



# CITY OF MORRO BAY PLANNING COMMISSION MEETING AGENDA

Veteran's Memorial Building  
Regular Meeting 6:00 p.m.

209 Surf Street, Morro Bay  
Monday June 21, 2010

Nancy Johnson - Chairperson  
Vice-Chairperson - Gerald Luhr  
Commissioner - Michael Lucas  
Commissioner - John Diodati  
Commissioner - Jamie Irons  
Rob Livick - Secretary

**I. CALL MEETING TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

**IV. ACCEPTANCE OF AGENDA**

**V. DIRECTOR'S REPORT/WRITTEN COMMUNICATIONS**

A. Oral Report

**VI. PUBLIC COMMENT:**

Members of the audience wishing to address the Commission on matters other than scheduled hearing items may do so when recognized by the Chairman, by standing and stating their name and address. Comments should be limited to three minutes.

**VII. CONSENT CALENDAR**

A. Approval of minutes from Planning Commission meeting held on June 7, 2010.

**VIII. PRESENTATIONS**

Informational presentations are made to the Commission by individuals, groups or organizations, which are of a civic nature and relate to public planning issues that warrant a longer time than Public Comment will provide. Based on the presentation received, any Planning Commissioner may declare the matter as a future agenda item in accordance with the General Rules and Procedures. Presentations should normally be limited to 15-20 minutes.

A. Presentation from Rob Livick, City Engineer, on the Pedestrian Plan (continued from the June 7, 2010 meeting.)

**IX. FUTURE AGENDA ITEMS**

A. Restrictions/rules on installing gates on driveways for residential and commercial properties.

- B. Staff presentation on the Affordable Housing Rehabilitation Program and general affordable housing issues.

**X. PUBLIC HEARINGS**

- A. **Site Location:** 500 Quintana  
**Applicant:** FitnessWorks, Ginger Machado  
**Request:** The applicant has submitted for a Sign Exception Permit (SP0-124) to exceed the maximum aggregate sign area of 200 square feet for a shopping center and an individual business. The proposed sign is 85.3 square feet in size.  
**Recommended CEQA Determination:** Categorically Exempt Class 11, section 15311.  
**Staff Recommendation:** Review and take action on Sign Exception Permit.  
**Staff Contact:** Sierra Davis, Planning Intern, 772-6297
  
- B. **Site Location:** 1185 to 1215 Embarcadero  
**Applicant:** Darby Neil, James, George and Troy Leage  
**Request:** The applicants request approval of a Precise Plan (Conditional Use Permit) for Phase I improvements associated with the previously approved Concept Plan for Harbor Hut, Virg's and Great American Fish Company (GAFCO) Redevelopment Project. Phase I improvements will include a fish market/restaurant, dock improvements along with a public deck.  
**California Coastal Jurisdiction:** Site located within the original jurisdiction.  
**Recommended CEQA Determination:** A Mitigated Negative Declaration was adopted for the overall project on November 5, 2007  
**Staff Recommendation:** Review and take action on the Precise Plan.  
**Staff Contact:** Kathleen Wold, Senior Planner, 772-6211.

**XI. OLD BUSINESS**

- A. Current Planning Processing List/Advanced Work Program.

**XII. NEW BUSINESS**

**XIII. ADJOURNMENT**

Adjourn to the next regularly scheduled Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on Monday, July 6, 2010 at 6:00 p.m.

**PLANNING COMMISSION MEETING PROCEDURES**

Materials related to an item on this Agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Public Services Office at 955 Shasta Avenue, during normal business hours; Mill's ASAP, 495 Morro Bay Boulevard, or Morro Bay Library, 695 Harbor, Morro Bay, CA 93442. Planning 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 Department 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.

**RULES FOR PRESENTING TESTIMONY**

Planning 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 testimony must observe the following rules:

1. When you come to the podium, first identify yourself and give your place or residence both orally and on the sign in sheet at the podium. Commission meetings are audio and video tape-recorded and this information is required for the record.
2. Address your testimony to the Chair. Conversation or debate between a speaker at the podium and a member of the audience is not permitted.
3. Keep your testimony brief and to the point. Speak about the proposal and not about individuals. On occasion, the Chair may place time limits on testimony: Focus testimony on the important parts of the proposal: do not repeat points made by others. Please, no applauding or making comments from the audience during the testimony of others.
4. Written testimony is encouraged so they can be distributed in the packets to the Planning Commission. However, letters are most effective when presented at least a week in advance of the hearing. Written testimony provided after the staff reports are distributed and up to the meeting will also be distributed to the Planning Commission but there may not be enough time to fully consider the information. Mail should be directed to the Public Services Department, attention: Planning Commission Secretary.

**APPEALS**

If you are dissatisfied with any aspect of 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. The appeal form is available at the Public Services Department and on the City's web site. If legitimate coastal resource issues related to our Local Coastal Program are raised in the appeal, there is no fee if the subject property is located within the Coastal Appeal Area. If the property is located outside the Coastal Appeal Area, the fee is \$250 flat fee. If a fee is required, the appeal will not be considered complete if the fee is not paid. If the City decides in the appellant's favor then the fee will be refunded.

City Council decisions may also be appealed to the California Coastal Commission pursuant to the Coastal Act Section 30603 and the City Zoning Ordinance. 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.

**This Agenda is available for copying at Mills Copy Center and at the Public Library**

The Coastal Commission's Santa Cruz Office at (831) 427-4863 may be contacted for further information on appeal procedures.

**HEARING IMPAIRED:** There are devices for the hearing impaired available upon request at the staff's table.

**COPIES OF VIDEO, CD:** Copies of the video recording of the meeting may be obtained through AGP Video at (805) 772-2715, for a fee.

**ON THE INTERNET:** This agenda may be found on the Internet at: <http://www.morro-bay.ca.us/planningcommission>

CITY OF MORRO BAY  
PLANNING COMMISSION  
SYNOPSIS MINUTES

(Complete audio- and videotapes of this meeting are available from the City upon request)

Veteran's Memorial Building  
Regular Meeting, 6:00 p.m.

209 Surf Street, Morro Bay  
June 7, 2010

Chairperson Nancy Johnson

Vice-Chairperson Gerald Luhr  
Commissioner Jamie Irons

Commissioner Michael Lucas  
Commissioner John Diodati

Rob Livick, Secretary

I. CALL MEETING TO ORDER

Chairperson Johnson called the meeting to order at 6:11 p.m.

II. PLEDGE OF ALLEGIANCE

Gary Ream, City Historian led the pledge.

III. ROLL CALL

Chairperson Johnson noted for the record all Commissioners are present.  
Staff Present: Rob Livick, Kathleen Wold, Sierra Davis and Cindy Jacinth

IV. ACCEPTANCE OF AGENDA

MOTION: Agenda accepted as presented.

V. WRITTEN COMMUNICATIONS PRESENTATIONS

Cal Poly's City and Regional Planning Graduate Class conducted a presentation on The Downtown Enhancement Project (Phase 1).

Larissa Heeren presented Plan Proposal A. The key themes of this plan included mixed use development, pedestrian friendly sidewalks and streets, public gathering spaces, and entertainment venues.

Chris Reed presented Plan Proposal B. The key themes of this plan include a central town square concept, a stairway connection between the Embarcadero and downtown, and a pedestrian oriented downtown.

Aaron Ray presented Plan Proposal C. The key themes of this plan include a focus on an active downtown, pedestrian and bike centric, and community facilities.

VI. PUBLIC COMMENT

Johnson opened the public comment period.

- Gary Ream, resident of Morro Bay, expressed concern about the cost. He said the Historical Society has a self-guided walking downtown tour that could be incorporated into these proposed plans. He does not support the concept of pedestrian malls.
- Chris Christiansen, resident of Morro Bay, spoke in favor of the proposals and believes it would be best to adopt a plan, move forward in that direction and also to vote tomorrow.

- Tom Laurie, resident of Morro Bay, spoke in favor of the proposed commercial zero street setbacks and encouraged the planning commission to be business friendly.
- Jenny Brantlee, resident of Morro Bay, liked the pedestrian and bike friendly components of the proposals. As President of the Historical Society, they are seeking to promote the self guided walking tour.
- Stewart McElhinney, president of Morro Bay Chamber of Commerce, spoke in favor of the proposals.
- Ani Lyne, resident of Morro Bay, expressed her concern regarding the current appearance of Morro Bay and its need for improvement.
- Bruce Olster, downtown business owner in Morro Bay, spoke in favor of the proposals and the need to have community support to implement these goals.
- Julie Linxwiler, resident of Morro Bay, spoke in favor and said that Property Based Improvement Districts (PBID) could be formed to make funding improvements.
- Craig Griswold, resident of Morro Bay, liked the stairway proposals and encouraged the architectural design to be competitively bid to save money.
- David Nelson, spoke in favor of the stairway proposal and urged the Commission to implement.
- John Barta, spoke in favor of the street space proposals and believes the real issue is in strong leadership to ensure the proposals do not get turned down.

Johnson closed the public comment period and called for a 10 minute break. The Planning Commission meeting resumed at 7:40pm.

Commissioners thanked the Cal Poly class for their presentations and expressed appreciation for the many good ideas and detail to make the downtown better.

Johnson asked staff to clarify what it would take in terms of staff costs to codify these recommendations as a Specific Plan. Wold responded that due to the extensive time and detail involved, it could be approximately \$50,000-\$100,000.

Commissioners reached consensus to move this item forward to the City Council and recommend to continue the work of the Downtown Enhancement Subcommittee, acknowledge the completion of this project as a priority, that City Council direct staff to provide necessary support and accept the proposed timeline provided by the Downtown Enhancement Subcommittee.

## VII. DIRECTOR'S REPORT/WRITTEN COMMUNICATIONS

### A. Oral Report

Livick briefed the Commission on action taken at the May 24, 2010 City Council meeting and also on items scheduled for the June 07, 2010 City Council meeting.

## VIII. CONSENT CALENDAR

### A. Approval of minutes from hearing held on May 17, 2010

Luhr objected to the minute's discussion of his concern over the proposed patio location in the back. Because he was the dissenting vote, he would like the minutes amended to include the reasons for his dissenting view to be more clearly detailed.

MOTION: Lucas moved the Planning Commission approve the minutes as amended. The motion was seconded by Luhr and carried 4-0-1. Irons abstained.

