



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, May 5, 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.

ROB LIVICK, Public Works Director: Presentation of Maritime Museum flat work improvement project and Reconfiguration of the access drive to the Triangle Parking lot (former Dynegy lot).

A. NEW BUSINESS

A-1 Review of Maritime Museum paving improvements and driveway reconfiguration plan for the Triangle Lot (City Parking Lot/Former Dynegy Lot).

Staff: Rob Livick, Public Works Director/City Engineer

B. CONSENT CALENDAR

B-1 Approval of minutes from the Planning Commission meeting of March 3, 2015.

Staff Recommendation: Approve minutes as submitted.

B-2 Current and Advanced Planning Processing List

Staff Recommendation: Receive and file.

C. 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.

C-1 *Continued from the April 7, 2015 Planning Commission meeting*

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: Categorically 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-2 Case No.: UP0-342 Precise Plan

Site Location: 901-915 Embarcadero

Proposal: Precise Plan approval of Conditional Use Permit #UP0-342 for waterside and landside improvements which would result in addition of 6 new floating docks, remodel of existing visitor-serving development including construction of a new 590sf retail unit, enlarge harbor walkway for pedestrian access, remodeling and enlarging two existing restrooms, restriping existing parking spaces and related building façade improvements.

CEQA Determination: Mitigated Negative Declaration adopted on October 16, 2013, SCH#2012091063

Staff Recommendation: Conditionally Approve

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

D. UNFINISHED BUSINESS

D-1 Design Guidelines Review.

Staff contact: Scot Graham, Community Development Manager

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 May 19, 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 within the Coastal Appeal Area. If the property is located outside the Coastal Appeal Area, the fee is \$250 flat fee. If a fee is required, the appeal will not be considered complete if the fee is not paid. If the City decides in the appellant's favor then the fee will be refunded.

City Council decisions may also be appealed to the California Coastal Commission pursuant to the Coastal Act Section 30603 for those projects that are in their appeals jurisdiction. Exhaustion of appeals at the City is required prior to appealing the matter to the California Coastal Commission. The appeal to the City Council must be made

to the City and the appeal to the California Coastal Commission must be made directly to the California Coastal Commission Office. These regulations provide the California Coastal Commission 10 working days following the expiration of the City appeal period to appeal the decision. This means that no construction permit shall be issued until both the City and Coastal Commission appeal period have expired without an appeal being filed. The Coastal Commission's Santa Cruz Office at (831) 427-4863 may be contacted for further information on appeal procedures.

AGENDA ITEM: _____

DATE: March 3, 2015

ACTION: _____

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – MARCH 3, 2015
VETERANS MEMORIAL BUILDING – 6:00 PM

PRESENT:	Robert Tefft	Chairperson
	Gerald Luhr	Vice Chairperson
	Richard Sadowski	Commissioner
	Michael Lucas	Commissioner
	Katherine Sorenson	Commissioner
STAFF:	Scot Graham	Community Development Manager
	Cindy Jacinth	Associate Planner

ESTABLISH QUORUM AND CALL TO ORDER
MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE
PLANNING COMMISSIONER ANNOUNCEMENTS
<https://youtu.be/XKSb1eWfmao?t=1m49s>

PUBLIC COMMENTS – NONE

ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON

Tefft moved for the Planning Commissioners to vote for a Chairperson. All agreed on voting for Tefft as Chairperson. Tefft was voted as Chairperson. (4-0, Tefft abstained).

Tefft moved for the Planning Commissioners to vote for a Vice-Chairperson. All agreed on voting for Sorenson as Vice-Chairperson. Sorenson was voted as the new Vice-Chairperson (4-0, Sorenson abstained).

<https://youtu.be/XKSb1eWfmao?t=2m5s>

PRESENTATIONS – NONE

A. CONSENT CALENDAR

A-1 Approval of minutes from the Planning Commission meeting of January 20, 2015
Staff Recommendation: Approve minutes as submitted.
<https://youtu.be/XKSb1eWfmao?t=3m55s>

A-2 Current and Advanced Planning Processing List
Staff Recommendation: Receive and file.
<https://youtu.be/XKSb1eWfmao?t=5m4s>

MOTION: Commissioner Sorenson moved to approve the Consent Calendar. Commissioner Lucas seconded the motion and the motion passed. (5-0)
<https://youtu.be/XKSb1eWfmao?t=5m19s>

Chairperson Tefft opened Public Comment period and seeing none, closed Public Comment period.
<https://youtu.be/XKSb1eWfmao?t=5m52s>

B. PUBLIC HEARINGS

<https://youtu.be/XKSb1eWfmao?t=6m8s>

B-1 **Case No.:** #UP0-359

Site Location: 725 Embarcadero , Morro Bay, CA

Proposal: Concept Plan approval for Conditional Use Permit for construction of new gangway, dock, and seven (7) boat slips (6 private rentals and 1 public slip) at 725 Embarcadero, Rose's Landing.

CEQA Determination: Mitigated Negative Declaration - SCH#2015011002

Staff Recommendation: Continue the March 17, 2015 Planning Commission meeting

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

Jacinth stated staff recommended a continuance on March 17th due to an error in Public Noticing Procedures. During the process of the staff report, staff had received comments from the Coastal Commission regarding the Mitigated Negative Declaration. The applicant was requested to make further revisions and until this has been addressed with the Coastal Commission, staff will be unable to bring the project to the Planning Commission for review and adoption of the Mitigated Negative Declaration.

Staff is recommending opening up public comment and continue on a date to be determined.

<https://youtu.be/XKSb1eWfmao?t=6m13s>

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

<https://youtu.be/XKSb1eWfmao>

MOTION: Commissioner Lucas moved to Continue Case Number UP0-359. Commissioner Sorenson seconded the motion and the motion passed unanimously. (5-0)

<https://youtu.be/XKSb1eWfmao?t=11m8s>

C. UNFINISHED BUSINESS – NONE

D. NEW BUSINESS

D-1 Discussion of sloped properties and structures in the right of way

Staff Recommendation: Review and discuss with direction to staff to develop interpretation regarding City requirements.

<https://youtu.be/XKSb1eWfmao?t=11m30s>

D-2 Discussion of 2015-2016 City Council adopted goals

<https://youtu.be/XKSb1eWfmao?t=1h9m48s>

E. PLANNING COMMISSIONER COMMENTS - NONE

<https://youtu.be/XKSb1eWfmao?t=1h33m59s>

F. COMMUNITY DEVELOPMENT MANAGER COMMENTS

- Graham informed the Planning Commission he is still working on the design guidelines.
- Joint City Council/ Planning Commission Meeting at 4:30 PM on Tuesday, March 24th.

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING –MARCH 3, 2015

- Reminded Commissioners about the Planning Commissioners Academy in Newport, CA on March 4th-5th.

<https://youtu.be/XKSb1eWfmao?t=1h37m16s>

G. ADJOURNMENT

The meeting adjourned at 7:41 p.m. to the next regularly Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on March 17, 2015 at 6:00 p.m.

Robert Tefft, Chairperson

ATTEST:

Scot Graham, Secretary



City of Morro Bay
 Community Development Division
 Current & Advanced Project Tracking Sheet

This tracking sheet shows the status of the work being processed by the Planning Division
 New Planning items or items recently updated are highlighted in yellow. Building items highlighted in green are pending action from the applicant.
 Approved projects are deleted on next version of log.

Agenda No: A-2

Meeting Date: May 5, 2015

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations
Hearing or Action Ready									
2	Seashell Estates, LLC	361 Sea Shell Cove	1/26/15	CP0-459/ UP0-401	Coastal Development Permit/Conditional Use Permit for new SFR. Lot 4 of 1305 Teresa Subdivision	Reviewing CC&R Design Guidelines. Deemed complete 3-2-15. Anticipate 4/21 PC hearing. Project continued to a date uncertain. CJ.	2/23/15 FD Cond App TP	BCR has for review 2/3/15	
3	Held	901-915 Embarcadero	2/25/15	UP0-342	Precise Plan approval for New Docks, Retail Unit, Public Access and Façade Changes at Harbor Center	Concept Plan approval received by Council in 2012. CDP approval received by Coastal Commission. Precise Plan approval to be reviewed by PC. Project deemed complete. To be heard by PC at 5/5 mtg.			
30 -Day Review, Incomplete or Additional Submittal Review									
4	Robson	110 Orcas St.	4/24/15	CP0-471 & AD0-100	Coastal Development Permit & Variance for new SFR in S2A overlay. Variance to allow subterranean garage in zone which prohibits 2 story construction				
5	Boisclair	900 Main St.	4/24/15	UP0-416	Business change. Combine 2 separate uses, bar & restaurant				
6	Merrifield	1147 West St.	4/24/15	CP0- 469 & UP0-414	Coastal Development and Conditional Use Permits to construct new SFR subject to bluff development stds.				
7	Wright	1149 West St.	4/24/15	CP0-470 & UP0-415	Coastal Development and Conditional Use Permits to construct new SFR subject to bluff development stds.				
8	DVP, LP	350 Las Vegas	4/21/15	CP0-468	Demo/ reconstruct. Demolish 832 sf SFR and reconstruct 1600sf with 484 sf garage	Under Initial Review. JG			
9	Combs	460 & 490 Errol St.	4/19/15	CP0-467	Removal of 2 residential structures on property				
10	Morgan	2198 Main St.	4/15/15	UP0-413	Conditional Use Permit to allow business occupancy change in the MCR zone	Under review. JG. PW disapproved, needs more info. Resubmitted 4/30. JG			

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations
11	Verizon / Knight	702 Morro Bay Blvd	4/15/15	UP0-412 & CP0-466	Conditional Use Permit & Coastal Development permit for new Verizon antenna and cabinets, associated facilities			ME- Conditionally approved per memo 4/22/2015	
12	AT&T	590 Morro Street	4/10/15	UP0-411 & CP0-465	Conditional Use Permit & Coastal Development permit to modify 2006 Planning permit approval for unmanned cell site				
13	Peck	2455 Greenwood	3/18/15	UP0-409	Conditional Use Permit for an addition over 25% to a nonconforming SFR	Under initial review. JG. Incomplete letter sent. Resubmittal received 4/28	4/22/15 FD Cond App TP		
14	Brickhouse BBQ	939 Main St.	3/13/15	UP0-408	Minor Use Permit for a BBQ restaurant in the C-1 zone	Under initial review. JG. Project noticed 4/14. Permit issued 4/27/15. JG		ME- Conditionally approved per memo	
15	T-Mobile	1478 Quintana	1/30/15	UP0-403	Minor Use Permit to Modify existing wireless telecommunication site at church	JG - Under initial review. Correction letter sent 3/5/2015. JG		JW approved	
16	Volk	800 Quintana	1/29/15	CP0-461 & UP0-405	CDP / CUP for Verizon wireless telecommunications facility	CJ - under review. Incomplete letter sent 3-2-15		RPS approved	
17	Knight / Verizon	485 Piney Way	1/29/15	CP0-460 & UP0-402	CDP /CUP for Verizon wireless telecommunications facility (panel antennas & equipment cabinet)	CJ - RF Compliance Report under review. Incomplete letter sent 3-2-15.		ME conditionally approved per memo 2/3/15	
18	Frederick/Haseley/Dunn	413 Shasta	1/14/15	CP0-458	Admin Coastal Development Permit for Demo and Reconstruction of 2,195 sq. ft. SFR w/546 sq. ft. garage	Under Review. JG. Correction letter sent 2/23. JG. Email correspondence w/ agent 3/2. JG. Resubmittal rcv'd. Under review. JG. Incomplete letter sent 4/23		RPS returned for clarification 2/20/15	
19	T-Mobile West LLC	1245 Little Morro Creek Rd (aka 750 Radcliffe)	1/8/15	Modification of UP0-245 & CP0-279	Upgrade of existing wireless facilities at PG&E lattice tower.	Requested proposed visual simulation 2-11-15. Resubmitted 4/2/15. CJ		RPS - Encroachment Permit required for Work w/i ROW	
20	Chivens	431 Kern	1/6/15	CP0-456	Admin Coastal Development Permit. Demo existing structure. New 3,000+- SF SFR. Development of 2nd home where previous CDP for 431 Kern approved 9-2014. WM	Incomplete letter sent 2/3/15.	2/23/15 FD Cond App TP	RPS has approved plans 2/23/15 pending submission of sewer video and ECP prior to Building Permit.	
21	Appleby	381 Fresno	11/26/14	UP0-398	Conditional Use Permit for construction of a 15' x 35' storage shed & 37' x 15'6" carport	Under review. JG. Incomplete letter sent. Resubmittal rcv'd, under review. JG. Incomplete letter sent 2/24. JG.		RPS returned resubmittal for same corrects 2/20/15	
22	Verizon / Knight	184 Main	11/19/14	UP0-394	Conditional Use Permit for installation of new Wireless Facility/Verizon antennas on existing pole.	Under Review. JG. Incomplete. Waiting on response from Tricia Knight. Wants to keep project open and figure out the parking situation or move location. 1/26. JG		RPS disapproved on 12/15/14 since proposed pole site will be removed during undergrounding	
23	Christensen	670 Shasta	10/9/14	UP0-390/ AD0-095	Conditional Use Permit and Parking Exception for SFR Addition of greater than 25% to a nonconforming SFR	Addition greater than 25% to a nonconforming structure plus parking exception to allow a single car garage where two spaces are required. Needs historical eval. Incomplete letter sent 10/23. JG. Waiting on Historic Eval. Spoke with applicant at counter 2/17 JG. Historic Eval. rcv'd 4/9/15. JG. Scheduled for PC 5/19	BC- conditionally approved.	RPS - Conditionally Approved per memo of 10/23/14	

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations
24	Fowler	1185-1215 Embarcadero	10/6/14	UP0-058	Precise Plan submittal for landside improvements	Under review. Incomplete letter 11-5-14. CJ. Fire comments emailed to applicant 11-26-14. Resubmittal received 12/29/14. Correction sent 1-29-14. Resubmittal 3-19-15		RPS provided comments for revision of Precise Plan on 2/11/15	
25	Leage	833 Embarcadero	9/15/14	UP0-389	Demolish existing building. Reconstruct new 1 story building (retail/restaurant use) & outdoor improvements	Under review. Deemed incomplete. Letter sent 10-13-14. CJ Resubmittal received 2/17/15. Incomplete letter sent . Resubmittal received.	BC- incomplete	RPS - Disapproved for plan corrections noted in memo of 10/14/14	
26	Wordeman	2900 Alder	7/28/14	CP0-447	Admin Coastal Dev. Permit for new construction of duplex in R-4 zone. Unit A: 1965 sf w/605 sf garage. Unit B: 1714 sf w/605 sf garage.	Under Review. Correction letter sent 8-27-14. Resubmittal received 1-26-15. JG. Correction letter sent. Partial resubmittal rcv'd 2/23. Under Review. JG. Correction letter sent 1/30 JG	BC- conditionally approved.	BCR returned for correction 2/19/15	
27	Hough	289 Main	10/16/13	CP0-410 & UP0-369	CDP and CUP to construct a 2,578sf single family home on vacant lot	CJ- under review. Met with Applicant's representative 11-21-13. Project subject to bluff development standards. Met w/ Applicant representative 3-3-14 regarding bluff determination per LCP maps. Letter sent 4-1-14 re completeness and bluff standards. CJ. Visited site to review project 10-24-14. Concurrent request sent re bluff to Coastal Commission 10-27-14. Discussed project with Coastal staff 11-18-14 with referral to CCC Geologist 1-2015. Met w/ Coastal geologist 2-12-15 on site. Resubmittal received.	BC- conditionally approved. TP-Disapprove 12/6/13.	BCR: Conditionally approved: ECP and sewer video required per memo of 10/28/13. Began resubmittal review 3/18/15	
28	Sonic	1840 Main St.	8/14/13	UP0-364 & CP0-404	Conditional Use Permit and Coastal Development Permit to develop Sonic restaurant.	Under initial review. Comment letter sent 9/10/13. CJ. Spoke w/ applicant 10/3 re: traffic study. CJ. Public Works & Fire comments received & forwarded 10/8/13 to applicant. Comments from Cal Trans received 10/31 and forwarded to Applicant. Applicant requested meeting w/ City staff & Cal Trans to review project requirements. Had project meeting-discussed traffic study requirements on 11-21-13. Requested fee estimate from environmental consultant for CEQA purposes. CJ. Resubmitted 5/27. Environmental Review in process. Correction letter based on environmental review sent 8-6-14. Resubmittal received 1-23-15 and correction sent 2-23-15.	Bldg -- Review complete, applicant to obtain building permit prior to construction.FD-Disapprove UPO 364/CPO 404 9/11/13.9/9/14 FD App TP. 2/10/15 FD Not App TP.	RPS: Intial conditions provide by memos of 9/10/13 and 10/14. Met with Caltrans on 10/17. 7/22/14 Resubmittal review underway. Application still incomplete per memo of 2/23/15	
29	Perry	3202 Beachcomber	9/8/2011 & 10/25/2012	AD0-067 / CP0-381	Variance. Demo/Reconstruct. New home with basement in S2.A overlay. Variance approved for deck only; the issue of stories was resolved due to inconsistencies in Zoning Ordinance.	Variance approved at 8/15/12 PC meeting. Appealed by 3 parties to City Council. Appeal to be heard. City Attorney reviewing.Appeal in abeyance until coastal application complete. Incomplete letter for CDP sent 12/13/12. No response since 2012. Sent Intent to Deem Withdrawn Letter 9-2-14. JG. Applicant responded with Request for Meeting to keep CDP application open. SG.	Review complete, applicant to obtain building permit prior to construction.	No review since conditional approval of 6/11/12	

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations
30	LaPlante	3093 Beachcomber	11/3/11	CP0-365	Coastal Development Permit for New SFR in appeals jurisdiction. Proposed SFR of 3,495sf w/ 500 sf garage on vacant land.	SD-- Incomplete Letter 12/12/11. Phase 1 Arch Report required and Env. Document. Environmental in process. Letter sent 4/11/2012 requesting environmental study. MR-Met with Applicant and discussed potential impacts of project and CEQA information requested to complete MND. Applicant is preparing Bio. Report. Bio. report received 3/13 and under review. Project referred to env. consultant and Coastal. MND in process. Applicant revising bio report and snail study. Spoke w/ Applicant Representative 3-13-14. Snail study complete and sent to Dept of Fish and Wildlife for concurrence review. Spoke w/ env. consultant re completion of environmental 4/7 CJ. Met with application 7-18-14 to request addendum to bio report in order to complete CEQA. Bluff determination and snowy plover report submitted 8-14-14. CJ. MND complete. Anticipate routing to State Clearinghouse on 9/18/14. Coastal Commission comment letter received 10-20-14. City responded to Coastal on 10-27. Applicant working to address comments. Discussed project with Coastal staff in meeting 11-18-14 and met with applicant 12/4/14 and 1/20/15. Waiting on plan revisions. CJ.	Review complete, applicant to obtain building permit prior to construction.	No review since conditional approval of 11/20/12	No Comments to date
Planning Commission Continued projects									
31	Redican	725 Embarcadero Rd.	6/26/13	UP0-359	Use Permit for seven boat slips and gangway	Under review. Incomplete letter sent 7-23-13. Resubmittal received on October 1, 2013. Additional info requested and resubmittal received 12-2-13. Incomplete letter sent 12-30. Meeting with Applicant on 2-13-14. Emailed Applicant 2-26-14 to clarify eelgrass study requirements for environmental review. Info hold letter sent 9-2-14. Resubmitted 10-28-14. Initial Study/MND complete & routed to State Clearinghouse 1-2-15. Anticipate 2-17-15 PC hearing. Comments received from Coastal Commission regarding eelgrass mitigation. Dock revision in progress. Project continued to 3-17-15 mtg to ensure legal noticing. Applicant submitted revised dock plans based on Coastal Commission feedback re: MND.	Bldg -- Review complete, applicant to obtain building permit prior to construction. Disapproved 4/21/14TP- Disapprove 11/19/13.	PW requirements will be addressed with Building Permit review	Harbor conditions: 1. one slip to be reserved for public use; 2. southern-most end tie to remain vacant in order to not encroach on neighboring lease site. Note-water lease line will need to be extended out to accommodate slips. EE 12/16/13

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations
32	Frye	3420 Toro Lane	1/13/14	CP0-419 & UP0-383	Coastal Development Permit and Conditional Use Permit for New 2,209sf SFR and 551sf garage w/ approx. 300 sf of decking on vacant lot.	Under initial review. Met w/ Applicant 1-17-14 re Incomplete Submittal of Plans. Resubmitted 1-23-14. Correction letter sent 2-20-14 CJ Met w/ Applicant 2-28-14 to review process - CJ. Correction letter sent 3-28-14. Met w/ environmental consultant 4/7. Draft initial study under review and plans resubmitted 6/25/14. WM. MND routed to State Clearinghouse with tentative PC hearing date for 9/2/14. Correspondence received from Coastal Commission and Ca Dept of Fish and Wildlife regarding environmental. Applicant addressing concerns. PC continued to date uncertain. Met with Applicant 9-30-14. Addendum to Bio report received 11/11. Need to revise and recirculate MND. Discussed project with Coastal staff in meeting 11-18-14. WM	BC-disapproved- need geologic and engineering geology report.FD/TP Approve2/24/14	RPS conditionally approved per memo of 7/20/14	
33	City of Morro Bay	End of Nutmeg	1/18/12	UP0-344	Environmental documents for Nutmeg Tanks. Permit number for tracking purposes only County issuing permit. Demo existing and replace with two larger reservoirs. City handling environmental review	KW--Environmental contracted out to SWCA estimated to be complete on 4/27/2012. SWCA submitted draft I.S. to City on May 1, 2012. MR-Reviewed MND and met with SWCA to make corrections. In contact with County Environmental Division for their review. MND received by SWCA on 10/7/12. MND out for public notice and 30 day review as of 11/19/12. 30 day review ends on 12/25/12. No comments received. Scheduled for 1/16/13 Planning Commission meeting and then to be referred back to SLO County. Planning Commission continued this item to address concerns regarding traffic generated from the removal of soil. In applicant's court, they are addressing issues brought up by neighbors during initial P.C. meeting. Project has been redesigned and will be going forward with concrete tanks. Modifications to the MND are in process. Neighborhood meeting conducted with Engineering on 9/27/2013. Revising project description and MND.	No review performed.	BCR- New design concept completed. Needs new MND for concrete tank, less truck trips.Neighborhood mtg held 9/27. Neighbors generally support new design that reduces truck trips by 80%. Concrete batch plant set up on site will further reduce impact. 5/5/14 - Cannon contract signed to finish permit phase. Construction will be delayed to FY15/16	
Environmental Review									
34	City of Morro Bay	N/A			MND for Chorro Creek Stream Gauges	Applicant requesting meeting for week of 9/9/13. SWCA performing the environmental review. Received completed MND from Water Systems Consulting (WSC) on 4/1/15. To be routed to State Clearinghouse for required 30 day review period.	No review performed.	MND complete. Cut permit checks to RWQCB and CDFW on 2/27/15	
Grants									

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations
35	Coastal Conservancy, California Coastal Commission, California Ocean Protection Council	City-wide			\$250,000 Grant Opportunity for funding for LCP update to address sea-level rise and climate change impacts.	Application submitted July 15, 2013. Awaiting results. Agency requested additional information and submitted 10-7-13. Notice received application was successful for amount requested. City funded \$250,000. Staff in contact with CA Ocean Protection Council staff to commence grant contract.	No review performed.	N/A	
36	City of Morro Bay	City-wide			Community Development Block Grant/HOME Program - Urban County Consortium	Staff has ongoing responsibilities for contract management. 2012 contracts in progress. 2013 contracts in progress. City Council approval 6/10/14 for City participation in Urban County consortium for Fiscal Years 2015-2017. Needs Assessment Workshop scheduled for 9/11/14 in tandem with Cities of Atascadero and Paso Robles at Atascadero City Hall 5pm. Draft 2015 CDBG funding recommendation approved by Council 12/9/14.	No review performed.	N/R	
37	City of Morro Bay	City-wide			Climate Action Plan - Implementation	Staff has ongoing responsibilities for implementation of Climate Action Plan as adopted by City Council January 2014. Staff coordinating activities with other Cities and County of SLO via APCD.			
Project requiring coordination with another jurisdiction									
38	City of Morro Bay	Outfall			Original jurisdiction CDP for the outfall and for the associated wells	Coastal staff is working with staff. Coastal letter received 4/29/2013. Discussed project with Coastal staff in meeting 11-18-14.	No review performed.	City provided response to CCC on 7/12/13. Per Qtrly Conference Call CCC will take 30days to respond	
39	City of Morro Bay Desal Plant	170 Atascadero			Project requires a Coastal Development Permit for upgrades at the Plant. Final action taken Sent to CCC but pursuant to their request the City has rescinded the action.	Waiting for outcome from the CDP application for the outfall. Discussed project with Coastal staff in meeting 11-18-14.	No review performed.	BCR- Phase 1 Maint and Repair project is underway. Desal plant start-up scheduled for 10/15/13. Phase 1 complete and finalized. Phase 2 on hold as	
Preapplication projects - None currently									
Final Map Under Review									

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations
40	Medina	3390 Main	10/7/11	Map	Final Map. Issues with ESH restoration. Applicant placed processing of final map on hold by proposing an amendment to the approved tentative map and coastal development permit. Applicant proposed administrative amendment. Elevated to PC, approved 1/4/12. Appealed, scheduled for 2/14/12 CC Meeting. Appeal upheld by City Council, and project with denied 2/14/12. map check returning for corrections on 3/9/12	SD--Meeting with applicant regarding ESH Area and Biological Study. MR- Received letters from biologist regarding revegetation on 9/2/12. Letter sent to biologist. Recent Submittal reviewed and memo sent to PW regarding deficiencies. Initial review shows resubmitted map does not meet the 50 foot ESH buffer setback requirement. Creek restoration required per Planning condition #4 prior to recordation of the final map.	No review performed.	DH - resubmitted map and Biological study on Dec 19th 2012. PW has completed their review. Received a letter from Medina's lawyer and preparing response. PW comments sent to RS to be included with his response letter. RS said to process map for CC. Letter being prepared to send to applicant to submit mylars for CC meeting.	
Projects Continued Indefinitely, No Response to Date on Incomplete Letter or inactive									
41	Maritime Museum Association (Larry Newland)	Embarcadero	11/21/05	UP0-092 & CP0-139	Embarcadero-Maritime Museum (Larry Newland). Submitted 11/21/05. Resubmitted 10/5/06, tentative CC for landowner consent 1/22/07 Landowner consent granted. Resubmitted 5/25/07. Resubmitted additional material on 9/30/09. Applicant working with City Staff regarding lease for subject site. Applicants enter into agreement with City Council on project. Applicant to provide revised site plan. Staff processing a "Summary Vacation (abandonment)" for a portion of Surf Street. Staff waiting on applicant's resubmittal. Meeting held with applicant 2/23/2011. Staff met with applicant 1/27/11 and reviewed new drawings, left meeting with applicant indicating they would be resubmitting new plans based on our discussions.	KW--Incomplete 12/15/05. Incomplete 3/7/07. Incomplete Letter sent 6/27/07. Met to discuss status 10/4/07 Incomplete 2/4/08. Met with applicants on 3/3/09 regarding inc. later. Met with applicants on 2/19/2010. Environmental documents being prepared. Meeting held with city staff and applicants on 2/3/2011. Sent Intent to Deem Withdrawn letter 9-2-14. JG.	Please route project to Building upon resubmittal.	An abandonment of Front street necessary. To be scheduled for CC mtg.	
42	Lucky 7	1860 Main	3/12/13	CP0-394	Construct Fuel Island Canopy & Initial Study/MND	CJ- Requested additional info. 3-29-13 Resubmittal received 7-22. Project deemed not exempt from CEQA. Initial Study in process. Requested photometric plan for new lighting of canopy via phone 1-28-14 for initial study. Photometric plan and revised plans received 2-10-14. Reviewing new material submitted for inclusion in Initial Study. Initial Study complete and ready for signature 5/1/14. Reviewed with applicant 5/12. Waiting on Applicant to sign mitigations. WM. Sent Intent to Deem Withdrawn letter 8-28-14. JG.	Review complete, applicant to obtain building permit prior to construction. FD Approval CPO 394 8/23/13	Approved BCR 3/18/13	

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations
43	AT&T	590 Morro	1/16/14	CP0-126 / UP0-084	Upgrade of unmanned telecommunications facility	Under initial review. Emailed update to Applicant 3-3-14. Correction letter sent 3-19-14. WM. Intent to Deem Withdrawn letter sent 8-28-14. JG. Spoke with applicant 9-16, intends to resubmit. JG.	BC- conditionally approved.	BCR- ADA ramp upgrade required	
44	James Maul	530, 532, Morro Ave 534	3/12/10	SP0-323 & UP0-282	Parcel Map. CDP & CUP for 3 townhomes. Resubmittal 11/8/10. Resubmittal did not address all issues identified in correction letter.	KW-Incomplete letter sent 4/20/10. Met with applicant 5/25/10. Letter sent to applicant/agent indicating the City's intent to terminate the application based on inactivity. City advised there will be a new applicant and to keep the application viable.MR: Received letter from applicant's rep 11/15/12 requesting project remain open. Called B. Elster for further information. Six month extension granted. Sent Intent to Deem Withdrawn Letter 8-28-14. Applicant requested to keep project open 9-25-14.	Please route project to Building upon resubmittal.	N/A	
Projects going forward to Coastal Commission for review (Pending LCP Amendments) / State Department of Housing									
45	City of Morro Bay	Citywide	10/16/13	A00-013	Zoning Text Amendment - Second Unit	Secondary Unit Ordinance Amendment. Ordinance 576 passed by City Council in 2012. 6-11-13 City Council direction to staff to bring back to Planning Commission for review of ordinance. At 10-16-13 PC meeting, Commission recommended changes to maximum unit size and tandem parking design where units over 900 sf and/or tandem parking design of second unit triggers a CUP process. Council accepted PC recommendation at 2-11-14 meeting and directed staff to bring back revised ordinance for a first reading and introduction. Item continued to 4/22/14 Council meeting to allow time for Coastal staff comment regarding proposed changes. Council approved Into and First Reading on 4/22/14. Final Adoption of Ord. 585 at 5/13/14 Council meeting. Ordinance to be sent as an LCP Amendment for certification by Coastal Commission.	No review performed.		
46	City of Morro Bay	Citywide	2/1/13	Ordinance 556	Wireless Amendment - LCP Amendment CHAPTER 17.27 Amendment for "Antennas and Wireless Telecommunications Facilities" AND MODIFYING CHAPTER 17.12 TO INCORPORATE NEW DEFINITIONS, 17.24 to MODIFY primary district matrices to incorporate the text changes , 17.30 to eliminate section 17.30.030.F "antennas", 17.48 modify to eliminate section 17.48.340 "Satellite dish antennas".	Application for Wireless Amendment submitted to Coastal Commission 9-11-13. Received comments back from CCC 11-27-13, working on addressing issues.	No review preformed.	N/A	

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations
Projects Appealed or Forwarded to City Council									
47	City of Morro Bay	Citywide	6/19/13	A00-015	Sign Ordinance Update. Text Amendment Modifying Section 17.68 "Signs"	Text Amendment Modifying Section 17.68 "Signs". Planning Commission placed the ordinance on hold pending additional work on definitions and temporary signs. 5/17/2010. PC made recommendations and forwarded to Council. Item heard at 5/24/11 City Council Meeting. Interim Urgency Ordinance approved to allow projecting signs. A report brought to PC on 2/7/2011. Workshops scheduled 9/29/11 & 10/6/11. Workshop results going to City Council 12/13/11. Continued to 1/10/12 CC meeting. Staff Report to PC. Project went to 5/2/2012. Update due to City Council in June 2013. Draft Sign Ordinance reviewed by PC on 6/19/13. Continued to 7/3/13 PC meeting for further review. PC has reviewed Downtown, Embarcadero, and Quintana Districts as well as the Tourist-Oriented Directional Sign Plan. 8/21/13 Final Draft of Sign Ordinance approved at 9/4/13 PC meeting with recommendation to forward to City Council. Council directed staff to do further research with local businesses. First workshop held 11/14 with approx. 12 Quintana area businesses. Downtown workshop held March 2014, North Main business workshop held 4/28/14 and Embarcadero business workshop held 5/19/14. Result of sign workshops to be agendaized for Planning Commission.	No review performed.	N/R	
Projects in Building Plan Check									
48	Sangren	675 Anchor	11/28/12	B-29813	SFR Addition	Requested corrections 1/9/13. CJ. Resubmittal received and under review (November 14, 2013). Denial letter sent 4/24/14 GN	BC- Returned for corrections 1/9/13.	N/A	
49	LaPlante	3093 Beachcomber	11/3/11	B-29586	New SFR: 3,495sf w/ 500 sf garage on vacant land.	SD--Incomplete Letter 12/12/11. Phase 1 Arch Report required and Environmental Document. Incomplete letter sent 2/2012. MR: Met with applicant to go over environmental issues.	BC- Application on hold during planning process	DH- Provide SW mgmt, drainage rpt, EC per memo of 1/18/12.	
50	Jeffers	2740 Elm	3/12/14	B-30126	SFR Demo/ Reconstruct	GN - Needs CDP; Correction memo sent 4/10/14. Pending CDP approval. CJ. Correction letter sent. JG. Appealed to PC 4/7. Appeal Denied.	BC-returned for corrections 4/15/14.	JW- 4/7/14 corrections needed. JW- 9/9/14 2nd Submittal: Corrections	
51	Caldwell	801 Embarcadero	8/18/14	B-30250	Commercial Hood System		BC- returned for corrections 10/8/14.	NRR	
52	Fowler	1213 Embarcadero	9/11/14	B-30270	Phase 1-B Water Site Improvements	Requested correction 10-7-14 - CJ	BC-under review.	RPS - Disapproved per memo of 10/31/14	
53	PG&E	1290 Embarcadero	10/2/13	G-040	Soil Removal	CJ- Monitoring Well location partially in Coastal original jurisdiction. Coastal Commission processing consolidated permit. Waiver granted by Coastal 9-14-1491-W	BC- on hold pending planning process.	Memo of 11/29/13. CDP application should address soil revegetationor	
53	Buquet	647 Estero	3/14/14	B-30129	New SFR: 1662 sf living, 577 sf garage, 564 sf unfinished space, and 230 sf deck	GN- conditionally approved, need to add conditions as a separate plan sheet. 3/27/14	BC- RTI 5/12/14.	DH - approved 5.8.14	
54	Appleby	381 Fresno	7/31/14	B-30227	Carport& Storage Shed	Correction sent 8-7-14. WM. Will require a CUP prior to building. JG. Corrections sent 2/23 JG	BC-on hold pending Planning process.	RPS - No PW comments if street access is not required for storage bldg	
55	Montecalvo	510 Fresno	5/16/14	B-30212	New 2car gargaie (508 sf) w/ storage (383 sf) above, and 93 sf deck	Corrections sent 8-11-14. WM.	BC- returned for corrections 8/22/14.	Assigned to ME/DH for review	
56	Conrad	2820 Greenwood	12/30/13	B-30079	SFR Add/ Second Unit: 300 sf attached studio (27 new sf and convert 273 sf)	Under review. 2nd unit will require CDP.	BC- returned for corrections 2/28/14.	NRR	

