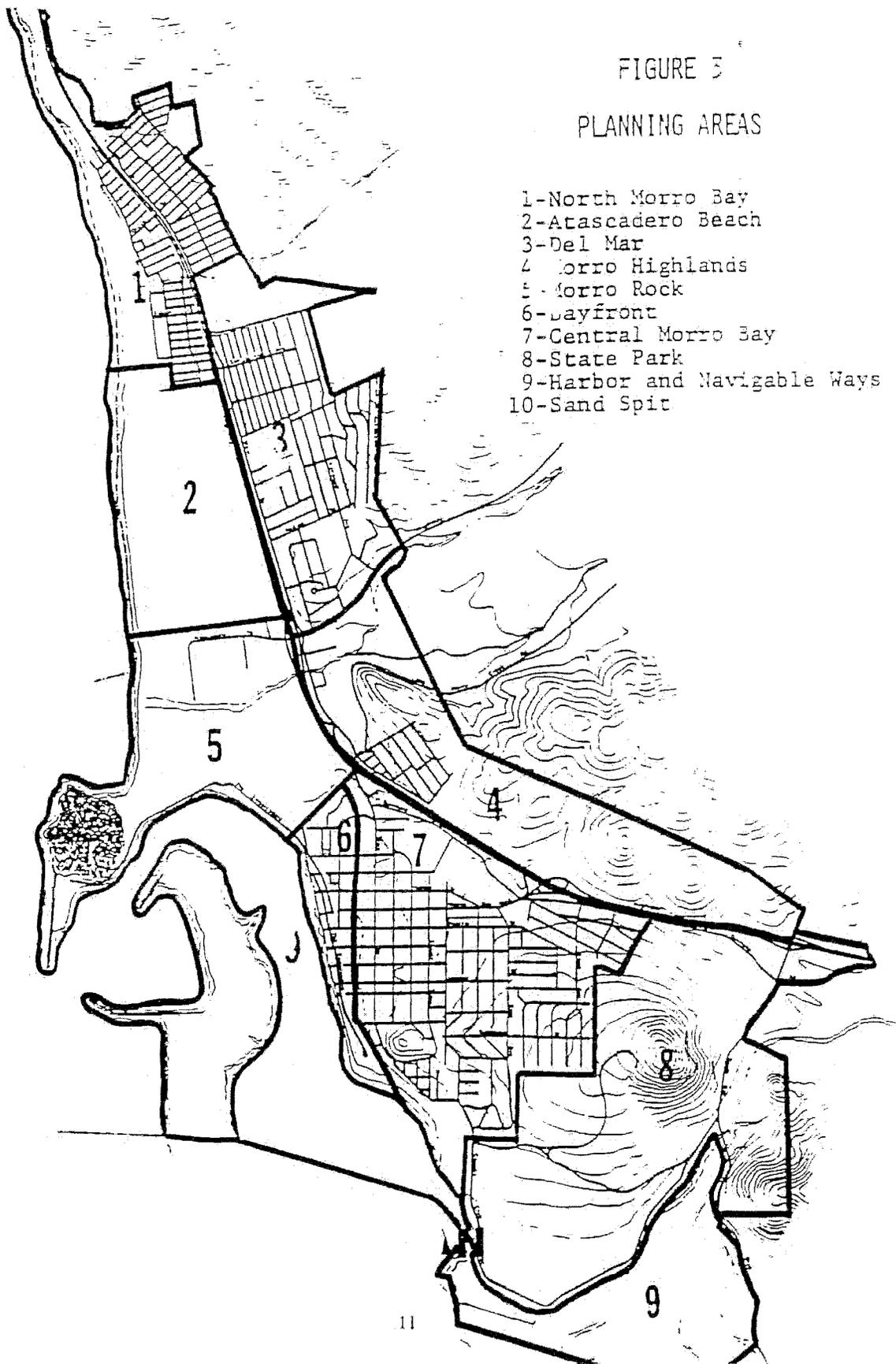
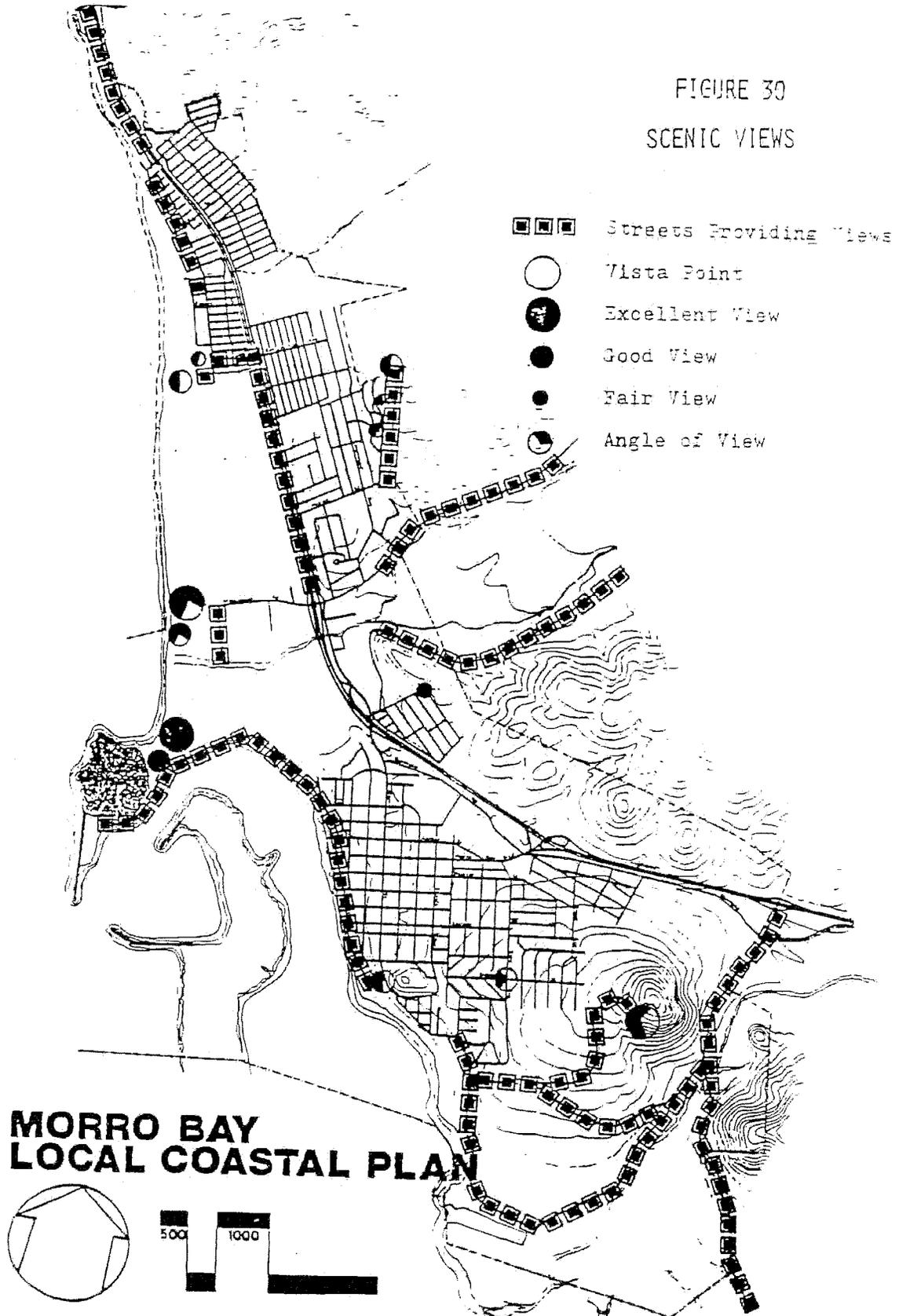


EXHIBIT G

City of Morro Bay
Coastal Land Use Plan
Chapter XIII

FIGURE 30
SCENIC VIEWS



**MORRO BAY
LOCAL COASTAL PLAN**