## IX. FUTURE AGENDA ITEMS

### A. Restrictions/rules on installing gates on driveways for residential and commercial properties.

- B. Staff presentation on the Affordable Housing Rehabilitation Program and general affordable housing issues.

Commissioners reviewed future agenda items and did not add any new items.

## X. PUBLIC HEARINGS

**Site Location:** 650 Ponderosa

**Applicant:** Louise Baldwin

**Request:** Conditional Use Permit #UPO-290 to modify an existing secondary residential unit located at 650 Ponderosa to increase the square footage. There is a finished storage area adjacent to the secondary unit which is proposed to be opened up increasing the habitable space from 884 square feet to approximately 1,165 square feet. This site is not located within the Coastal Commission Appeals Jurisdiction.

**Recommended CEQA Determination:** Categorically Exempt, Class 1, Section 15301

**Staff Recommendation:** Review and take action on Use Permit.

**Staff Contact:** Sierra Davis, Planning Intern (805) 772-6297

Davis presented the staff report.

Luhr asked about the proposed deed restriction and how to ensure enforcement.

Davis responded that enforcement is complaint driven.

Johnson opened the Public Hearing asking the applicant or their agent to address the Commission.

Alison Foster, a neighbor of the Applicant, stated the Applicant's preference is to have the two bedrooms since there is additional parking on site.

Johnson closed the public hearing.

Commissioners discussed the differences between approving the project as a 1 bedroom without the parking requirement or as an existing 2 bedroom with an additional parking space requirement.

Livick clarified this site can be made conforming as a two bedroom which would eliminate the need to enforce the deed restriction.

**MOTION:** Luhr moved the Planning Commission conditionally approve the project (File #UPO-290) to include the following actions:

- A. Adopt the Findings included in Exhibit "A";
- B. Approve Conditional Use Permit subject to the Conditions included as Exhibit "B", with the exception of the Planning Condition in which the Planning Commission shall approve the project pursuant to Condition 1a and the site development plans dated May 5, 2010 to allow the second parking and count this as a two bedroom unit.

The motion was seconded by Diodati and carried unanimously. VOTE: 5-0

## XI. OLD BUSINESS

- A. Current Planning Processing List/Advanced Work Program

Commissioners reviewed and discussed current list and work program.

- B. Presentation from Rob Livick, City Engineer, on the Pedestrian Plan (continued to the June 21, 2010 Planning Commission Meeting)

XII. NEW BUSINESS – None.

XIII. ADJOURNMENT

Johnson adjourned the meeting at 8:40 p.m. to the next regularly scheduled Planning Commission meeting at the Veterans Hall, 209 Surf Street, on Monday, June 7, 2010 at 6:00 p.m.

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Nancy Johnson, Chairperson

ATTEST:

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Rob Livick, Secretary



## Memorandum

**TO:** Planning Commission                      **DATE:** April 28, 2010  
**FROM:** Rob Livick, PE/PLS – Interim Director/City Engineer  
**SUBJECT:** PEDESTRIAN PLAN SUMMARY

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The City's 1988 General Plan discusses pedestrian circulation (Attachment 1) as a part of the Circulation Element. This section of the Circulation Element discusses where and what type of pedestrian facilities are desired. Some of the information presented in this document was prepared prior to the recent interpretations and court decisions regarding the Americans with Disabilities Act and should be modified to meet these current requirements.

Additionally, Assembly Bill 1358 Modified Section 65302.b2 of the California Government Code stating (A) commencing January 1, 2011, upon any substantive revision of the circulation element, the legislative body shall modify the circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the general plan. (B) For purposes of this paragraph, "users of streets, roads, and highways" means bicyclists, children, **persons with disabilities**, motorists, movers of commercial goods, **pedestrians**, users of public transportation, and seniors.

On September 10, 2007 the City Council directed staff to amend the Frontage Improvements portion of the Municipal Code (Attachment 2). The direction from Council was to exempt R-1 and R-2 areas from sidewalk improvements. This exemption is not applicable for those properties on City Council designated pedestrian routes; along with arterial and collector streets. Additionally, revisions were made to what the level of onsite improvements that would trigger frontage improvements in other zoning districts.



# CITY OF MORRO BAY PLANNING COMMISSION

June 21, 2010

AGENDA ITEM: \_\_\_\_\_  
ACTION: \_\_\_\_\_

## PROJECT SUMMARY

Sign Exception Permit to exceed the maximum aggregate sign area of 200 square feet for a shopping center and an individual business. The proposed sign is 85.3 square feet in size.

## FILE NUMBERS

SP0-124

## SITE ADDRESS

500 Quintana Road

## APN(S)

066-280-032

## APPLICANT:

FitnessWorks, Ginger Machado

## ATTACHMENTS

1. Findings, Exhibit A
2. Conditions, Exhibit B
3. Graphics/Plan reductions, Exhibit C
4. Plans, Exhibit D

## ISSUE SUMMARY

The applicant proposes to install a new 198”x62” sign totaling 85.3 square foot which reads “TherapyWorks [line 1], Physical Therapy [line 2]”. A sign exception permit is required because the sign will be the second sign installed for FitnessWorks and the commercial center as a whole exceeds 200 square feet of aggregate sign area.

## STAFF RECOMMENDATION

*CONDITIONALLY APPROVE THE PROJECT* by adopting a motion including the following action(s):

- A. Adopt the Findings included as Exhibit “A”, including findings required by the California Environmental Quality Act (CEQA); and



Vicinity Map

- B. Approve Sign Exception Permit #SP0-124, subject to the Conditions included as Exhibit "B" and the site development plans dated June 3, 2010.

### **ENVIRONMENTAL DETERMINATION**

Pursuant to the California Environmental Quality Act the project is Categorically Exempt under the Class 11, Section 15311, exemption for Accessory Structures. Class 11 provides for construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities including, but not limited to on-premise signs, small parking lots, placement of seasonal or temporary use items.

### **BACKGROUND**

The project is located at 500 Quintana and this business location currently has one 178.25 square foot sign for the FitnessWorks facility. In 2004 a sign permit was applied for The Works Juice and Java and was of comparable size in the same location. The business did not pursue the sign application further because the sign required a sign exception permit. The proposed sign will be the second sign on site for FitnessWorks and will be approximately half the sign area of the existing sign.

### **PROJECT DESCRIPTION**

The applicant proposes to install a new 198"x62" sign totaling 85.3 square feet and reads "TherapyWorks [line 1], Physical Therapy [line 2]". The single sided, ½ inch Duraply panels will have the painted and vinyl logo graphics, as seen in exhibit C of the staff report. The sign panel will be attached to the wall with two rows of aluminum panel clips located 12" from the top of the sign and 12" from the bottom of the sign and fastened to the wall with ¼"x2" masonry screws every 24 inches. When hung, the bottom of the sign will be approximately 12'6" from average natural grade, which is in excess of the minimum height clearance for all signs.

The size, shape and color of the proposed sign must meet the findings defined in section 17.68.015, Findings and also seen Exhibit A of the staff report. In general the findings that need to be made are in relation to the aesthetics of the sign, orientation of the sign on the building and its relation to the community. The proposed sign is comparable to the existing sign in regards to shape, color and orientation. The size of the proposed sign is approximately half the area and therefore, will not result in an excessive amount of signage that will be detrimental to the health, safety and welfare of the residents of Morro Bay.

The existing sign program for FitnessWorks consists of one 414"x62" totaling 178.25 square foot sign. The proposed sign would make the signage for FitnessWorks equal 263.55 square feet. The project requires a sign exception permit because the sign area for the commercial center where FitnessWorks is located exceeds the 200 square feet of allowable aggregate sign area.

Section 17.68.110.C defines the requirements for signs in the Commercial and Industrial designation. Subsection 1.c of the afore mentioned section states, "Any sign, or aggregate of all signs for any one property shall require an exception permit if such signs exceed two hundred square feet in area, or except if the sign program is approved pursuant to a conditional use permit or coastal development permit." The applicant has applied for a sign exception permit because a conditional use permit and coastal development permit are not required for this project.

The maximum allowable aggregate area of 200 square feet is not an adequate amount of signage for the shopping center when you take into account to amount of businesses on site. The existing FitnessWorks sign equals 178.25 square feet and is one of approximately 15 businesses on site. If the shopping center were limited to 200 square feet of aggregate sign area each business would have approximately 13 square feet of signage.

<b><u>Adjacent Zoning/Land Use</u></b>			
North:	General Commercial (C-2)	South	Multiple Residential-Hotel-Professional (R-4)
East:	Central Business (C-1)	West:	Multiple Residential-Hotel-Professional (R-4)

<b><u>General Plan, Zoning Ordinance &amp; Local Coastal Plan Designations</u></b>	
General Plan/Coastal Plan Land Use Designation	Mixed Use Area
Base Zone District	Central Business/General Commercial (C-1/C-2)
Zoning Overlay District	n/a
Special Treatment Area	n/a
Combining District	n/a
Specific Plan Area	n/a
Coastal Zone	No

<b><u>Site Characteristics</u></b>	
Existing Use	Commercial
Terrain:	Flat/Urbanized
Vegetation/Wildlife	No vegetation or wildlife, urban property
Archaeological Resources	n/a
Access	Quintana

**GENERAL PLAN AND LOCAL COASTAL PLAN CONSISTENCY**

Commission must review the project for consistency with the Municipal Code, Local Coastal Plan, California Coastal Act and Waterfront Master Plan. Staff has reviewed the proposed sign program and found the sign program to be consistent with the above mentioned documents and City standards.

**PUBLIC NOTICE**

Notice of this item was published in the San Luis Obispo Tribune newspaper on June 11, 2010, and all property owners of record within 300 feet of the subject site of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application.

**CONCLUSION**

The proposed project would be consistent with applicable development standards of the zoning ordinance and all applicable provisions of the General Plan and Local Coastal Plan with the incorporation of recommended conditions. The project is not located within the California Coastal Commission Jurisdiction.

Report prepared by: Sierra Davis, Planning Intern

## **EXHIBIT A**

### **FINDINGS**

#### **California Environmental Quality Act (CEQA)**

- A. Pursuant to the California Environmental Quality Act the project is Categorically Exempt under the Class 11, Section 15311, exemption for Accessory Structures. Class 11 provides for construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities including, but not limited to on-premise signs, small parking lots, placement of seasonal or temporary use items.