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations
57	Romero	2931 Ironwood	12/12/14	B-30339		Approved. CJ.	Code check corrections 1-21-15.	BCR conditionally approved per memo of	
58	Sotello	420 Island	6/30/14	B-30192	New SFR: 1678 sf living, 482 sf garage, 106 sf decking	Sent corrections 3/18/15. CJ	Corrections 3/23/15. CL.	BCR conditionally approved plans per	
58	Gonzalez	481 Java	10/6/13	B-30029	SFR Addition/ Remodel: add 578 sf living and 112 sf decking	KM - Disapproved due to nonconforming issues 10/22/13. GN - Sent out incomplete letter 1/30/14 with revisions. Resubmitted 4/3/14. Third incomplete letter sent 4/8/14.	BC- on hold pending planning process.	Return for resolution of Planning issues. BCR - Conditionally approved per memo of 10/9/14	
59	Herrera	2820 Juniper	2/19/15	B-30375	New 203 sf deck addition to front of residence	Approved 3/4/15 JG			
60	Rockenbach	2670 Juniper	3/4/15	B-30387	Bathroom remodel	Approved 3/5/15. CJ.	Corrections 3/25/15. CL.	Approved. RS 3/4/15	
61	Candy Fish Sushi	898 Main	2/23/15	B-30380	Demise wall to add inside seating in restaurant	Approved 2/26/15 JG			
62	Dyson	1177 Main	8/18/14	B-30248	Covered Patio	Corrections. 9-5-14. WM.	BC-Returned for corrections 9/8/14.	NRR	
63	Meisterlin	315 Morro Bay Blvd.	9/12/14	B30275	Commercial Alteration-Handicap restroom	Approved 9/25/14. CJ.	BC-returned for corrections 10/2/14.	RPS returned for corrections per memo of	
63	Hammond	2621 Nutmeg	1/13/15	B-30355	Remove top half of retaining wall due to stem wall failure and new wood deck			ME conditionally approved pending detail of drainage system at retaining wall per memo	
64	Wikler	405 Pacific	12/11/14	B-30338		Corrections 12-18-14. WM		BCR returned for corrections per memo of	
65	Dennis	270 Piney	2/13/15	B-30383	New SFR	Under review 2/26 JG. Waiting for conditions of approval to be included in plan set. 3/5 JG Approved 3/17 JG		ME - Needs Eroison control plan & sewer	
66	Dennis	280 Piney	2/13/15	B-30384	New SFR	Under review 2/26 JG. Waiting for conditions of approval to be included in plan set. 3/5 JG Approved 3/17 JG		ME - Needs Eroison control plan & sewer	
67	Dennis	290 Piney	2/13/15	B-30382	New SFR	Under review 2/26 JG. Waiting for conditions of approval to be included in plan set. 3/5 JG. Approved 3/17 JG		ME approved 4/16/2015	
68	Nagy	371 Piney	8/11/14	B-30237	New SFR: 3,022 square-foot SFR and garage, plus deck and balcony.		BC-out for corrections.	JW returned for corrections per memo of 8/14/14 w/ Sample Offer of Dedication. Reviewed Findings & Conditions of Approval 11/13/14. Provided Sample	
68	Frye	244 Shasta	5/7/13	B-29910	Garage to Second Unit conversion	KM - Needs to comply with or amend existing CDP. 2006 Planning permit modified to allow non-conforming structure. No activity since 2014 on this building permit.	BC- on hold pending planning process.	BCR-approved 5/13/13	
69	Lindsey	413 Shasta	1/14/15	B-30357	Demo / Reconstruct SFR.	Needs CDP. Under review. JG		RPS returned for correction per memo of 2/20/15	
70	Wammack	505 Walnut	12/31/13	B-30076	New SFR: 2611 sf living, 489 sf garage, 190 sf decks and covered porch	CJ - needs CDP. Appealed. Building permit on hold pending appeal outcome.	BC-on hold pending Planning process.	BCR sidewalk deferral agreement	
Projects & Permits with Final Action									
1	Sciortino	966 Pecho	2/24/15	UP0-407/AD0-097	Addition to non-conforming House. Addition of 575sf of living area to existing 956sf home. Parking exception for tandem space in the driveway	Under Initial Review. JG. PC date 4/21. Permit Approved by PC.		ME- Conditionally approved per memo 3/19	

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations
2	Salin	845 Ridgeway	8/8/14	CP0-448	Admin Coastal Development Permit for demo of existing SFR and construction of new 2,420 sq. ft. SFR w/766 sq. ft. garage	Correction letter sent 8-28-14. with follow-up direction emailed 9/10/14. Confirmed with Applicant's Representation 9-30-14. Property older than 50 years requires historical evaluation per CEQA. Historical study in progress. Received neighborhood letter/emails. CJ. Noticed 2/13. Admin CDP Issued 2/24. Appealed to PC. meeting date 4/7. JG Meeting continued to allow applicant and appellant to work together. PC date 5/5	BC- conditionally approved.	DH/ME- returned for correction 11/24/14	
3	Gonzalez	481 Java	12/30/13	UP0-374	Conditional Use Permit for non-conforming single-family residence. Addition of 578 sf plus 112 sf of decking	KM - Under initial review. GN - Incomplete letter sent 1/30/14. Met w/ applicant 4/3 WM/GN. Applicant resubmitted 4/3/14. GN - Third incomplete letter sent 4/8/14. Project does not conform to standards. Applicant responded 5/1/14 wishes to proceed to PC w/ project as submitted. WM. Noticed 5/23 NC. Continued to a date uncertain by Planning Commission at the 6/3 meeting to address parking non-conformities. WM. Resubmitted 9/26/14. Met with applicants regarding need to provide workable parking on site. WM Resubmittal 2/3/15. PC hearing date 4/7/15. PC approved use permit and parking exception but denied variance.	BC- conditionally approved.	BCR - Began resubmittal review 9/30/14. Begin 2nd resubmittal review 2/3/15	
4	Jeffers	2740 Elm	8/29/14	CP0-450	Demo 1 of 2 existing single units, construct new 1,522 sq. ft SFR w/ 508 sq. ft. garage as the primary unit	Project application denied due to proposed location of rear yard garage entry. Agent wants to appeal decision. PC date 4/7/2015. JG. Planning Commission denied appeal. Project denied.			
5	Johnson	301 Little Morro Creek Rd	6/26/14	CP0-442 & UP0-081	Coastal Dev. Permit and Special/Interim Use Permit for new BMX Bike Park	Under Review. Correction letter sent 8-26-14. Meeting held 9-9 w/ Applicant to discuss outstanding issues. CJ. Received resubmittal. PC reviewed 4/7/15 and recommended approval to Council	BC- incomplete	RPS - Plans approved as revised 2/24/15	
6	Hsiao	341 Rennel St	2/11/15	CP0-463	Admin. Coastal Development Permit - Construct 1 story 917sf SFR with 283 SF garage	Reviewed and noticed on 3/25/15. WM. Approved.		BCR- Begin review 2/23/15	



AGENDA NO: C-1

MEETING DATE: May 5th, 2015

Staff Report

TO: Planning Commissioners

DATE: May 5th, 2015

FROM: Joan Gargiulo, Contract Planner

SUBJECT: Continuance of an 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 16-15.

ALTERNATIVES:

1. Deny the appeal, uphold the Class 3 Categorical Exemption, and uphold the Director's approval of CP0-448, with added conditions of approval.
2. Uphold the appeal and reverse the Director's decision to approve CP0-448.
3. Continue review to a date certain and provide direction to staff and the Applicant and/or the Appellant 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___

PREVIOUS REVIEW:

At its meeting on April 7th, 2015, the Planning Commission voted 5-0 to continue this item to the May 5th, 2015 Planning Commission meeting with direction to the applicants and the appellants to attempt to come into agreement concerning the design and location of the proposed residence. A compromise has not been agreed upon at this time.

PROJECT SETTING:

The project is located 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.



Vicinity Map

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	As Approved
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. At the April 7th, 2015 Planning Commission meeting, the appellants and the applicants were directed by the Commissioners to attempt to come to an agreement concerning the design and location of the proposed residence.

As directed, the applicant's agent, Architect Michael Boudreau met with the Appellants Kenneth Blackwell and Lisa Wieler along with planning staff to discuss design alterations to the approved project plans. These alternatives were then forwarded by the Appellants to a surveyor who erected story poles to illustrate the exact placement of the alternative proposal and the impact to the Appellant's views. The story pole location and view impacts are depicted in photos provided in Exhibit 2. The alternative design and placement of the proposed residence was ultimately rejected by the Appellants.

The alternative design and location of the proposed residence included moving the entire structure up to the 20 foot front setback line and shifting the entire structure to the west approximately one (1) foot (See Exhibit C). Also, the Applicant's have offered to move the one-story master bedroom suite approximately five (5) feet to the west increasing the setback from 15.67 feet to 21.42 feet in total.

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. 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 #16-15 attached below as Exhibit A.

EXHIBITS:

- Exhibit A – Planning Commission Resolution #16-15 dated 05/05/15
- Exhibit B – Story Pole Photographs
- Exhibit C – Revised Design and Location Simulations

Exhibit D – Communications received from Applicants

Exhibit E – Communications received from Appellants

Exhibit F – April 7th, 2015 Staff Report and Attachments can be found at the following link:

<http://www.morro-bay.ca.us/ArchiveCenter/ViewFile/Item/2382>

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.

WHEREAS, on February 24, 2015, the Director issued an Administrative Coastal Development Permit (CP0-448) for the demolition of an existing residence and the construction of a new two-story single-family residence proposed to be 2,467 sq. ft. with a 766 sq. ft. garage at 845 Ridgeway; and

WHEREAS, on February 24, 2015 an appeal was filed to the Planning Commission on Coastal Development Permit #CP0-448 specifically due to private view protection and neighborhood compatibility concerns; and

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 the appeal filed against Coastal Development Permit #CP0-448; and

WHEREAS, The Planning Commission at its April 7th, 2015 meeting directed the Applicant and the Appellant to work together to attempt to reconcile their differences; and

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 May 5th, 2015, for the purpose of considering the 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 the April 7, 2015 and the May 5, 2015 hearings.

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 5th day of May, 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 5th day of May, 2015.

Exhibit B

LIVING ROOM

ROCK
BEYOND

POLES SHOW
OPTION



Exhibit B

DINING ROOM

RIDGE

MASTER
BEDROOM



Exhibit B

DINING ROOM

POLES SHOW
OPTION



Exhibit B



KITCHEN

DINING

LIVING

Exhibit C



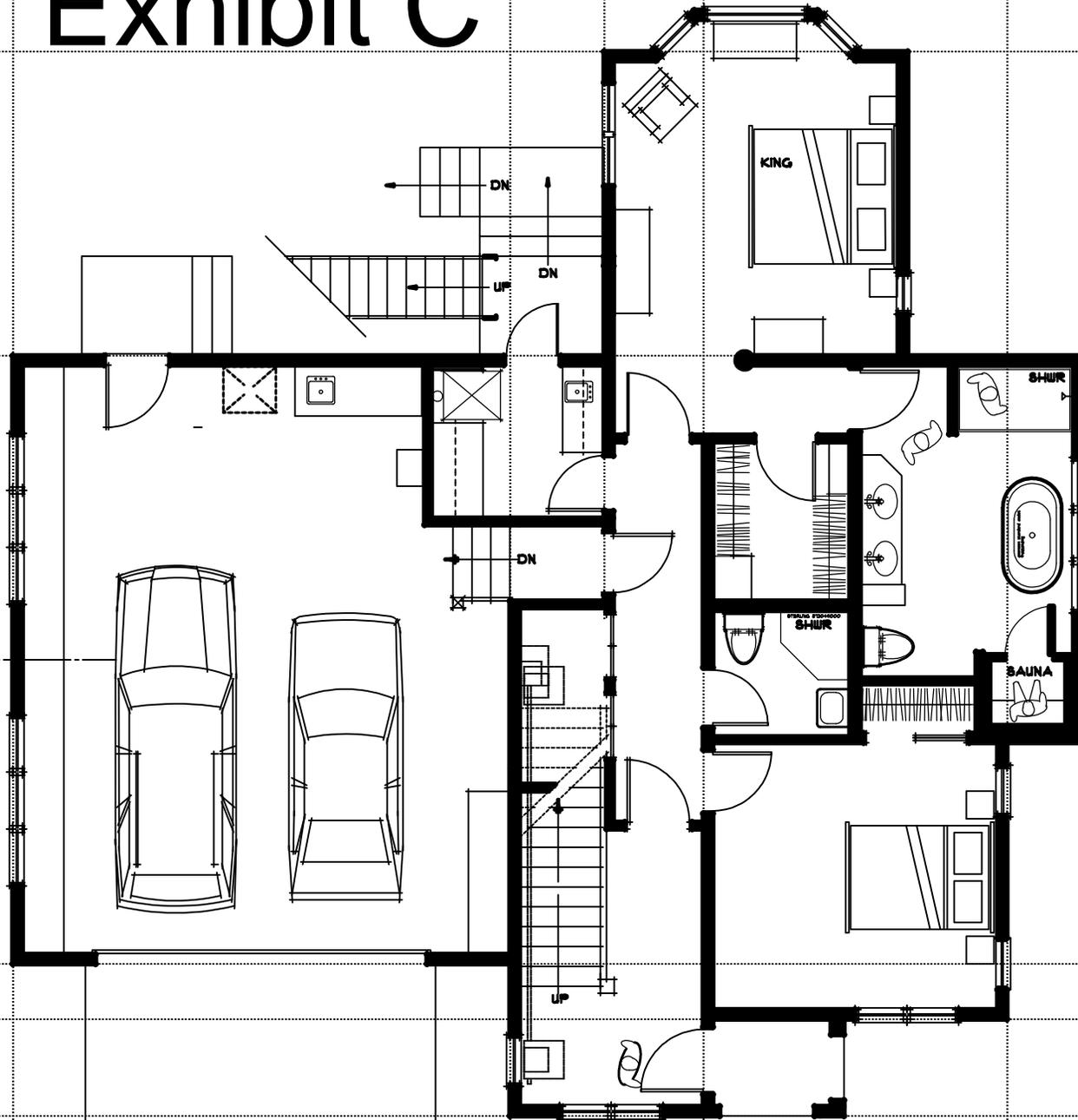
845 RIDGEWAY, MORRO BAY
APRIL 14, 2015
MICHAEL BOUDREAU (805)549-0400

AS DESIGNED

MICHAEL BOUDREAU
805 549-0400

APRIL 27, 2014

Exhibit C



Proposed
Modification

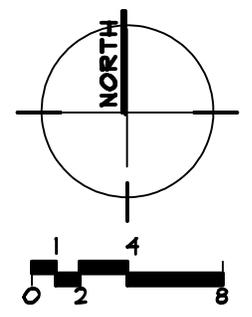
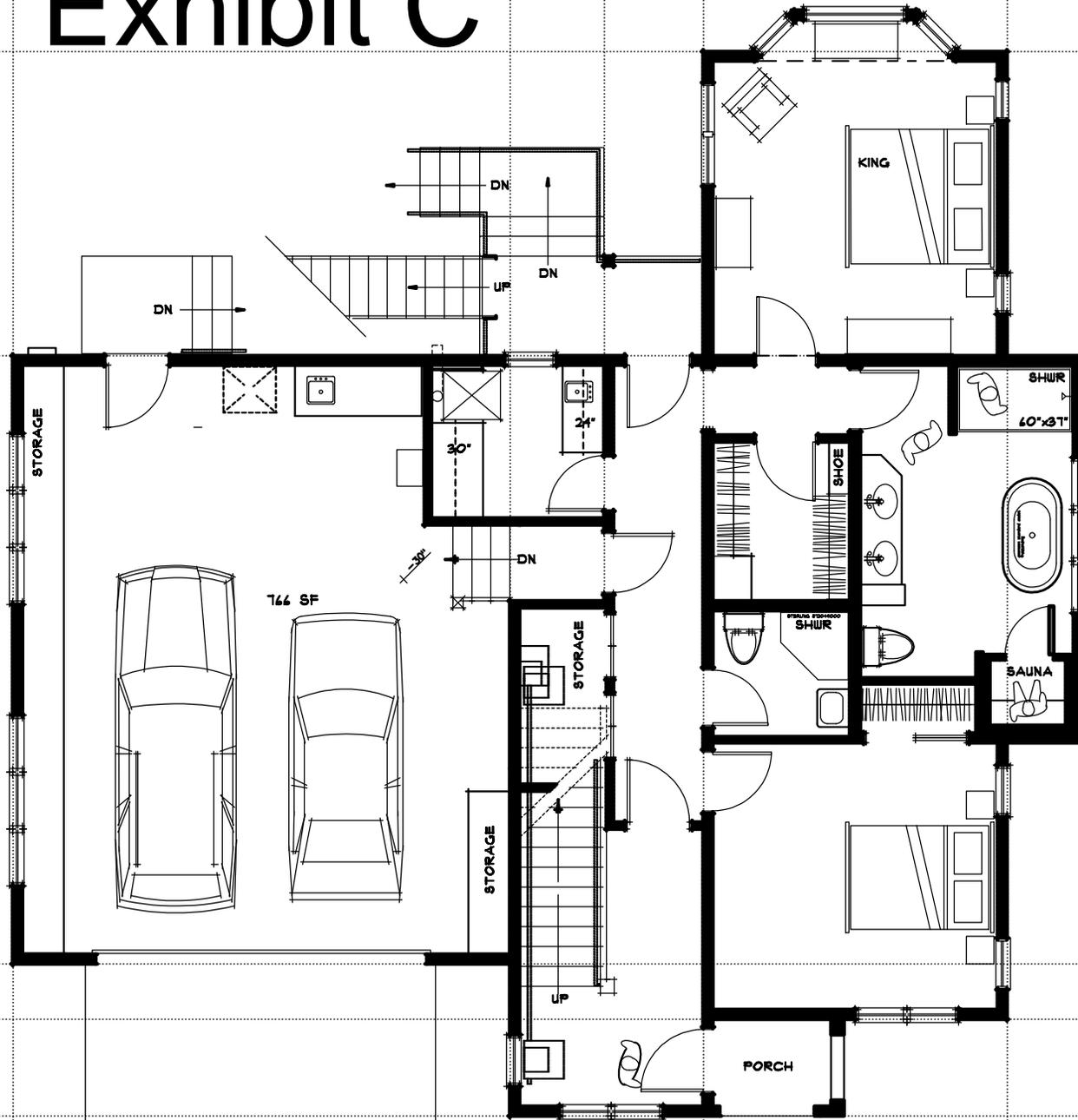


Exhibit C



As originally
designed

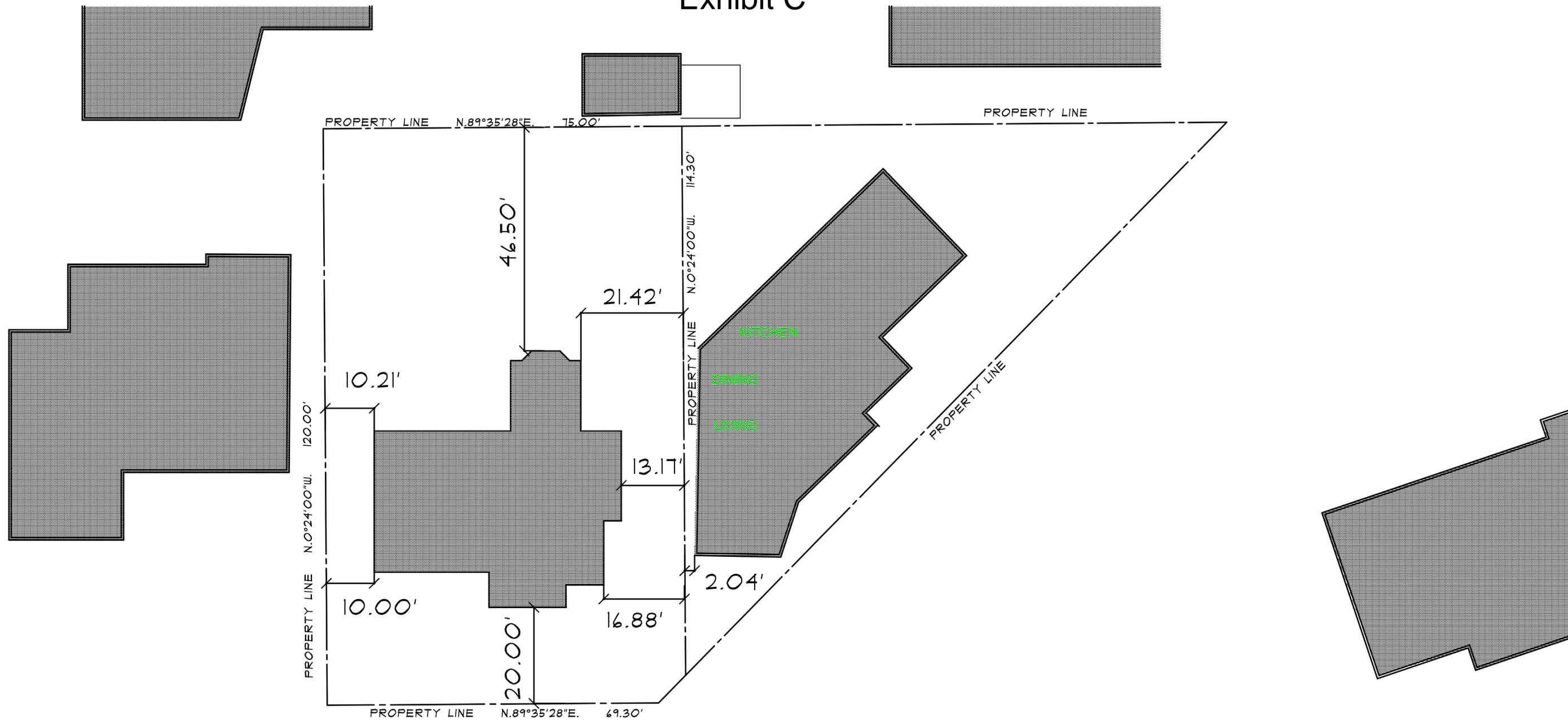
FIRST FLOOR
AREA=1,034 SF

Michael Boudreau,

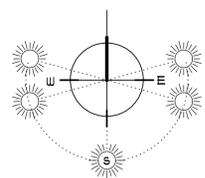
845 Ridgeway Ave Morro Bay CA

April 27, 2015

Exhibit C



AS PROPOSED
MOVE BEDROOM AND BUILDING



C:\Users\Public\2013\108- 845 Ridgeway\108-CD\108-Site-copy for PC.aec

EXHIBIT D

4/27/2015 5:40:17 PM

Dear Joan,

Thursday, last week at 4:30 I met with Mr. Blackwell and his wife Lisa at their home. K C Caldwell was there as well. I was not told she would be there. I had sent the attached site plans describing our proposed modification a few days before and Mr. Blackwell, with our assistance, had the proposed footprint staked with story poles by a surveyor to help in his decision. The poles had been in place for a few days. I was there to help explain our proposed changes and answer any questions. I explained how we altered the floor plan to move the master bedroom as far away from his home as practical and still allow for a back door out to the yard, through the laundry. We did omit the back porch. The home is smaller by that much (23 sf). I also explained how we moved the building, as a whole, to the south west corner of the lot and a far forward to the front setback to maximize our setback from Mr. Blackwell's property line. We achieved a setback of almost 20.5 feet.

Please keep in mind that Mr. Blackwell's home is 2 feet from the property line.

I also pointed out that Mr. Blackwell's living room window is just less than 30 feet back from our 20 foot front yard setback. Any single story construction deeper than 50 feet into our 120 foot deep lot will impact his living room window. The dining room window location occurs at almost the half way point of our buildable site area, centered about 67 feet from our front property line.

As I saw it, the living room view of the rock was impacted by our building, but our building setbacks allow for plenty of light and air. The view of the rock, as seen from the dining room was 100% intact, and the view from the kitchen was unchanged.

Please call if you have any questions.

Michael Boudreau, Architect

1009 Morro Street, Suite 205

San Luis Obispo, CA 93401

MikeB@MTBarchitecture.com

[805-549-0400](tel:805-549-0400) direct

EXHIBIT E

4/29/2015 7:23:26 PM

Hello Loan,

Would you please include this letter in the Planning Commission packet for the upcoming May 5th meeting that includes the continuation of our appeal to 845 Ridgeway? Would truly appreciate it. I'm sending you one more letter for inclusion, on a separate email.

Thanks, Kenny Blackwell

On Friday, April 24, 2015 9:25 PM, Michael Boudreau <mikeb@mtbarchitecture.com> wrote:

Kenny,
I relayed your message to Helen and Eric.

Michael Boudreau
[\(805\) 549-0400](tel:8055490400) office
[\(805\) 550-4665](tel:8055504665) cell

kenny blackwell <kablackwell@sbcglobal.net> wrote:

Dear Michael,

Lisa and I have reviewed your revised plans and the story poles are in place. There have been many, many difficult moments for us since the poles went up. We are uncomfortable with the ultimatum you gave us- to accept your revisions by the end of business today, or your clients will revert back to their original plans. We find that this approach is not in the spirit of working together, as directed by the Planning Commission. The next meeting is set for May 5th.

The days ahead give everyone additional time to try and reach a resolution that is more equitable than the one you have presented. We aren't sure why your clients feel there is only one shot at revisions without room for other ideas or options.

Thank you for your apology at the end of our meeting yesterday. I believe that we are all under a great deal of stress over this complicated problem, and not on our best behavior.

The bottom line is that your design is of high quality, but does not fit our neighborhood. It blocks public views of the Rock, it has bulk, scale and mass that is incompatible with the surrounding homes, and as a structure next door to us, it will be a very real and insurmountable problem. We only wish that your clients had given more thought to the neighborhood before they decided to build this design, but without guidelines in place they did not consider the larger impact.

Therefore, we are not able to accept your proposal. We will meet with you again at the next meeting on May 5th and let the Planning Commission make the decisions. In the meantime, we are open to further discussions if you would like to continue working on a solution.

Thanks, Kenny Blackwell April 24, 2015

EXHIBIT E

Here is our 2nd letter for the Pl. Comm. packet.

Thanks, Kenny Blackwell

On Wednesday, April 29, 2015 7:05 PM, kenny blackwell <kablackwell@sbcglobal.net> wrote:

Lisa and I were wondering if you have any thoughts regarding a compromise to your building plans that would help address the neighborhood concern over the 2 story aspect, which many consider out of character and incompatible with the surrounding homes and area.

We were eager to communicate and work with you, but now our next meeting is just 6 days away, and we've had no reply to the last email we sent.

In regard to Michael's proposal at our April 14th meeting with Scot Graham, Joan Gargiulo, Lisa, Michael and myself, the offer to move the master bedroom away from the east elevation by approximately 5 feet might work if that section utilized a shed roof. This would allow us to maintain some light and sun through our dining room window.

We would also suggest that lowering the entire structure by an additional 2-3 feet would go a long way in lessening the "towering above" impact that faces the road. This could be done by additional grading or by shortening the crawl space under the house, which becomes quite large at the rear.

Finally, a second floor set back from the front is another common way to lessen the impact of a much taller home than

the ones around it.

We think these are solutions that everyone in the neighborhood can live with. Please let us know your thoughts.

Thanks, Kenny Blackwell



AGENDA NO: C-2

MEETING DATE: May 5, 2015

Staff Report

TO: Planning Commissioners

DATE: April 30, 2015

FROM: Cindy Jacinth, Associate Planner

SUBJECT: Precise Plan approval of Conditional Use Permit (UP0-342) for waterside and landside improvements which would result in addition of new floating docks, remodel of existing visitor-serving development including construction of a new 514sf retail unit, enlarge harbor walkway for pedestrian access, remodeling and enlarging two existing restrooms, restriping existing parking spaces and related building façade improvements.

RECOMMENDATION:

- A. Adopt Planning Commission Resolution 15-15 which includes the Findings and Conditions of Approval for the project depicted on site development plans dated February 23, 2015.

APPLICANT/AGENT: Held Family Trust / Cathy Novak Consulting, Agent

LEGAL DESCRIPTION/APN: 901-915 Embarcadero Road, immediately northwest of the intersection of Harbor Street and Embarcadero Road. Also known as land lease site 93, 94 and 95 and water lease sites 93W, 94W, 95W. APN #066-322-001

PROJECT LOCATION:

The project is located at an existing visitor-serving development, also known as the Harbor Center, at 901-915 Embarcadero Road, immediately northwest of the intersection of Harbor Street and Embarcadero Road. The project site is currently developed with businesses such as the Hofbrau restaurant, indoor and outdoor seating areas, Poppy retail shop, Crills II, restrooms, public walkway with interior dining, view deck, and small parking area.



Prepared By: __CJ__

Department Review: _____

COASTAL DEVELOPMENT PERMIT:

The project is within original jurisdiction of the California Coastal Commission which has authority for issuance of a Coastal Development Permit (CDP). A public hearing was held for the project on October 10, 2014 and the Notice of Intent to Issue CDP amendment dated February, 2015 is attached to the plans as plan sheet page A-10. Receipt of a signed Coastal Development Permit is required prior to issuance of a building permit (see Planning condition 1).

PROJECT DESCRIPTION:

The Applicant is requesting precise plan approval for a previously approved concept plan of conditional use permit (UP0-342). The redevelopment of this lease site is a result of lease negotiations with the Harbor Department that were approved by City Council in 2013. (See Exhibit F.) Specifically, the project as approved previously by the City and as conditioned by the California Coastal Commission (CCC) entails 4 main areas of scope: 1.) construction of a floating dock and gangway with 4 finger slips; 2.) construction of a new retail unit on the west side of the Held Harbor Center building and remodel and enlargement of existing bathrooms to include ADA compliance; 3.) modification of the lateral bayside access by widening from 5 to 10 feet the southern portion of this access by extending the walkway seaward. The bayside lateral access in the northern section of the site would also be extended seaward, to accommodate some of the area lost from construction of the retail unit, reducing width from 24 feet to 8 feet; and 4.) façade improvements to the existing building along with parking restriping and sidewalk improvements.

Floating Docks

The floating docks will be constructed on water lease site 93-95W. A previous Council action modified the lease lines to increase the size of lease site 93W-95W and correspondingly decrease 96W. The floating dock and gangway will include 4 finger-style slips that would cover approximately 1,587 square feet. The floating dock is approximately 101 feet in length with each finger slip approximately 40 feet in length and 4-5 feet in width. The dock will include two foot wide fiberglass panels to allow light to penetrate into the harbor waters. 13 new pilings are proposed with 5 existing pilings proposed to be either sleeved or abandoned. The site previously had a single side-tie floating dock, but was removed. The dock improvements would provide for increased boat dockage in the bay.

New retail unit and bathroom remodel

On the west of the Harbor Center building, a 514 square foot retail unit is proposed. During City processing of the conditional use permit concept plan, the retail unit was proposed to be slightly larger, but was conditioned by Coastal Commission to be reduced slightly in size, and plans have been revised to reflect this. (See plan sheet A-1 for table showing CDP versus CUP approvals)

The existing bathroom is for customer use only, but will be enlarged to be in compliance with the Americans with Disability Act (ADA) and designated for public use. It would also include the addition of a shower facility for persons with boats moored at the proposed new dock facility. Access to the restrooms will be through the existing publicly accessible glass-covered walkway, a portion of which will be extended approximately seven feet into the existing bayside walkway area. The glass-covered courtyard will contain seating open to the public. Coastal access signs announcing this area as open to the public will be placed both in the courtyard area and at the street entrance to the glass-covered walkway.

Lateral access changes

The existing lateral access will be widened as a result of this project to provide for greater public access consistent with the Coastal Act. Plans show the southern portion to be widened from the existing 5 feet to 10 feet which meets CCC requirements whereas the City's minimum lateral access requirement is 8 feet per the City's Local Coastal Plan (LCP). On the northern portion of the lateral accessway west of the Harbor Center building, is where the new retail unit will be constructed. The lateral access way width in this area will be 8 feet. This is an area where there is two existing eelgrass beds, an important biological resource. Because of this, the lateral accessway was not required to be 10 feet in width, but kept at 8 feet in order to avoid impacts to valuable eelgrass habitat and also to minimize further reductions to the retail unit's square footage. Signage designating this lateral access as open to the public is also required for the project. Interpretive signage is also located in this area

Façade improvements and parking re-striping

As previously reviewed by the City, the applicant proposes a façade remodel. The top of the awning would be 15 feet two inches above ground on the southeast corner, which is one foot two inches higher than the existing façade height of 14 feet with the goal to hide the utility services located on the roof. The top of the façade along the southern side of the building would be 14 feet above ground which is 2 feet taller than the existing façade height of 12 feet. City Council originally approved an increase in height in 2012 for the first one-third of the building, with the remaining two-thirds of the building to remain at existing height. However, Coastal Commission required changes to lower this height which is reflected in the current set of plans in order to not block important views of the Rock and bay.

Posts are proposed to be in front of the existing building to support the extension of the awning across the front of the building and would also add to the visual continuity of the buildings and aid in providing visual upgrades and overall architectural design.

Restriping of the existing parking spaces will be done in order to eliminate the encroachment of the eastern-most parking space into the red zone. Parking as conditioned by the Public Works Department will result in restriping as compact parking spaces with wheel stops and sidewalk

improvements along Harbor Street and will replace the asphalt surface material with standard concrete along with replacement of light post (see Public Works conditions 5 and 6).