#### **Sign Exception Findings**

- B. The sign will not result in an excessive amount of signage that will be distracting to motorists because of the size of the signs or colors. The sign is of comparable color, shape, and size to the existing shopping center, therefore the sign will not negatively affect the safety of traveling motorists.
- C. The sign is not excessive or poorly designed which results in a negative impact on residents and visitors ability to successfully locate businesses.
- D. The sign clearly represents of the type of business and services being offered by FitnessWorks and provides important information to the public.
- E. The sign is consistent with both the City's General Plan and certified Local Coastal program. The visual environment is important to the property values and pleasant, enjoyable quality of life for residents. The sign maintains aesthetics comparable to commercial signs in the area while balancing the need for appropriate publicity for the business, therefore, the sign will not degrade the environment adversely or affect the public welfare.

## **EXHIBIT B**

### **CONDITIONS OF APPROVAL**

#### **STANDARD CONDITIONS**

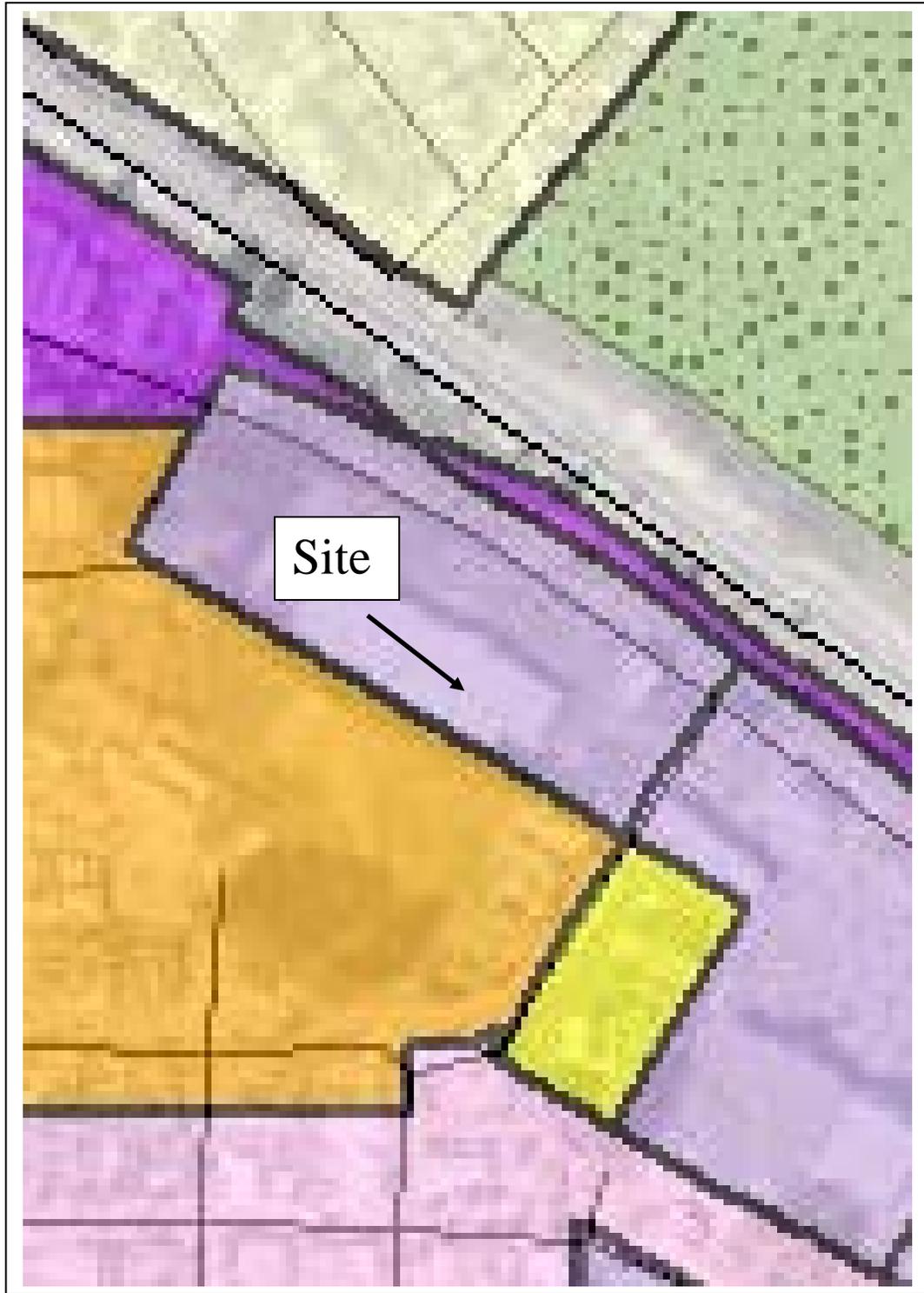
1. This permit is granted for the land described in the staff report referenced above, dated June 21, 2010 for the project depicted on the attached plans labeled “Exhibit D”, dated June 3, 2010, on file with the Public Services Department, as modified by these conditions of approval, and more specifically described as follows:
  - a) Signs shall be located and designed substantially as shown on the aforementioned exhibit, unless otherwise specified herein.
2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this approval and is diligently pursued thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Said extensions may be granted by the Director of Public Services, 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 Director of Public Services. 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 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 of Public Services 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. Acceptance of Conditions: Prior to obtaining a building permit the applicant shall file with the Director of Public Services written acceptance of the conditions stated herein.

### **PLANNING CONDITIONS**

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. on weekdays and eight a.m. to 7 p.m. on weekends, unless an exception is granted by the Director of Public Services pursuant to the terms of this regulation.



Planning Commission  
FitnessWorks  
500 Quintana



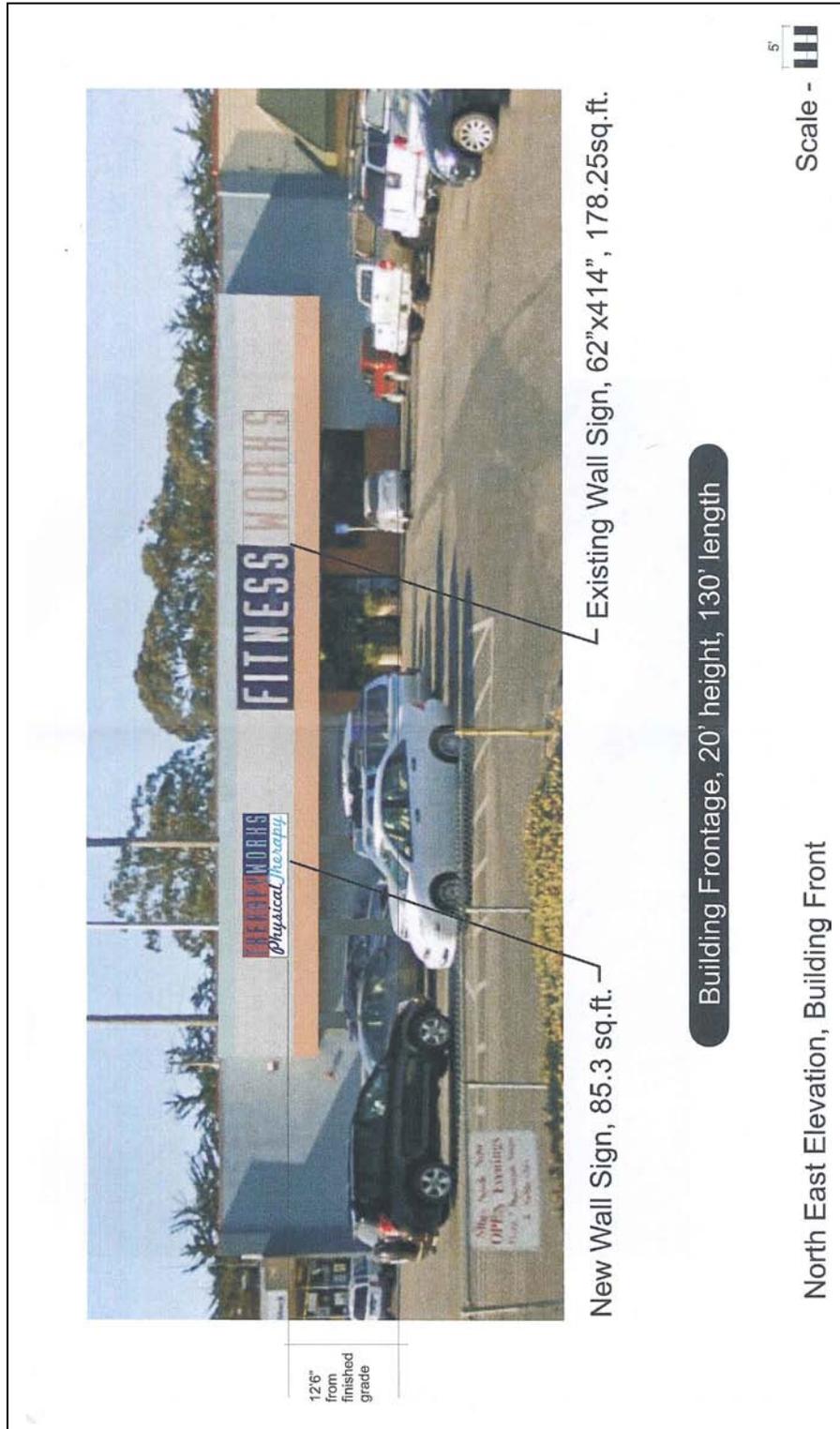
**ZONING MAP**



Planning Commission  
 FitnessWorks  
 500 Quintana



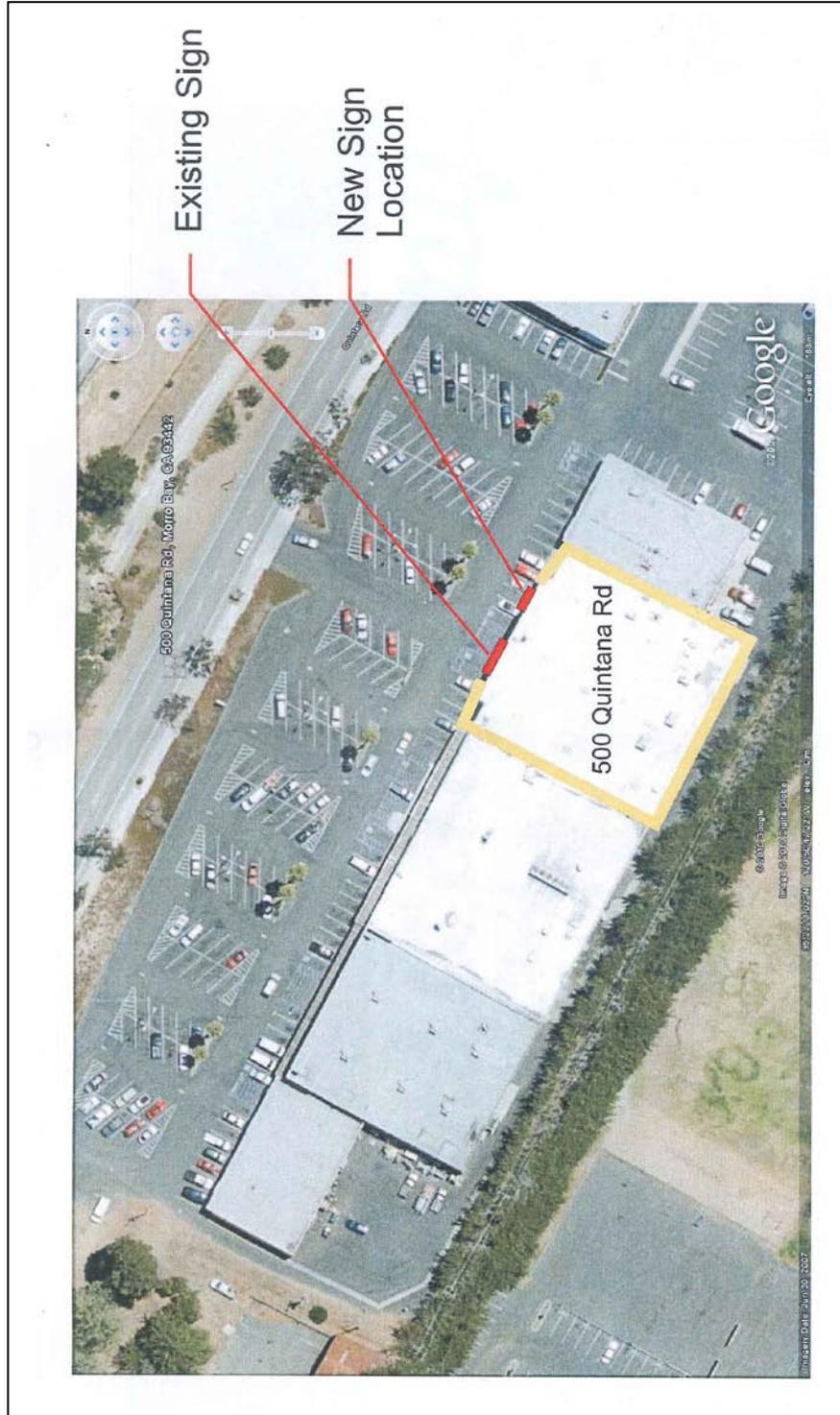
**SIGN PLAN**



**Planning Commission  
 FitnessWorks  
 500 Quintana**



**ELEVATION**



Planning Commission  
FitnessWorks  
500 Quintana



SITE PLAN



**CITY OF MORRO BAY  
PLANNING COMMISSION  
June 21, 2010**

AGENDA ITEM:  
ACTION: \_\_\_\_\_

**SUMMARY:**

Precise Plan for the remodel of the GAFCO restaurant, construction of a new public view deck, a fish market and new floating docks.

**CASE NUMBER:**

UP0-058

**ADDRESS:**

1185 to 1215 Embarcadero

**LEGAL DESCRIPTION**

Lease Sites 110-112, 122 & 123, 124-127  
/110W-112W & 115W, 122W & 123W,  
124W-127W  
Virg's, Harbor Hut & GAFCO

**APN**

066-351-018-020, 039, 016, 029, 028, & 012-015

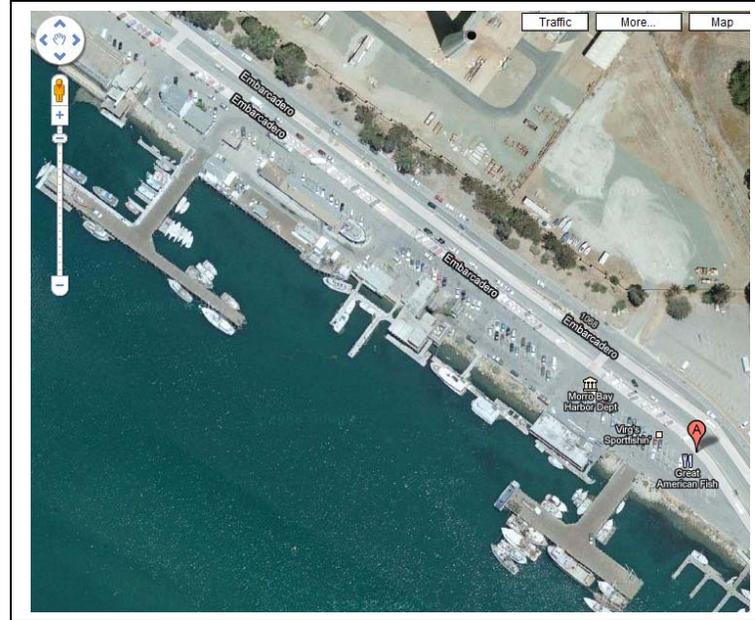
**APPLICANT:**

Virg's Landing Inc, Darby Neil  
1215 Embarcadero  
Morro Bay, CA 93442  
772-1222

Harbor Hut/GAFCO, James, Troy & George Leage  
1205 Embarcadero  
Morro Bay, CA 93442  
772-2255

**ATTACHMENTS:**

1. Findings, Exhibit A
2. Conditions, Exhibit B
3. Graphics/Plan Reductions, Exhibit C
4. Coastal Access Sign, Exhibit D
5. Before and After Photos Simulations, Exhibit E
6. Correspondence with Coastal Commission, Exhibit F
7. Correspondence with Dynegy, Exhibit G
8. Site Plan, Exhibit H



Vicinity Map

## **PROJECT SUMMARY**

The applicant is requesting Precise Plan approval for Phase I of a previously approved Concept Plan approved by City Council on May 5, 2008. The applicant proposes to phase the development approved under the Concept Plan. The precise plan addresses the floating docks, the fish market, the public viewing deck and the remodel of the GAFCO restaurant.

## **STAFF RECOMMENDATION**

*CONDITIONALLY APPROVE THE PROJECT* by adopting a motion including the following action(s):

- A. Approve Conditional Use Permit (UP0-058) as a Precise Plan subject to the Findings and Conditions included as Exhibits A & B and the site development plans dated 6/10/10 for the GAFCO improvements (fish market, public deck and remodel) & the plans dated May 6, 2010 for the water improvements (floating docks, gangways and ADA access to the docks) and as modified by these conditions of approval.

## **ENVIRONMENTAL DETERMINATION**

A Mitigated Negative Declaration was approved by the City Council on May 5, 2008 as part of the Concept Plan approval, no further environmental review is necessary.

## **BACKGROUND**

The following is a summary of the proposal as it was presented during the Concept Plan Phase along with a brief overview of each of the public hearings held on the project.

The project proposal brings together 22 city leases which will master plan a sizeable section of the City's northern waterfront area. Three long-term prominent businesses, Virg's, Harbor Hut and Great American Fish Company have joined together and created a design that will promote the City's long term vision for melding water dependant uses, recreational uses and visitor serving needs, along with supporting the working waterfront, existing businesses and offer new public benefits that are consistent with programs identified in the City of Morro Bay Waterfront Master Plan (WMP).

The ultimate goal will be to revitalize an under utilized area, enhance commercial and recreational fisheries, and create new services for boaters. The proposal will transform what is now an empty space between the existing building and the south T-Pier into a unique combination of uses. The plan will add a fish market and public outdoor seating to the GAFCO portion of the project. The second part of the GAFCO plan will be to construct a new floating dock for commercial boat tie-up. The expanded commercial boating facilities will increase the capacity of the boat slips and side-tie docks from approximately 6 to 11 boats (depending on the size of the boats). Virg's lease site is located between the GAFCO and Harbor Hut restaurants, has an approximate 196-foot long dock. Virg's proposes to replace the main dock, live bait receiver dock and gangway that will serve as tie-up facilities for Virg's boats. The Harbor Hut project will provide an essential link between Virg's dock on the south and Virg's Tackle Shop and docks on lease sites 124 – 127W on the north. Virg's will occupy the first floor for the tackle

shop, charter boat business, storage, offices, freezer and crew room for the boat employees. The second floor will be designated for restaurant use. The roof deck, will have protective railings but no other amenities. Lastly, an elevator will be installed on the northeast portion of the building for public access to the second story and roof top deck. Additionally a new single story building approximately 450 square feet will replace the old building at the southern edge of the lease site. The new building will incorporate the existing uses (rod rentals and reel repair), remodeled unisex restrooms, and one new section to provide coffee and pastry service. To the west of the new building will be a customer waiting area and a glass wind break for their protection from the elements. The third part of the proposal is to demolish the Thai Boat Restaurant building. With this lease site razed, Virg's proposes to install underground fuel tanks in preparation for opening a marine service station. The project ultimately will provide public access to approximately 590 linear feet of bay waters during daylight hours. Public access will be further enhanced by the provision of a small pocket park, observation decks and seating areas, restrooms, and an ADA accessible lift for dock access.

The Concept Plan was heard by the Planning Commission at the November 5, 2007 meeting. The Commission discussed the project including the parking and street alignment. During the Public Hearing the applicant's agent gave a presentation on the project but there were no other comments from the public. The Commissioner stated concerns regarding the restricted public access to the docks, view corridors, the fuel station not being open to the public, parking and lack of detail and cohesiveness of the overall plan. They favored an elevated boardwalk on the west side of the project with 24/7 access instead of the floating docks.

After some discussion the Commissioners asked the agent if they preferred to be denied or to have a continuance to address the commissions concerns. The agent indicated a preference for a continuation. The Commission then continued the project to a date uncertain.

The project was eventually scheduled for the January 22, 2008 Planning Commission meeting to address the concerns expressed during the November 5, 2007 meeting.