PROJECT SETTING:

<u>Adjacent Zoning/Land Use</u>			
North:	Waterfront (WF, PD, S.4)/ Visitor-serving uses	South	Waterfront (WF, PD, S.4)/ Visitor-serving uses
East:	Visitor-serving commercial (C-VS, PD, S.4)	West:	Harbor and navigable ways (H)

<u>Site Characteristics</u>	
Overall Site Area	Land & water lease site: land lease site 93, 94 and 95 and water lease sites 93W, 94W, 95W and 96W.
Existing Use	Hofbrau restaurant, Poppy (retail), Crills II, restrooms, public walkway, view deck and parking area
Terrain	Flat; developed
Vegetation/Wildlife	Landscaping
Access	Building entrance is from Embarcadero Road via existing parking lot
Archaeological Resources	None known

<u>General Plan, Zoning Ordinance & Local Coastal Plan Designations</u>	
General Plan/Coastal Plan Land Use Designation	Mixed Uses, Harbor
Base Zone District	Harbor/Waterfront
Zoning Overlay District	Planned Development Overlay
Special Treatment Area	S.4, Special Design Criteria Overlay Zone
Combining District	n/a
Specific Plan Area	n/a
Coastal Zone	Yes, Original Jurisdiction; Coastal Commission responsible for Coastal Development Permit

PROJECT ANALYSIS:

Background / Discussion:

The Conditional Use permit was first reviewed by Planning Commission in 2012 with subsequent City Council approval of the concept plan in 2012. The below table lists the four

previous public hearings for this project.

Past (#UP0-342) Approvals- Original CUP application and Modification of CUP		
Concept Plan approval	Planning Commission	11-7-2012
Concept Plan approval and adoption of MND	City Council	12-11-2012
Modified Concept Plan	Planning Commission	10-16-2013
Modified Concept Plan and adoption of amended MND	City Council	11-12-2013

When the project was first approved by the City in 2012, the Applicant submitted an application for a Coastal Development Permit to the Coastal Commission. At that time, Coastal Commission staff requested a modification to the height of the building and walkway. Those requested changes coupled with the applicant's desire to expand docks over into water lease site 96W which is located behind situs address 945 Embarcadero and resulted in additional impacts not addressed in the original environmental document. Therefore in 2013, the Applicant applied to the City to formally modify their conditional use permit which also resulted in the amendment and recirculation of the mitigated negative declaration in order to address the new project description as well as the new impacts created by the modifications.

After the last public hearing which was City Council approval of the modified concept plan in 2013, the applicant applied to the California Coastal Commission for the coastal development permit, which was heard by the CCC on October 10, 2014.

The Applicant has requested to phase the construction of the project. Planning condition #25 (See Exhibit E) provided for this phasing. However, due to the length of processing time by Coastal Commission, the applicant received an amendment to their lease which was approved by City Council on July 8, 2014 to adjust the phasing schedule to commence construction of public improvements first, which includes sidewalk, new light standard on Harbor Street, parking space re-striping, awning and new posts no later than November 1, 2015. Phase 2 would commence construction no later than November 1, 2016 and would include construction of new retail unit, public restrooms and glass court area. Phase 3 would commence construction no later than November 1, 2017 and includes the floating dock construction with completion of all phases of construction no later than May 31, 2018.

Waterfront Master Plan

The proposal is within the Waterfront Master Plan and is within Planning Area 3: Embarcadero Visitor Area. This area encompasses the Embarcadero from Beach Street to South Street

between the bluff and the waterfront. This portion of the Embarcadero contains the majority of the shopping and eating establishments as well as the most intense mix of pedestrian and automotive activity. It has what most visitors and residents consider a positive mix of shops, waterfront and pedestrian activity, combined with direct views of the bay, sand spit and Morro Rock. The Harbor Master Plan includes guidance for development of Area 3, including observation and information areas explaining the natural wonders of the bay, lateral access along the bay front of commercial retail buildings that connect to lateral access components of adjacent buildings and or the stub street perpendicular to the building site, preservation of scenic vistas at street ends, with pedestrian amenities, lighting, haul-out improvements to existing facilities, bluff stabilization and beautification plans. The proposed project contains all of the elements requested in Area 3 proposals, including observation areas and signage, lateral access and connection to the Harbor Walk designed consistent with adjacent portions of the Harbor Walk, access to stub street and preservation of bay views, and upgrade of the building front to enhance visitor experience in this portion of the Embarcadero.

General Plan/Local Coastal Plan/ Zoning Ordinance consistency

The property is zoned WF/PD/S.4 as a waterfront mixed harbor use land use designation. The purpose of the waterfront district is to provide for the continued mixture of visitor-serving commercial and recreational and harbor-dependent land uses in appropriate waterfront areas. The property's zoning also include the Planned Development (PD) and the S.4 design overlay.

The Planning Commission must review the project for consistency with the General Plan, Local Coastal Plan, and Waterfront Master Plan. The proposed project is located between the shore and the nearest public road therefore consistency with public access and recreation policies of Chapter 3 of the California Coastal Act is required.

Chapter 3 of the California Coastal Act provides provisions to protect coastal access, views and marine related recreational facilities. The existing building does provide access from Embarcadero Road through to the bayside of the site. The proposed development will provide more coastal access for the general public and will be in conformance with Chapter 3 of the California Coastal Act.

Planned Development (PD) overlay

Pursuant to chapter 17.40, section 17.40.030, Planned Development, (PD) overlay zone, of the Zoning Code after concept plan approval, projects are required to seek precise plan approval from Planning Commission as the final step prior to application for building permit.

As part of the precise plan submittal, the Applicant has submitted plans which further detail lighting, design and other detail specifications. Photo simulations depicting existing and proposed views from both the bayside and the street side are shown on plan sheet A-1. The

proposed bay view depicts the future boat dockage and the proposed view from Embarcadero Road is angled to be at a pedestrian view point looking northwest toward the site with Morro Rock still visible in the background.

The plans also show the floor plans which depict the relation of the new retail unit on the northwest side of the existing Harbor Center building, the existing retail/restaurant space, the center glass court with seating area, the outdoor dining areas and lateral access for the public. Coastal access and interpretive signs including educational signs on the eelgrass habitat area are also depicted on the plans.

A public access management plan is included as plan sheet A-7 which shows how public recreational access benefit will be achieved. This was imposed as a condition by Coastal Commission with the primary objective to demonstrate how to maximize public recreational access via vertical and lateral accessways and floating dock access, public access amenities, to provide clear and informative signage including the interpretive signage and to ensure public use is available during daylight hours and during all non-daylight hours when the retail components of the approved project are open in perpetuity.

The existing signage data is included as sheet A-8. Upon project completion, when the new retail unit is leased, the tenant would be required to obtain a sign permit at the time of business license application. Specifications are also included detailing wall lamps for exterior lighting. The proposed color for the existing redwood siding and existing and new posts would be Sherwood Green (HC-118); the new MDO plywood upper façade color would be Van Alen green (HC-120) (See Color Board - Exhibit G).

ENVIRONMENTAL DETERMINATION:

A Mitigated Negative Declaration was prepared for this project and adopted by City Council on November 7, 2012. When the project was modified in 2013, the MND was amended and recirculated to the State Clearinghouse for the required 30 day period pursuant to the California Environmental Quality Act (CEQA). The State Clearinghouse number is SCH #2012091063. With the environmental review complete, no changes to the precise plan were made that would require additional environmental review. The mitigations incorporation as conditions of approval to the concept plan approval remains on the project.

PUBLIC NOTICE:

Notice of a public hearing on this item was posted at the site and published in the Tribune newspaper on April 24, 2015, and mailed directly to all property owners of record within 300 feet of the subject site and occupants within 300 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 uses are consistent with the existing use. The upgrade of existing facilities and proposed dock project is consistent with upgrades along the Embarcadero. The dock improvements, proposal for walkway improvements, general public seating area, new retail, ADA-compliant public bathrooms will result in increased visitor access in this visitor-serving area which is consistent with both the policies of the Local Coastal Plan and the California Coastal Act.

As conditioned, the proposed project will be consistent with all applicable development standards of the Zoning Ordinance, including the concept and precise plan requirements, the Waterfront Master Plan, and applicable provisions of the General Plan, Local Coastal Plan, and Waterfront Master Plan. The Waterfront District is intended “for the continued mixture of visitor-serving commercial and recreational and harbor-dependent land uses in appropriate waterfront areas,” and this project advances that goal. Staff recommends the Planning Commission approve the precise plan for Conditional Use Permit (UP0-342) for 901 Embarcadero with the incorporation of the conditions of approval attached herein.

EXHIBITS:

Exhibit A – Planning Commission Resolution 15-15

Exhibit B – Plans/Plan Reductions dated February 23, 2015

Exhibit C – Concept Plan permit for UP0-342 as approved by City Council on 11-12-13

Exhibit D – City Council meeting minutes, 11-12-13

Exhibit E – Revised Lease Amendment as approved by City Council on July 8, 2014

Exhibit F – Color Board

LINKS:

11-7-2012 Planning Commission staff report:

<http://morro-bay.ca.us/ArchiveCenter/ViewFile/Item/1684>

12-11-2012 City Council staff report and attachments:

<http://morro-bay.ca.us/ArchiveCenter/ViewFile/Item/1701>

10-16-2013 Planning Commission staff report:

<http://morro-bay.ca.us/ArchiveCenter/ViewFile/Item/1928>

11-12-2013 City Council staff report:

<http://morro-bay.ca.us/ArchiveCenter/ViewFile/Item/1951>

RESOLUTION NO. PC 15-15

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION APPROVING THE PRECISE PLAN FOR CONDITIONAL USE PERMIT (UP0-342) FOR WATERSIDE AND LANDSIDE IMPROVEMENTS WHICH WOULD RESULT IN ADDITION OF NEW FLOATING DOCKS, REMODEL OF EXISTING VISITOR-SERVING DEVELOPMENT INCLUDING CONSTRUCTION OF A NEW 514SF RETAIL UNIT, ENLARGED HARBOR WALKWAY FOR PEDESTRIAN ACCESS, REMODELING AND ENLARGING TWO EXISTING RESTROOMS, RESTRIPIING EXISTING PARKING SPACES AND RELATED BUILDING FAÇADE IMPROVEMENTS

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 May 5, 2015, for the purpose of considering Conditional Use Permit #UP0-342; 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 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)

- A. That for purposes of the California Environmental Quality Act, Case No. UP0-342 is subject to a Mitigated Negative Declaration based upon potentially significant impacts to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Hazards/Hazardous Materials, Hydrology and Noise. Any impacts associated with the proposed development will be brought to a less than significant level through the Mitigated Negative Declaration (MND). A MND was adopted on November 12, 2013. (SCH#2012091063).

Conditional Use Permit Findings

1. The project will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood in that the proposed Harbor Center is a permitted use within the zoning district applicable to the project site and said structure, proposed retail unit, walkway, restroom, and dockage improvements comply with all applicable project conditions and City regulations.

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

Waterfront Master Plan Findings

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

existing and new construction of both the building additions, restrooms and new walkways is in keeping with the architectural style, massing, materials, scale, and use of its surroundings.

Section 2. Action. The Planning Commission does hereby approve Conditional Use Permit #UP0-342 subject to the following conditions:

STANDARD CONDITIONS

1. This permit is granted for the land described in the staff report dated April 30, 2015, for the project at 901-915 Embarcadero depicted on plans dated February 23, 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 Planning Commission approved plans submitted for UP0-342, 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 (the "Director"), 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 Director, 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 Director or as authorized by the Planning Commission. Failure to comply with any of 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 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.
8. Conditions of Approval: The Findings and Conditions of Approval shall be included as a full-size sheet in the Building Plans.

Building Conditions:

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

Fire Conditions:

1. Fire Safety during Construction and Demolition. This chapter prescribes minimum safeguards for construction, alteration and demolition operations to provide reasonable safety to life and property from fire during such operations (CFC Chapter 14). Compliance with NFPA 241 is required for items not specifically addressed herein.
2. Fire Sprinkler Coverage. Sprinkler coverage shall be extended to include the following areas, pursuant to Morro Bay Municipal Code (Sections 14.08.090):
 - a. New retail unit (590 sf.), extend sprinkler coverage.
 - b. Restroom remodel (216 sf.), extend sprinkler coverage.
 - c. Glass court addition (218 sf.) and Janitor Storage room, extend sprinkler coverage.

Applicant shall submit sprinkler plans, in accordance with NFPA 13, to Morro Bay Community Development Department, for review.

3. Sheet A-2 Existing Walkway at Lease Site 96W Notation: Fire sprinkler protection beneath the existing walkway at Harbor Lease Site 96W (behind 945 Embarcadero), shall be provided prior to vessel moorage at proposed floating docks at Site 96W. Moreover, a negotiated agreement between Morro Bay Harbor and Fire Department, requires fire sprinkler installation and maintenance costs be funded by the Morro Bay Harbor Department.
4. Fire Protection Equipment-Standpipes. Marinas and boatyards shall be equipped throughout with standpipe systems, in accordance with NFPA 303. Systems shall be provided with hose connections located such that no point on the marina pier or float system exceeds 150 feet from a standpipe hose connection. (CFC 4504.2)
 - a. Applicant shall provide an Automatic Class 1 Standpipe system for protection of the proposed floating dock system, at the location depicted on Sheet A-4, prior to vessel moorage at Harbor Lease Site 93-4-5W (901-915 Embarcadero).
 - b. Applicant shall submit standpipe system plans to Morro Bay Community Development Department, for review.
5. Knox Key Box. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. (CFC 506.1)
 - a. Applicant shall provide two (2) exterior mounted Knox boxes, one on the Embarcadero frontage and one on the west side (waterside) of the structure.

Public Works Conditions:

1. Sewer Lateral: If an existing lateral is to be used, 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. Note and show the proposed locations on the site plan. If a new lateral is being proposed include a note on the plans and abandon existing sewer lateral if necessary.
2. Water Backflow Prevention Device: Devices are required for irrigation systems on a dedicated water meter; systems which may change in character of use (commercial rentals, etc.); gray water systems; fire water systems, or any plumbing system which has cross-connections or the ability to allow water of deteriorated sanitary quality to enter the public water supply. The Applicant/Developer is responsible for the installation of an approved domestic water backflow prevention device per MBMC chapter 13.08. Should the Applicant/Developer need further information, the City's contracted inspection provider can be reached at: (805) 781-5544, Office of Cross-Connection Inspector, S.L.O. County Health Agency, 2156 Sierra Way, San Luis Obispo, Ca. 93406.

3. WEU offset requirements

New water allocations requested shall be offset on a two-to-one basis (or 440 gallons per day) by providing retrofits to existing uses or providing non-required water savings features for new development that is seeking water allocation. The project will need to determine how many WEUs the development will need to offset. Retrofits are approved by the Public Works Director and may include the following water savings best management practices:

- a. Irrigation retrofits
 - b. Waterless urinals
 - c. Waterless toilets
 - d. Ultra-Low flow toilets
 - e. Lawn/Landscape replacement
 - f. Grey water system installation in new construction
 - g. Installation of rainwater recovery system
 - h. Other water savings best management practices as approved by the Public Services Director
 - i. Payment of an “In-Lieu” fee program of \$2,900 **per** Water Equivalency Units (WEU)
4. The sidewalk along the south side of the building shall have four feet clear sidewalk at all times; any doorways or obstructions shall not be allowed to encroach into the four foot pedestrian sidewalk. The existing light pole can be relocated into a parking lot bulb out between parking stalls or removed and replaced with a light source which doesn't obstruct the four foot pedestrian sidewalk.
5. The parking stalls adjacent to the south side of the building shall be configured to be compact spaces (8½ ft wide by 18 ft long) with wheel stops. The last two parking stalls to the west can remain standard size (10 ft wide by 20 ft long). Shift the parking stall accordingly so that the first stall does not conflict with the radius of the handicap ramp.
6. All sidewalks surrounding the building shall be replaced with standard concrete, and the handicap ramp at the corner shall be replaced to meet current ADA regulations.

Add the following Notes to the Plans:

1. No work shall occur within (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 955 Shasta Ave. The Encroachment permit shall be issued concurrently with the building permit.

2. 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.

Planning Conditions:

1. A Coastal Development Permit shall be submitted to the Community Development Department prior to issuance of a building permit.
2. All conditions imposed with the Concept Plan approval of UP0-342 as approved by the City Council on November 12, 2013 shall remain in full force and effect.
3. Applicant shall obtain and receive applicable permits from the Regional Water Quality Control Board, the Army Corps of Engineers (ACOE) prior to issuance of a building permit.
4. Height Certification: Prior to foundation inspection, a licensed land surveyor shall measure and inspect the foundation and submit a letter to the City Community Development Manager certifying that the tops of the foundation is in compliance with the finish floor elevations and setbacks as shown on approved plans. Prior to either roof nail or framing inspection a licensed surveyor shall measure the height of the structure and submit a letter to the Community Development Manager, 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.
5. Inspection: 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.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 5th day of May, 2015 on the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

EXHIBIT A

Planning Commission Resolution #15-15

UP0-342

Page 8

Robert Tefft, Chairperson

ATTEST

Scot Graham, Planning Secretary

The foregoing resolution was passed and adopted this 5th day of May, 2015.

GENERAL NOTES

THE CONSTRUCTION COORDINATORS INFORMATION SHALL BE POSTED ON SITE

CONSTRUCTION COORDINATOR SHALL BE SMITH HELD (805-995-2773)

ALL WORK SHALL BE COMPLETED IN A GOOD WORKMANSHIP MANNER

CONTRACTOR SHALL HAVE ON SITE 2013 C.B.C., ALL WORK SHALL COMPLY W/ 2013 C.F.C.

CFR906(CFC 4804-4), NFPA-24, CFC 901.5 2013 CBC, 2013 CMC, 2013 NEC, MIMC, 2013 UFC 2013 CALIF TITLE 24, NFPA 303 AND ALL NFPA STANDARDS

CITY OF MORRO BAY, CODES AND REQUIREMENTS, CONDITIONS OF APPROVAL CALIFORNIA COSTAL COMMISSIONS STANDARD AND SPECIAL CONDITIONS

CALIFORNIA BOATING AND WATERWAYS GUIDELINES

CONTRACTOR SHALL NOTIFY ARCHITECT AND OWNER PRIOR TO CHANGES OF CONSTRUCTION FOR APPROVAL.

CARPENTRY

ALL STRUCTURAL LUMBER SHALL BE GRADED IN ACCORDANCE W/ W.C.L.A.

MARINE LUMBER SHALL BE D.F. # 1 A.C.A.Z. TREATED FOR MARINE SPLASH ZONE

PLYWOOD SHALL BE MARINE GRADE PLY A.C.A.Z. TREATED FOR MARINE SPLASH ZONE

STRUCTURAL NOTES: (SEE STRUCTURAL DRAWINGS FOR ADDITIONAL SPECIFICATIONS)

1. DESIGN BASIS

2013 CALIFORNIA BUILDING CODE

FLOAT LIVE LOAD= 25#/SF

GANGWAY SUPPORT PLATFORM LIVE LOAD= 100 PSF

BOARDWALK LIVE LOAD= 100PSF

WIND - LOAD TO FLOATS FROM VESSELS

15 PSF WIND LOAD

LOAD TO BUILDING 80PSF WIND LOAD

SEISMIC: ASCE7-05

SITE CLASS-D

SEISMIC CATEGORY D

R= 3.5 (STEEL ORDINARY MOVEMENT RESISTING FRAME)

2. STEEL

PIPE PILES- API 5L GRADE X52

HSS STRUCTURAL SHAPES- A500 GRADE B, Fy=46 KSI

ANGLES, MISCELLANEOUS SHAPES AND PLATE- ASTM A36

3. BOLTS

ASTM A307 HOT DIP GALVANIZED, UNLESS OTHERWISE NOTED

4. WELDING

WELDING SHALL CONFORM TO AWS D1.1 LATEST EDITION WELD CONSUMABLES SHALL BE APPROPRIATED FOR THE MATERIAL BEING JOINED.

NOTE! ARCHITECT SHALL SUBMIT REPORT TO CITY OF THE PLACEMENT OF PILES FOLLOWING PLACEMENT OF THE PILING

NOTE!

SPECIAL OBSERVATION (PROJECT BIOLOGIST) SHALL BE REQUIRED DURING PILING INSTALLATION

FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION SHALL BE IN ACCORDANCE WITH 2013 CALIFORNIA CODE CHAPTER 33, THIS CHAPTER PERSCRIBES MINIMUM SAFEGUARDS FOR CONSTRUCTION ALTERATIONS AND DEMOLITION OPERATIONS TO PROVIDE REASONABLE SAFETY AND PROPERTY FROM FIRE DURING SUCH OPERATIONS

MARINE UTILITIES

E2.5 Where utility lines pass through structural members within a floating dock system, the holes in the structural members are to be free of rough edges and abrasive surfaces that will cause accelerated wear on the utility lines.

E3. Potable Water Service on Marina Docks

E3.1 Each potable water line should deliver water to all hose bibbs at a water pressure not less than 35 psi while 10 percent of the hose bibbs are fully open and running. This level of service will meet normal water demands, and help guard against unusually low water pressure during weekends and holidays.

E3.2 All potable water lines on marina docks shall be equipped at the shore end with appropriate anti-siphon devices to prevent back flows into the service mains.

E3.3 A minimum of one (1) standard 3/4 inch hose bibb is to be provided for each berth. Each hose bibb shall be fitted with an anti-siphon device to prevent back flows into the supply line.

E3.4 Dedicated potable water and fire suppression lines should be provided on marina dock systems. Potable water and fire suppression lines should not be combined.

E3.5 Utility hoses and/or lines, whether permanent or temporary, shall not be allowed across the deck of main walkways or marginal walkways.

E3.6 Where a fingerfloat is part of an accessible route, utility hoses and lines shall not be allowed across the fingerfloat.

E4. Fire Suppression Systems on Marina Dock Systems

E4.1 It is required that marinas have equipment, systems and sustainable water resources to suppress, control and extinguish fires on boats, docks, buildings,

E5. Electrical Power Services on Marina Dock Systems

E5.1 Each marina developed or improved with loan funds from the Department of Boating and Waterways on or after January 1, 2002, shall have its over-water electrical systems inspected biennially, during the term of the loan, by a licensed electrical contractor or licensed electrical engineer, for compliance with the safety-related provisions of the California Electrical Code.

E5.1.1 If newly constructed, an inspected marina shall comply with all of the California Electrical Code requirements in effect at the time the marina was developed.

ELECTRICAL WIRING AND EQUIPMENT SHALL COMPLY W/ NFPA 303 CHAPTER 5

E5.4 Accessible utilities in a marina, including electrical power outlets and jacks for telephone and cable TV, shall have unobstructed access, and meet the following reach range heights, measured vertically from the dock surface:

Forward Reach: 15 inch minimum 48 inch maximum

Side Reach: 15 inch minimum 54 inch maximum

F2. Gangways

F2.2 Uniform Live Loads

100 #/ft² minimum ULL shall be used for gangway structural design.

50 #/ft² minimum shall be used for ULL transferred to floating docks.

F2.6.1.2 Guard Rail Heights.

42 inches minimum height FOR MOR INFORMATION SEE

45 inches maximum height C.C.C CONDITION #B.1.f

measured perpendicular from deck to top of rail

FIRE DEPARTMENT NOTES

1.

a. Demolition and Construction. Fire Safety During Construction and Demolition. Prescribes minimum safeguards for construction, alteration and demolition operations to provide reasonable safety to life and property from fire during such operations (CFC Chapter 33). Compliance with NFPA 241 is required for items not specifically addressed herein.

b. Automatic Fire Sprinklers. The applicant shall provide fire sprinkler protection, for all cantilevered water side wharf areas, restaurant space, retail structure and trash area, in accordance with Morro Bay Municipal Code (Section 14.08.090(L)), 2013 California Fire Code (Section 903), and NFPA Standards 13, 303, and 307.

c. Fire Alarm and Detection Systems. An approved fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with Section 907.5, unless other requirements are provided by another section of this code. (CFC 907.2)

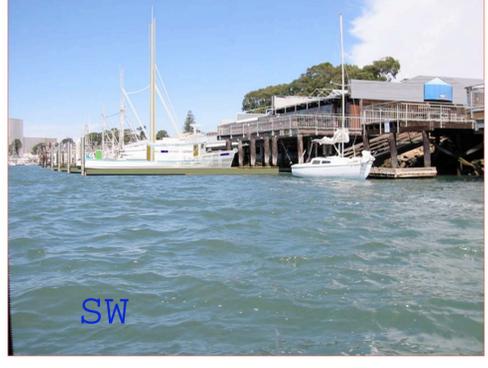
d. Fire extinguishers. One Provide one wall mounted 2A:10-B:C fire extinguisher, and approved signage, for each 3,000 square feet of light hazard fuel load. Travel distance shall not in accordance with California Code of Regulations, Title 19, Division 1.

2. Address identification. New and existing buildings shall have approved address numbers or building numbers placed in a position to be plainly legible from the street or road fronting the property (CFC 505). Provide approved address numbers 4" inches high with 1/2 inch stroke in contrasting numbers.

TRASH RECEPTACLES SHALL PROVIDE CONTAINMENT SUFFICIENT TO STOP LEAKING FLUIDS FROM FLOWING OUT OF RECEPTABLE AREA, TO MEET CLEAN MARINE BMP.



EXISTING VIEW FROM MORRO BAY



PROPOSED VIEW FROM MORRO BAY



EXISTING VIEW FROM S/E CORNER



PROPOSED VIEW FROM S/E CORNER

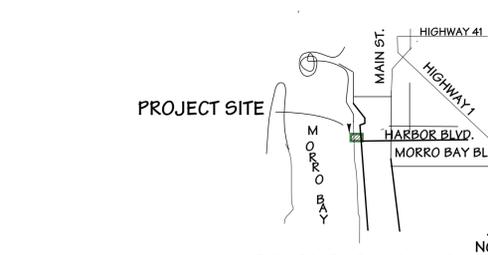
Project Data	UPO-342	CDP 3-13-006	Modifications
	City Approved	Coastal Commission Approved	
Land/Water Lease	17,555		
Hofbrau & Crills	3,673 sq. ft.	3,673 sq. ft.	0 sq. ft.
Poppy	1,444 sq. ft.	1,444 sq. ft.	0 sq. ft.
Office/Storage	229 sq. ft.	229 sq. ft.	0 sq. ft.
Restrooms	243 sq. ft.	243 sq. ft.	0 sq. ft.
Glass Court	729 sq. ft.	729 sq. ft.	0 sq. ft.
New Retail	534 sq. ft.	514 sq. ft.	(20) sq. ft.
Total Building	6,852 sq. ft.	6,832 sq. ft.	0 sq. ft.
Walkway	1,279 sq. ft.	1,299 sq. ft.	+20 sq. ft.
Outdoor Dining	284 sq. ft.	284 sq. ft.	0 sq. ft.
Lot Coverage	47.9%		No change
Floating Docks	82 ln. ft.		No change
Pilings			
New (main & bumper)	13		No change
Sleeved	3		No change
Remove/Abandon	2		No change
Parking			No change
Retail	10		No change
Restaurant	19		No change
Floating Dock/Sport fishing	9		No change
Glass Court	0		No change
CUP 24-86	N/A		No change
Total Required	38		No change
Parking Credit Balance	4		No change

PROJECT DATA



VICINITY AERIAL MAP

VICINITY PHOTO



VICINITY MAP

LEGAL DESCRIPTION

OWNERS----- Smith W & Hannah W
Held Family trust
Harbor Center L.L.C.
P.O. Box 225, Cayucos, Calif 93430
SITE ADDRESS----- 901 Embarcadero
MORRO BAY, CALIF
LEASE SITES----- 93,94,95, 93W,94W portion of 95W
Morro Bay, California
COUNTY OF SAN LUIS OBISPO,
CALIFORNIA

APN. ----- 066-322-001

ZONE----- H.. WF.. W/ PD OVERLAY

INDEX TO DRAWINGS

- A-1 COVER SHEET, GENERAL NOTES
- A-2 LEASE SITE PLAN
- A-3 FLOOR PLAN
- A-4 FLOATING DOCK PLAN
- A-5 ELEVATION
- A-6 AREA USE PLAN
- A-7 PUBLIC ACCESS PLAN
- A-8 SIGN PLAN
- A-9 MATERIAL AND EQUIPMENT INFORMATION
- A-10 CONDITIONS OF PERMIT C.C.C.
- A-11 CONDITIONS OF PERMIT C.C.C.
- A-12 CONDITIONS OF PERMIT M.B.

LAND/SEA INTERFACE
1-805-772-9436
GENE DOUGHTY-ARCHITECT

HELD PROPERTIES
HARBOR CENTER
901 EMBARCADERO MORRO BAY, CALIF.

GENERAL NOTES,
SPECIFICATIONS
SITE PHOTOS, VICINITY MAP
PROJECT DATA

SHEET
A-1
OF 11 SHEET

SCALE: AS NOTED
DRAWN: GD

PLOTTER: PDF995

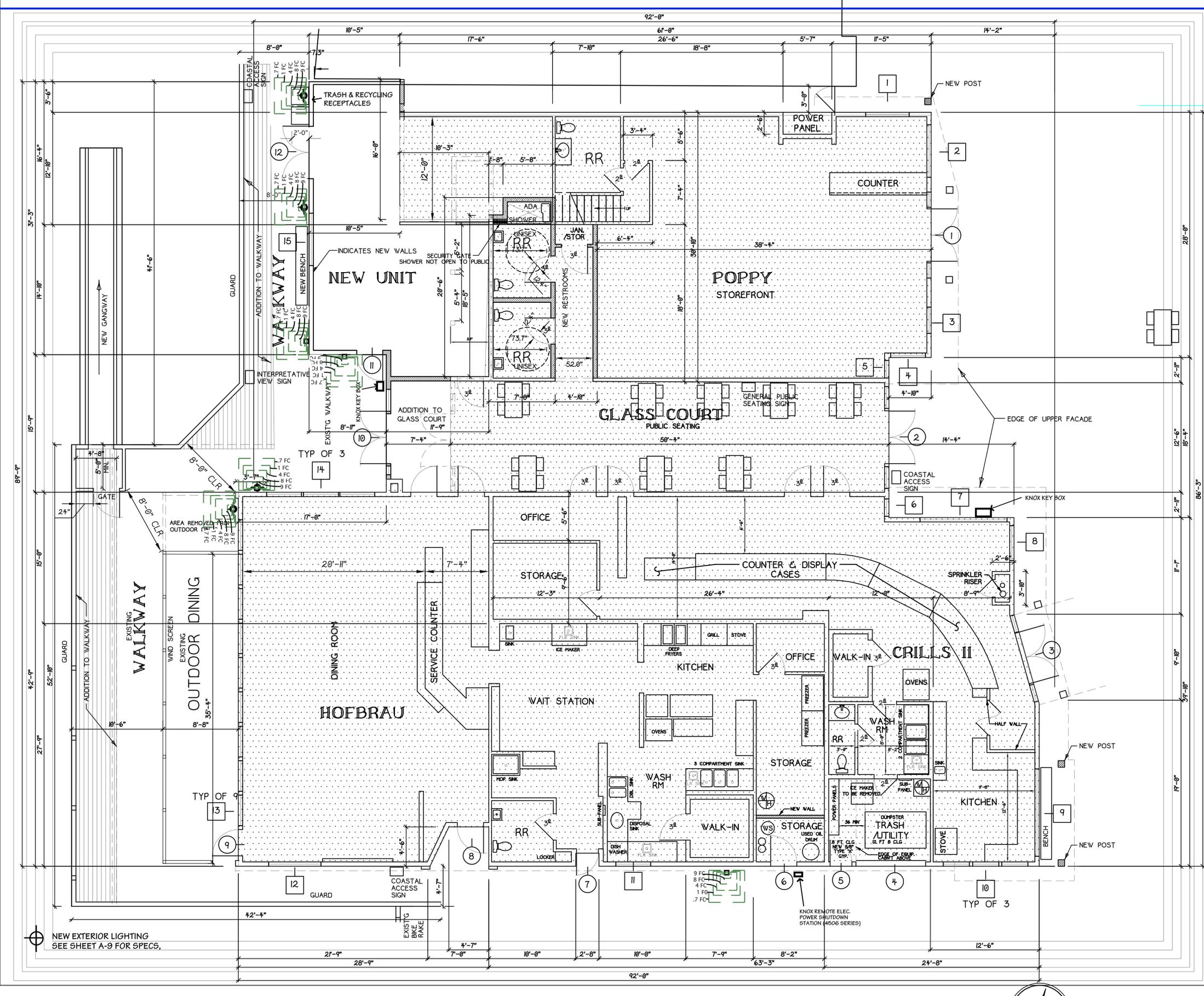
PLOT STYLE TABLE: MONOCHROME-TEST.CTB

O- EXTERIOR DOOR SCHEDULE

MARK	EXISTING	PROPOSED	TYPE	SIZE	REMARKS
1	E	P	DBL	3'-7 1/2"	MTL STOREFRONT
2	E	P	DBL	3'-7 1/2"	MTL STOREFRONT
3	E	P	DBL	3'-7 1/2"	MTL STOREFRONT
4	P	P	MTL	3'-7 1/2"	MTL ROLL-UP
5	P	P	MTL	2'-8"	
6	E	P	WD	3'-0"	WD W TOP LITE
7	E	P	WD	2'-8"	WD W TOP LITE
8	E	P	MTL	3'-0"	MTL W FULL LITE
9	E	P	WD	3'-0"	WD SC
10	P	P	DBL	3'-7 1/2"	MTL STOREFRONT
11	P	P	MTL	3'-0"	MTL W FULL LITE
12	P	P	DBL	3'-0"	MTL W FULL LITE
13					
14					
14					

O- EXTERIOR WINDOW SCHEDULE

MARK	EXISTING	PROPOSED	TYPE	SIZE	REMARKS
1	E	P	MTL	6050	MTL PICTURE
2	E	P	MTL	6050	MTL PICTURE
3	E	P	MTL	4050	MTL PICTURE
4	E	P	MTL	4050	MTL PICTURE
5	E	P	MTL	2050	MTL PICTURE
6	E	P	MTL	2050	MTL PICTURE
7	E	P	MTL	2-5050	MTL SLIDERS
8	E	P	MTL	2-5050	MTL SLIDERS
9	E	P	MTL	3-3050s	MTL PICTURE
10	E	P	MTL	3020	MTL SLIDER
11	E	P	MTL	6050	MTL STACKED
12	E	P	WD	9-3050	WD PICTURE
13	E	P	WD	3-4050	WD PICTURE
14	E	P	MTL	6050	MTL PICTURE
15					



PROPOSED FLOOR PLAN W/ EXISTING TENANT IMPROVEMENTS

NEW EXTERIOR LIGHTING SEE SHEET A-9 FOR SPECS.

3/16" = 1'-0"

REVISED
1/4/13
3/26/13
12/8/2014

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

HARBOR CENTER
901 EMBARCADERO MORRO BAY, CALIF.