Staff recommended the Planning Commission consider the new information and determine if elevating the lateral access was feasible and if the applicant's have adequately addressed all previous concerns.

The applicant as well as staff indicated to the commission that an elevated dock was infeasible due to the fact that none of the applicants held title to one critical area and permission could not be obtained from the property owner to allow an elevated dock to be constructed at this site. In addition the applicant proposed these changes to the proposed conditions.

- They would like Public Works condition #18 eliminated.
- Change Public Works condition #19 to ask the applicant to restripe the parking lot, but for the City to work in partnership with the applicant on realigning the driveway, noting the applicant should not be asked to redesign a City owned public parking lot on their own. These improvements will benefit the City and the leaseholders to the North of the project.
- Consider adding a second access to the public seating area on the T-Pier, which would require the GAFCO footprint to extend towards the T-Pier by one foot

- GAFCO is willing to accept a condition for the outside seating area to remain open to the public, but they ask that it is limited to the same hours as the fish market and the restaurant for security purposes.
- The applicant be willing to open the Virg's fuel dock to the public for the future but only if it is feasible.
- Accept the Project timeline submitted by the applicant

The Harbor Director indicated that the design of the floating docks may constrain vessel maneuver to the T pier. Staff noted that the precise plan shall show in detail that vessels can safely maneuver around the proposed floating docks. The commission asked staff to clarify the new square footage of the Thai Boat restaurant and they also directed staff to have the City Attorney review the project for measure "D" compliance prior to the project going forward to the City Council.

The following modifications to the project and conditions had consensus by the Commission:

- Separate the buildings to add another view corridor.
- Add to item #16 in Exhibit B "two conspicuous signs shall be installed in conspicuous places that state public bathrooms, the signs will indicate where these bathrooms are".
- Change Exhibit B #7 by replacing the words "the project" to "in all facilities of all leases affected"
- Add a condition stating "no object portable or permanently installed shall exceed 25' in height except for vents and chimneys except for what exists".
- Add as a new condition, "Temporary above ground fuel tank is only allowed until the Thai Boat is removed and the underground tanks are installed, at such time the temporary tanks shall be removed".
- Modify condition 10 regarding work hours to state, "Construction hours shall not be allowed during summer and holiday weekends".

The Commission also reviewed the applicant's request as stated above and had the following comments.

- Retain Public Works condition #18.
- Modify Public Works condition #19 to state "the City and the applicant should work together on the relocation of the driveway and the applicant does agree to restripe and resurface the parking lot".

The Commission then voted to approve the Concept Plan as amended forwarding the plan to the City Council for review and action.

On March 17, 2008 the City Council heard the project including public testimony and moved to continue the item until the April 28, 2008 meeting.

At their April 28, 2009 meeting the City Council moved to approve Phase 1 of the Concept Plan and directed staff to bring back Phase II of the Concept Plan to May 12, 2008.

On May 12, 2008 the City Council approved Phase II of the Concept Plan with the amendment that the proposed office spaces would be used only for marine-related businesses.

After receiving approvals by the City the applicant's agent applied to California Coastal Commission for the Coastal Permit.

The following is a list of changes to the project as a result of conditions applied by the California Coastal Commission.

### GAFCO

Gangway provided off the South T-Pier to the dock below

Construction timing—floating docks commence by June 10, 2011

All other improvements shall be constructed and open by June 10, 2013

Public deck wind screen shall be frosted or partially frosted.

Tables and chairs on the public deck shall provide space for maneuverability to the T-pier and around the perimeter of the deck.

### VIRG'S BAIT DOCK

Construction timing—floating docks commence by June 10, 2011.

Proposed gangway and ADA lift to the dock has been eliminated. A new public and ADA gangway has been proposed and relocated to the Harbor Hut.

### HARBOR HUT.

Construction timing---floating docks commence by June 10, 2011.

Gangway and ADA access has been relocated to this portion of the project. The ramp shall be constructed of fiberglass grating material to minimize impacts to the Eelgrass.

### VIRG'S DOCK (behind the tackle shop)

Construction timing—commence by June 10, 2011.

Finger style dock have been shortened in length in coordination with the Harbor Department to provide sufficient access between North T-Pier and docks.

### VIRG'S TACKLE SHOP (Precise Plan Phase II)

Construction timing—commence by June 10, 2014

### GENERAL CONDITIONS (affecting the project as a whole)

Railings - shall be unobtrusive and maximize views.

Lighting—no lighting proposed for the docks.

Landscaping—native and non-invasive.

Public Access Area and Amenities—Floating docks open for general public pedestrian access during daylight hours (ie. 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.

Public access signs to be installed at each gangway point, at the GAFCO public deck and at least one interpretive sign on the floating dock, public access deck and harborwalk.

Pile Driving—Specified decibel levels in the Coastal Commission Permit.

Provide bicycle parking rack accommodating at least 6 bikes at various locations.

**PROJECT DESCRIPTION**

The Precise Plan presented consists of remodeling the GAFCO restaurant, the construction of a new fish market, public access deck and floating docks. No significant changes have been made to the project except for the applicant’s desire to eliminate the ADA lift and replace it with an ADA compliant gangway and the newly proposed phasing. The applicant has provided photo simulations as well as a color board which provide details on how the development proposed in this Precise Plan will look. The following tables give the overall regulations for this project.

<b>Site Characteristics</b>	
Site Area	~3.16 acres
Existing Use	CVS/CF
Terrain	Paved surface, gentle slope to bay
Vegetation/Wildlife	None
Archaeological Resources	No known resources
<b>Adjacent Zoning/Land Use</b>	
North:	Restaurant
East:	Power Plant
South	South T-Pier
West:	Harbor
<b>General Plan, Zoning Ordinance &amp; Local Coastal Plan Designations</b>	
General Plan/Coastal Plan Land Use Designation	Commercial Recreational Fishing/ Harbor
Base Zone District	Commercial Fishing (CF)/ Harbor (H)
Zoning Overlay District	Planned Development (PD)
Special Treatment Area	N/A
Combining District	N/A
Specific Plan Area	Waterfront Master Plan
Coastal Zone	Yes – Original Jurisdiction

**DEVELOPMENT STANDARDS**

<b>Development Standard</b>	<b>Proposed Plan</b>	<b>Ordinance Requirement</b>
<b>Setbacks:</b> <b>Rear:</b> <b>Side:</b> Interior Side: <b>Front:</b>	0' 0' 5' average with 0' narrowest point & 10' second story N/A	10' 0' 5' average first floor 10' second N/A
<b>Lot Coverage/Bulk &amp; Scale</b>	71% first floor 47% second	70% first floor with 70% of the first floor available to the Second
<b>Building Height</b>	25' with roof pitch of 4/12	25' maximum with 80% of all roofs having a minimum 4/12 pitch under PD Overlay so long as the viewshed is improved, or not diminished.
<b>View Corridors</b>	42' corridor (48' required area)	50' or more 30% min. view corridor (48')
<b>Frontage Improvements</b>	7' sidewalk (conditioned to be 8')	8' sidewalks; street amenities
<b>Landscaping</b>	Planters	Section 17.48.290
<b>Parking/Driveway</b>	Net Balance on all uses (via credits) Added new docks requires spaces Parking Requirement short 3 spaces	1/300 retail = 14 spaces 1/60 restaurant = 40 spaces 1/35 linear feet of Boat Slip = 3 spaces Total 57 spaces

## **ANALYSIS**

### **GAFCO RESTAURANT REMODEL, NEW FISH MARKET AND PUBLIC ACCESS DECK**

The GAFCO portion of the project consists of a new fish market, outdoor seating/public view deck and a internal remodeling of the existing restaurant uses. The applicant has provided detailed floor plans for this proposal as well as specific building materials and colors.

The only change with this portion of the proposal is the request to eliminate the ADA lift and replace it with an ADA gangway. The applicant has provided staff with an email from the Coastal Commission indicating their approval of this change. In order to place the ADA lift in the originally proposed location an easement would need to be granted by Dynegy. The applicant requested the easement but Dynegy did not approve this request (see Exhibit xx). Without the easement, the applicant would be prohibited from constructing the lift at this location. The Planning Commission should consider this change and determine whether the provision of the ADA gangway is in substantial compliance with the approved Concept Plan or whether the ADA lift should be relocated to a different location.

### **FLOATING DOCKS**

The second component of the plan will be to construct a new gangway and floating dock. The new dock system will incorporate both a public access walkway and commercial boat tie-up facilities.

The proposed floating dockage will be as follows:

GAFCO-----1,221 square feet  
Harbor Hut -----3,360 square feet  
Virg's Landing ----7,219 square feet.

This totals 11,800 square feet or an increase of 5,473 square feet. The new dockage will have translucent grating every twenty feet. During the construction of this new dockage, existing piles will be removed and new piles will be added. This activity and the associated environmental impacts were covered under the adopted Mitigated Negative Declaration. During the Concept Plan review and the Coastal Development Permit review issues arose concerning the new configuration of docks and ensuring proper navigation of the bay, specifically the areas surrounding the docks to north and south. The project has been reviewed by the Harbor Director who indicated that the new configuration is to his satisfaction as the design does not create any navigational hazard. In order to analyze the proposed configuration the Harbor director placed buoys on the location of the new docks and asked a number of Captains who regularly navigate the area what they thought of the new expanded configuration. The feedback received indicated that the skill level required to navigate in and around this configuration would be similar to that existing around existing slips within the Harbor. All proposed structures in the water are within the revised lease sites.

## **OTHER ISSUES**

The applicant is also requesting to amend the timeline and requests clarification on Planning Commission condition 2. Which reads: the applicant is allowed to modify the project timeline, as feasible, however all of the public improvements shall be within Phase I. The applicant points out that all public improvements are not proposed with the project. The applicant points out that most of the public improvements will occur in the second phase once the Thai Boat restaurant is demolished. The applicant requests that the Planning Commission find that the project as proposed shall be required to provide all public improvements generated by this proposal and not the entire public improvements required by the Concept Plan.

## **POLICY AND CONSISTENCY ANALYSIS**

Both the Planning Commission and the City Council approved the Concept Plan for the project making the finding that the project as proposed and conditioned was consistent with the General Plan, Local Coastal Land Use Plan and Waterfront Master Plan. The Planning Commission is now tasked with making the finding that the Precise Plan is consistent with the previously approved Concept Plan.

## **PUBLIC NOTICE:**

Notice of this item was posted at the site and published in the San Luis Obispo Telegram-Tribune newspaper on June 11, 2010 and all property owners of record within 300 feet of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application.

## **CONCLUSION:**

Staff has reviewed the Precise Plan to the approved Concept Plan as well as the modifications made by the California Coastal Commission and recommends that the Planning Commission find the project in substantial conformance with the approved Concept Plan.

Report prepared by: Kathleen Wold, Planning Manager

EXHIBIT A:  
Revised FINDINGS

UP0-058, Precise Plan Phase I which includes the proposed fish market, public deck and remodel for GAFCO and new water improvements including the new floating docks including the new ADA access.

California Environmental Quality Act (CEQA)

A. That for purposes of the California Environmental Quality Act, Case No. UP0-058 is subject to a Mitigated Negative Declaration based on aesthetic, air quality, biological, geological, hazardous, hydrology, land use and planning, noise, and transportation issues present on the property. Any impacts associated with the proposed development will be brought to a less than significant level through the Mitigated Negative Declaration. A Mitigated Negative Declaration was adopted on May 5, 2008

Conditional Use Permit Findings

B. The project will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood, as the project, as conditioned, is consistent with the General Plan, Local Coastal Plan and Zoning Ordinance. All environmental impacts have been addressed in the previously adopted Mitigated Negative Declaration.

C. The project will not be injurious or detrimental to property and improvements in the neighborhood and the general welfare of the City in that the proposed precise plan is consistent with the approved Concept Plan which was deemed consistent with the General Plan, the Local Coastal Plan, the Water Front Master Plan, the Zoning Ordinance and had an adopted Mitigated Negative Declaration which mitigated all environmental impacts to a less than significant level.

Precise Plan Finding

D. The Precise Plan is in substantial conformance with the conceptual plan approved by the City Council on May 5, 2008

EXHIBIT B:  
PRECISE PLAN  
CONDITIONS OF APPROVAL

**STANDARD CONDITIONS**

1. This permit is granted for the land described in the staff report referenced above and plans dated June 10, 2010 for the GAFCO improvements (fish market, public deck and remodel) and for the water improvements (floating docks, gangways and ADA access to the docks) plans dated May 6, 2010 as modified by these conditions of approval.
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.
3. 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.
4. Compliance with Conditions: By issuance of building permits for the proposed use or development, the owner or designee accepts and agrees to comply with all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building 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.
5. 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, Beach Street Specific Plan, certified Coastal Land Use plan and General Plan for the City of Morro Bay.
6. 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.
7. Undergrounding of Utilities: Pursuant to MBMC Section 17.48.050, prior to final occupancy clearance, all on-site utilities including electrical, telephone and cable television shall be installed underground.

8. Screening of Equipment/Utility Meters/Fencing: All roof-mounted air conditioning, or heating equipment, vents, ducts and/or utility meters shall be screened from view in a manner approved by the Director of Planning and Building. Prior to building permit issuance, the approved method of screening shall be shown on the project plans.
9. 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. weekdays, unless an exception is granted by the Director of Planning & Building pursuant to the terms of this regulation.
10. Exterior Lighting: Pursuant to MBMC Section 17.52.080, prior to building permit issuance, complete details of all exterior lighting shall be shown on the project plans for review and approval by the Director of Public Services. All exterior lighting shall be low level with a height of fixture not to exceed a maximum of 17 feet and shall achieve the following objectives; avoid interference with reasonable use of adjoining properties; shielded to minimize on-site and off-site glare; provide adequate on-site lighting; limit fixture height to avoid excessive illumination; provide structures which are compatible with the total design of the proposed facility.
11. Dust Control: Prior to issuance of a grading permit, a method of control to prevent dust, construction debris, and wind blown earth problems shall be submitted to and approved by the Building Official to ensure conformance with the performance standards included in MBMC Section 17.52.070.
12. 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 active area, and the find should be left untouched until a qualified professional archaeologist or paleontologist, whichever is appropriate, is contacted and called in to evaluate and make recommendations as to disposition, mitigation and/or salvage. The developer shall be liable for costs associated with the professional investigation and implementation of any protective measures as determined by the Director of Planning & Building.
13. Property Line Verification. It is owner's responsibility to verify lot lines. Prior to foundation inspection the lot corners shall be staked and setbacks marked by a licensed professional.

## **PLANNING CONDITIONS**

1. Colors and Materials: Prior to issuance of a building permit, the Public Services Director shall ensure compliance of all exterior colors and materials, including fencing materials. All other colors and materials not so specifically approved may be approved by the Director according to the following objectives: achieve compatibility with colors and materials used in the on-site improvements; achieve compatibility with the architectural design of the improvements; achieve compatibility with surrounding land uses and properties; preserve the character and integrity of the zone.

2. Signage: Prior to installation of any sign on-site, a sign program shall be approved by the Director in conformance with MBMC Chapter 17.68. Minimum 2 signs leading public to public restrooms.
3. Soils Report: Prior to building permit issuance, the applicant shall provide all updated and project-specific soils and geology reports required by the Building Official. Project design and construction shall be consistent with recommendations contained in soils and geology reports, as required by the Building Official.
4. Phasing: Due to the Phasing of this project individual building permits may be issued. Finals of each individual permit may be issued provided that all improvements associated with that permit have been completed or a bond shall be submitted to the City for the full amount of the incomplete improvements or a similar security.
5. Project Conditions: These conditions are all inclusive of the project as a whole and may not be applicable to each individual permit issued.
6. Lease Sites: Applicant/Developer shall apply to have the lease site revised to incorporate all of the project's water side improvements.

#### PUBLIC WORKS CONDITIONS

1. Drainage: To reduce pollution into Morro Bay and the ocean waters, the applicant/developer shall install storm drain inlet protection at the existing storm drain between Virg's Landing and Harbor Hut and also one along the walkway between Harbor Hut and Great American Fish Company. Inlet protection shall be approved by the City.
2. Parking lot: Prior to final approval provide Public Improvement Plans showing all improvements to Embarcadero Road and the parking lot as recommended by OEG's traffic Engineer. Also the parking lot associated with these properties shall be resurfaced and work with staff to accomplish in an equitable manner, and new stripping added.
3. Harborwalk: Prior to obtaining a final on any building permit for this Precise Plan the applicant/developer shall pay their fair share of the Harborwalk along the frontage of the properties. In addition, Virg's lease site for the bait receivers shall pay only \$5000 contribution for its frontage.
4. Storage Tanks: Provide a detailed plan including but not limited to the following concerns:  
Spill control measures at the tank and at the dispensing area. Provide installation of safeguards against accidents, installing secondary containment, conducting regular inspections and spill cleanup techniques.  
Install a fence around the fuel tanks for safety and aesthetics since the tank will be located near the pedestrian pathways.  
Proposed fuel hose route from tank to docks will interfere with pedestrian facilities causing a trip hazard.  
Show how the fuel tank will access the proposed tank for fill-up.  
Include the dimensions of the proposed storage tank.

5. Driveway: The driveway shall be a minimum of 20' clear for WB63 truck access. Driveway shall not encroach on the existing ice machine or Virg's maintenance/tool shed.

### **FIRE DEPARTMENT CONDITIONS**

1. Building and Address Identification: Approved address numbers shall be placed on all new buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall clearly contrast with their background. The characters shall be a minimum of 5" high with a ½ " stroke.
2. Reduced Floor Plan. Prior to final occupancy the applicant shall submit an 8-1/2" x 11" reduced copy of the floor plan and site plan for updating Fire Departments response books
3. Fire Extinguishers: The minimum fire-extinguisher requirement shall be one portable, wall-mounted for each retail space in such locations so that maximum floor travel distance does not exceed 75' to the nearest extinguisher from any portion of the building with a maximum of 3,000 square feet of floor area surveyed. Fire extinguishers listed above, will be required on site during construction.
4. Automatic Fire-Sprinkler Systems: Sprinkler systems shall be installed in accordance with Morro Bay Municipal Code Section 14.60.200, in all new structures along the waterfront in compliance with appropriate Uniform Building Code Standards, regardless of area separation or where required by National Fire Protection Association (NFPA) Standards, and other standards adopted by the jurisdiction.
5. Refuse Containers: Trash enclosures must comply with the 1994 Uniform Fire Code Article 1103.2.2. Dumpsters and containers with an individual capacity of 1.5 cubic yards or more shall not be stored in buildings or placed within 5 feet of combustible walls, openings, public walkways (if feasible), or combustible roof eave lines.
6. Fire Alarms: For fire alarm systems employing automatic Fire detectors or waterflow detection devices, at least one fire alarm box shall be provided to initiate a fire alarm signal. This fire alarm box (pull station) shall be located where required by the authority having jurisdiction.
7. Sprinkler Flow Alarm: An approved audible sprinkler flow alarm shall be provided on the exterior of the building in an approved location. An approved audible sprinkler flow alarm to alert the occupants shall be provided in the interior of the building in a normally occupied location. Action of the alarm shall be as set forth in UBC Standard N0. 9-1.
8. Standpipe Systems. Marinas and boatyards shall be equipped throughout with Standpipe Systems in accordance with NFPA 303. (CFC 905.3.7) Please provide detail of all required Standpipe System and Hose Cabinet locations at Building Plan submittal

Water Supply: Water supply for fire protection of piers and wharves shall be in accordance with NFPA 307 (Chapter 7).