PROPOSED & EXISTING FLOOR PLANS

Plotted: 1/24/2015 5:07 PM
P:\ACAD\Jobs\1101_Held_Precise_Plan\ProposedFloorPlan.dwg

A-3
OF 11 SHEET

SCALE: AS NOTED
DRAWN: M/LA

DRAWINGS TO SCALE FOR ONLY 36X24 PLOTS

SHEET

1/24/2015 5:07 PM

P:\ACAD\Jobs\1101_Held_Precise_Plan\ProposedFloorPlan.dwg

36-13 2-28-15

4-23-13 2-22-15

SCALE: AS NOTED

DRAWN: M/LA

OF 11 SHEET

PROPOSED & EXISTING FLOOR PLANS

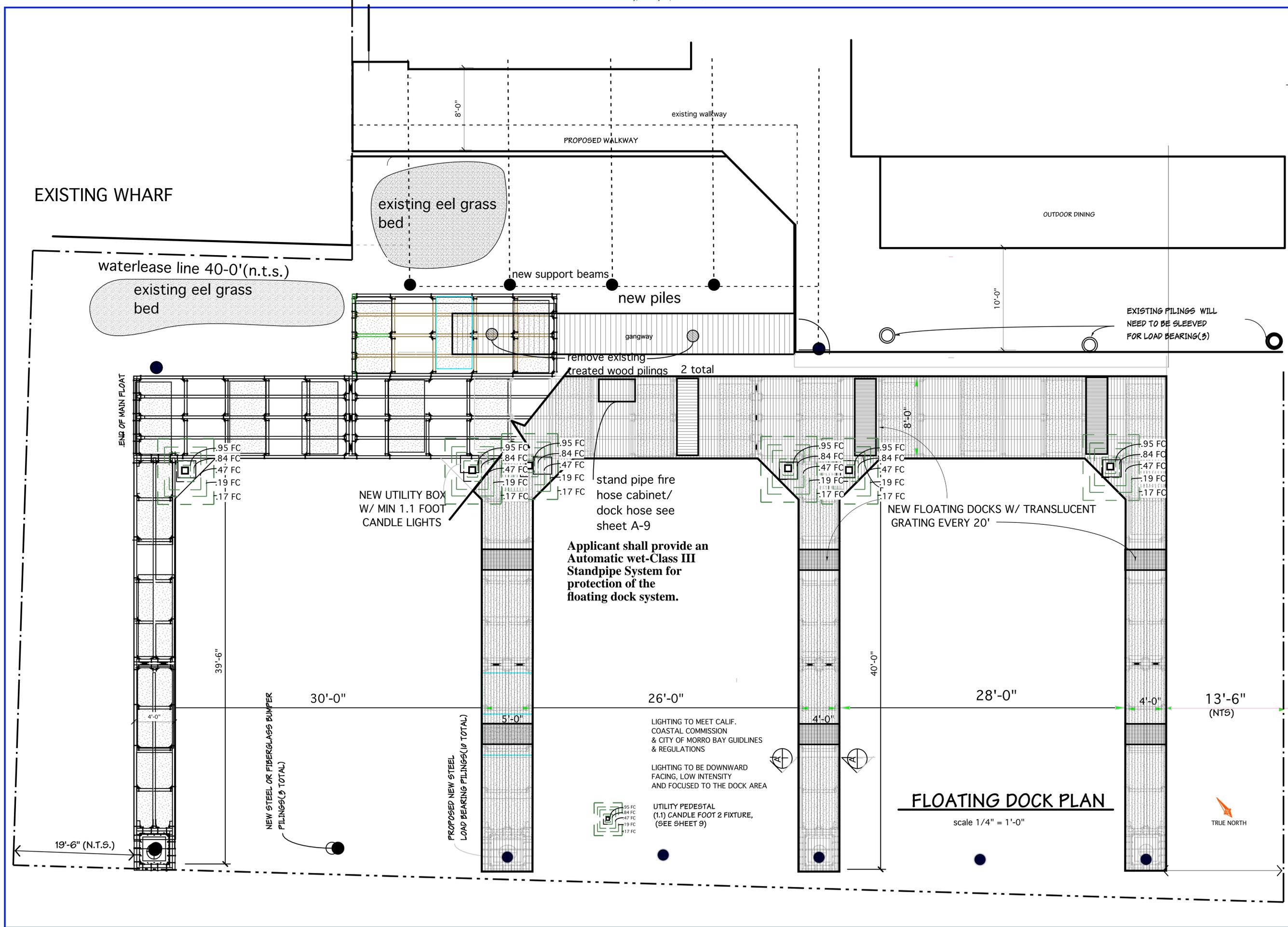
HARBOR CENTER

901 EMBARCADERO MORRO BAY, CALIF.

GENE DOUGHTY-ARCHITECT 1-805-772-8436

REVISED 1/4/13 3/26/13 12/8/2014

EXHIBIT B



LAND/SEA INTERFACE
EDGE OF EXISTING WAREHOUSE
GENE DOUGHTY WAREFACT 1-805-772-0436

HELD PROPERTIES
HARBOR CENTER
901 EMBARCADERO MORRO BAY, CALIF.

FLOATING DOCK PLANS DOCK PLANS LIGHTING

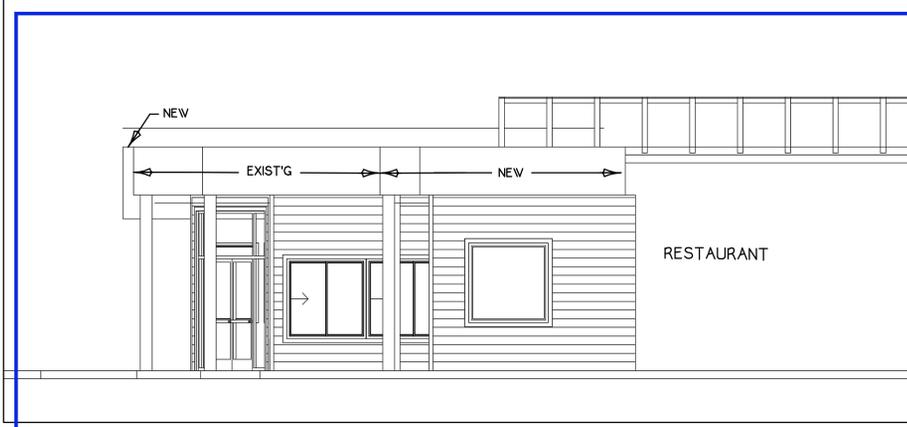
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3:46:13 5:23:13
3:46:13 2:18:45
4:16:13 2:23:45
4:23:13
SCALE: AS NOTED
DRAWN: GD
A-4
OF 11 SHEET

FLOATING DOCK PLAN
scale 1/4" = 1'-0"



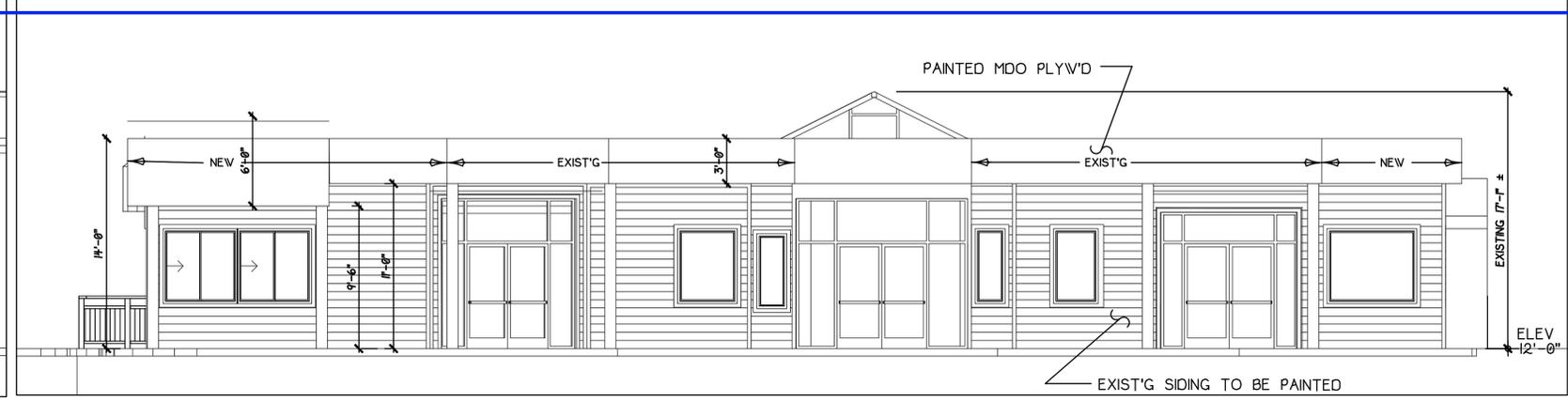
DRAWINGS TO SCALE FOR ONLY 36x48 PLOTTYPE TABLE: MONOCHROME-TEST.CTB

PLOTTER: PDF995



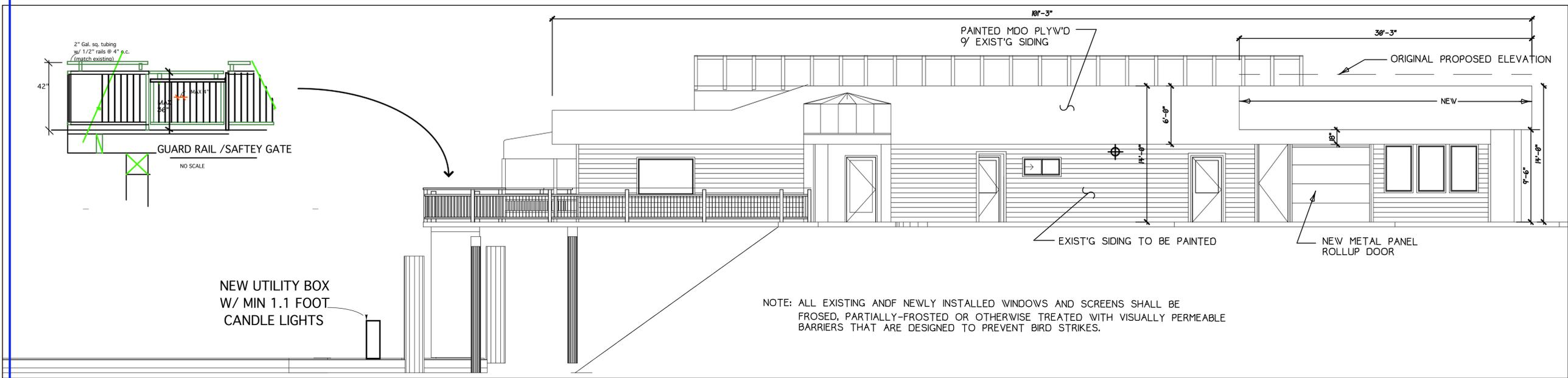
NORTH - ANCHOR PARK

3/16"



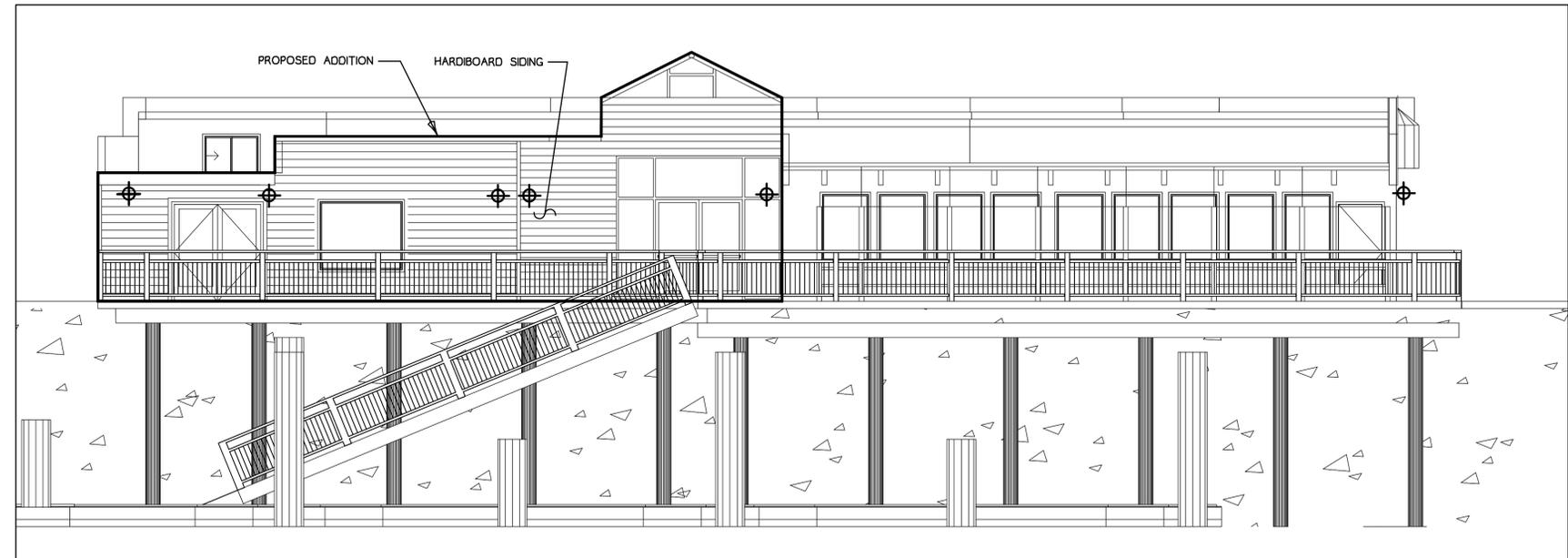
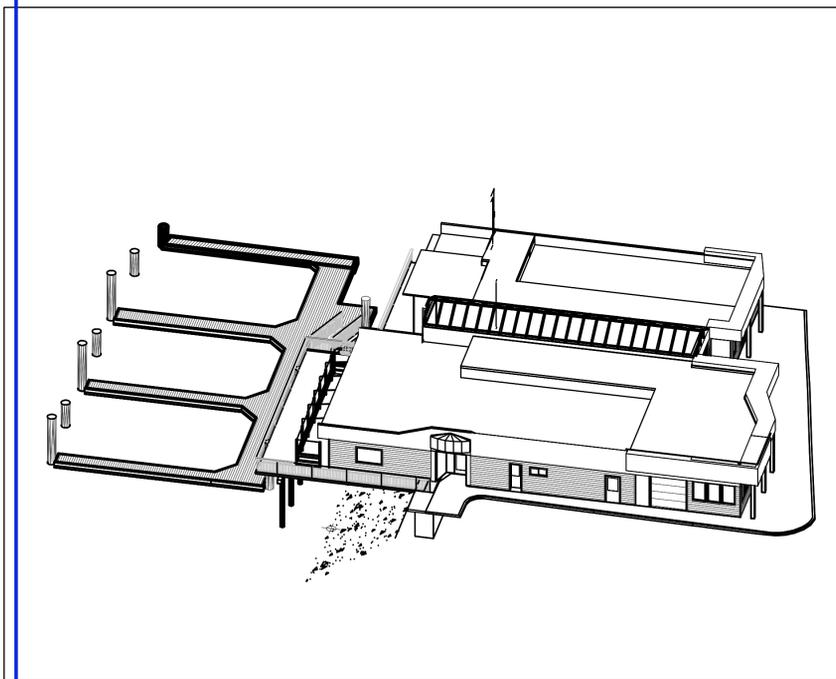
EAST - EMBARCADERO

3/16"



SOUTH - HARBOR ST.

3/16"



WEST- BAY

3/16"

The area, specifications, notes and materials of work prepared for the construction of this work shall be in accordance with the Land Use Ordinance and the City of Morro Bay, California. The contractor shall be responsible for the quality of the work.

REVISED
1/7/13
2/16/2015

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

HELD PROPERTIES
HARBOR CENTER
901 EMBARCADERO MORRO BAY, CALIF.

PROPOSED
EXTERIOR ELEVATIONS

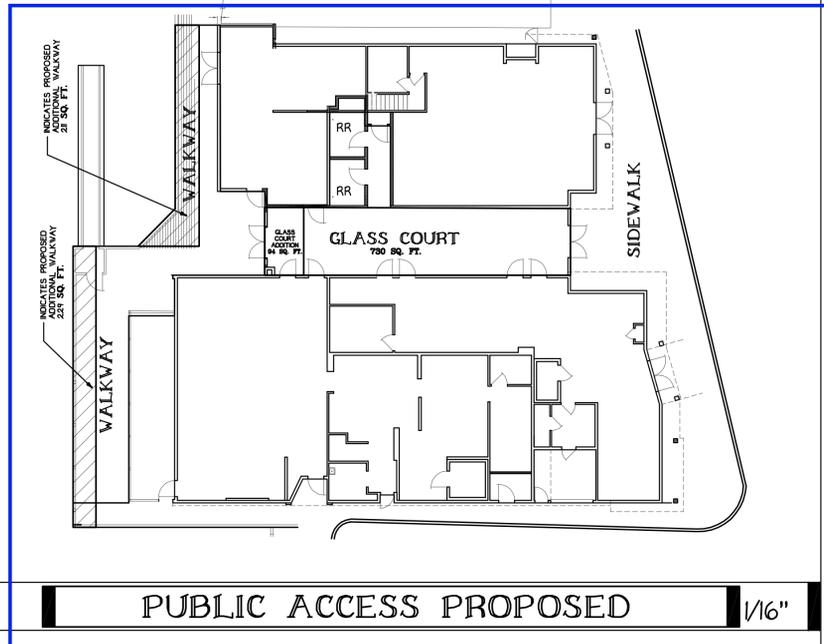
1-16-15
3-6-15
4-1-15
4-23-15
SCALE: AS NOTED
DRAWN: MIA

A-5

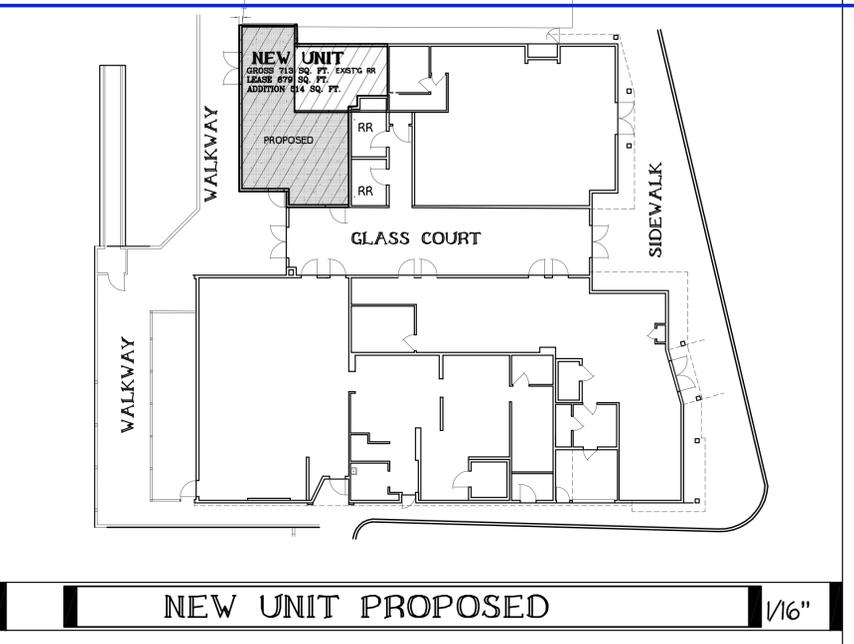
6E II SHEET

Plotted: 2/16/2015 12:12 PM
F:\ACAD\Jobs\1101 Held Precise Plan\Elevations.dwg
Tab: Elevations

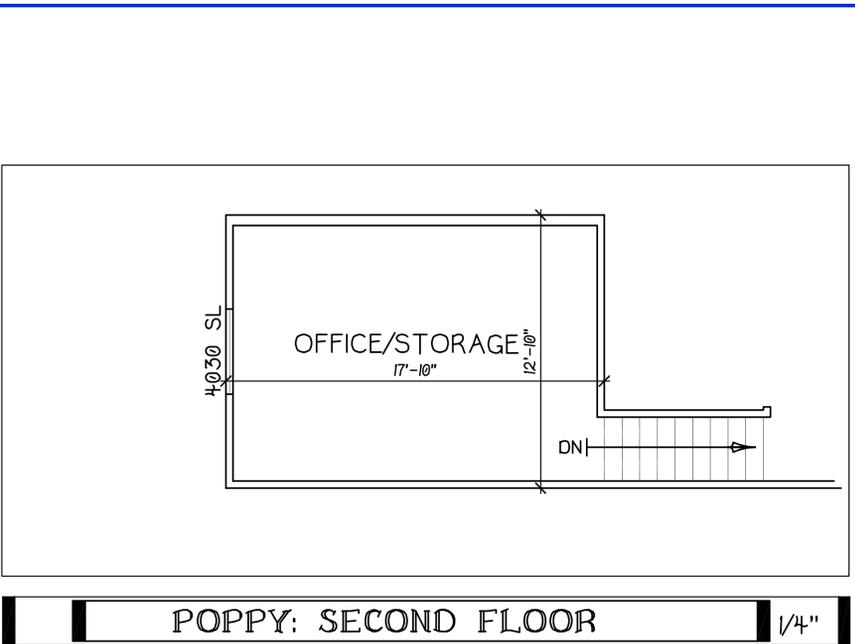
PLOT STYLE TABLE: MONOCHROME-TEST.CTB PLOTTER: PDF995



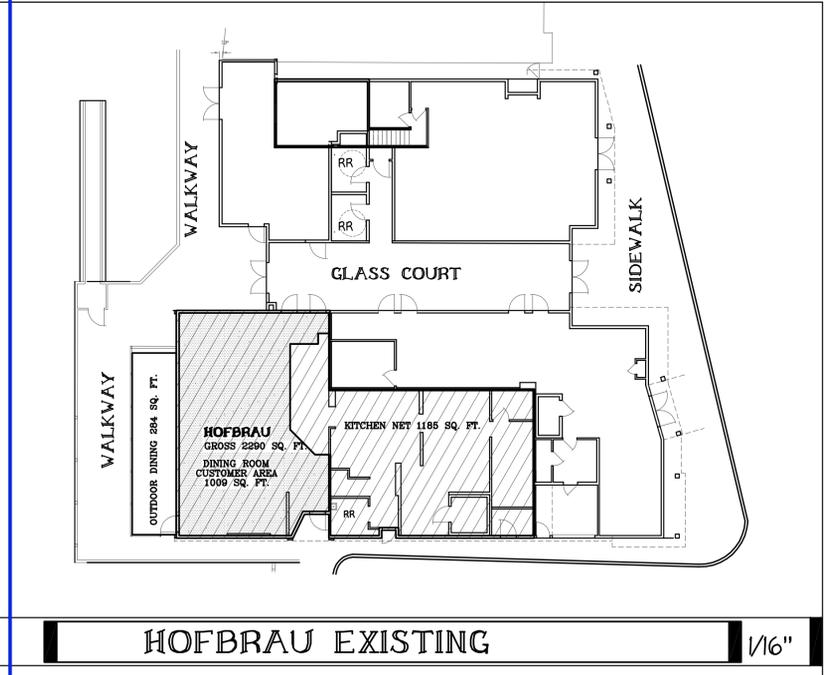
PUBLIC ACCESS PROPOSED 1/16"



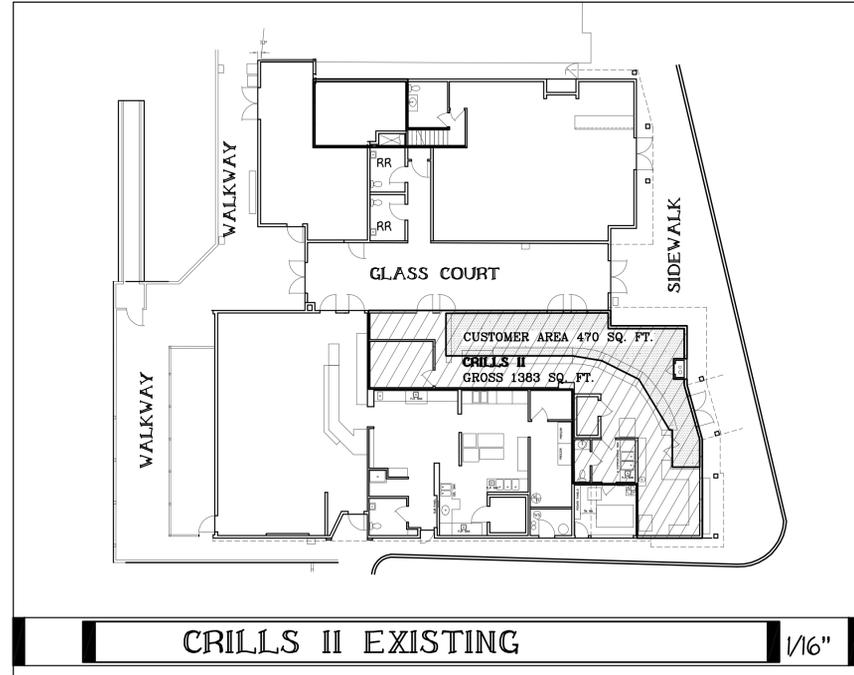
NEW UNIT PROPOSED 1/16"



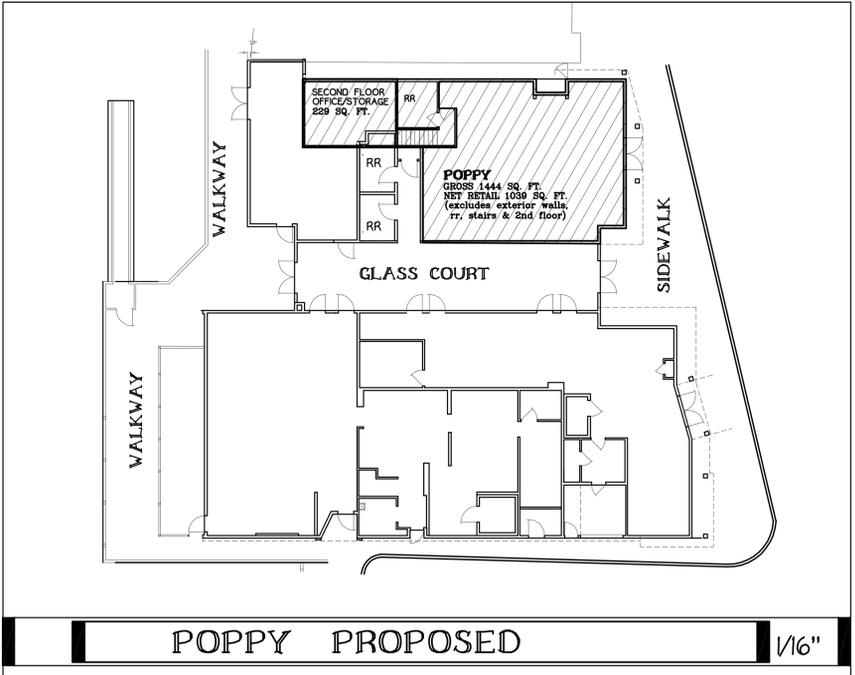
POPPY: SECOND FLOOR 1/4"



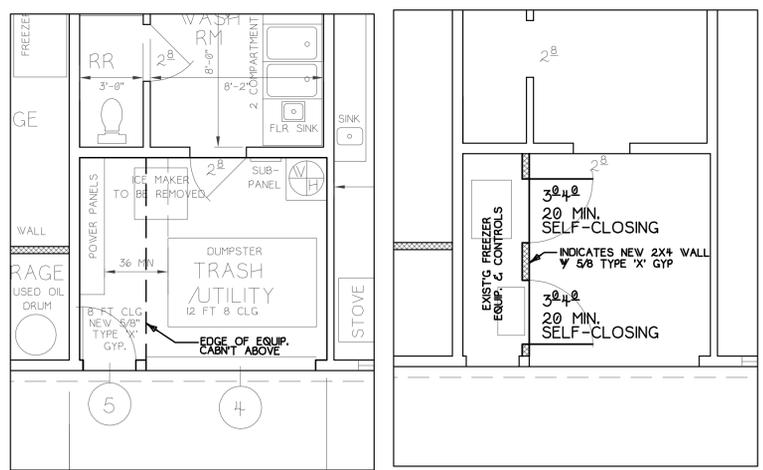
HOFBRAU EXISTING 1/16"



CRILLS II EXISTING 1/16"



POPPY PROPOSED 1/16"



REFRIGERATION SYSTEM CABN'T 1/4"

REVISED 3/26/13 12/10/2014

LAND/SEA INTERFACE GENE DOUGHTY-ARCHITECT 1-905-772-8436

HELD PROPERTIES HARBOR CENTER 901 EMBARCADERO MORRO BAY, CALIF.

AREA FLOOR PLANS EXIST SECOND FLOOR Ref Equi. Cabinet

SCALE: AS NOTED DRAWN: MLA

A-6

OF 11 SHEET

Plotted: 2/4/2015 3:59 PM F:\ACAD\Jobs\1101 Held Precise Plan\AreaPlans.dwg Tab: Area Plans

DRAWINGS TO SCALE FOR ONLY 36X24 PLOTS

THESE DRAWINGS, SPECIFICATIONS, AND SCHEDULES ARE PREPARED FOR THE EXCLUSIVE USE OF THE CLIENT AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF LAND/SEA INTERFACE.

PUBLIC ACCESS

BAYSIDE LATERAL ACCESS AND PUBLIC VIEWING DECK SHALL REMAIN OPEN TO THE PUBLIC 24 HOURS A DAY AND 7 DAYS A WEEK.

GLASS COURT SHALL BE OPEN TO THE PUBLIC DURING BUSINESS HOURS OF THE RETAIL COMPONENTS OF THE APPROVED PROJECT ARE OPEN. THE PUBLIC DINING AREA SHALL BE PROVIDED WITH AMENITIES FOR PUBLIC DINING.

FLOATING DOCK SHALL BE OPEN TO THE PUBLIC DURING DAYLIGHT HOURS - ONE HOUR BEFORE SUNRISE TO ONE HOUR AFTER SUNSET.

- 1 COASTAL ACCESS WOOD OR METAL SIGN MOUNTED ON THE WALL
- 2 COASTAL ACCESS PUBLIC VIEWING DECK METAL SIGN MOUNTED ON THE GUARD. TYPE OF TWO
- 3 COASTAL ACCESS PUBLIC DINING PUBLIC RESTROOM INSIDE VINYL SIGN MOUNTED OF THE GLASS DOOR. TYPE OF 2
- 4 COASTAL ACCESS PUBLIC DOCK METAL SIGN MOUNTED ON THE GUARD.
- 5 PUBLIC DINING WOOD SIGN MOUNTED ON THE WALL
- 6 PUBLIC ACCESS INTERPRETIVE SIGN LAMINATED SIGN MOUNTED TO A METAL STAND COMMERCIAL FISHING THEME
- 7 PUBLIC RESTROOMS WOOD SIGN MOUNTED ON THE WALL



SIGNAGE SHALL BE 24" WIDE X 18" HIGH METAL SIGN W/ IMAGES MOUNTED FLAT ON 4X4 POST w/ white background & blue lettering

1, 2



SIGNAGE SHALL BE 24" WIDE X 18" HIGH VINYL LETTERING W/ IMAGES ON GLASS DOOR w/ white background & blue lettering

3, 5



SIGNAGE SHALL BE 24" WIDE X 18" HIGH METAL SIGN W/ IMAGES MOUNTED FLAT ON 4X4 POST w/ white background & blue lettering

4



SIGNAGE SHALL BE 24" WIDE X 18" HIGH METAL SIGN W/ IMAGES MOUNTED FLAT ON 4X4 POST w/ white background & blue lettering

6



SIGNAGE SHALL BE 24" WIDE X 18" HIGH METAL SIGN W/ IMAGES MOUNTED FLAT ON 4X4 POST w/ white background & blue lettering

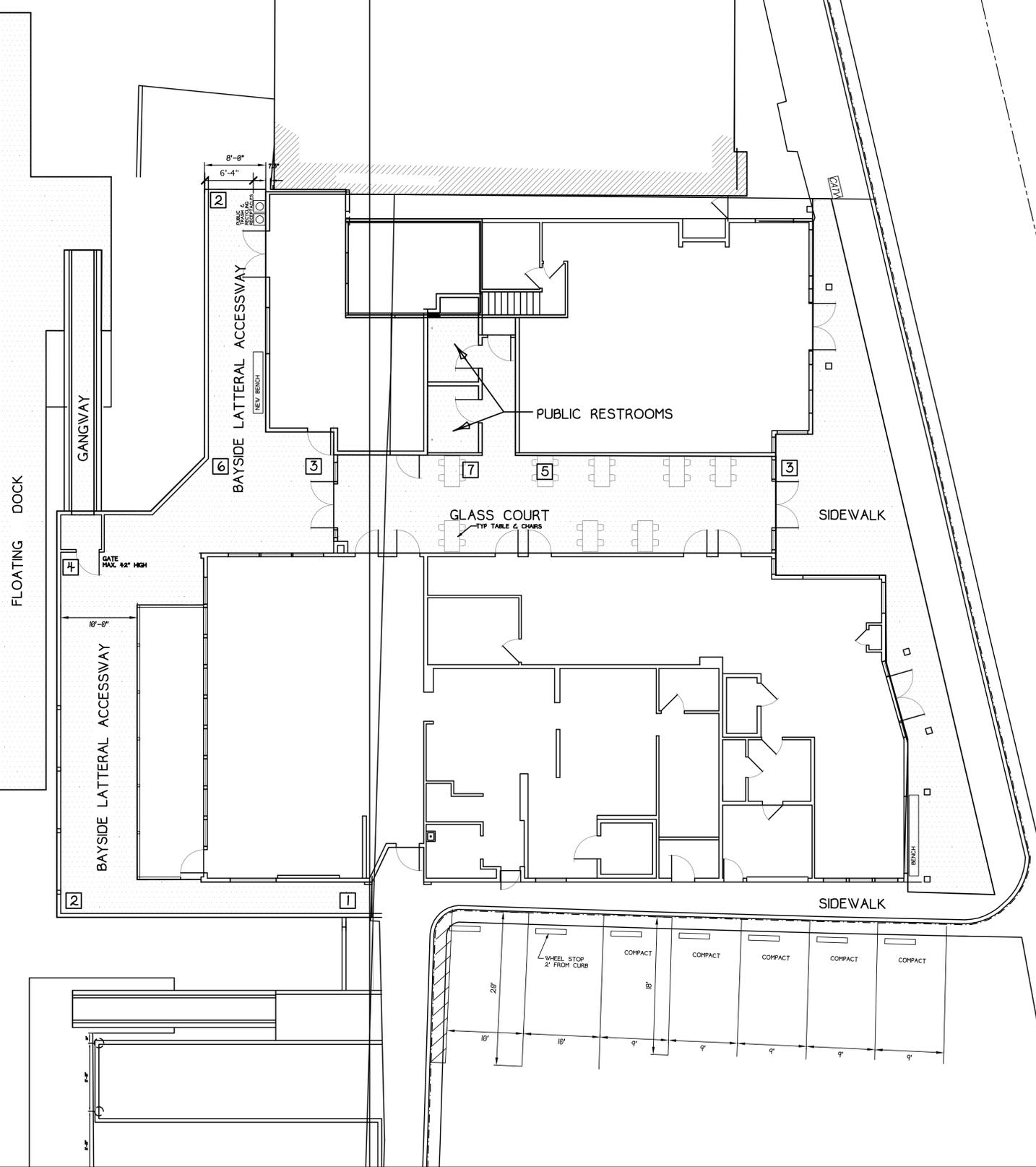
7



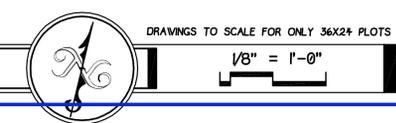
SIGNAGE SHALL BE 24" WIDE X 18" HIGH METAL SIGN W/ IMAGES MOUNTED FLAT ON 4X4 POST w/ white background & blue lettering

4

EMBARCADERO



PUBLIC ACCESS MANAGEMENT PLAN



PLOTTER: PDF995

PLOT STYLE TABLE: MONOCHROME-TEST.CTB

Plotted: 2/4/2015 2:55 PM F:\ACAD\Jobs\1101_Held_Precise_Plan\ProposedPlotPublicAccessPlan.dwg

REVISED 2/3/2015

LAND/SEA INTERFACE GENE DOUGHTY-ARCHITECT 1-806-772-8436

HELD PROPERTIES HARBOR CENTER 901 EMBARCADERO MORRO BAY, CALIF.

PUBLIC ACCESS MANAGEMENT PLAN

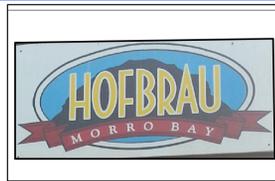
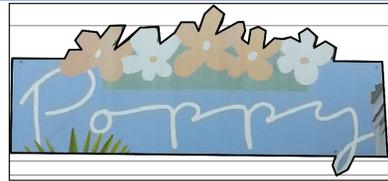
SCALE: AS NOTED DRAWN: MLA

A-7

SHEET 11 OF 11

SIGNAGE DATA

Harbor Center signage					
Street frontages					
Embarcadero rd	86.25	2	172.5		
Harbor St.	70.25	1	70.25		
	allowable signage		242.75		
North					
mark type	material	size	sf	notes	
Poppy	1 awning	plywood	irregular	20	
Crill's II	2 awning	plywood		6	
Hofbrau	3 awning	plywood		6	
East					
Poppy	4 awning	plywood	irregular	24	
Hofbrau	5 backlit	Plastic	30x50	10.5	
South					
Hofbrau	6 backlit	Plastic	30x50	10.5	
Hofbrau	7 awning	Carved wood	20x120	16.5	lit from top
Hofbrau	8 awning	canvas	33x20	4.6	
West					
New unit	9 Wall mounted	plywood	144x24	24	
			Total signage	122.1	



SIGN 1 & 4

SIGN 2

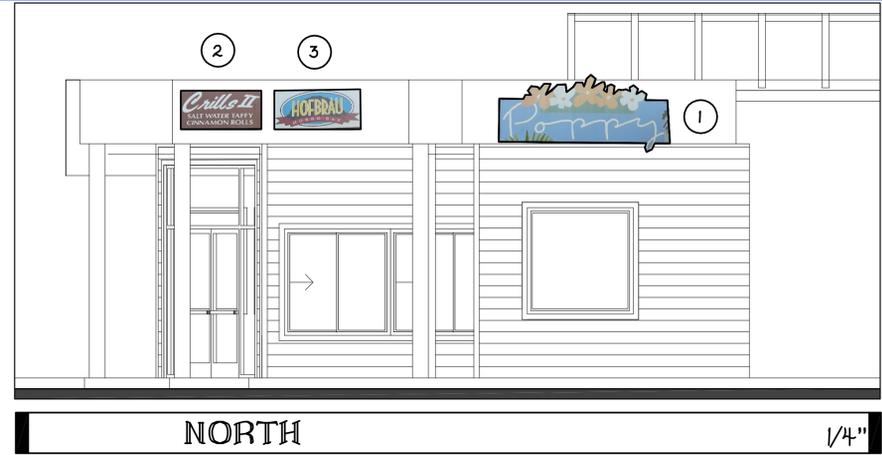
SIGN 3



SIGN 5 & 6

SIGN 7

SIGN 8



NORTH

1/4"



EAST

1/4"



SOUTH

1/4"



WEST

1/4"

These drawings, designs and specifications are prepared for the information of the client and are not to be used for any other purpose without the written consent of the architect.

2/6/2015

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

HELD PROPERTIES
HARBOR CENTER
901 EMBARCADERO MORRO BAY, CALIF.

BUILDING SIGNAGE

1-805-772-8436
3-6-13 2-28-15
4-16-13 2-23-15
4-23-13
SCALE: AS NOTED
DRAWN: GD

A-8

OF 11 SHEET

Plotted: 2/7/2015 4:53 PM
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Tab: 38x24

ONLY 36x24 PRINTS ARE TO SCALE

Dockmaster® Marina Power Pedestal



DOCKMASTER® MARINA POWER PEDESTAL
ITEM NO. 12-005

Also available 48" tall.

Standard Features:
UNITIZED SERVICE PANEL
Panel is pre-configured to accept electrical components, telephone, cable TV and lighting options.
Electrical Rating: 100 to 200 amperes maximum. For use with 120/240 volt, 1 phase, 3W plus ground. (120/208 volt, 3 phase, 4W plus ground optional).
Circuit Breakers: Each receptacle is protected by an ambient compensated thermal magnetic circuit breaker. Ground fault circuit breakers are also available.

WEATHER RESISTANT
VALDIX® thermoplastic enclosure and internal components are corrosion resistant. The cover helps protect cords and plugs while maintaining a neat, clean appearance. Utilizes a full-length stainless steel piano hinge for maximum durability.

PRISMATIC LENS
On units equipped with lighting options, the lens effectively eliminates glare and directs the light downward and outward for maximum dock illumination.

DRESS PANEL
Completes the reverse side of all single service pedestals.

OVERSIZE ACCESS PANEL
Facilitates easy installation and upgrading. Includes two viewing ports for quick meter readings.

BASE MODULE with Loop Feed Terminal Bar
Easy to wire terminal lugs accept up to 350MCM (standard) cable. Bar allows looping of pedestals, eliminating expensive splicing. Provides complete isolation of electrical, water, telephone and cable TV connections for maximum safety.

Options:
DOUBLE SIDED SERVICE
Allows two slips to be serviced from the same pedestal. Service panels may be identical or individually tailored.

WATER SERVICE
3/4" hose bibs standard, also adaptable for other plumbing systems. Available with backflow preventers.

CORD & HOSE CADDIES
Keeps dock area uncluttered for greater safety and better appearance. Stainless steel construction.

ELECTRICAL METERING
Individual slip metering is available with electronic without meters. Electronic meters offer remote reading capability. (See pedestal models for meter combinations).

TELEPHONE AND CABLE TV
7 watt fluorescent lamps are available for all service and dress panels. Light circuit is protected by an in-line fuse.

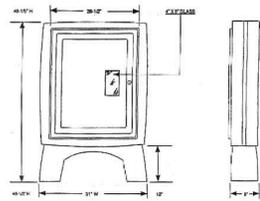
FLOURESCENT LIGHTING
7 watt fluorescent lamps are available for all service and dress panels. Light circuit is protected by an in-line fuse.

LIGHTING CONTROL
Photoelectric sensor or time lights on at dusk, off at dawn. When ordering a Photoelectric sensor a circuit breaker is provided for a complete internally wired light circuit.



UTILITY PEDESTAL

Fire Hose Cabinet



FIBERGLASS FIRE HOSE CABINET
ITEM NO. 11-021R (Red), 11-021Y (Yellow), 11-021 (White)

This fire hose cabinet has set a standard for the industry. The door has glass knockout and opens 180° for quick access. It is constructed of high gloss, long lasting fiberglass with a gel-coat finish, 1/8" minimum thickness. Holding 100 foot fire hose rack assembly with room for a fire extinguisher up to 10 pound size, it is equipped inside with 2 x 4" structural wood verticals for rack installation. While the standard cabinet color is yellow, it is also available in red. We strongly recommend yellow as red has a tendency to fade. A coat of polish once a year will keep its good looks for years to come. We do not include the glass as it usually breaks during transportation. We recommend that you purchase tempered glass locally. However we can supply glass if you need it.

The cabinet can be placed dockside and free standing by securing at the base to the deck or placed against a wall for an even more secure installation.

Available in Yellow, Red, or White.



FIRE HOSE CABINET

DECKING MATERIAL

KICHLER 12- INCH NATAL OUTDOOR WALL LIGHT W/ LED BULB



NEW WALL LAMPS

FRP FIBERGLASS GRATING

GRAY



FLOATING DOCK CONSTRUCTION

(PENNING AGREEMENT WITH HARBOR DEPARTMENT)

CONSTRUCTION NOTES:

no scale

ALL CONTRACTORS AND SUBCONTRACTORS SHALL APPLY (BMP) BEST MANAGEMENT PRACTICES THROUGHOUT COURSE OF CONSTRUCTION

CONSTRUCTION PRACTICES SHALL BE AS REQUIRED BY CITY OF MORRO BAY CODES AND REQUIREMENTS, CALIFORNIA COASTAL COMMISSION CONDITIONS OF APPROVAL. SECTION 4,a,b,c,d,e,f.

FABRICATION SHALL BE LOCATED WITH HARBOR DEPARTMENT FENCED YARD TO PREVENT PUBLIC ACCESSIBILITY. FUELING SHALL BE DONE OFFSITE IN RENTAL YARD APPROX 2 MILES FROM BAY

ALL CONTRACTORS AND SUBCONTRACTORS SHALL COMPLY WITH ALL CONDITIONS OF THE PERMIT THROUGHOUT THE CONSTRUCTION OF THE PROJECT, NOTE!

CONTRACTOR SHALL INSTALL SILT SCREENS OR STRAW WADDLES TO PREVENT DEMOLITION DEBRIS AND SEDIMENTS FROM ENTERING BAY

NOTE!
CONTRACTOR SHALL INSTALL SILT SCREENS OR STRAW WADDLES TO PREVENT DEMOLITION DEBRIS AND SEDIMENTS FROM ENTERING BAY

NOTE! OWNER MAY INSTALL NEW PRE-MANUFACTURED FLOATING DOCKS AS SUPPLIED AND BUILT OFFSITE TO MEET PROPOSED PLANS AND SPECIFICATION

LAND/SEA INTERFACE
GENE DOUGHTY-ARCHITECT
1-805-772-0436

HELD PROPERTIES
HARBOR CENTER
901 EMBARCADERO MORRO BAY, CALIF.

MATERIAL AND EQUIPMENT
INFORMATION
CONSTRUCTION AREA

SCALE: AS NOTED
DRAWING: GD

SHEET
A-9
OF 11 SHEET



NOTICE OF INTENT TO ISSUE COASTAL DEVELOPMENT PERMIT AMENDMENT CDP 3-13-006 (Harbor Center) NOI Issue Date: February 5, 2015 Page 1 of 8

Please note: this is NOT a coastal development permit
A coastal development permit (CDP) for the development described below has been approved but is not yet effective. Development on the site cannot commence until the CDP is effective. The sole purpose of this notice of intent (NOI) is to inform the permittee(s) of the steps necessary to obtain a valid and effective CDP. In order for the CDP to be effective, Commission staff must issue the CDP, and the permittee(s) must sign and return a copy of the CDP to the Commission. Commission staff cannot issue the CDP until each of the "prior to issuance" (PTI) conditions have been fulfilled (all of the conditions, including the PTI conditions, for this CDP are identified later in this notice).

Unless otherwise specified, the Commission's approval of this CDP is valid for two years from the date of approval. To prevent expiration of the CDP, the permittee(s) must fulfill the PTI conditions, obtain and sign the CDP, and commence development within two years of the approval date specified below (unless otherwise specified). The permittee(s) may also apply for an extension of the CDP pursuant to California Code of Regulations, Title 14, Section 13169.

CDP 3-13-006 was approved by the California Coastal Commission on October 10, 2014 and allows for the remodel of an existing visitor-serving development, including construction of a new retail unit, modification of a lateral harbor-side access way, and installation of a new floating dock, at The Harbor Center on the Morro Bay Embarcadero (lease sites 93, 94, 95, 93w, 94w and 95w) at 901-915 Embarcadero Road (APN 066-322-01) adjacent to and over Morro Bay in the City of Morro Bay, San Luis Obispo County. CDP 3-13-006 is subject to certain terms and conditions, including the standard and special conditions beginning on page 2 of this NOI.

If you have any questions regarding this notice, including regarding how to fulfill the PTI conditions, please contact Justin Buhr in the Central Coast District Office at the address and phone number above.

NOI issued
By my signature below, this notice of intent to issue a CDP is issued on behalf of the California Coastal Commission on February 5, 2015.

Susan Cyle
Susan Cyle, Central Coast District Manager, for Charles Lester, Executive Director

NOTICE OF INTENT TO ISSUE CDP Amendment CDP 3-13-006 (Harbor Center) NOI Issue Date: February 5, 2015 Page 5 of 8

- d. **Amenities.** Public access amenities (such as benches, bicycle racks, trash and recycling receptacles, etc.) shall be retained or provided, including at a minimum, benches along the Embarcadero sidewalk and in the glass-covered vertical accessway, and at appropriate locations along the lateral accessway, where space allows.
- e. **Public Access Signs/Materials.** The Access Plan shall identify all signs, handouts, brochures, and any other project elements that will be used to facilitate, manage, and provide public access to the approved project, including identification of all public education/interpretation features that will be provided on the site (educational displays, interpretive signage, etc.). Sign details showing the location, materials, design, and text of all public access signs shall be provided. The signs shall be designed so as to provide clear information without impacting public views and site character. At a minimum, public access directional signs shall be placed at the Embarcadero Road entrance to the southern vertical accessway, at the Embarcadero Road entrance to the glass-covered walkway, at the northern end of the lateral accessway, and at the entrance to the gangway from the lateral accessway. Signs directing the public to the public restrooms shall be placed at both ends of the glass-covered walkway. All directional signs (except the restroom signs) shall include the Commission's access program "feet" logo and the California Coastal Trail emblem. At a minimum, at least one public access interpretive sign (appropriate to Morro Bay issues, information, and/or history) shall be located at an appropriate location along the lateral accessway.
- f. **No Public Access Disruption.** Development and uses within the public access areas that disrupt and/or degrade public access (including areas set aside for private uses, barriers to public access (furniture, planters, temporary structures, private use signs, ropes, etc.)) shall be prohibited. The public use areas shall be maintained in a manner that maximizes public use and enjoyment.
- g. **Public Access Use Hours.** All public access areas and amenities shall be available to the general public free of charge during at least daylight hours (i.e., one hour before sunrise to one hour after sunset), and during at least all non-daylight hours when the retail components of the approved project are open. The Access Plan shall provide for 24-hours per day access to the lateral access.
- h. **Public Access Amenities Provided Prior to Occupancy.** All public access components of the lateral access way portion of the approved project shall be constructed and ready for use prior to occupancy of the new retail unit portion of the project.
- i. **Public Access Areas and Amenities Maintained.** The public access components of the project shall be maintained in their approved state in perpetuity.

The Permittee shall undertake development in accordance with the approved Public Access Plan, which shall govern all general public access to the site pursuant to this coastal development permit.

3. Construction Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit two copies of a Construction Plan to the Executive Director for review and approval. The Construction Plan shall, at a minimum, include the following:

NOTICE OF INTENT TO ISSUE CDP Amendment CDP 3-13-006 (Harbor Center) NOI Issue Date: February 5, 2015 Page 2 of 8

Acknowledgement
The undersigned permittee(s) acknowledge receipt of this notice and fully understand its contents including all conditions imposed. Please sign and return a copy of this notice to the Central District Office at 725 Front Street Suite 300, Santa Cruz, CA 95060.

Justin Buhr 2/10/15
Harbor Center (Held Family Trust) Representative Date

STANDARD CONDITIONS:

This permit is granted subject to the following standard conditions:

- 1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the Permittee or authorized agent, acknowledgment receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
- 2. **Expiration.** If development has not commenced, the permit will expire two years from the date which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be filed prior to the expiration date.
- 3. **Interpretation.** Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
- 4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with Commission an affidavit accepting all terms and conditions of the permit.
- 5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, at the intention of the Commission and the Permittee to bind all future owners and possessors of the subject property to the terms and conditions.

SPECIAL CONDITIONS:

This permit is granted subject to the following special conditions:

- 1. **Final Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit two full size sets of final plans to the Executive Director for review and approval. The Final Plans shall be in substantial conformance with the plans submitted to the Commission (Site Plan prepared by Gene Doughty - Architect, dated May 28, 2013) except the plans shall be revised and supplemented to comply with the following requirements:

NOTICE OF INTENT TO ISSUE CDP Amendment CDP 3-13-006 (Harbor Center) NOI Issue Date: February 5, 2015 Page 3 of 8

- a. **Bayside Lateral Public Accessway.** The bayside lateral accessway shall provide for seamless connectivity to the existing lateral accessways along properties north and south of the development site. The entire southern portion of the bayside lateral accessway shall be a minimum of ten feet wide. The northern portion of the bayside lateral accessway and the middle portion of the bayside lateral accessway along the entrance to the gangway shall be a minimum of eight feet wide. The existing vertical accessways on the northern and southern portions of the site that connect to the bayside lateral accessway shall at least maintain their current width.
- b. **Shading of eelgrass.** No part of any bayside lateral accessway, floating dock, other structure, or boat docking area shall be located vertically above any existing eelgrass bed, or portion thereof, as identified on the Applicant's Site Plan. Nothing shall be allowed to dock, for any length of time, above any existing eelgrass bed. Translucent grating shall be used to the greatest extent feasible on the north portions of the bayside lateral accessway and floating dock. Priority locations for grating shall be on areas of structures adjacent to eelgrass habitats and where there is potential eelgrass habitat, as identified in the pre- and post-construction surveys.
- c. **Pre- and Post-construction surveys.** A survey identifying areas of eelgrass within the lease areas shall be completed no earlier than 90 days and no later than 30 days prior to the commencement of construction. The survey shall be submitted to the Executive Director for review as part of the final plans. Post construction surveys identifying areas of eelgrass shall be completed on an annual basis with the first report due within 90 days of completion of construction and subsequent reports due at one year increments after that. All annual reports shall at a minimum include a site plan and written description of the status of eelgrass beds in the project area. Annual reporting shall continue for three years. Any change in eelgrass extent shall be documented and reported to the Executive Director. If the report identifies a reduction in eelgrass coverage as compared to the existing eelgrass coverage as identified in the Applicant's pre-construction eelgrass survey, then the report shall identify remedial measures to offset such reduction within the eelgrass beds in the project area at a 1.2:1 ratio in line with the specifications for mitigation of eelgrass habitat as provided for in the Southern California Eelgrass Mitigation Policy.
- d. **Building heights.** The top of the awnings shall be no more than 14 feet in height. The façade improvements shall not increase in height beyond the existing building height.
- e. **Windows and screens.** All existing and newly installed windows and screens shall be frosted, partially-frosted or otherwise treated with visually permeable barriers that are designed to prevent bird strikes.
- f. **Lighting.** The location, type, and wattage of all light fixtures (including catalog sheets for each fixture) shall be illustrated. All exterior lighting shall be designed and located so that only the intended area is illuminated and off-site glare is prevented. All lighting shall be cutoff style fixtures that are directed downward to prevent glare on adjacent and surrounding areas (i.e., Morro Bay), and shall be limited to the maximum extent feasible while still providing for public safety. No direct light shall fall on the waters of Morro Bay and indirect light falling on bay waters shall be limited. Lights shall have solid sides and reflectors to further reduce lighting

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impacts, and shall be placed on a switch or timer to turn them off when not needed.

g. Design. The plans shall clearly identify all measures that will be applied to ensure that the project design, including all structures and including all other project elements within the public view (e.g., walkways, paved areas, railings, benches, tables, chairs, lighting, signs, landscaping, etc.), emulates Morro Bay Embarcadero aesthetics, including use of a maritime theme and pedestrian-oriented form and scale. Plans shall clearly identify all publicly visible structural elements, materials, and finishes (including through site plans and elevations, materials palettes and representative photos, product brochures, etc.).

The Permittee shall undertake development in accordance with the approved Final Plans.

2. Public Access Management Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit for Executive Director review and approval two full-size sets of a public access management plan (Access Plan). The Access Plan shall clearly describe the manner in which general public access associated with the approved project is to be provided and managed, with the objective of maximizing public access to the public access areas of the site (including the bayside lateral accessway, the glass-covered vertical accessway between the buildings, the public restrooms, the vertical accessways on the northern and southern portions of the site, gangways, the floating dock, and location of benches, public access signs, etc.). The Access Plan shall be substantially in conformance with the public access portion of the plans submitted to the Coastal Commission, except as modified by these special conditions, and shall at a minimum include the following:

- a. **Clear Depiction of Public Access Areas and Amenities.** All public access areas and amenities, including all of the areas and amenities described above, shall be clearly identified as such on the Access Plans (including with hatching and closed polygons so that it is clear what areas are available for public access use).
- b. **Lateral Accessway.** The entire southern portion of the bayside lateral accessway shall be a minimum of ten feet wide. The northern portion of the bayside lateral accessway shall be a minimum of eight feet wide.
- c. **Floating Dock.** The floating dock shall be publicly available for either short-term or long-term use by recreational or commercial boats. Signs discouraging the public from walking on the docks during daylight hours are prohibited. A gate, no higher than the adjacent railings and constructed so as to not substantially block views, may be installed for safety reasons. The gate may have a latch, but shall be open to the general public during at least daylight hours (i.e., one hour before sunrise to one hour after sunset). A sign informing the public of coastal access, including times, shall be located on the bayside lateral accessway side of any installed gate. Any and all other barriers to walking on the gangway or dock, such as ropes or gates, are prohibited. Residential use of the docks is prohibited. Any dock fees shall be as low as possible, commensurate with standard rates for the area.

NOTICE OF INTENT TO ISSUE CDP Amendment CDP 3-13-006 (Harbor Center) NOI Issue Date: February 5, 2015 Page 7 of 8

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

- f. **Pilings.** The new pilings and piling sleeves shall be made from steel or fiberglass. Construction barges shall be floating at all times and shall only operate at tides high enough so that the barge does not rest, bump or drag against the bottom of the bay. The Construction Plan shall include a pile driving plan and monitoring program designed to ensure that underwater noise generated by pile driving activities is minimized to the maximum extent feasible and does not exceed: (1) an accumulated 187 dB SEL as measured 5 meters from the source; and (2) peak dB above 208 dB as measured 10 meters from the source. In the instance anything other than a vibratory hammer is to be used for pile driving activities, the plan shall provide for a hydro-acoustical monitor to ensure that underwater noise generated by pile driving activities does not exceed such limits. The plan shall identify the type of method used to install pilings. Vibratory hammers shall be used where feasible; if another method is used, a bubble curtain shall be employed to contain both noise and sediment. The plan shall also provide for additional acoustical BMPs to be applied if monitoring shows underwater noise above such limits (including, but not limited to, alternative pile driving methods (press-in pile placement, drilling, dewatered isolation casings, etc.) and additional noise dampening measures (sound shielding and other noise attenuation devices).
 - g. **Notification.** The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office at least 3 working days in advance of commencement of construction, and immediately upon completion of construction.
- Minor adjustments to the above construction requirements may be allowed by the Executive Director in the approved Construction Plan if such adjustments: (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources. All requirements above and all requirements of the approved Construction Plan shall be enforceable components of this coastal development permit. The Permittee shall undertake construction in accordance with the approved Construction Plan.
- 4. **Other Agency Approval.** Prior to commencement of construction, the Permittee shall submit to the Executive Director written evidence that all necessary permits, permissions, approvals, and/or authorizations for the approved project have been granted by the Morro Bay Harbor District, the California State Lands Commission, the U.S. Army Corps of Engineers, and the U.S. Coast Guard where applicable. Any changes to the approved project required by these agencies shall be reported to the Executive Director. No changes to the approved project shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is necessary.
 - 5. **Boat Slip Parameters.** All boat slips shall be used for commercial and recreational fishing vessels, commercial and recreational passenger vessels, other recreational vessels, or commercial service vessels only. The use of the docks and slips for private residential use is prohibited.
 - 6. **Assumption of Risk, Waiver of Liability and Indemnity Agreement.** The Permittee acknowledges and agrees, on behalf of itself and all successors and assigns: (i) that the site is subject to coastal hazards including but not limited to episodic and long-term shoreline retreat and coastal erosion, high

NOTICE OF INTENT TO ISSUE CDP Amendment CDP 3-13-006 (Harbor Center) NOI Issue Date: February 5, 2015 Page 6 of 8

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

NOTICE OF INTENT TO ISSUE CDP Amendment CDP 3-13-006 (Harbor Center) NOI Issue Date: February 5, 2015 Page 8 of 8

seas, ocean waves, storms, tsunami, tidal scour, coastal flooding, and the interaction of same; (ii) to assume the risks to the Permittee and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards; and (v) that any adverse effects to property caused by the permitted project shall be fully the responsibility of the property owner.

LAND/SEA INTERFACE
1-805-772-9436
GENE DOUGHTY-ARCHITECT

HELD PROPERTIES
HARBOR CENTER
901 EMBARCADERO MORRO BAY, CALIF.

CALIFORNIA COASTAL
CONDITIONS

SCALE: AS NOTED
DRAWN: GD

A-10
OF 11 SHEET

THIS PLAN, SPECIFICATIONS, NOTES, AND EXHIBITS ARE TO BE USED ONLY FOR THE PROJECT AND SITE IDENTIFIED HEREIN. ANY REUSE OF THIS PLAN FOR ANY OTHER PROJECT OR SITE WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT IS STRICTLY PROHIBITED.



City of Morro Bay

MORRO BAY, CA 93442

(805) 772-6200

www.morro-bay.ca.us

November 14, 2013

Mr. Smith Held
PO Box 225
Cayucos, CA 93430

SUBJECT : 901-915 Embarcadero, Concept Plan (Amendment of #UP0-342)

Dear Mr. Held:

At its regular meeting on November 12, 2013, the Morro Bay City Council conditionally approved your request for an amendment to Conditional Use Permit (#UP0-342) for your concept plan. 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 prior to the submittal of a precise plan application. Pursuant to MBMC 17.40.030, Precise plans must be submitted within one year of City Council approval of concept plan.*

Because your project is within the original jurisdiction of the California Coastal Zone, you will be required to obtain a Coastal Development Permit from the California Coastal Commission. You will be required to show this Coastal Development Permit to the City prior to applying for a building permit.

Please note that the original conditions of UP0-342 remain in force and effect in addition to the new conditions of approval as evidenced in the attached amended permit. Please review these changes prior to signing the Acceptance of Conditions form.

In addition, a Mitigated Negative Declaration was approved and adopted by the City Council for your project. A Notice of Determination was prepared separately and provided to your representative for submittal to the County Clerk. A cost of \$50 for filing fees plus California Department of Fish and Wildlife fees must be paid at the time of filing.

Sincerely,

Rob Livick
Director Public Services Department

By: Cindy Jauch Associate Planner

Enc: Permit, Findings, Conditions of Approval, Acceptance of Conditions Form



City of Morro Bay

MORRO BAY, CA 93442

(805) 772-6200

www.morro-bay.ca.us

CONDITIONAL USE PERMIT

(As Amended by City Council 11-12-2013)

CASE NO: Amended UP0-342

THIS PERMIT IS HEREBY APPROVED AND ISSUED FOR:

SITE ADDRESS: 901-905 Embarcadero & 945 (waterside) Embarcadero, Morro Bay, CA

APPLICANT: Smith Held

APN/LEGAL: 066-322-001: City Lease Sites #93-95 and 93W-95W

DATE APPROVED: November 12, 2013

APPROVED BY City Council

CEQA DETERMINATION: Mitigated Negative Declaration, SCH #2012091063

DESCRIPTION OF APPROVAL Modify water lease sites 93W-95W and 96W increasing 93W-95W by 2400 square feet and decreasing 96W by 2400 square feet.

1. Decrease the existing 1,676 square foot retail building by 232 square feet for a total of 1,444 square feet.
2. Increase the size of the new 201 square foot ADA compliant public restroom by 42 square feet for a total of 243 square feet.
3. Decrease the size of the 850 square foot glass court by 121 square feet for a total of 729 square feet for a net increase of 97 square feet over existing.
4. Decrease the size of the new retail space by 56 square feet from 590 square feet to 534 square feet.
5. Increase the 1,196 square foot walkway by 83 square feet for a total of 1,279 square feet.
6. No changes are proposed to the approved 284 square foot outdoor dining area.
7. Increase floating dock area from 248 linear feet to 318 linear feet for a net increase of 70 linear feet.
8. A change in the location and amount of pilings to be installed. The original project had 8 new (main & bumper) pilings. The amended project proposes 13 (main & bumper) pilings which are new and/or sleeved.
9. A change in the location and amount of pilings to be remove/or sleeved. The original proposal had 5 pilings proposed for removal/abandonment, the project now proposes 3 pilings be sleeved and the remaining 2 pilings be removed/abandoned.
10. Net changes result in the following parking changes. Original proposal required 37 parking spaces. The addition of docks coupled with the decrease in retail space results in a parking demand of 38 spaces. The project has a documented parking credit of 41 spaces.

THIS APPROVAL IS BASED UPON THE ATTACHED FINDINGS AND IS VALID ONLY IF CONDITIONS (ATTACHED) ARE MET AND ONLY AFTER THE APPLICABLE APPEAL PERIOD. Failure to comply with the conditions of this permit shall, at the discretion of the Public Services Director pursuant to Municipal Code Section 17.60.150, render this entitlement null and void.

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

EXHIBIT C

person may appeal this decision to the Coastal Commission within TEN (10) *Working days* following Commission receipt of this notice. 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 Public Services Department, 772-6261.

YOUR PROPERTY IS LOCATED WITHIN THE CALIFORNIA COASTAL COMMISSION ORIGINAL JURISDICTION. YOU WILL BE REQUIRED TO OBTAIN A COASTAL DEVELOPMENT PERMIT FROM THE CALIFORNIA COASTAL COMMISSION PRIOR TO ANY ADDITIONAL ACTION ON YOUR PROJECT.

IF NOT APPEALED, YOUR PERMIT WILL BE EFFECTIVE: November 22, 2013

ATTEST: Cindy Franke DATE: 11-14-13

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

RECEIVED

DEC 16 2013

City of Morro Bay
Public Services Department

APPLICANT'S ACCEPTANCE
OF
CONDITIONS OF APPROVAL

CASE NO. AMENDED UP0-342

SITE LOCATION: 901-915 EMBARCADERO & 945 (WATERSIDE), MORRO BAY, CA

APPLICANT NAME: SMITH HELD

APPROVAL BODY:

- Public Services Director
- Zoning Administrator
- Planning Commission
- City Council

DATE OF ACTION: NOVEMBER 12, 2013

I, SMITH HELD 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: Amended UP0-342

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

Smith Held
APPLICANT'S SIGNATURE

12/12/2013
DATE:

Notice of Determination

Appendix D

To:
 Office of Planning and Research
 U.S. Mail: _____ Street Address: _____
 P.O. Box 3044 1400 Tenth St., Rm 113
 Sacramento, CA 95812-3044 Sacramento, CA 95814

From:
 Public Agency: City of Morro Bay
 Address: 595 Harbor Street
Morro Bay, CA 93442
 Contact: Cindy Jacinth, Assoc. Planner
 Phone: 805-772-6577

County Clerk
 County of: San Luis Obispo
 Address: _____

Lead Agency (if different from above):
same as above
 Address: _____

 Contact: _____
 Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): SCH # 2012091063

Project Title: Held Harbor Center Conditional Use Permit

Project Applicant: Smith Held

Project Location (include county): 901-915 and 945 (waterside) Embarcadero Road

Project Description:
 Proposed amendment to CUP #UP0-342 for waterside & landside improvements include new retail unit, remodel enlarge two existing restrooms, convert glass court outdoor dining to general public seating, enlarge existing harbor walkway, install floating docks with headfloat, slips and gangway with landing/security gate, 13 new piles, restripe existing parking spaces and minor building façade improvements. The project will result in the disturbance of approx 7,357 sf incl. approx 434 sf (building), 723 sf (walkway), and up to 6,200 sf for sidewalk removal & replacement. The project site is currently developed by a restaurant, retail, public walkway, & view deck

This is to advise that the City of Morro Bay has approved the above
 Lead Agency or Responsible Agency

described project on November 12, 2013 and has made the following determinations regarding the above
 (date)
 described project.

1. The project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [were were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [was was not] adopted for this project.
5. A statement of Overriding Considerations [was was not] adopted for this project.
6. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:
City of Morro Bay, Public Services Dept., 955 Shasta Ave, Morro Bay, CA 93442

Signature (Public Agency): Cindy Jacinth Title: Associate Planner

Date: 11-18-2013 Date Received for filing at OPR: _____

EXHIBIT A: FINDINGS**Amended UP0-342 Held Harbor Center Project; 901-915 Embarcadero
and 945 (waterside) Embarcadero**

Request for amendment to Conditional Use Permit #UP0-342 to make various waterside and landside improvements including modifications and additional construction that would result in a total floor area of 6,852 sf (6,623-sf main floor, 229-sf upper floor) and increase of total walkway area from 1,196 sf to 1,279 sf. The modifications include actions of constructing a new 534 square foot retail unit, remodel and enlarge two existing restrooms from 201 sf to 243 sf, convert glass court outdoor dining to general public seating to decrease glass court from 850 sf to 729 sf, enlarge existing harbor walkway from 1,196 to 1,279 sf, install floating docks with slips and gangway, restripe existing parking spaces and minor building façade improvements.

The proposed marine related improvements include the construction of a head float with four finger style docks, 13 new piles, and a gangway with landing and security gate. The project will result in the disturbance of approximately 7,357 sf (0.17 acre) including approximately 434 sf (building), 723 sf (walkway), and up to 6,200 sf for sidewalk removal and replacement. No cut or fill is proposed.