9. Fire Protection of Marine Terminals: Construction and fire protection of marine terminals, piers, and wharves shall be in accordance with NFPA 307 (Chapter 4 Piers and Wharves).
10. Code Compliance: Construction of Marine Docks and Gangways shall be in accordance with Morro Bay Municipal Code, Chapter 14.52.
11. Portable Fire Extinguishers. Placement of portable fire extinguishers on piers, bulkheads, and fuel dispensing areas, shall be in accordance with NFPA 10 (Chapter 5). (NFPA 303-6.2.1.1.1 & 6.2.1.1.2.1)
12. Awning Plan. Please provide details of the Awning Plan at Building Plan submittal.
13. Flame propagation performance treatment. Before a permit is granted, the owner or agent shall file with the fire code official a certificate executed by an approved testing laboratory certifying that the proposed canopy is composed of material meeting the flame propagation performance criteria of NFPA 701, or treated with a flame retardant in an approved manner. (CFC 2404.2)
14. Label. Membrane structures, tents or canopies shall have a permanently affixed label bearing the identification of size and fabric or material type. (CFC 2404.3)
15. Certification. An affidavit or affirmation shall be submitted to the fire code official and a copy retained on the premises. The affidavit shall attest to the flame propagation performance criteria of the fabric. (CFC 2404.4)
16. Anchorage. Tents, canopies or membrane structures and their appurtenances shall be adequately roped, braced and anchored to withstand the elements of weather and prevent against collapsing. Documentation of structural stability shall be furnished to the fire code official. (CFC 2403.9)
17. Open or exposed flame. Open flame or other devices emitting flame, fire or heat or any flammable or combustible liquids, gas, charcoal or other cooking device or any other unapproved device shall not be permitted inside or located within 20 feet of the tent, canopy or membrane structures while open to the public unless approved by the fire code official. (CFC 2404.7)
18. LP-Gas. The storage, handling and use of LP-gas and LP-gas equipment shall be located outside canopy structures, with safety release valves pointed away. (CFC 2404.16)
19. Temporary Wiring. Temporary wiring for electrical power and lighting installations is allowed for a period not to exceed 90 days. The existing Christmas-Tree lighting around the perimeter of the patio dining area is not an approved use. (CFC 605.9)
20. Fuel-Fired Appliances. The installation of nonportable fuel gas appliance and systems shall comply with California Mechanical Code. All Installation shall be made in accordance with the manufacturers instructions and applicable federal, state and local rules and regulations. (CFC 603.1)
21. Means of Egress. At least two exits shall be provided in this A-3 occupancy. (CFC 1019)

22. Posting of Occupant Load. Every room or space that is assembly occupancy shall have the occupant load posted in a conspicuous place, near the main exit or exit access doorway from the room or space. (CFC 1004.3)

### CONCEPT PLAN CONDITION

1. Changes. The applicant shall revise and/or supplement plans to reflect the necessary changes to the project site and/or nearby properties to comply with the all city standards. This may include but not be limited to parking lot re-configuration, more knowledge about the above ground fuel tanks and pocket park concept, reflect the Harborwalk plan, and any other topics mentioned in the report and discussed at the meetings.

### ENVIRONMENTAL CONDITIONS

The mitigation measures from the final MND are as follows:

#### AESTHETICS:

- AES-1 The project will comply with all of the required view corridor and building height limitations imposed by the Zoning Ordinance, Local Coastal Plan, and the Waterfront Master Plan. Including opening or removal of roofline between smaller corridor.
- AES-2 The project master plan shall incorporate the added and enhanced public access and view corridors indicated in the project description along with the appropriate signage to inform the public of their right to access these areas. Including but not limited to: a) public view deck above Virg's, b) lateral access boardwalk the length of the water leases of the master plan, c) view corridors between Virg's and Harbor Hut, d) no visual obstructions except for low shrubs, seating benches, and other small scale features to replace the Thai Boat.
- AES-3 In addition to the master plan project description of enhanced views, the project shall also include a public observation area and open public access into the GAFCO outdoor market area with clear signage to inform the public of their right to access this area limited to the same hours as the market. The above ground fuel tank for Virg's shall be temporary and removed when the underground tanks are installed. The Virg's maintenance shed area should be considered as an additional opportunity to increase the public view corridor by potentially maintaining a low profile.
- AES-4 At a noticed public hearing, the Planning Commission shall consider details of the proposed architectural treatment, including landscaping and bulk/scale, and shall require any changes deemed necessary or appropriate to avoid or minimize adverse impacts as viewed from public streets.
- AES-5 Exterior night lighting installed on the project site shall be of a low intensity, low glare design, and shall be hooded to direct light downward onto the subject parcel and prevent spill-over onto adjacent areas. Pole supports shall be of a darker finish to reduce glare.

#### AIR QUALITY:

- AQ-1 Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site. A dust management plan shall include the following:
- During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems shall be used to prevent dust from leaving the site and to create a crust after each day's activities cease.
  - Water trucks or sprinkler systems shall be used during construction to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this shall include wetting down such areas in the later morning and after work is completed for the day, and

whenever wind exceeds 15 miles per hour.

- c. Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.
- d. Reduce the amount of the disturbed area where possible.
- e. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of all soil disturbing activities.
- f. All paved areas (i.e., roadways, sidewalks, etc.) shall be completed as soon as possible unless seeding or soil binders are used.
- g. Construction vehicle speeds shall be not exceed 15 mph on any unpaved surface at the site.

- AQ-2 The applicant shall submit their geologic evaluation to APCD for consistency review with the Asbestos Airborne Toxic Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations to verify that serpentine rock or any ultramafic rock is not present within proposed disturbance areas prior to commencement of grading activities and grading permit. Subsequent to this finding, an Exemption Request from Section 93105 of the California Code of Regulations-ARB Asbestos Airborne Toxic Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations shall be filed with the San Luis Obispo County APCD. In the highly unlikely event that serpentine rock or any ultramafic rock are identified during the geologic evaluation, the applicant shall comply with all requirements outlined in the Asbestos Air Toxics Control Measures (ATCM), including preparation of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD.

#### BIOLOGICAL RESOURCES:

- BIO-1 Prior to the issuance of a building permit, an approved “otter watcher” shall be under contract or otherwise committed to being on the job site at all times during which the pile driver is in operation. The contract or other written agreement between the applicant and “otter watcher” shall specifically encourage and empower the “otter watcher” to stop work immediately in the event that a sea otter is detected in the project area. The contract, agreement, work scope or similar document shall further specify that no work shall be resumed until after the marine mammal has left the area. With this mitigation, the project would not have a significant impact of animals, or require a state or federal take permit.
- BIO-2 To avoid impacts, all work that disturbs the ocean floor (i.e., installation of pilings) shall be overseen and monitored by the project biologist.
- BIO-3 The shaded eelgrass shall be surveyed prior to construction and after completion to ensure the area has not lost more than anticipated. Concurrency from the federal agencies and obtain all necessary permits from them before start of construction
- BIO-4 All docks shall be lowered in placed (following assembly) from the existing building site or by water, as stated in the Section 10 authorization from the Army Corp of Engineering.

#### GEOLOGY/SOILS:

- GEO-1 Grading shall not occur during the wet season (November 1-April 15) unless erosion control devices acceptable to the City Public Works Department are implemented. Silt fencing, straw bales, straw wattles, and/or sand bags shall be used in conjunction with other methods to prevent surface water-induced erosion of on-site soils and siltation offsite.
- GEO-2 The applicant shall provide project-specific soils and geotechnical reports required by the Building Official. Project design and construction shall be consistent with recommendations contained in soils and geology reports, as required by the Building Official.

**HAZARDS/HAZARDOUS MATERIALS:**

- HAZ-1 To reduce the potential for inadvertent release of fuel from lease areas to aquatic habitats, avoidance of storing all cleaning and refueling materials for equipment and vehicles/vessels near the western property boundary without having proper safe guards in place to prevent a hazardous accident.
- HAZ-2 Sorbent materials, such as booms and drop cloths, should be stored on site to allow a crew member to respond to unplanned spills in a timely manner. Employees shall be briefed on the purpose, application, and location of sorbent materials.
- HAZ-3 All lease sites shall provide the Harbor and Fire Department with a list of hazardous materials used and inform the employees of where clean-up supplies are located in case of accidents that could cause harm to the environment and particularly the water and take necessary measures to prevent such accidents including developing rules and procedures on how and where to handle these materials, routine maintenance on vessels, and passing the performance standards under Resolution 53-06.

**HYDROLOGY/WATER QUALITY:**

- HYDRO/WQ-1 Implementation of Best Management Practices (BMPs) in accordance with the NPDES Phase 2 Permit requirements for short-term construction shall be required to address erosion impacts at the site. BMPs include but are not limited to the following:
- a. Constructing berms and, if needed, covering sand/gravel stock piles to prevent erosion and offsite transport by stormwater runoff;
  - b. Covering storm drain catch basins within the construction area to prevent sediments and debris from collecting in the basins;
  - c. Sweeping and disposing soils from the work area to prevent offsite transport and/or runoff into storm drains or directly to the Bay;
  - d. Implementing measures to prevent runoff of any debris from cutting, grinding, or welding into the Bay;
  - e. Placing drip pans under mechanical equipment to catch leaks (e.g., fuels and hydraulic fluids); and
  - f. Properly storing or disposing all materials with potentials for polluting stormwater runoff.
- HYDRO/WQ-2 The following measures would be required to address erosion impacts at the project site:
- a. Temporary berms and sedimentation traps, such as silt fencing, shall be installed in association with project grading to minimize erosion of soils and sedimentation in the storm drains. The sedimentation basins shall be cleaned as needed and the silt shall be removed and disposed of in a location that shall not impact native habitat, as approved by the City of Morro Bay Public Works Department;
  - b. Runoff shall not be directed across exposed slopes. All surface runoff shall be conveyed in accordance with the approved plans; and
  - c. Site grading shall be completed such that permanent drainage away from foundations and slabs is provided and so that water shall not pond near proposed structures or pavements.
  - d. To reduce the potential for inadvertent release of fuel from construction areas to aquatic habitats, avoid all cleaning and refueling of equipment and vehicles near the western property boundary. Stage and refuel vehicles only in appropriately marked construction staging areas, preferably offsite or near Embarcadero.
  - e. Sorbent materials, such as booms and drop cloths, should be stored on site to allow construction crews to respond to unplanned hydrocarbon spills in a timely manner. Construction crews shall be briefed on the purpose, application, and location of sorbent materials prior to project implementation.

**LAND USE AND PLANNING:**

LU-1 At a noticed public hearing, the Planning Commission shall consider details of the proposed land use and Measure D consistency, and shall require any changes deemed necessary or appropriate to avoid general plan local coastal plan consistency concerns.

**NOISE:**

NOISE-1 Construction activity shall be limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday during Summer and holiday weekends. All other seasons construction hours shall follow the MBMC. No construction shall occur on State holidays (e.g., Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities (e.g., painting, landscaping with hand tools, etc.) are not subject to these restrictions.