California Environmental Quality Act (CEQA)

- A. That for purposes of the California Environmental Quality Act, Case No. CP0-342 is subject to a Mitigated Negative Declaration based upon potentially significant impacts to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Hazards/Hazardous Materials, Hydrology and Noise. With the implementation of required conditions of approval included in the Mitigated Negative Declaration (SCH#2012091063), the environmental impact of the proposed development will be less than significant.
- B. Changes have been incorporated into the project which avoid or substantially lessen the significant environmental effect, and have been included as conditions of approval, given herein as Exhibit B.

Waterfront Master Plan Findings

- A. The proposed project makes a positive contribution to the visual accessibility to the bay and rock while increasing visitor serving and waterfront activities:
 - a. As conditioned, meets the Waterfront Master Plan's height limit and maximum building coverage, bulk, and scale requirements in that the proposed project does not exceed the maximum height allowed and articulation breaks up the bulk and scale.
 - b. In the case of granting height greater than 17 feet for the proposed additions, the proposed project also provides significant public benefit pursuant to the Planned Development Overlay zone requirements in that the proposed project provides pedestrian access to the proposed bay front lateral access, two public American with

Disabilities Act (ADA) compliant restrooms, establishes wider sidewalks to increase pedestrian circulation, creates a view corridor where no such corridor currently exists, adds landscaping, and redevelops land and water lease sites that currently have visually unappealing, aging structures or lack facilities.

- c. The proposed project provides the amenities identified in the Waterfront Master Plan, facilitates pedestrian visual and physical access to the waterfront, and takes advantage of outward views and characteristics of the topography in that the design provides a wide public view corridor, public lateral access and pedestrian amenities.
- d. The proposed project makes a positive contribution to the working fishing village character and quality of the Embarcadero area in that the new project will add to the pedestrian orientation while maintaining the commercial fishing character of the Embarcadero.
- e. The design recognizes the pedestrian orientation of the Embarcadero and provides an interesting and varied frontage that will enhance the pedestrian experience in that the new building will open up to the passing pedestrians along the Harbor Walk and draws individual's attention to the natural beauty of the bay.
- f. The project contains the elements of harmony, continuity, proportion, simplicity, and balance, and its appearance matches its function and the uses proposed in that the new structure will provide more horizontal and vertical articulation, and the public will be invited into the space via a new view corridor from the Harbor Walk and will be directed through the glassed in corridor to the Harbor Walk by access signage. The proposed project does not diminish, either directly or by cumulative impact of several similar projects, the use, enjoyment, or attractiveness of adjacent buildings and provides a visual and pedestrian transition to its immediate neighbor in that the existing and new construction of both the building additions, restrooms and new walkways is in keeping with the architectural style, massing, materials, scale, and use of its surroundings.

Conditional Use Permit Findings

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

EXHIBIT B**CONDITIONS OF APPROVAL*****As modified on November 8, 2013*****Amended UP0-342 Held Harbor Center Project; 901-915 Embarcadero**

Request for amendment to Conditional Use Permit #UP0-342 to make various waterside and landside improvements including modifications and additional construction that would result in a total floor area of 6,852 sf (6,623-sf main floor, 229-sf upper floor) and increase of total walkway area from 1,196 sf to 1,279 sf. The modifications include actions of constructing a new 534 square foot retail unit, remodel and enlarge two existing restrooms from 201 sf to 243 sf, convert glass court outdoor dining to general public seating to decrease glass court from 850 sf to 729 sf, enlarge existing harbor walkway from 1,196 to 1,279 sf, install floating docks with slips and gangway, restripe existing parking spaces and minor building façade improvements.

The proposed marine related improvements include the construction of a head float with four finger style docks, 13 new piles, and a gangway with landing and security gate. The project will result in the disturbance of approximately 7,357 sf (0.17 acre) including approximately 434 sf (building), 723 sf (walkway), and up to 6,200 sf for sidewalk removal and replacement. No cut or fill is proposed.

STANDARD CONDITIONS

1. **Permit**: This permit is granted for the land described in the staff report referenced above, and all attachments thereto, dated October 10, 2013, for the project depicted on the attached plans labeled "Exhibit E", dated May 30, 2013, on file with the Public Services Department, as modified by these conditions of approval.
2. **Inaugurate Within Two Years**: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this approval and is diligently pursued thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Said extensions may be granted by the Public Services Director, upon finding that the project complies with all applicable provisions of the Morro Bay Municipal Code, General Plan and Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.
3. **Changes**: Minor changes to the project description and/or conditions of approval shall be subject to review and approval by the Public Services Director. Any changes to this approved permit determined not to be minor by the Director shall require the filing of an application for a permit amendment subject to Planning Commission review.
4. **Compliance with the Law**: (a) All requirements of any law, ordinance or regulation of the State of California, City of Morro Bay, and any other governmental entity shall be complied with in the exercise of this approval (b) This project shall meet all applicable requirements under the Morro Bay Municipal Code, and shall be consistent with all programs and policies contained in the certified Coastal Land Use Plan and General Plan for the City of Morro Bay.

5. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicants failure to comply with conditions of approval. This condition and agreement shall be binding on all successors and assigns.
6. Compliance with Conditions: The applicant's establishment of the use and/or development of the subject property constitutes acknowledgement and acceptance of all Conditions of Approval. Compliance with and execution of all conditions listed herein shall be required prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Public Services Director and/or as authorized by the Planning Commission. Failure to comply with these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the Morro Bay Municipal Code and is a misdemeanor.
7. Undergrounding of Utilities: Pursuant to MBMC Section 17.48.050, prior to final occupancy clearance, all on-site utilities associated with the building improvements, including electrical, telephone and cable television shall be installed underground.
8. Construction Hours: Pursuant to MBMC Section 9.28.030 (I), noise-generating construction related activities shall be limited to the hours of seven a.m. to seven p.m. during the weekdays and eight a.m. and seven p.m. during the weekends, unless an exception is granted by the Building Official pursuant to the terms of this regulation.

FIRE CONDITIONS (Revised November 8, 2013)

9. Fire Safety During Construction and Demolition. This chapter prescribes minimum safeguards for construction, alteration and demolition operations to provide reasonable safety to life and property from fire during such operations (CFC Chapter 14). Compliance with NFPA 241 is required for items not specifically addressed herein.
10. Fire Sprinkler Coverage. Sprinkler coverage shall be extended to include the following areas, pursuant to Morro Bay Municipal Code (Sections 14.08.090):
 - a. New retail unit (590 sf.), extend coverage.
 - b. Restroom remodel (216 sf.), extend coverage.
 - c. Glass court addition (218 sf.) and Janitor Storage room, extend coverage.
11. Fire Protection for Wharves and Docks. Firefighting appliances and equipment shall be provided and maintained in an operable manner for all commercially operated marinas and dock facilities, as specified by ordinances of the city, and all installations shall be subject to the approval of the chief of the fire department. (MBMC Sections 14.08.090 (K) and 14.52.060)
 - a. Fire Protection Equipment-Standpipes. Marinas and boatyards shall be

equipped throughout with standpipe systems, in accordance with NFPA 303. Systems shall be provided with hose connections located such that no point on the marina pier or float system exceeds 150 feet from a standpipe hose connection. (CFC 4504.2) **Applicant shall provide an Automatic wet-Class III Standpipe System for protection of the floating dock system.**

Applicant must submit plans for the Standpipe system and hose cabinet, in accordance with NFPA 13, to Public Services Department for review.

12. Knox Key Box-Where Required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. (CFC 506.1)
 - a. Number of Boxes and Locations. The applicant shall provide two (3) exterior mounted boxes, one located on the Embarcadero frontage, **the west side (waterside) of the structure or security gate**, and one Knox Remote Electrical Power Shutdown Station (4506 series), to be located next to the Trash/Utility Room (south side).

BUILDING DIVISION CONDITIONS

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

PUBLIC WORKS CONDITIONS

14. The sidewalk along the south side of the building shall have four feet clear sidewalk at all times; any doorways or obstructions shall not be allowed to encroach into the four foot pedestrian sidewalk. The existing light pole can be relocated into a parking lot bulb out between parking stalls or removed and replaced with a light source which doesn't obstruct the four foot pedestrian sidewalk.
15. The parking stalls adjacent to the south side of the building shall be configured to be compact spaces (8½ ft wide by 18 ft long) with wheel stops. The last two parking stalls to the west can remain standard size (10 ft wide by 20 ft long). Shift the parking stall accordingly so that the first stall does not conflict with the radius of the handicap ramp.
16. All sidewalks surrounding the building shall be replaced with standard concrete, and the handicap ramp at the corner shall be replaced to meet current ADA regulations.
17. Map exhibits and legal descriptions depicting the revised boundaries of Lease 93W-95W must be prepared and stamped by a licensed professional Land Surveyor as a condition of the CUP amendment.

PLANNING DIVISION CONDITIONS

18. Original Conditions of UP0-342: All original conditions of UP0-342 approved by City Council on December 11, 2012 shall be incorporated by reference as if fully stated herein and shall remain in full force and effect.
19. Lease Area: Prior to commencement of any activities within the proposed lease expansion area, the owner or designee shall obtain approval from the City to expand the water lease to include a portion of 96W, consistent with the plans shown on Exhibit E, dated May 30, 2013.
20. Precise Plan: Upon approval of the City Council of the concept plan, a precise plan of development shall be submitted to the planning commission consistent with code section 17.040.030G.
21. Precise Plan Sheet: All conditions of approval, including the required MND mitigation measures shall be included in the precise plan, as a separate sheet attached to the plan set.
22. Environmental Fees: Within four days of certification of the Mitigated Negative Declaration, the applicant shall submit a check made payable to the County Clerk for the following fees: \$2,156.25 for the California Department of Fish and Wildlife, plus the \$50 County Clerk filing fee for the Notice of Completion, for a total of 2206.25. The City of Morro Bay shall file the Notice of Completion with the County Clerk to comply with state requirements.
23. Signage: The applicant shall provide a signage program, including coastal access signs, as part of the precise plan by submitting application for a sign permit to the Planning Division.
24. Architectural Design and Color Palette: The applicant shall submit a design for the awnings and new building addition, and a color palette for the overall project at the precise plan stage.
25. Phasing: The applicant shall construct the project in three phases as stated below. No final shall be granted for any phase unless all public amenities have been completed such as, but not limited to, public seating, parking improvements, walkway, and public access. The applicant shall submit prior to Precise Plan approval a detailed phasing schedule to be approved with the Precise Plan which includes the scope of work for each phase and completion timeline in order to minimize impact to the waterfront from Memorial Day to Labor Day.
 - a. Phase 1: November 2014- May 2015: Commence construction of sidewalks, siding, marquee, and work on the street side(s) of project.
 - b. Phase 2: November 2015-May 2016: Commence construction of Harbor Walk, new retail unit and reconfiguration of the restroom.
 - c. Phase 3: November 2016-May 2017: Commence construction of all docks and gangway.

ENVIRONMENTAL CONDITIONS

Conditions: The environmental mitigation measures have been incorporated as conditions as follows below. In addition, the applicant shall conduct the required monitoring as established for each mitigation measure and confirm compliance with these conditions to the satisfaction of the Environmental Coordinator.

- AES/mm-1 Prior to issuance of precise plan approval or if no precise plan is needed a building permit, a comprehensive lighting plan (photometric plan) shall be submitted for review and approval by the Planning Division of the Public Services Department. The lighting plan shall be prepared using guidance and best practices endorsed by the International Dark Sky Association. The lighting plan shall address all aspects of the lighting, including but not limited to all buildings, infrastructure, parking and driveways, paths, floating dock, safety, and signage. The lighting plan shall include the following at minimum:
- a) The location, type, and wattage of all light fixtures (including catalog sheets for each fixture) shall be illustrated and a maximum ten-foot by ten-foot grid of both the initial and maintained lighting levels on the site with the following information to be included:
 - b) Footcandle Distribution, plotting the light levels in footcandles on the ground, at the designated mounting heights for the proposed fixtures. Maximum illuminance levels should be expressed in footcandle measurements on a grid of the site showing footcandle readings in every five or ten-foot square. The grid shall include light contributions from all sources (i.e. pole mounted, wall mounted, sign, and street lights.) Show footcandle renderings five feet beyond the property lines.
 - c) The maximum light intensity on a nonresidential site shall not exceed a maintained value of ten footcandles, when measured at finished grade.
 - d) All exterior lighting shall be designed and located so that only the intended area is illuminated and off-site glare is prevented.
 - e) All lighting shall be cutoff style fixtures that are directed downward to prevent glare on adjacent and surrounding areas (i.e., Morro Bay, sandspit), and shall be limited to the maximum extent feasible while still providing for public safety.
 - f) Lights shall have solid sides and reflectors to further reduce lighting impacts, and shall be placed on a switch or timer to turn them off when not needed during the late evening.
 - g) Boat dock lighting shall be designed to reduce brightness and prevent off-site glare.

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

- a) No highly reflective glazing or coatings shall be used on windows.
- b) All reflective exterior materials such as chrome, bright stainless steel, or glossy tile shall be used minimally to minimize new glare.
- c) All existing and newly installed wind screens shall be frosted, partially-frosted, or otherwise treated with visually permeable barriers that are designed to prevent bird strikes.

AQ/mm-1 Upon application for grading and building permits, the applicant shall submit plans including the following notes, and shall comply with the following standard mitigation measures for reducing diesel particulate matter (DPM) emissions from construction equipment as follows:

- (a) Maintain all construction equipment in proper tune according to manufacturer's specifications;
- (b) Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road); SLO County APCD CEQA Air Quality Handbook 20124-14
- (c) Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy duty diesel engines, and comply with the State off-Road Regulation;
- (d) Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
- (e) Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;
- (f) All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit;
- (g) Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- (h) Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- (i) Electrify equipment when feasible;
- (j) Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,
- (k) Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel. Best Available Control Technology (BACT) for Construction Equipment

AQ/mm-2 Upon application for grading and building permits, the applicant shall submit plans including the following notes, and shall comply with the following

standard mitigation measures for reducing fugitive dust emissions such that they do not exceed the APCD's 20 percent opacity limit (APCD Rule 401) and do not impact off-site areas prompting nuisance violations (APCD Rule 402) as follows:

- a. Reduce the amount of the disturbed area where possible;
- b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- c. All dirt stock-pile areas should be sprayed daily as needed;
- d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- e. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and 1 The value used to calculate off-site mitigation is based on the ARB approved Carl Moyer Grant Program and is updated on a periodic basis. The Carl Moyer cost effectiveness value as of 2009 is \$16,000 per ton. SLO County APCD CEQA Air Quality Handbook 2012
- f. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.
- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- c. All dirt stock pile areas should be sprayed daily as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;
- l. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

- AQ/mm-3 Demolition of the existing onsite structures and/or infrastructure shall be conducted in compliance with applicable regulatory requirements, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40 CFR 61, Subpart M – asbestos NESHAP). These requirements include, but are not limited to, notification to the APCD, an asbestos survey conducted by a Certified Asbestos Inspector, and applicable removal and disposal requirements of identified asbestos containing materials. The applicant shall submit to the Planning Division documentation that they have complied with the above requirements prior to issuance of any type of building permit.
- BIO/mm-1 Prior to issuance of building permits, the applicant shall submit construction plans demonstrating the following:
- a. The new overhanging boardwalk shall be constructed with grated or translucent material to allow sunlight to pass through to the water below.
 - b. The support beams shall be minimized to the greatest extent possible in that they should be sized to support the boardwalk and not increased in size to address aesthetics or to provide utility runs.
- BIO/mm-2 Prior to issuance of any building permit, the applicant shall submit construction plans demonstrating the following:
- a. All new docks shall be designed to avoid the known eelgrass beds and where located within areas of potential habitat be constructed with 2 foot wide grated or translucent material panels to allow sunlight to pass through to the water. These panels shall be placed at a minimum of every twenty feet or in all areas where there is no floatation and it will not compromise the structural stability of the docks.
- BIO/mm-3 All Eelgrass beds shall be protected in perpetuity and no long-term shading of the area shall occur. No boat, kayak or any water vessel storage (mooring) shall be allowed. Interpretive signage shall be placed both landside and dockside (public boardwalk) explaining about Eelgrass, Eelgrass habitat and that water vessel mooring is prohibited. This language on the signs shall be review and approved by the Planning Division and installed prior to receiving a final on the building permit.
- BIO/mm-4 The following actions shall be required to mitigate impacts to existing Eelgrass.
- Eelgrass Surveys:
1. A pre-construction survey (conducted in accordance with the National Marine Fisheries Service (NMFS) Southern California Eelgrass Mitigation Policy) shall be submitted to the City's Planning Division (Environmental Coordinator) for review prior to issuance of building permit.
- A post-construction survey shall be conducted to identify direct construction impacts to existing eelgrass shall be submitted to the City's Environmental

Coordinator for review consistent with the guidelines of the Southern California Eelgrass Mitigation Policy (SCEMP). This post-construction survey shall be performed within 30 days of completion of all water-side construction activities and prior to requesting a building permit final from the Planning Division.

Eelgrass Monitoring Plan:

2. The applicant shall submit an Eelgrass Monitoring Plan (EMP) to the City Environmental Coordinator for review and approval prior to requesting a final on the building permit from the Planning Division. The EMP shall, at a minimum, provide the following:

- a. Eelgrass Protection. All eelgrass beds identified in the project area shall be shown on a map in site plan view, and shall be protected as eelgrass habitat in perpetuity.
- b. Monitoring and Reporting. A monitoring report prepared in accordance with the Southern Eelgrass Mitigation Policy shall be submitted to the City Environmental Coordinator for review within three months of completion of construction. The report shall at a minimum include a site plan and written description of the status of eelgrass beds in the project area. If the report identifies a reduction in eelgrass coverage as compared to the existing eelgrass coverage at the time of the pre-construction survey, then the report shall identify remedial measures to offset such reduction within the eelgrass beds in the project area at a mitigation ratio basis consistent with the Southern California Eelgrass Mitigation Policy (SCEMP). The report shall also including annual monitoring for direct and indirect impacts to Eelgrass pursuant to SCEMP.

BIO/mm-5

A. Prior to issuance of building permits, the applicant shall submit documentation verifying that a U.S. Fish and Wildlife Service-approved biologist has been retained to monitor all construction within the water-lease areas.

B. The applicant shall submit a Monitoring Plan that shall be prepared by the retained biological monitor. The Plan shall include, but not be limited to the following:

- a. Prior to the issuance of a building permit, the monitor shall verify compliance with all BIO, GS, HYD, and N mitigation measures, conditions of approval, and regulatory permit conditions (as applicable).
- b. Biweekly monitoring reports shall be provided to the City, including a summary of the each day's activities, summary of any violations or inconsistencies with the mitigation measures/conditions of approval, any remediation actions undertaken by the applicant/construction manager, any verbal or written correspondence with regulatory agencies, and photo-documentation.
- c. In the event of a violation or inconsistency with a mitigation measure, condition of approval, and/or regulatory permit condition, the Plan shall

- include a process for emergency reporting in the event of a violation, including a chain-of-command.
- e. The Plan shall identify specific conditions when the biological monitor shall be allowed to stop work, such as observance of a marine mammal within 100 feet of the project area.
- BIO/mm-6 All work that disturbs the ocean floor (i.e., removal and installation of pilings) shall be monitored by a U.S. Fish and Wildlife Service-approved biologist to ensure that impacts to marine mammals are avoided. The approved biological monitor shall be present onsite during construction and shall have the authority to stop construction if any individuals of southern sea otter are seen within 100 feet of the project area. Construction will be allowed to resume after sighted otters have left the 100-foot radius of the project area. The species shall not be disturbed or forced from the project site by equipment, noise, or other disruptive activity. The monitor will have discretionary authority to temporarily halt the project if it is determined that the otter, or other marine mammal, could be affected by the project, even if the animal is beyond the 100-foot boundary. All construction crew employees shall be informed on the requirements of this condition.
- BIO/mm-7 Prior to initiating any piling driving associated with the project, the applicant shall submit to the Planning Division prior to the issuance of a building permit, whether the project will utilize a vibratory hammer, conventional pile driving or water jetting method of construction. If conventional pile driving is utilized, the power to the pile driver should be ramped up to allow marine wildlife to detect a lower sound level and depart the area before full power noise levels are produced.
- BIO/mm-8 Prior to issuance of grading and building permits, the applicant shall either acquire all required regulatory permits and authorizations (i.e. U.S. Army Corps of Engineers, Regional Water Quality Control Board, California Department of Fish and Wildlife).
- CR/mm-1 In the event that intact and/or unique archaeological artifacts or historic or paleontological resources are encountered during grading, clearing, grubbing, and/or other construction activities associated with the proposed project involving ground disturbance, all work in the immediate vicinity of the find shall be stopped immediately, the onsite archaeological and Native American monitors shall be notified, and the resource shall be evaluated to ensure the discovery is adequately recorded, evaluated and, if significant, mitigated.
- GS/mm-1 Prior to issuance of grading and building permits, the applicant shall prepare a drainage and erosion control plan to reduce the potential for erosion and down-gradient sedimentation. Grading and construction plan shall include measures to prevent and avoid spills or spread of dangerous materials and clean-up procedures in the event of a spill, and measures to reduce rilling of any stockpiled soils. Monitoring or inspection of construction activities shall occur as needed to ensure compliance with the erosion control plan.

HAZ/mm-1

Prior to removal of the wood pilings, the applicant shall submit documentation to the Planning Division for review and approval identifying if the wood is "treated wood waste". A licensed contractor with hazardous materials experience shall evaluate the wood to determine whether the wood is treated or untreated pursuant to the Department of Toxic Substances definition of "treated wood". In the event the pilings are treated wood waste, the applicant shall dispose of the material at a hazardous waste landfill or qualified solid waste landfill. Documentation of the ultimate disposal of treated wood waste shall be submitted to the planning division prior to a final inspection of the building and prior to any occupation of the new construction.

Anyone working with treated wood, and anyone removing old treated wood, needs to take precautions to minimize exposure to themselves, children, pets, or wildlife, including:

1. Avoid contact with skin. Wear gloves and long sleeved shirts when working with treated wood. Wash exposed areas thoroughly with mild soap and water after working with treated wood.
2. Wear a dust mask when machining any wood to reduce the inhalation of wood dusts. Avoid frequent or prolonged inhalation of sawdust from treated wood. Machining operations should be performed outdoors whenever possible to avoid indoor accumulations of airborne sawdust.
3. Wear appropriate eye protection to reduce the potential for eye injury from wood particles and flying debris during machining.
4. If preservative or sawdust accumulates on clothes, launder before reuse. Wash work clothes separately from other household clothing.
5. Promptly clean up and remove all sawdust and scraps and dispose of appropriately.
6. Only use treated wood that's visibly clean and free from surface residue for patios, decks, or walkways.
7. Do not use treated wood where it may come in direct or indirect contact with public drinking water, except for uses involving incidental contact such as docks and bridges.
8. Do not use treated wood for mulch.
9. Do not burn treated wood. Preserved wood should not be burned in open fires, stoves, or fireplaces.

HAZ/mm-2

Prior to demolition of the existing structures, asbestos, and lead-based paint surveys shall be conducted. If asbestos containing materials are encountered, the materials will be abated by a certified asbestos abatement contractor in accordance with the regulations and notification requirements of the San Luis Obispo Air Pollution Control District (APCD). If lead-based paint is identified, federal and State construction worker health and safety regulations shall be followed during demolition activities. Any loose or peeling lead based paint shall be removed by a qualified lead-abatement contractor and disposed of in accordance with existing hazardous waste regulations.

- HAZ/mm-3 At minimum one oil only absorbent spill kit for a capacity of 21 gallons or greater shall be provided on the head float dock in case of accidental release of a hazardous material or liquid into the bay.
- HAZ/mm-4 Signs shall be provided on all finger docks stating the location and hours of operation for all pump out facilities in the Morro Bay Harbor.
- HYD/mm-1 Prior to issuance of grading and building permits, the applicant shall prepare a Construction Plan, which shall, at a minimum, include the following:
- a. Construction Areas. The Construction Plan shall identify the specific location of all construction areas, all staging areas, and all construction access corridors in site plan view. All such areas where construction activities and/or staging area to take place shall be minimized to the maximum extent feasible in order to have the least impact on public access and Morro Bay resources, including by using inland areas for staging and storing construction equipment and materials as feasible.
 - b. Construction Methods. The Construction Plan shall specify the construction methods to be used, including all methods to be used to keep the construction areas separated from bay and public recreational use areas (including using unobtrusive fencing or equivalent measures to delineate construction areas).
 - c. Construction Best Management Practices (BMPs). The Construction Plan shall identify the type and location of all erosion control/water quality best management practices that will be implemented during construction to protect coastal water quality, including the following: 1) silt fences, straw wattles, or equivalent apparatus, shall be installed at the perimeter of the construction site to prevent construction-related runoff and/or sediment from discharging to the bay; 2) land side equipment washing, refueling, and/or servicing shall take place at least 50 feet from the bay, and all construction equipment shall be inspected and maintained at an off-site location to prevent leaks and spills of hazardous materials at the project site; 3) the construction site shall maintain good construction housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep materials covered and out of the rain, including exposed piles of soil and wastes; dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the site); and 4) all erosion and sediment controls shall be in place prior to the commencement of construction as well as at the end of the day.
 - d. Construction Site Documents. Copies of all permits and the approved Construction Plan shall be maintained in a conspicuous location at the construction job site at all times, and copies shall be available for public review upon request. All persons involved with the construction shall be briefed on the content and meaning of all issued permits and the approved

Construction Plan, and the public review requirements applicable to them, prior to commencement of construction.

- e. Construction Coordinator. The Construction Plan shall provide that a construction coordinator be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies) and that their contact information (i.e., address, phone numbers, etc.) including at a minimum, a telephone number that will be made available 24 hours a day for the duration of construction, is conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction coordinator shall record the name, phone number, and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary with 24 hours of receipt of the complaint or inquiry.

HYD/mm-2

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

- a. Material Containment. Particular care shall be exercised to prevent foreign materials (e.g., construction scraps, wood preservatives, other chemicals, etc.) from entering the harbor or any other state waters. Where additional wood preservatives must be applied to cut wood surfaces, the materials, wherever feasible, shall be treated at an onshore location to preclude the possibility of spills into the harbor or other state waters. A designated staging area shall be used for refueling equipment and vehicles, mixing and storing materials, debris collection and disposal, and containing runoff from any materials that may be used or stockpiled during the project. A floating containment boom shall be placed around all active portions of a construction site where wood scraps or other floatable debris could enter the water. For any work on or beneath fixed decks, heavy-duty mesh containment netting shall be maintained below all work areas where construction discards or other material could fall in to the water. The floating boom and net shall be cleared daily or as often as necessary to prevent accumulation of debris. Contractors shall insure that work crews are carefully briefed on the importance of observing the appropriate precautions and reporting any accidental spills. Construction contracts shall contain appropriate penalty provisions, sufficient to offset the cost of retrieving or clean-up of foreign materials not properly contained.

- b. Piling Installation Procedures. The new pilings and piling sleeve shall be made from steel and/or fiberglass. Generally, the new pilings shall be installed according to the method that results in the least disturbance of bottom sediments. All piles will be driven into place with a vibratory hammer or piling hammer. If feasible, disturbed sediments shall be contained with a flexible skirt surrounding the driven pile. Construction barges shall be floating at all times and shall only operate at tides high enough so that the barge does not rest on the bottom of the bay.
- c. Procedures for Concrete Work. If pile installation, or any other portion of the operations and maintenance program, requires the pouring of concrete in, adjacent to, or over the water, the following methods shall be employed to prevent uncured concrete from entering the harbor or other state waters:
 - 1) Complete dewatering of the pour site, within a caisson or other barrier; the site to remain dewatered until the concrete is sufficiently cured to prevent any significant increases in the pH of adjacent waters; or,
 - 2) The tremie method, which involves placement of the form in water, inserting a plastic pipe down to the bottom of the form, and pumping concrete into the form so that the water is displaced towards the top of the form. If this method is selected, the displaced waters shall be pumped off and collected in a holding tank. The collected waters shall then be tested for pH, in accordance with the following California Department of Fish and Wildlife recommendations. If the pH is greater than 8.5, the water will be neutralized with sulfuric acid until the pH is between 8.5 and 6.5. This pH-balanced water can then be returned to the sea. However, any solids that settle out during the pH balancing process shall not be discharged to the marine environment.
 - 3) In each case involving such concrete pours in or near the harbor or other state waters, a separate wash out area shall be provided for concrete trucks and for tools. The wash out area(s) shall be designed and located so that there will be no chance of concrete slurry or contaminated water runoff to the harbor or other state waters, nor into storm drains or gutters which empty into such bodies of water.

N/mm-1: Prior to issuance of grading and building permits, the applicant shall submit a Construction Plan, which shall include a pile driving or vibratory hammer plan and monitoring program (designed by a qualified acoustical engineer) designed to ensure that underwater noise generated by conventional pile driving or vibratory hammer activities are minimized to the maximum extent feasible and do not exceed limits required to ensure impacts to marine life are minimized pursuant to the NOAA Fisheries Interim Sound Threshold Guidance under the Marine Mammal Protection Act (MMPA):

NOAA Fisheries current in-water acoustic thresholds	Threshold
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Level A	PTS (injury) conservatively based on TTS	190 dB rms for pinnipeds 180 dB rms for cetaceans
Level B	Behavioral disruption for impulsive noise (e.g. impact pile driving)	160 dB rms
Level B	Behavioral disruption for non-pulse noise (e.g. vibratory pile driving, drilling)	120 dB rms

Source:

http://www.nwr.noaa.gov/protected_species/marine_mammals/killer_whale/threshold_guidance.html

The construction plan shall provide for a hydro-acoustical monitor to ensure that underwater noise generated by pile driving activities does not exceed such limits. The plan shall also provide for additional acoustical best management practices to be applied if monitoring shows underwater noise above the limits then additional noise dampening measures such as alternative pile driving methods, sound shielding, and other noise attenuation devices shall be provided. As an alternative the applicant shall submit documentation from the hammer (either impact or vibratory) that the machinery cannot exceed the limits stated above. If applicant is able to document the noise levels are below those stated above no monitor shall be required.

B-2 AMENDMENT OF CONDITIONAL USE PERMIT #UP0-342 AND ADOPTION OF AMENDED MITIGATED NEGATIVE DECLARATION FOR 901-915 AND 945 (WATERSIDE) EMBARCADERO); (PUBLIC SERVICES)

Associate Planner Cindy Jacinth presented the staff report.

Councilmember Leage recused himself as he feels he has property within 500 feet of the proposed project.

Cathy Novak spoke representing Mr. Smith Held for the amendment to his project. The project was submitted to the CCC for a Coastal Development Permit. The CCC requested modifications and we have been working with them on making those modifications and to date have done the following: eliminated the view deck, reduced the floating dock finger slip lengths and pushed the floating docks westward, relocated the gangway to the west, reduced the size of the new retail unit and also reduced the size of the existing retail unit where Poppy is located in order to make the 2 retail shops of reasonable size, made the Harborwalk along the new retail unit 8 feet wide, and have increased the Harborwalk to 10 feet wide on the southern portion of the site. During these modifications, the neighboring lease site discussed with the City the idea of relinquishing a portion of his water lease as it wasn't financially feasible for him to build a dock project. This opportunity for Mr. Held to take over this portion of the water lease was then offered by the City. With this new direction, Mr. Held revised his project description to include the new dock area which then required either the Mitigated Neg. Dec. be amended or for a new Mitigated Neg. Dec. to be prepared for that portion of the project only. It was decided that an amendment would be the best direction to go. She requested the project be approved per staff's recommendation.

Mayor Irons opened up the public comment period for Item B-2.

Barbara Doerr hoped that in the future we follow the State standards for Council conflicts of interest being declared. As far as the project goes, she is not opposing the project as much as the design of the project. She doesn't find the design appealing at all; she finds it lacks character and hopes it is approved with the condition to come back to the City Council with an improved design.

The public comment period for Item B-2 was closed.

MOTION: Mayor Irons moved to approve staff's recommendation as stated. The motion was seconded by Councilmember Smukler and carried 4-0-1 with Councilmember Leage having recused himself due to a conflict of interest.

B-3 RESOLUTION APPROVING ADJUSTMENT TO LEASE SITE MAPS FOR LEASE SITES 93W-95W AND 96W; LOCATED ADJACENT TO 901-915 EMBARCADERO ROAD (HELD FAMILY; AND SMITH W. AND HANNAH W HELD FAMILY TRUSTS); (PUBLIC SERVICES)

Councilmember Leage continued to be recused as he owns property within 500 feet of the proposed project.

RESOLUTION NO. 49-14

RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA
APPROVING AMENDMENT #1 TO LEASE AGREEMENT FOR
LEASE SITE 93-95/93W-95W BETWEEN THE CITY OF MORRO BAY AND
THE HELD FAMILY TRUST AND THE SMITH W AND HANNAH W HELD
FAMILY TRUST, LOCATED AT 901-915 EMBARCADERO

THE CITY COUNCIL
City of Morro Bay, California

WHEREAS, the City of Morro Bay is the lessor of certain properties on the Morro Bay Waterfront described as City Tidelands leases and properties; and

WHEREAS, Smith W Held and Hannah W Held are the lessees of Lease Site 93-95/93W-95W and are tenants in good standing; and

WHEREAS, the Helds have redevelopment commitments and deadlines pursuant to the lease of the property; and

WHEREAS, the Helds have encountered permitting difficulties outside of their control and through no fault of their own, and desire to extend the lease site redevelopment deadlines in their lease by one year.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Morro Bay, California, as follows:

Section 1. The attached Amendment #1 to the Lease Agreement for Lease Site 93-95/93W-95W is hereby approved.

Section 2. The Mayor is hereby authorized to execute the Amendment to the Lease Agreement.

PASSED AND ADOPTED by the City Council of the City of Morro Bay at a regular meeting thereof held on the 8th day of July, 2014 on the following vote:

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



Jamie L. Irons, Mayor

ATTEST:



Jamie Boucher, City Clerk

AMENDMENT #1 TO THE LEASE AGREEMENT FOR
LEASE SITE 93-93/93W-95W, LOCATED AT 901-915 EMBARCADERO

This Amendment #1 ("this Amendment") is made and entered into as of this 8th day of July, 2014, to the Lease Agreement for Lease Site 93-95/93W-95W dated July 1, 2013, (the "Master Lease") by and among the City of Morro Bay, a municipal corporation of the State of California, hereinafter called "City," and The Held Family Trust and the Smith W & Hannah W Held Family Trust, hereinafter called "Tenant," per Resolution No. 49-14 on July 8, 2014.

WHEREAS, the Master Lease stipulates certain Lease Site redevelopment deadlines per Section 13.02; and,

WHEREAS, Tenant has experienced unforeseen permitting delays for said redevelopment at no fault or doing of their own.

NOW THEREFORE, Tenant and City agree, as follows:

1. Section 13.02 of the Master Lease shall be amended as follows:
 - a. The date stipulated in Section 13.02(A) shall be changed to July 1, 2015.
 - b. The date stipulated in Section 13.02(B) shall be changed to November 1, 2015.
 - c. The date stipulated in Section 13.02(C) shall be changed to November 1, 2016.
 - d. The date stipulated in Section 13.02(D) shall be changed to November 1, 2017; and
 - e. The date stipulated in Section 13.02(E) shall be changed to May 31, 2018.
2. Except as expressly stated herein, all provisions of the Master Lease shall remain in full force and effect.
3. The effective date of this Amendment is the date first written above.

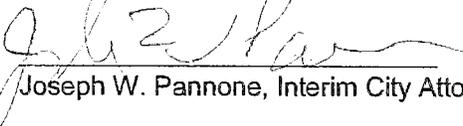
IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the date written above.

CITY OF MORRO BAY



Jamie L. Irons, Mayor

APPROVED AS TO FORM:



Joseph W. Pannone, Interim City Attorney

ATTEST:



Jamie Boucher, City Clerk

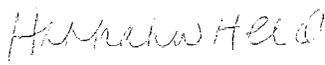
TENANT

The Held Family Trust

Smith W Held & Hannah W Held Family Trust



Smith W. Held, Trustee



Hannah W. Held, Trustee

PLANT-ON



NEW AND EXISTING PLANT-ONS



EXISTING REDWOOD SIDING AND EXISTING & NEW POSTS



NEW MDO PLYWOOD UPPER FACADE

PLANT-ON



TYPICAL POST WITH PLANT-ONS

HARBOR CENTER 901-915 EMBARCADERO



Staff Report

AGENDA NO: D-1

MEETING DATE: May 5, 2015

TO: Planning Commissioners

DATE: April 30, 2015

FROM: Community Development Manager

SUBJECT: Review of Draft Design Guidelines.

RECOMMENDATION:

Staff recommends that the Planning Commission review the revised Draft Design Guidelines and provide direction to staff.

PROJECT DESCRIPTION:

The Planning Commission reviewed the Draft Design Guidelines back on November 18, 2014 and December 16, 2014 (See meeting minutes attached as Exhibits 2 & 3). The direction provided from those meetings was to make some minor changes involving the addition of language encouraging use of permeable pavers, locating landscaping such that it does not interfere with utility lines, preserves mature trees and avoids planting designs that would unnecessarily obstruct views from adjacent properties. These changes have been made specifically to sections E and J and the Draft Design Guidelines have been placed into a single draft document (See Exhibit 1).

45-day Moratorium Request

During the intervening months between when the Commission last reviewed the Guidelines and today, a neighborhood or citizens group has formed, whose main focus is neighborhood compatibility. The groups name is the Neighborhood Compatibility Coalition (NECCO) and their concerns focus mainly on size, bulk, scale and view blockage in relation to single family home development including additions.

The NECCO group petitioned the City Council to impose a 45-day moratorium on single family home development to allow for the creation and completion of neighborhood compatibility guidelines. The Council agendized the issue for discussion on April 14th, with the Council eventually voting to deny the 45-day moratorium request and adopting Resolution No. 18-15 (See Exhibit 4) reaffirming their commitment to moving forward with the General Plan/Local Coastal Program update and implementation of the neighborhood Design Guidelines that are already in progress. The Council also directed staff and the Planning Commission to complete the Draft Guidelines in time for the City Council Meeting of June 9, 2015.

Prepared By: SG

Dept Review: SG

Staff Meeting with Necco

Staff engaged NECCO representatives at a meeting, held on April 29, 2015, in the Public Works/Community Development Department conference room. Items discussed include the following:

1. Increase mailing notification radius from 300' to 500'
2. Use stronger more direct language; replace “may” with “is” “are” or “will”.
3. Include hillside design guidelines. Adopt Guidelines 1.1; 1.1.3 and 1.1.4 from the City of Monterey Guidelines for Single Family Dwellings into our own interim guidelines
4. Use layman terms consistently throughout document, replacing terms of art such as “elevation” with “façade” to avoid confusing the public
5. Include Floor Area Ratios based on previous work from 2007
6. Incorporate a Pre-Application neighborhood consultation requirement, by applicant, into the review process.
7. Include a larger “For Sale” size sign requirement for applicant and have sign installed longer than
8. Include a summary of the development process into the guidelines
9. Restore solar access provision, possibly including the new language submitted by NECCO

The items noted above have not been incorporated into the guidelines; however, they are provided below with an expanded discussion for consideration by the Planning Commission.

1. Mailing Notice. Increase mailing notification radius from 300' to 500'

Staff comment: This item involves notification requirements which are found in both the City’s zoning ordinance and project submittal checklist. Given that the notification radius is addressed in other documents it should not be incorporated into the guidelines. The neighborhood map identified in section A of the Guidelines would likely need to be amended along with City submittal requirements handout if the larger radius was desired.

The City Council also directed Staff to look into improved noticing practices at their April 14th Council meeting. Direction was to review options with the Planning Commission. Item is scheduled for May 19, 2015 Planning Commission meeting.

2. Direct language. Use stronger more direct language; replace “may” with “is” “are” or “will”.

Staff comment: More direct language could be added, but it would change the tenor of the guidelines somewhat. See example change to Section B-1, last sentence: *Vantage points, other*

| than street frontage ~~may also be~~ are important for, corner, hillside and bluff top lots and lots adjacent to parks or other public open space areas.

The Planning Commission has discussed language preference and has repeatedly indicated a desire to encourage unique design solutions and allow flexibility in the application of the Design Guidelines. Altering the language as requested would remove some of the flexibility in the application of the guidelines.

3. **Hillside Guidelines.** Adopt Guidelines 1.1; 1.1.3 and 1.1.4 from the City of Monterey Guidelines for Single Family Dwellings into our own interim guidelines.

City of Monterey Polices:

THIS SECTION DEALS WITH SITE DESIGN ELEMENTS APART FROM THE DWELLING. THESE INCLUDE EXISTING, PROPOSED, NATURAL AND MAN-MADE ELEMENTS.

GOAL 1.1.

A major contribution to the visual appeal, health and harmony of Monterey lies in the unique, physical setting of steep, forested ridges, foothills and canyons. Inappropriate and insensitive development of single-family dwellings can destroy the beauty of this setting and contribute to excessive soil erosion and water run-off. It is the intent of the City of Monterey to avoid these negative effects.

BUILDING AND SITE INTEGRATION

POLICY 1.1.

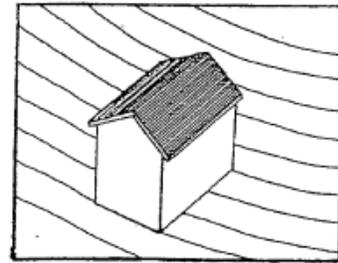
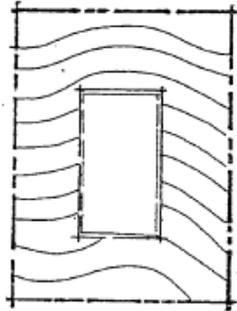
No single-family dwelling shall be of a design, size, style and/or placement that imposes harsh change upon the existing physical conditions of the site itself and neighboring environmental conditions.

GUIDELINE 1.1.

Building forms should follow hillside contours as a means to improve building/site integration.

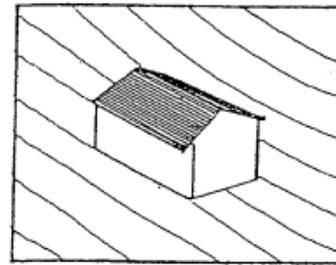
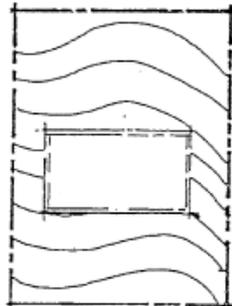
NOT THIS

THIS BUILDING FOOTPRINT IS LOCATED PERPENDICULAR TO CONTOUR LINES. THIS LOCATION MAXIMIZES AMOUNT OF CUT AND FILL UNLESS SPLIT-LEVEL DESIGN IS USED.



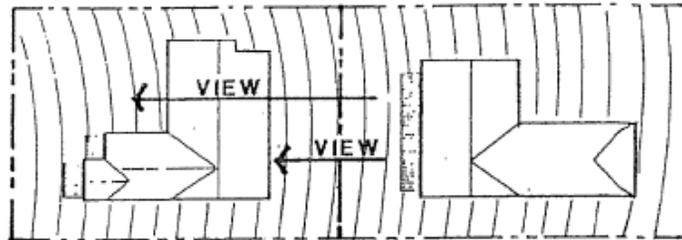
THIS

THIS BUILDING FOOTPRINT IS LOCATED PARALLEL TO CONTOUR LINES. THIS LOCATION ALLOWS SINGLE-LEVEL DESIGN TO BE USED. CUT AND FILL IS MINIMIZED.



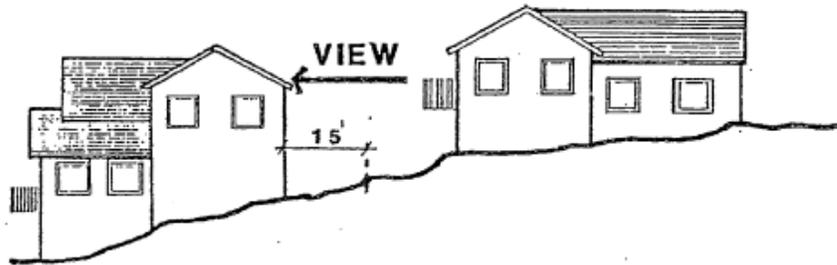
GUIDELINE 1.1.3.

Buildings should be designed so as not to totally block views from neighboring structures.



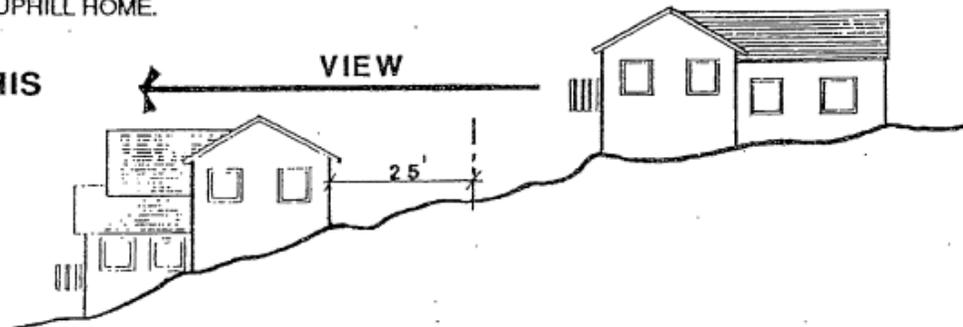
ON HOMES LOCATED ON STEEP SLOPES WITH LOTS SITUATED DIRECTLY BEHIND ONE ANOTHER, CARE SHOULD BE TAKEN NOT TO COMPLETELY BLOCK VIEW OF UPHILL HOME.

NOT THIS



THE DOWNHILL HOME IS TALLER THAN THE UPHILL HOME AND SITUATED ON THE LOT WITH A MINIMUM REAR SETBACK. BOTH ARE CONTRIBUTING FACTORS IN LOSS OF VIEW FROM UPHILL HOME.

THIS



THIS HOME IS SET INTO THE HILLSIDE AND SITED WITH A LARGER REAR SETBACK, OPENING THE VIEW FROM ABOVE.

GUIDELINE 1. 1. 4.

The use of energy saving design techniques, such as proper sun orientation, shade trees, overhangs, insulation, earth berming and window placement is encouraged

Staff comment. The Commission considered hillside guidelines, but eventually removed them from the document. Additionally, the City Council, at their April 14th meeting specifically directed that staff not include View Preservation or Commercial Design Guidelines in this effort. That being said the view protection language noted in the Monterey standards is not all that specific and could likely be altered to include language related to the applicability being utilized where feasible. Obviously there are several areas in the City where this policy would not work (large portions of Northeast Morro Bay being an example).

4. ***Layman Terminology.*** Use layman terms consistently throughout document, replacing terms of art such as "elevation" with "facade" to avoid confusing the public.

Staff comment. This change could be made in the document with little effort. The question is whether it is warranted given that Designers and Architects are familiar with the terms and are the ones that will ultimately be utilizing the guidelines to inform their designs. An alternative would be to incorporate a "key words" definition section into the Guidelines.

5. ***Floor Area Ratio.*** Review the work done on FAR in 2007 and choose a reasonable Floor Area Ratio for the interim guideline period

Staff comment. The City undertook a considerable amount of effort in putting together policies for floor area ratios back in 2007; however, it never resulted in inclusion in the Zoning Ordinance. Floor Area Ratios are a technically development standards that, like a setback, belong in the zoning ordinance. This is not to say that FAR is not a useful tool in helping to define overall building size. If the Commission would like to pursue implementation of FAR's, it would be best to do so separate from the guidelines. It may also be useful to consider upper level FAR limitations.

6. ***Neighborhood consultation.*** Incorporate a **pre-application** neighborhood consultation requirement

Staff comment. The Planning Commission and staff have been directed by the Council to discuss options for improvement of the neighborhood notification process. This item is scheduled for Planning Commission review on May 19, 2015. Again, improvement of the

neighborhood notification process should be done outside the Design Guidelines process as it involves the City's project submittal process and submittal requirements checklist.

7. **Larger Notification Signs.** Include larger "For Sale" size signage requirement for Applicant and have the sign installed for longer than the 10-day period

Staff comment. Item to be discussed at May 19, 2015 PC meeting. See response to item 7 above.

8. **Development Process Summary.** Include a summary of the development process into the guidelines, similar to the sample provided for Rancho Palos Verdes in Exhibit 5.

Staff Comment. The City has various documents that describe the submittal process including the application forms/submittal checklist. I would not recommend incorporation of a document similar to the Ranch Palos Verde example into the City application form as the document is already quite lengthy at 14-pages. However, the City has in the past created flow charts which could be added.

9. **Solar Access.** Restore Solar Access provision, possibly including the new language provided below.

Solar Access of Existing Houses:

New buildings and additions should not be located in positions that will result in substantial shading of existing adjacent private open spaces that presently have substantial sun exposure enjoyed by the occupants. This guideline is intentionally flexible to discourage shading of adjacent properties while retaining for the review process a decision based on the circumstances of each case.

Staff Comment. The Commission removed the solar access requirements from guideline consideration based on concerns regarding applicability to smaller lots. Over half of the lots in the City are under 5,000 square feet in size, making solar access prioritization difficult if not impossible to implement fairly under the City's current development standards.

CONCLUSION

The Planning Commission should provide direction related to the current version of the guidelines along with a review of requested changes to the Guidelines.

Given that interest in the development of Design Guidelines has increased, staff has scheduled a workshop on Saturday May 16, 2015 at the Vets Hall to provide an additional opportunity for the public to provide input into the process.

Staff will continue to work on the content and formatting of the document with the intent that a final recommendation to City Council will be made by the Planning Commission at the meeting of June 2, 2015. The City Council is scheduled to review the Draft Guidelines at their June 9, 2015 City Council meeting.

ATTACHMENTS:

- Exhibit 1 – Draft Design Guidelines
- Exhibit 2 – November 18, 2015 PC minutes
- Exhibit 3 – December 16, 2014 PC minutes
- Exhibit 4 – Council Resolution 18-15
- Exhibit 5 – Rancho Palos Verdes Development Process



DRAFT City of Morro Bay Interim Design Guidelines

Residential



SGraham 2015

DRAFT City of Morro Bay Interim Design Guidelines

Residential

Acknowledgements

City Council

Planning Commission

Michael Lucas, Commissioner
Gerald Luhr, Commissioner
Richard Sadowski, Commissioner
Katherine Sorenson, Commissioner
Robert Tefft, Chairperson

City Staff

Rob Livick, Public Services Director/City Engineer
Scot Graham, Community Development Manager

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- H. Additions to Existing Homes
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INTRODUCTION

Purpose of the Guidelines

The purpose of the Interim Design Guidelines is to maintain the high quality of the City of Morro Bay's neighborhood by developing reasonable, sound and objective guidance to assist residents, homeowners, and designers in identifying the key design features and components that define the character of a neighborhood that can then be utilized in designing new or remodeled single family homes.

Neighborhood compatibility is generally represented by how a neighborhood looks and feels. The basic features that help define a neighborhood include: landscaping, pedestrian routes, street improvements, building material, architectural style, home size, scale, bulk, proximity of homes to one another, building height, and setbacks.

A majority of the neighborhoods in Morro Bay contain a wide variety of architectural styles, which helps focus policy language on scale, height, bulk and consistency or integrity of the chosen architectural style.

The intent behind implementation of design guidelines is to conduct design review on all single family residential construction (additions included). The guidelines are meant to implement the neighborhood compatibility policies found in the General Plan and Local Coastal Plan and as such, serve as a basis to provide consistent design review by both City Staff and the Planning Commission.

By applying the Design Guideline as part of the project review process, The City of Morro Bay, has the opportunity to provide positive, constructive direction to development within the City. The Design Guidelines can save time, facilitate a positive response to community concerns about development proposals, avoid divisive controversy, reduce unnecessary delays and expenses, and most importantly, achieve high quality designs and more livable neighborhoods.

Single Family Residential Design Guidelines

The following guidelines are not meant to encompass the entire range of design possibilities, but instead are meant to provide basic guidance as to what is expected when development is proposed. The policies are not meant to discourage innovative designs nor encourage any specific style or design concept. Variations from these guidelines should be considered when proposed project elements provide for a better project than would be possible adhering to the specific direction provided within the guidelines.

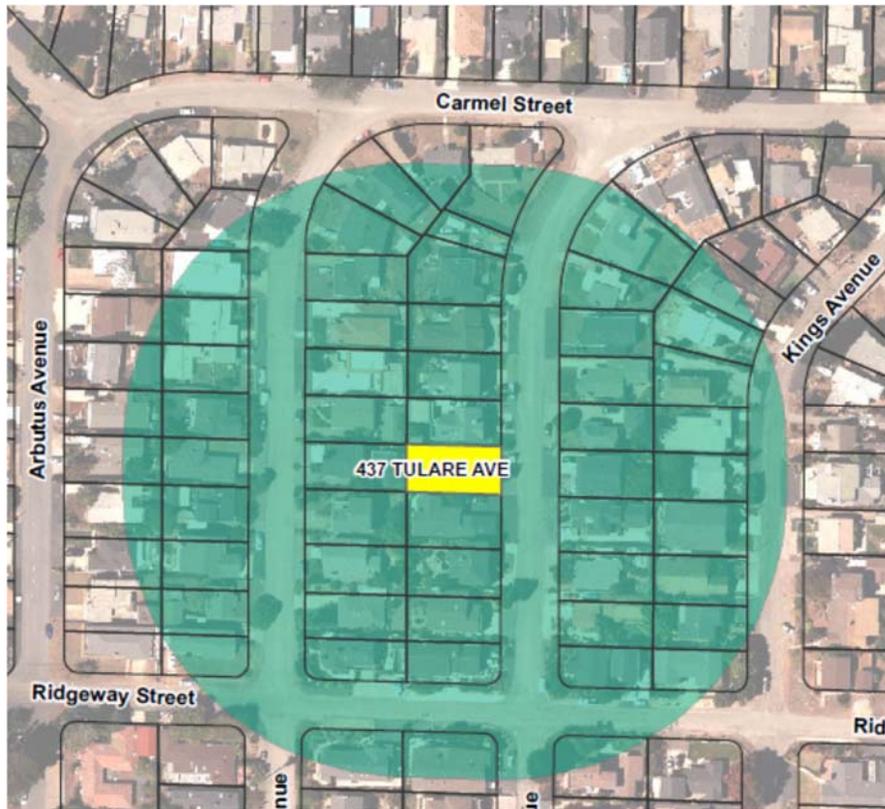
Design Guidelines

A. Relationship to Homes in Immediate Neighborhood

1. The overall design of the home should pay particular attention to the adjacent homes while remaining visually compatible with the immediate neighborhood.
2. Maintain architectural integrity with design and material consistency on all facades.
3. When replacing or changing the exterior materials, use materials compatible with homes in the surrounding area.
4. Entryways or features, such as front doors and porches should be visible from the street. Use of tall walls or fences and landscaping or other design elements that block view of the entry should be avoided.

Utilize figure 1 below when determining what constitutes the immediate neighborhood within a standard subdivision. There are factors where the diagram may not be applicable including, but not limited to, location and visibility of the building (e.g., terrain of the lot, lots with multiple frontages, small lot sizes). ***Should questions arise regarding what constitutes the "Immediate Neighborhood" please consult City Staff.***

Figure 1. Immediate Neighborhood Map Example (300 Foot Radius).

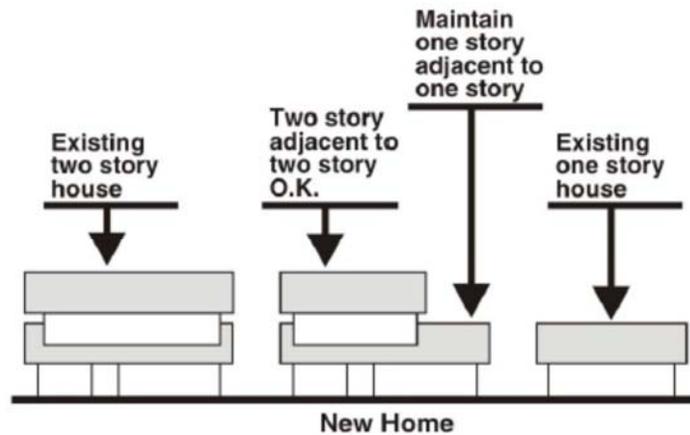


B. Scale and Mass

Building scale refers to the proportional relationship of a structure to objects/structures next to it. Mass is basically the size of a structure.

1. The perceived scale and mass of a **home design** should be compatible with homes in the nearby area. Features that accentuate the size of the home should be minimized so that it does not appear significantly larger than adjacent homes. Special attention should be given **to the three dimensional massing of a project, with emphasis given to those elevations visible from the public way.** Vantage points, other than street frontages may also be important for corner, hillside and bluff top lots and lots adjacent to parks or other public open space areas.

Figure 2. Placement options for second story when adjacent to single story home



2. The perceived scale and mass of a proposed addition to an existing residence should be of similar form and shape as those of the original home.
3. Blocks where single story houses or small two story homes are the predominant block pattern, a second story may require special attention. Scale may be minimized by employing one or more of the following technique's:
 - a. Limit the house profile of the expanded or new home to an area generally consistent with the profiles of the existing homes.
 - b. Setting the second floor back from the front and sides of the first story a distance sufficient to reduce apparent overall scale of the building.
 - c. Limit the size of the second story relative to the first story.
 - d. Increase the front and/or side setbacks for the entire structure
 - e. Place at least 60 to 70 percent of the second floor area over the back half of the first story.
 - f. Sloping the new roof away from the adjacent homes.

g. Incorporate the second story into the roof.

Figures 3 & 4 demonstrate incorporation of second floor into the roof helping to relate larger homes to smaller neighbors



Figure 4.



Figure 5. Second floor is pulled into the center of the roof providing a setback from the building edges helping to maintain adequate space, light and sense of openness to the adjacent residences.

C. Surface Articulation

Residences should be designed with relief in building facades. Long unarticulated wall and roof planes should be avoided, especially on two story elevations.

1. Changes within the wall and roof planes can be accomplished when one of the forms is setback several feet or when a gable end fronts the street and through the use of porches that run across the street facing elevation of the home.
2. Changes within the wall and roof planes can also be achieved through the use of various textures and materials. This can be seen in the use of horizontal wood lap siding, wood trim around windows and doors, shingle textures on the roof, deep recessed entries, use of roof segments separating the first and second floor facades.

Figure 6. Changes in wall plane and second floor step backs are utilized as well as a mix of materials and use of recessed areas help achieve relief in the building facade

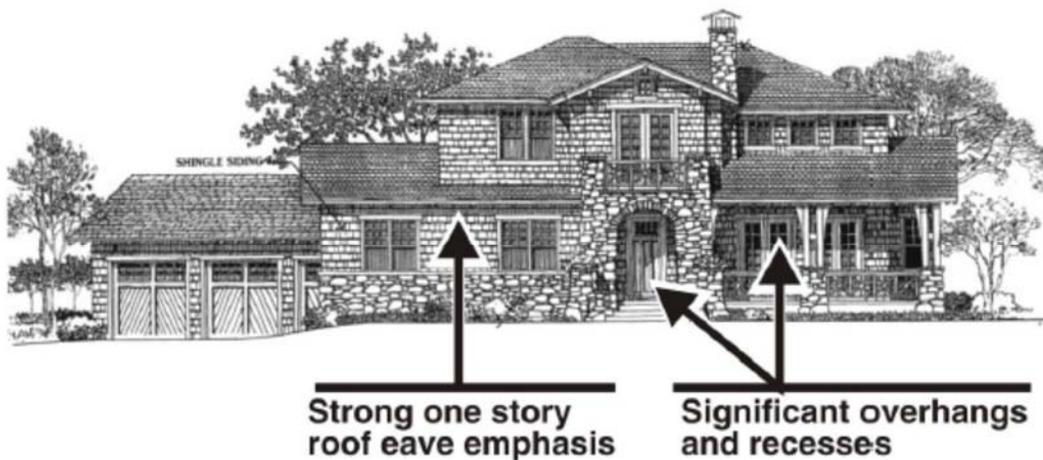




Figure 7. Design exhibits use of differing wall planes, two story entry element and covered porch to break up the front facade.

D. Building Orientation

1. Residences should contain visible front entryways, in scale with neighboring properties and oriented toward the public street.



Figure 8. Avoid exaggerated tall entries like this



Figure 9 & 10. Avoid formal entries in neighborhoods with informal homes (above) and in neighborhoods where entries are located under roof eaves as shown in the ranch style example below.



2. Avoid structures with height and bulk at front and side setback lines which are significantly greater than those of the adjacent homes.



Figure 11. Homes with differing bulk and massing along front facade

3. Homes should be located on the lot in a similar manner as adjacent homes and within the applicable setback requirements.



Figure 12. Homes with similar setbacks on the street frontage

4. In cases where setback are varied in the neighborhood, new homes should match those of adjacent homes.

- Where adjacent homes have differing setback, try placing the home such that it uses an average of the two.

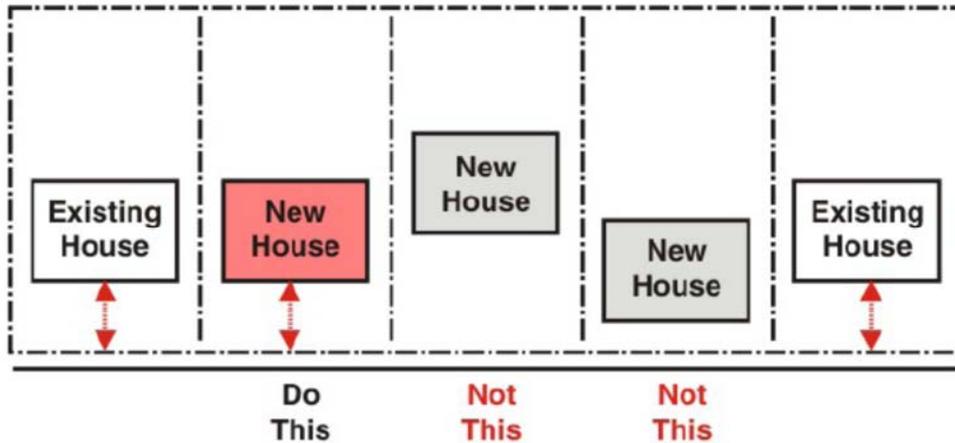


Figure 13. Utilize average of surrounding setbacks for locating new homes

Exception to Averaging: Where the adjacent lots have a nonconforming setback, the applicant may have the option of conforming to the required zoning setback. In some instances, a varied setback from the neighborhood pattern may be necessary or appropriate (Such lot constraints include topography, trees, creeks, lot size and Environmental Sensitive Habitat).

E. Garage Placement and Design

The living area of a home should be the most prominent feature of the front façade. Garage doors can have a noticeably negative impact to the street facing elevation of a home. To reduce the prominence of garages and driveways, home designs should incorporate a least one of the measures below.

- Garages placed along the front elevation of a home should not exceed 50% of the linear front elevation width where possible. The remainder of the front elevation should be devoted to living area or a porch.
- Garages exceeding 50% of the linear front elevation should include one of the following design options:
 - Recess garage from the front wall of the house a minimum of 5'
 - Provide an entry porch trellis extending in front of the face of the garage.
 - If the garage is the dominant feature from the street frontage, it should be designed with architectural and visual interest.

Figure 13. Limiting driveway width of garages and setting them back from the front façade can

minimize visual impact



Figures 14 – 18 provide examples of Decorative Garage Door ideas:

Figure 14.



Figure 15.



Figure 16.



Figure 17.

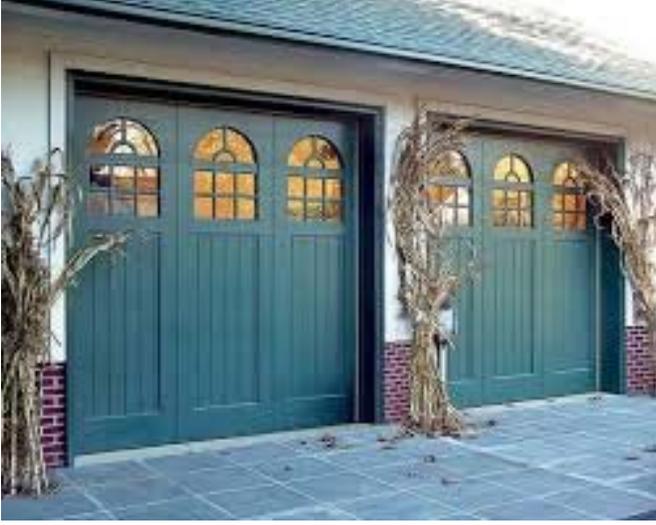


Figure 18.

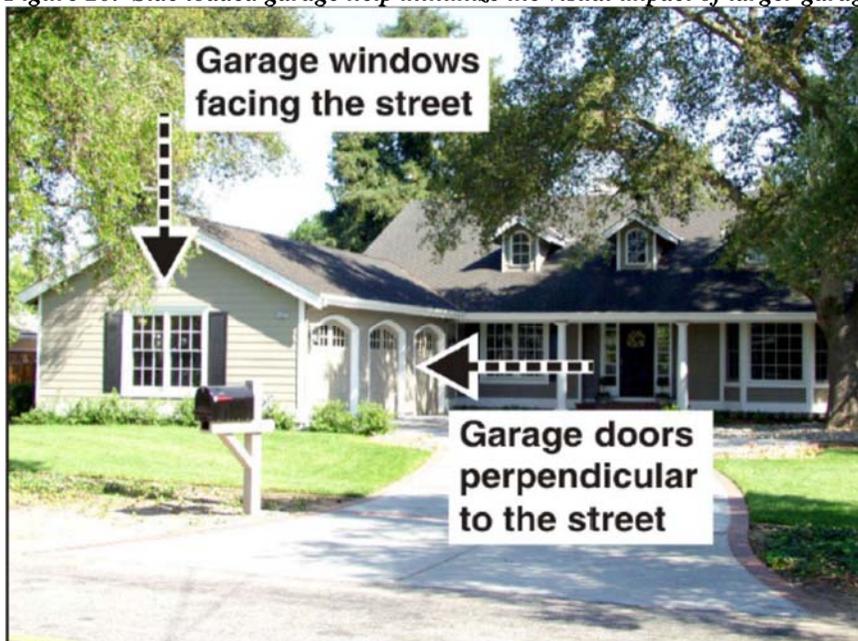


3. Orient garage entry away from the street where possible. This can be accomplished through placement of the garage at the rear of property or through use of a side loaded garage.

Figure 19. Narrow driveway with garage located toward the rear of the property



Figure 20. Side loaded garage help minimize the visual impact of larger garages on the streetscape



4. Mitigate the impact of driveways on the street scape
 - a. Limit width of curb cuts to the minimum size needed to access the

garage. This preserves on street parking and reduces paving in the front yard.

- b. Utilize decorative paving materials, **permeable pavers** or special patterns or colors to break up paved driveway areas in front setbacks.
- c. Utilize single width driveways or make us of “Hollywood” driveways (see below).

Figure 21. Hollywood Driveway Design for single car garage



Figure 22. Hollywood driveway design for two car garage



Figures 23 – 27 provide examples of permeable paver drive options

Figure 23.



Figure 24.



Figure 25.



Figure 26.



Figure 27.



5. Other similar features as approved by the review authority.

F. Building Materials

Building materials should be consistently applied and shall be harmonious with adjacent materials. Changes in materials or colors should not occur on the same wall plane. Piecemeal and frequent changes in building materials should be avoided.

1. When using a mix of material, avoid using too many materials. Avoid using an even split of materials (i.e. 50/50) on facades. It is preferred to have one material as the dominant surface with the second material utilized in a lesser or accent role.

Figure 28. Example of utilizing a mix of materials.

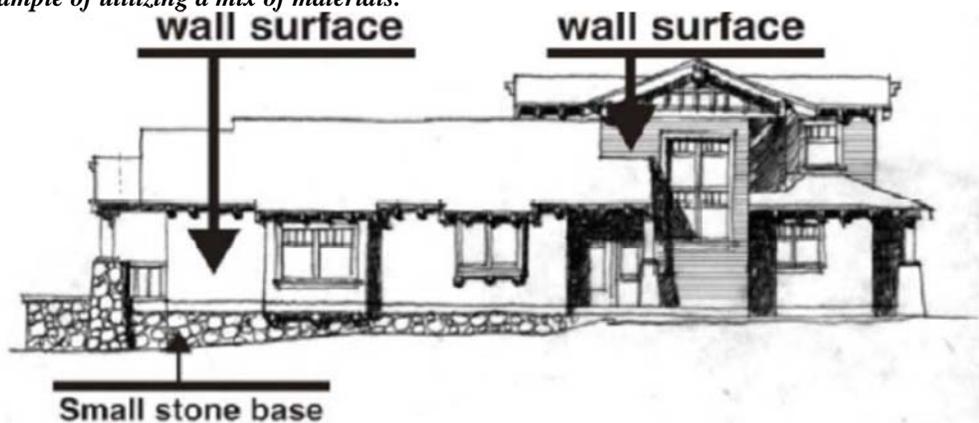


Figure 29. Use of complimentary building materials and color palette enhances building design



G. Architectural Elements

The architectural elements of a building include openings, doors, windows and architectural features such as roof elements, columns and dormers.

1. Architectural Elements within the design should be in proportion to the overall home design.

2. Architectural Elements should also be balanced on the building elevation. One option to achieve balance is through the vertical and horizontal alignment of the elements.

Figure 30. Some architectural styles require simple shapes and formal symmetry of the door and windows



Figure 31. Avoid too many building elements competing for attention



H. Additions to Existing Homes

1. The design of the addition should be consistent with the materials and architectural elements utilized in the existing home. If differing materials or styles are chosen for the addition they should be complimentary in nature.
2. Second floor additions should integrate seamlessly into the overall design of the home. The addition should look like an original part of the home.

Figure 32. Original single story home



Figure 33. Incorporating a second floor addition into the roof adds the desired space while respecting the integrity of the existing house and the scale of the neighborhood.

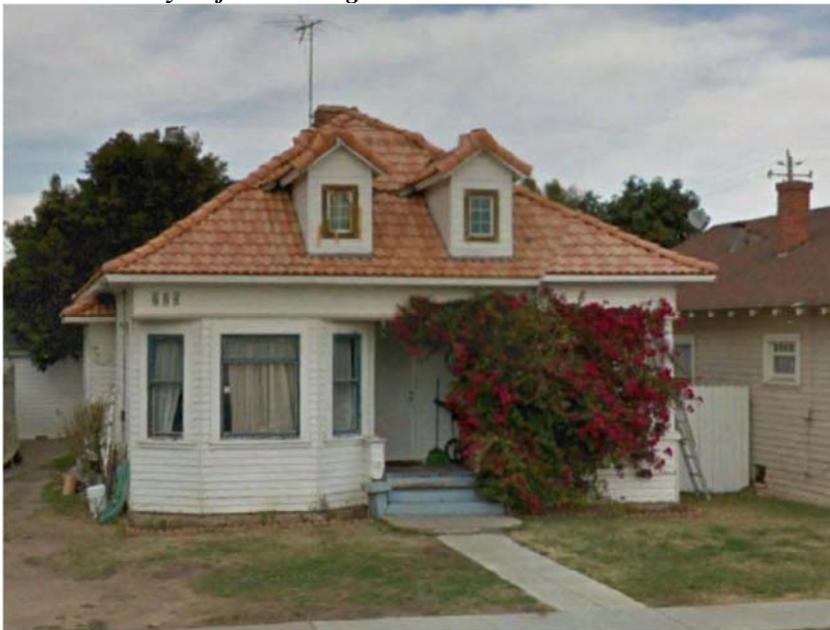


3. Rooflines of the addition should be compatible with the roof slope of the existing house.



4. Exterior materials of an addition should match or be harmonious with the materials used on the remainder of the structure
5. New windows and other architectural elements should be compatible with the shape, pattern, style, color and materials of the original architectural elements. If all windows are replaced, the new windows should be compatible with the architectural style of the home.

Figure 34. Addition incorporated into the roof, but roofing material is not consistent with architectural style of the existing residence.



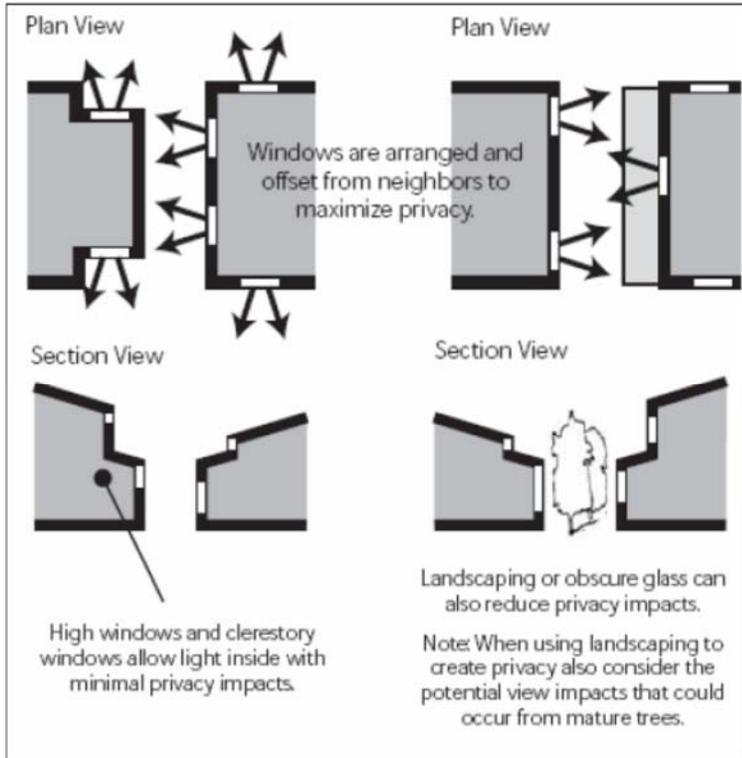
*I. **Privacy.** Minimize privacy intrusions on adjacent residences.*

While it may not be possible to ensure complete privacy between homes, given the small lot sizes in the City, designs should attempt to lessen the impacts as much as possible. Possible options for reducing privacy conflicts are noted below.

1. Place windows to minimize views into the living spaces and yard spaces near neighboring homes.

2. When placing windows in side building walls, offset or stagger windows to avoid looking directly into a neighboring room.
3. Where potential privacy issues exist, utilize smaller windows to help minimize the perception of privacy invasion.
4. Other options for reducing privacy impacts between neighboring residences include: use of appropriate landscaping, designing sill height above eye level or utilizing frosted or textured glass to reduce visual exposure.
5. Second floor decks and balconies should be designed and located with consideration given to the privacy of adjoining properties.

Figure 35. Design options for reducing privacy impacts



J. Landscaping

Landscape plans associated with submittals for new single family homes should reflect the following:

1. Select drought tolerant plant species that require little to no fertilizer, herbicides, and pesticides.
2. Use plants appropriate for the sites characteristics; sun exposure, wind, soil moisture, and existing vegetation.
3. Install efficient drip irrigation systems that make use of soil moisture meters, and rain and wind shutoff devices to reduce water consumption.
4. Utilize non-invasive plant species, particularly near creeks, drainages or existing native vegetation. Plantings should be sited such that they will not interfere with onsite utility lines, including water and sewer lines.
5. Tree should be sited carefully to avoid unnecessarily obstructing views from adjacent properties. In view sensitive areas, trees should either be maintained at a height not exceed the maximum height of the zone

district or trees should be chosen that do not exceed a mature height that exceeds the maximum height of the zone district. Existing mature trees are exempted from this policy.

6. Where street trees are required in association with new development, trees should be chosen from the City's approved street tree list.
7. Preserve mature landscaping where possible, paying special attention to the preservation of mature healthy trees.

AGENDA ITEM: A-1

DATE: January 6, 2015

ACTION: APPROVED

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – NOVEMBER 18, 2014
VETERAN’S MEMORIAL BUILDING – 6:00 PM

PRESENT:	Robert Tefft	Chairperson
	Gerald Luhr	Vice Chairperson
	Michael Lucas	Commissioner
	Richard Sadowski	Commissioner
	Katherine Sorenson	Commissioner
STAFF:	Rob Livick	Public Services Director
	Scot Graham	Planning Manager

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

Commissioner Lucas thanked the residents who came to the appeal hearing at City Council noting some of their points are in the design guidelines.

PUBLIC COMMENTS

Chairperson Tefft opened Public Comment period.

Bob Cogdahl, Morro Bay resident, requested the Commission consider placing sidewalks on Surf Street in the near future. Livick responded the Beach Street specific has sidewalks but the plan has no funding component and the R1 and R2 zoning districts do not require sidewalks on any city street. Livick stated the City may want to re-visit the issue again and look into different components of sidewalks for future sidewalk projects.

Vice Chairperson Luhr and Livick discussed sidewalks in residential areas and on arterial streets.

Chairperson Tefft closed Public Comment period.

PRESENTATIONS – NONE

A. CONSENT CALENDAR

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

Chairperson Tefft asked if there were any comments regarding the Consent Calendar and seeing none moved to the next agenda item.

B. PUBLIC HEARINGS - NONE

C. UNFINISHED BUSINESS

C-1 Discussion of Design Guidelines

Graham reviewed changes made in Section A through E.

Commissioner Sorenson stated she likes the visuals noting they will be very helpful to the community.

Vice-Chairperson Luhr suggested adding permeable paver language regarding where geologically applicable. Graham replied he would add language to Section E.

Commissioner Lucas stated the pictures shown in the examples are too decorative and not typical of Morro Bay.

Chairperson Tefft suggested there should be a discussion regarding the expectation for the scale and mass of homes in Section B-1 noting there should be an established or emerging pattern of homes sizes in the area added. Vice-Chairperson Luhr and Commissioners Sadowski and Lucas stated the current language is appropriate. Graham responded staff will look at projects and question how compatibility was assessed if it is not consistent with the area.

Graham presented Section K regarding Landscaping.

Vice Chairperson Luhr and Commissioners Lucas and Sadowski stated they liked the language provided.

Commissioner Sadowski suggested adding language regarding plant placement. Graham replied he would add language regarding plant placement. Commissioner Sorenson stated the language could be added to Section K-4.

Vice Chairperson Luhr stated he was concerned about Section K-5 noting this might give a reason for people to take down heritage trees. Graham stated the landscape language is only applicable to new single-family homes and will not affect existing trees but noted he will revise to include language regarding mature trees.

Commissioners Sorenson and Lucas, Vice Chairperson Tefft, and Graham discussed the need to take into consideration the size of the tree in relation to the side view of the lot in relation to the proposed language.

Vice Chairperson Luhr and Commissioner Sadowski stated they liked the current K-5 language.

D. NEW BUSINESS

D-1 Interpretation of Zoning Ordinance Section 17.56.190

Graham presented the staff report.

Vice Chairperson Luhr and Commissioner Sorenson questioned if the one year time frame would be reasonable noting one year is a little too tight. Graham proposed a time extension. Chairperson Tefft, Vice Chairperson Luhr and Graham discussed the time extension.

Commissioner Lucas and Graham discussed if someone could appeal reconstruction in a coastal zone.

Chairperson Tefft, Commissioner Sorenson and Graham discussed the building envelope in relation to reconstruction.

The Commissioners agreed on rebuilding to the same footprint as before. Commissioner Sorenson stated she would like to look at the wording in order to give homeowners some leeway.

Vice Chairperson Luhr stated concern about a massive destruction event, for example a massive fire or a flood, and asked where that would fall. Graham stated it would be a special circumstance where the City would initiate emergency procedures, enacting temporary measures and procedures to facilitate issuance of building permits. Vice Chairperson Luhr and Livick discussed FEMA requirements noting FEMA would take precedence over the City Ordinance.

Chairperson Tefft and Livick discussed a change in the language. Livick recommended adding a period after destruction then adding building permit to reconstruct must be applied for within one year of destruction with the possibility for a one year extension.

MOTION: Commissioner Sorenson moved to approve PC Resolution 27-14 as modified. Commissioner Sadowski seconded the motion and the motion passed unanimously. (5-0)

E. DIRECTOR AND PLANNING MANAGER COMMENTS

Graham announced the following:

- January 13, 2015 City Council meeting to hear the 1000 Ridgeway parking exemption appeal
- The Coastal Commission has approved the Local Coastal Plan Planning Grant application.
- The Planning Commission December, 2014, meeting has been cancelled. There will be a joint meeting on December 2, 2014 and the next regularly scheduled meeting will be December 16, 2014.

Livick announced the following:

- Water Reclamation Facility Citizen Advisory Committee meeting on December 3, 2014
- City Council meeting on December 9, 2014 to consider their final site selection

F. ADJOURNMENT

The meeting adjourned at 7:21 p.m. to the next regularly scheduled Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on Tuesday, December 16, 2014 at 6:00 p.m.

Robert Tefft, Chairperson

ATTEST:

Rob Livick, Secretary

AGENDA ITEM: A-1

DATE: January 6, 2015

ACTION: APPROVED

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – DECEMBER 16, 2014
VETERANS MEMORIAL BUILDING – 6:00 PM

PRESENT:	Robert Tefft	Chairperson
	Gerald Luhr	Vice Chairperson
	Richard Sadowski	Commissioner
	Katherine Sorenson	Commissioner
STAFF:	Rob Livick	Public Services Director
	Scot Graham	Planning Manager
	Joan Gargiulo	Contract Planner

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

Vice-Chairperson Luhr thanked the Public Works and Water Department staff for their response when he had a flooding issue at his residence.

Commissioner Sadowski wished everyone a Merry Christmas and a safe holiday.

Chairperson Tefft announced there was a meeting held a few weeks ago for the initial scoping meeting for revising the General Plan and Local Coastal Plan noting public input would be welcomed.

PUBLIC COMMENTS

Chairperson Tefft opened Public Comment period and seeing none closed Public Comment period.

PRESENTATIONS – NONE

A. CONSENT CALENDAR

A-1 Approval of minutes from the Planning Commission meeting of November 4, 2014
Staff Recommendation: Approve minutes as submitted.

MOTION: Commissioner Sorenson moved to approve the Consent Calendar. Vice Chairperson Luhr seconded the motion and the motion passed unanimously. (4-0)

B. PUBLIC HEARINGS

B-1 Case No.: UPO-000-008

Site Location: 470 Pico St.

Conditional Use Permit and Parking Exception: The applicant proposes to add a single story addition totaling 376 square-feet to an existing 887 square-foot nonconforming residence with an attached 275 square-foot garage. The parking exception is to allow a single car garage with a second parking space to be located in

tandem in the driveway. The project is located within the R-1 residential zone and outside of the Coastal Commission Appeals Jurisdiction.

CEQA Determination: Categorically Exempt, Section 15301, Class 1

Staff Recommendation: Conditionally approve the Conditional Use Permit and Parking Exception.

Staff Contact: Joan Gargiulo, Contract Planner, (805) 772-6270

Gargiulo stated to the Commission the correct Case Number was UP0-396/AD0-096 instead of UP0 000-008 as stated on the agenda.

Gargiulo presented the staff report.

Chairperson Tefft opened Public comment period.

Vice-Chairperson Luhr requested to see the photos of the project again.

Craig Hooper, Applicant, stated the addition to the property was due to the fact his wife was expecting again and they will need the extra room.

Commissioner Sorenson stated support of the plan and agrees on the addition and how it configures with the existing structure on the lot.

Vice-Chairperson Luhr stated the plans did not list details on materials for the structure. Gargiulo responded the materials were not included but will reflect the same materials as the existing materials on the structure.

Vice-Chairperson Luhr questioned if the existing trees would be affected. Graham responded the home owner will not be moving nor doing any changes to the tree. Livick reviewed the City's tree ordinance with the Commission.

Commissioner Sadowski stated support for the plan.

Chairperson Tefft concurred the plans were consistent and noted the parking exception would have to be reviewed again if there were future additions.

Commissioner Sorenson supported the idea of reviewing parking exemption again if needed.

Chairperson Tefft, Vice-Chairperson Luhr and Graham discussed the parking exemption on a future project. Graham responded it would come back for review because the permit runs with the land but noted a fifth condition could be added to ensure a future project would come to the Commission for review of the parking exception. Commissioners concurred to add the condition.

MOTION: Vice-Chairperson Luhr moved to approve resolution PC 28-14 with amended fifth condition that any future addition shall require a re-review of the parking exception by the Planning Commission. Commissioner Sadowski seconded the motion and the motion passed unanimously. (4-0)

C. UNFINISHED BUSINESS

C-1 Discussion of Design Guidelines

Staff Recommendation: Review, comment, and provide direction.

Graham presented the changes with the Commission.

Commissioner Sadowski stated the visuals in the guidelines are really helpful.

Vice-Chairperson Luhr stated he was concerned about complimentary materials. He would like to encourage architectural excursions and go back to the previous opening phrase. Graham responded he changed the introductory statement in the design guidelines noting it encourages designs other than what is in the guidelines noting people would be able to ask for what they want, but it would have to be approved by the Planning Commission.

Chairperson Tefft stated he would like to revisit balconies and decks noting it should say this is something to think about when designing your project. Graham stated he could strike out the wording regarding balconies and decks and replace it with soft language.

Vice-Chairperson Luhr & Chairperson Tefft discussed issues regarding wording in Section I, Number five and six. Chairperson Tefft asked Vice-Chairperson Luhr if he would be opposed to softening the language in Section I, number five. Vice-Chairperson Luhr responded his concern would be problems with property rights according to the wording in Section I, Number five and six. Commissioners Sorenson and Sadowski stated they were comfortable with Number five. Chairperson Tefft stated he is proposing to give staff a forum to have a discussion with applicants. Livick stated these were just guidelines, not regulatory. Graham suggested options regarding privacy for balconies and decks.

Graham and Vice-Chairperson discussed privacy issues and how this should not be regulated. Vice-Chairperson Luhr suggested wording in number five be stricken or wording be softened. Chairperson Tefft, Vice-Chairperson Luhr and Commissioner Sorenson all suggested wording for number five. All agreed on the wording Chairperson Tefft suggested stating in the design of second floor decks and balconies consideration should be given to the privacy of adjacent neighbors.

Commissioner Sorenson stated Section I, Number six would need to be changed noting the wording sounds like its telling people how they should build. Chairperson Tefft stated it only points to one concept noting he would like to see some general wording. Graham asked the Commission if they wanted number six to remain. Vice-Chairperson Luhr stated with number five re-worded, number six could be stricken. Commissioner Sadowski concurred with Vice-Chairperson Luhr but noted his main concern was drainage. Graham responded drainage is addressed in the Storm Water Regulations. Commissioner Sorenson stated she was fine with number six being stricken. Graham stated if number six was stricken, it could always be brought back for reconsideration.

Chairperson Tefft and Graham discussed how the guidelines would be used when an applicant comes in with a project.

Chairperson Tefft & Graham discussed solar panels and the guidelines on structures.

Commissioner Sorenson asked about the next steps. Graham responded he will put the guidelines in a publication format for the January 20 meeting. Commissioner Sadowski concurred with staff on making guidelines user friendly.

Vice-Chairperson Luhr proposed staff also process new guidelines for commercial businesses. Graham responded he would need to get authorization from City Council. Commissioner Sorenson concurred with Vice-Chairperson Luhr. Commissioner Sadowski also concurred with getting authorization from City Council. Chairperson Tefft stated there would be a need for stakeholder input.

D. NEW BUSINESS - NONE

E. DIRECTOR AND PLANNING MANAGER COMMENTS

Livick stated the City Council at its last meeting expressed its preference for the Rancho Colina site for the new location for the new Water Reclamation Facility with the next steps being facilities master planning.

Graham stated the draft plan for the General Plan/LCP update from the previously held workshop will be reviewed by staff and come to the City Council and Planning Commission for review at their next joint meeting date.

F. ADJOURNMENT

The meeting adjourned at 7:29 p.m. to the next regularly scheduled Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on Tuesday, January 6, 2015 at 6:00 p.m.

Robert Tefft, Chairperson

ATTEST:

Rob Livick, Secretary

RESOLUTION NO. 18-15

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA
COMMITTING TO UPDATING THE CITY'S GENERAL PLAN AND LOCAL
COASTAL PLAN BY DECEMBER 2017**

**THE CITY COUNCIL
City of Morro Bay, California**

WHEREAS, the General Plan (GP) and Local Coastal Plan (LCP) are the blueprints for the City, they serve as the foundation for planning Morro Bay's future, they are the basis for the preparation of measures and the initiation of actions which guide proper development of the City; and

WHEREAS, the City's current GP was certified in 1988, and the City's current LCP was certified in 1982, both documents are sorely overdue for an update; and

WHEREAS, in 1997 the City embarked on updating both plans over the course of seven years, and on February 23, 2004 adopted an updated GP/LCP that was submitted to the California Coastal Commission (CCC) for their review and certification; and

WHEREAS, in 2008 a City Assessment performed by Management Partners made the number one recommendation to lobby the CCC for an expeditious approval of the City's GP/LCP, suggesting the City explain its grave financial position to the CCC and the need for certainty surrounding land use issues in order to attract investment to the community; and

WHEREAS, on February 28, 2011, the City received a letter from the CCC stating the City's 2004 GP/LCP application for certification was deemed withdrawn for lack of activity; and

WHEREAS, on April 23, 2013, City Council adopted a goal to update the City's GP/LCP; and

WHEREAS, on November 21, 2013, the City was awarded a \$250,000 grant from the Ocean Protection Council, and a \$147,000 grant from the CCC; and

WHEREAS, on February 24, 2015, the City Council reaffirmed the goal to update the City's GP/LCP including development and implementation of neighborhood design guidelines, by December 2017; and

WHEREAS, on March 24, 2015 a joint meeting between the City Council and Planning Commission reviewed the draft work plan performed by PMC consulting to update the GP/LCP, with an estimated cost to complete the update of between \$806,250 and \$1,590,800; and

WHEREAS, the work plan identifies Neighborhood Compatibility as a key issue in Morro Bay and calls for the formation of a citizens advisory committee to play a key role in the GP/LCP update including the development of Neighborhood Compatibility Standards; and

WHEREAS, the work plan lays out a timeline, cost, and the necessary steps to update the City's GP/LCP and it informs the public and City Council of the commitment required to achieve a updated GP/LCP; and

WHEREAS, the City Council understands in order to meet the City's goal of updating the GP/LCP by December of 2017 it must commit a minimum \$806,250, through all sources, including grants; and

WHEREAS, the City Council commits to working collaboratively with the CCC and all agencies to accomplish the update of the GP/LCP; and

WHEREAS, the City Council understands the negative effects an outdated GP/LCP has on the City and a new updated GP/LCP would address continued concerns regarding maintaining and improving the quality of life of residents and visitors for the future.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City Morro Bay affirms its desire to commit adequate resources to achieve meeting the City's goal of updating the City's General Plan and Local Coastal Plan by December 2017.

PASSED AND ADOPTED by the City Council of the City of Morro Bay, at a regular city council meeting thereof held on the 14th day of April 2015, by the following vote:

AYES: Irons, Heading, Johnson, Makowetski, Smukler
NOES: None
ABSENT: None



JAMIE L. IRONS, Mayor



DANA SWANSON, City Clerk



RESIDENTIAL DEVELOPMENT PROCESS

The following is a summary of the typical steps involved in processing a single-family residential development project in the City of Rancho Palos Verdes. Each of the following steps corresponds to the Process Flow Chart on Page 6 of the Handbook or on the previous page. It should be noted that the steps identified below represent the typical process and may vary depending on the complexity of a project.

1. A property owner who is contemplating the construction of a new single-family residence or an addition to an existing residence contacts the Planning Department for information regarding the City's process and development standards. Based on the information conveyed to City Staff, the property owner will be given the criteria for their specific zoning district, as well as the appropriate development applications. It is also at this time that City Staff determines whether the Neighborhood Compatibility analysis is triggered (see Appendix D - Neighborhood Compatibility Triggers). Please note that the development applications given to a property owner are based on information provided to Staff and may change upon formal submittal and review of the project.
2. If the Neighborhood Compatibility analysis is triggered, the City strongly encourages the property owner to complete the suggested Pre-Application Step. It should be noted that this is a voluntary step in the residential development process for the City of Rancho Palos Verdes that has been found to be helpful in addressing neighborhood issues early in the process that typically cause delays in the formal process.
3. The Pre-Application Step involves three action items:
 - a. Notification to at least the 20 closest neighbors – A project requiring Neighborhood Compatibility is normally analyzed based on at least the 20 closest homes within the same zoning district, which are also the homes most likely to be affected by the project (for information regarding the Neighborhood Compatibility findings please see Appendix A - RPVMC 17.02.030(B)(2)). Therefore, notification to the 20 closest residences is a Pre-Application step. However, since property owners within a 500-foot radius will receive a public notice by the City during the formal review process, it is strongly encouraged that notification also be given to potentially affected property owners within a 500-foot radius. The Pre-Application notice should indicate the date, time, and location of a neighborhood meeting (see Appendix E - Pre-Application Neighborhood Compatibility Meeting Notice).
 - b. Conduct a Neighborhood Meeting – An applicant should conduct a meeting with the neighbors. The neighborhood meeting is to provide the neighbors with an opportunity to review the preliminary plans and voice their concerns. It is suggested that the meeting occur in the early evening, over the weekend or at a time when most neighbors are available.
 - c. Meeting Documentation – In order to complete the Pre-Application Step an applicant is encouraged to obtain verification that the 20 closest neighbors have reviewed the preliminary plans. Said verification may be achieved by

completing the attached sample form (see Appendix F - Neighborhood Compatibility Pre-Application Consultation Form).

4. If a project does not trigger the Neighborhood Compatibility analysis or the Pre-Application Step is not desired, the next step involves the preparation of the architectural plans and the completion of the appropriate application for formal submittal to the City's Planning Department. At the time a property owner submits a development application to the Planning Department, City Staff will routinely conduct a cursory review of the application and the architectural plans at the public counter for oversights prior to receiving the project. It is at this time that the appropriate filing fees are paid. Once an application has been filed with the Planning Department, the project is assigned to a case planner based on workload and level of experience. Within three to four working days from the date of submittal, the property owner will receive a letter from the City informing them of their assigned case planner. It should be noted that the case planner has 30 days from the date of submittal to review the application and architectural plans for completeness.
5. If a Height Variation application or any other application requiring the Neighborhood Compatibility analysis is requested, the property owner will be required to construct a silhouette that depicts the proposed project before an application is deemed complete for processing.
6. In order to minimize costs involved in constructing a silhouette, it is advised that a property owner not construct the required certified silhouette until directed to do so by the case planner. This is recommended because a project may undergo revisions before being deemed complete for processing. Once directed to construct the silhouette, the applicant should follow the City's criteria for construction a silhouette (see Appendix G).
7. Pursuant to State Law, a project submitted to the Planning Department must be reviewed for completeness within 30 calendar days from the date of submittal. The "completeness review" involves a comprehensive review of the project applications and architectural plans for completeness and accuracy. Within the 30-day "completeness review" period, if the project applications or architectural plans are missing information needed to process the property owner's request, Staff will deem the project "incomplete."
8. If an application is deemed "incomplete," a letter will be sent to the property owner/applicant within the 30-day review period identifying the information that is needed in order to deem the project application complete for processing. At this time, the case planner will also notify the property owner of any "concerns" observed during the initial review of the proposed project. It should be noted that additional Staff concerns may arise after a project has been publicly noticed and public input is obtained.
9. Once an application has been deemed "incomplete" by the City, the property owner is responsible for providing Staff with the appropriate information needed to continue processing the project. A property owner should use the "Incomplete Letter" sent by the case planner as a checklist. Upon the submittal of revised plans or additional information to the Planning Department, Step No. 7 is repeated.

Step No. 7 is repeated upon the submittal of the outstanding information requested by the case planner. After reviewing the revised or additional information, if the case planner determines said information is acceptable, then the project applications will be deemed "complete." A "complete" letter will be sent to the property owner indicating that a decision on the project application will be made within 60 calendar days from the date of completeness. Furthermore, if required, the letter will also indicate a tentative date for a public hearing.

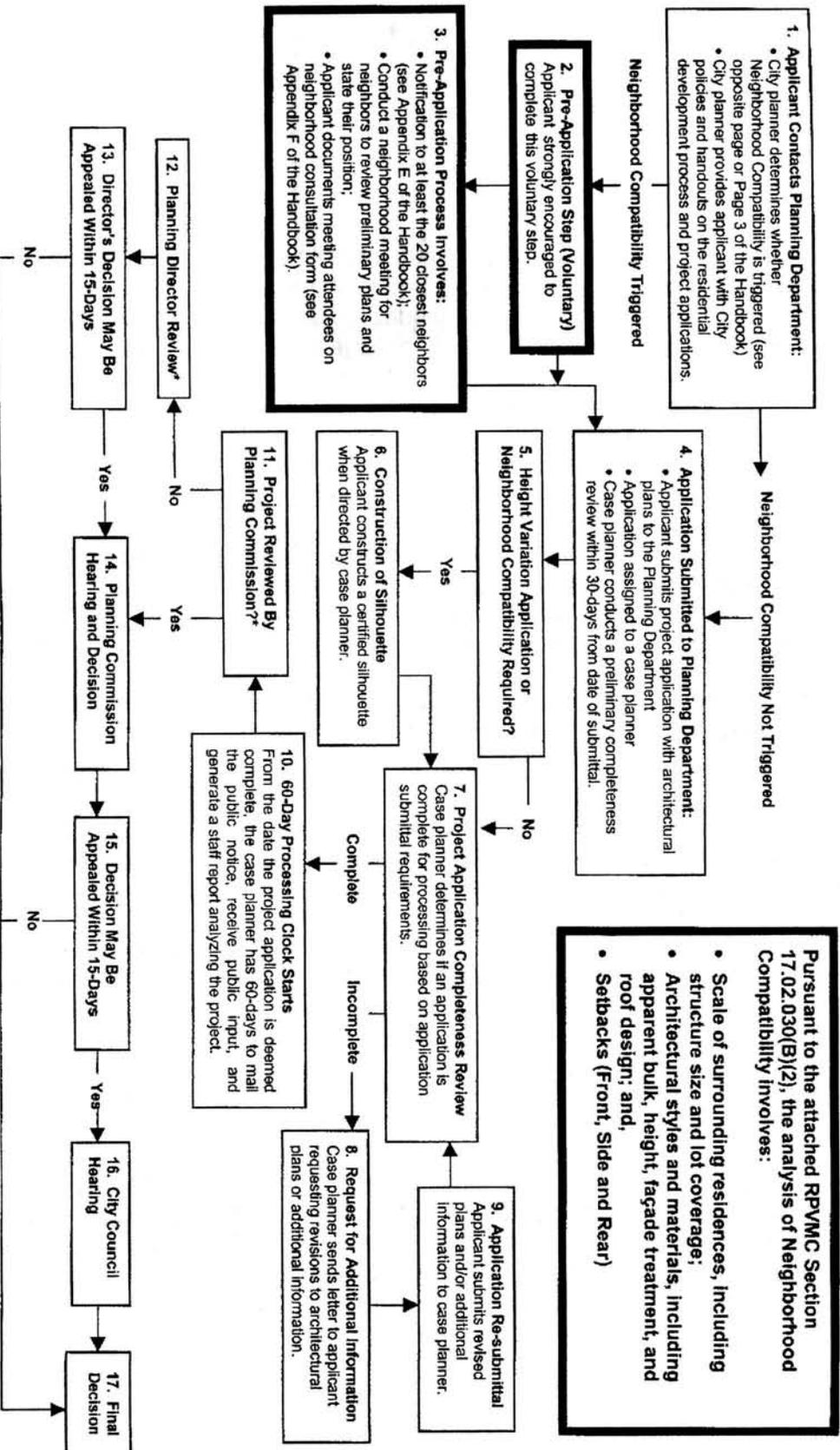
10. Pursuant to State Law, a decision on a typical project application must be made within 60 calendar days from the date of completeness. During the 60-day processing period, the following steps occurs:
 - a. If public notification is required, a public notice will be sent to property owners within a 500-foot radius, interested parties and published in a local newspaper (*Peninsula News*) at least 15 days before a decision is made. Please note that a Height Variation application requires at least a 30-day public notification period. It is during the public noticing period that the City receives public comments or concerns on a project.
 - b. Prior to rendering a decision on a project, a Staff Report is prepared by the case planner that analyzes the project based on the required application findings. Furthermore, the Staff Report identifies any concerns raised during the public noticing period. Based on Staff's analysis, the Staff Report will contain a recommendation, consisting of either approval, approval with conditions, or denial.
 - c. The Staff Report prepared by the case planner is then provided to the Planning Director or to the Planning Commission for consideration and is also made available to the applicant. If the Planning Commission is the deciding body on a project, a decision on a project will be made at a duly noticed public hearing.
11. The review process of a project depends on the application requested. Please see Appendix D - Review Process, for further information.
12. If a project is reviewed by the Planning Director, the Staff Report will be given to the Director for review. The Director will consider the analysis of the required findings and the concerns raised during the public noticing period prior to rendering a decision. Please note that at any given time, a property owner or a concerned resident may schedule a meeting with the Planning Director to discuss project related concerns.
13. The Planning Director's decision may be appealed to the Planning Commission within 15 days of the action date. An appeal must be filed with the Planning Department along with the appropriate filing fee (see Appendix H - Fee Schedule). The appeal must list the parties involved and the reason for the appeal. The appeal will be agendized at the next available Planning Commission meeting. A public notice on the appeal will be mailed to the appellants, property owners within a 500-foot radius, to interested parties and published in the local newspaper (*Peninsula News*). If no appeal is filed within the 15-day appeal period, then the Planning Director's decision is final.
14. A project requiring the Planning Commission's review, including an appeal of the Planning Director's decision, will be considered by the Commission at a duly noticed public hearing. The Planning Commission will consider the analysis of the required

findings and the concerns raised during the public noticing period prior to rendering a decision. Please note that concerned residents are encouraged to attend the public hearing and provide the Planning Commission with public testimony on the project related issues.

15. The Planning Commission's decision may also be appealed to the City Council within 15 days of the action date. An appeal must be filed with the Planning Department along with the appropriate filing fee (see Appendix G - Fee Schedule). The appeal must list the parties involved and the reason for the appeal. The appeal will be agendized at the next available City Council meeting. A public notice on the appeal will be mailed to the appellants, property owners within a 500-foot radius, interested parties and published in the local newspaper (*Peninsula News*). If no appeal is filed within the 15-day appeal period, then the Planning Commission's decision is final.
16. A project requiring the City Council's review, including an appeal of the Planning Commission's decision, will be considered by the Council at a duly noticed public hearing. The City Council will consider the analysis of the required findings, the reasons for the Planning Commission's decision, the concerns raised during the public noticing period, and the merits of the appeal prior to rendering a decision. Please note that concerned residents, especially the appellant(s), are encouraged to attend the public hearing and provide the City Council with public testimony on the project related issues.
17. The Planning Director's and Planning Commission's decision that is not appealed, as well as the City Council's decision is final. Please note that projects involving a Coastal Permit may not become final until the appeal process with the California Coastal Commission has been exhausted.



SINGLE-FAMILY RESIDENTIAL DEVELOPMENT PROJECT PROCESS CHART



*The review process depends on the application requested. For more information see the flip side of this flow chart or Page 8 of the Neighborhood Compatibility Handbook. City Staff or the appropriate Code sections pertaining to the requested application. The above boxes outlined in bold represent steps involved in the analysis of Neighborhood Compatibility.