**TRANSPORTATION:**

TR-1. A Traffic Management Plan (CTMP) shall be implemented during project construction that includes the following:

- a. A minimum of one travel lane shall be maintained in each direction during construction.
- b. A public awareness program shall be implemented before and during construction providing information on road closures, delays expected during construction, signage and flag persons, brochures, web sites, newspaper, and other notices.

TR-2. Traffic improvements to the parking lot and circulation routes identified in the plan (as a City project) and Harborwalk plan shall be mitigation for this project in order to maintain feasible circulation.

TR-3. If the applicant request to not make the parking space improvements that would increase the number of parking spaces by three to accommodate the increase vessel demand (the circulation improvements are required regardless) then they may request to pay three In-Lieu-Fees from the City. In accordance with MBMC §17.44, the applicant shall pay in lieu fees for the total required increase in number of onsite parking spaces demand for the dock and structures.

**PLANNING COMMISSION CONDITIONS**

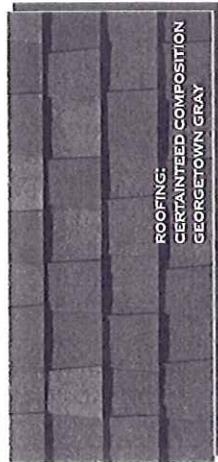
1. Restaruant square footage. Equal square footage of the existing resturant (Thai Boat) for the entire resturant space (~952sqft), and (~324sqft ) of office space (for marine related businesses) on the upper floor is allowed.
2. Project Timeline. The applicant is allowed to modify the project timeline, as feasible, however all of the public improvements shall be within Phase I.
3. Fuel Tanks. Temporary above ground fuel is only allowed until the Thai Boat is removed and the underground tanks are installed, at such time the temporary tanks shall be removed.
4. Height limit. All structures shall not exceed 25 feet in height, except for existing structures.
5. South T-Pier. The 1-foot extension to tie into the South T-Pier is allowed.

**CITY COUNCIL CONDITIONS**

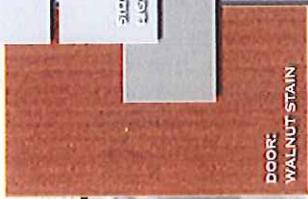
1. Public Access. Public access to the floating docks shall be allowed between the hours of 8 a.m. to sunset everyday.

THE GREAT AMERICAN FISH COMPANY

COLOR BOARD



WINDBREAK:  
OPAQUE GLASS



DOOR:  
WALNUT STAIN

SUBSTANCE:  
LIGHT BEIGE / GRAY

TRIM:  
DARK GRAY

AWNING:  
RED CANVAS

TRIM:  
MEDIUM GRAY

EXHIBIT C

C.P. PARKER  
ARCHITECT



C.P. PARKER  
ARCHITECT

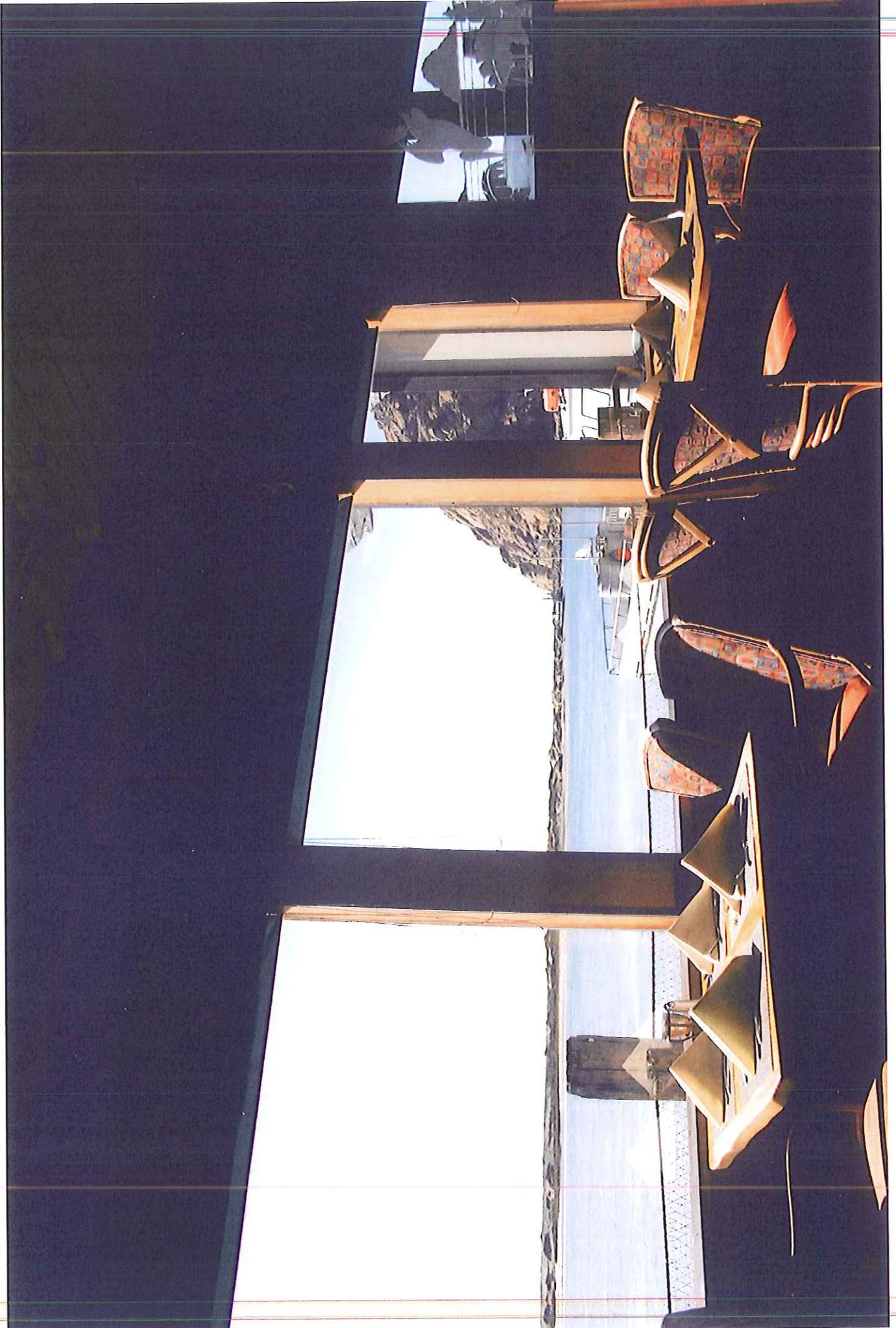
# COASTAL ACCESS PUBLIC VIEWING DECK



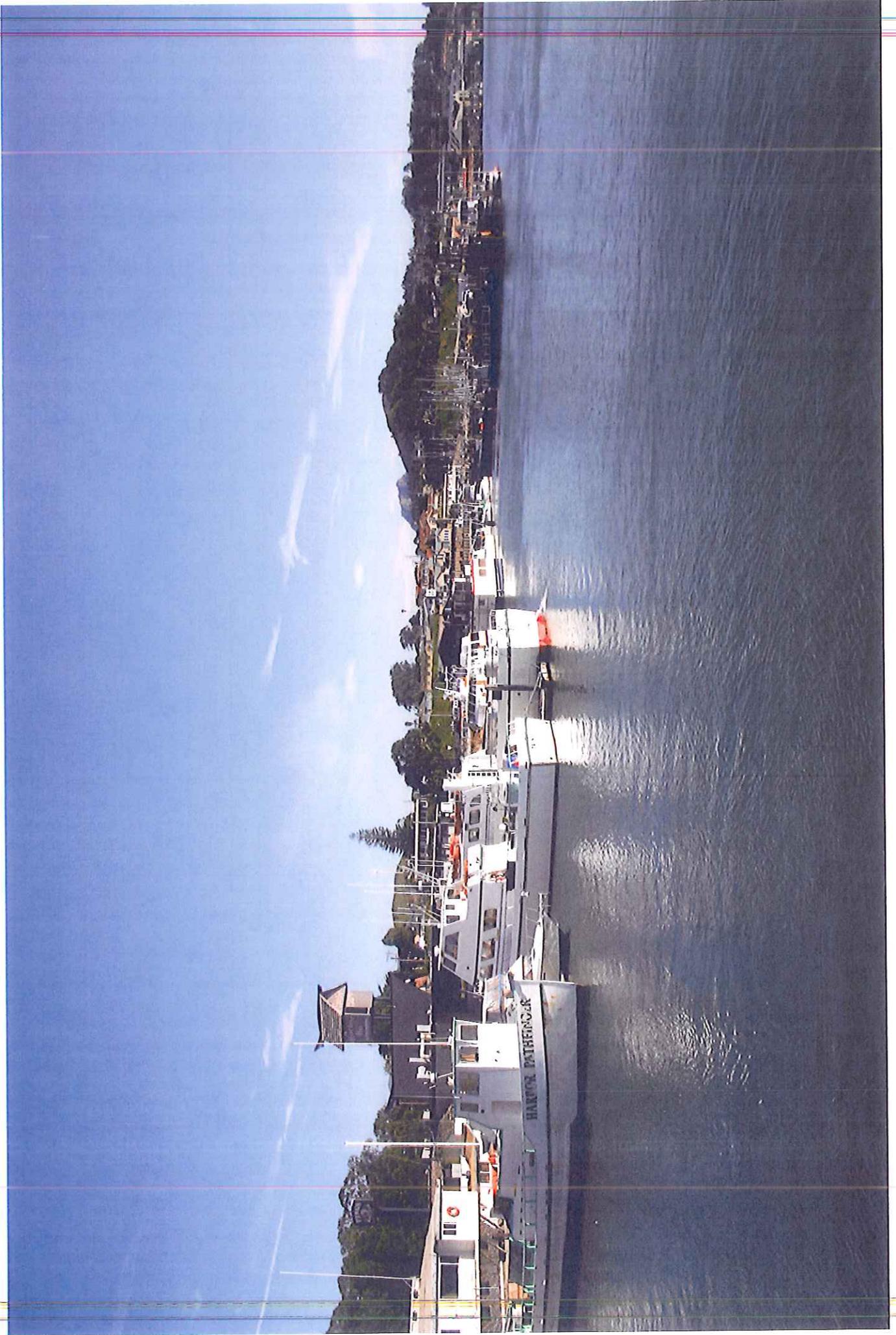
EXHIBIT E

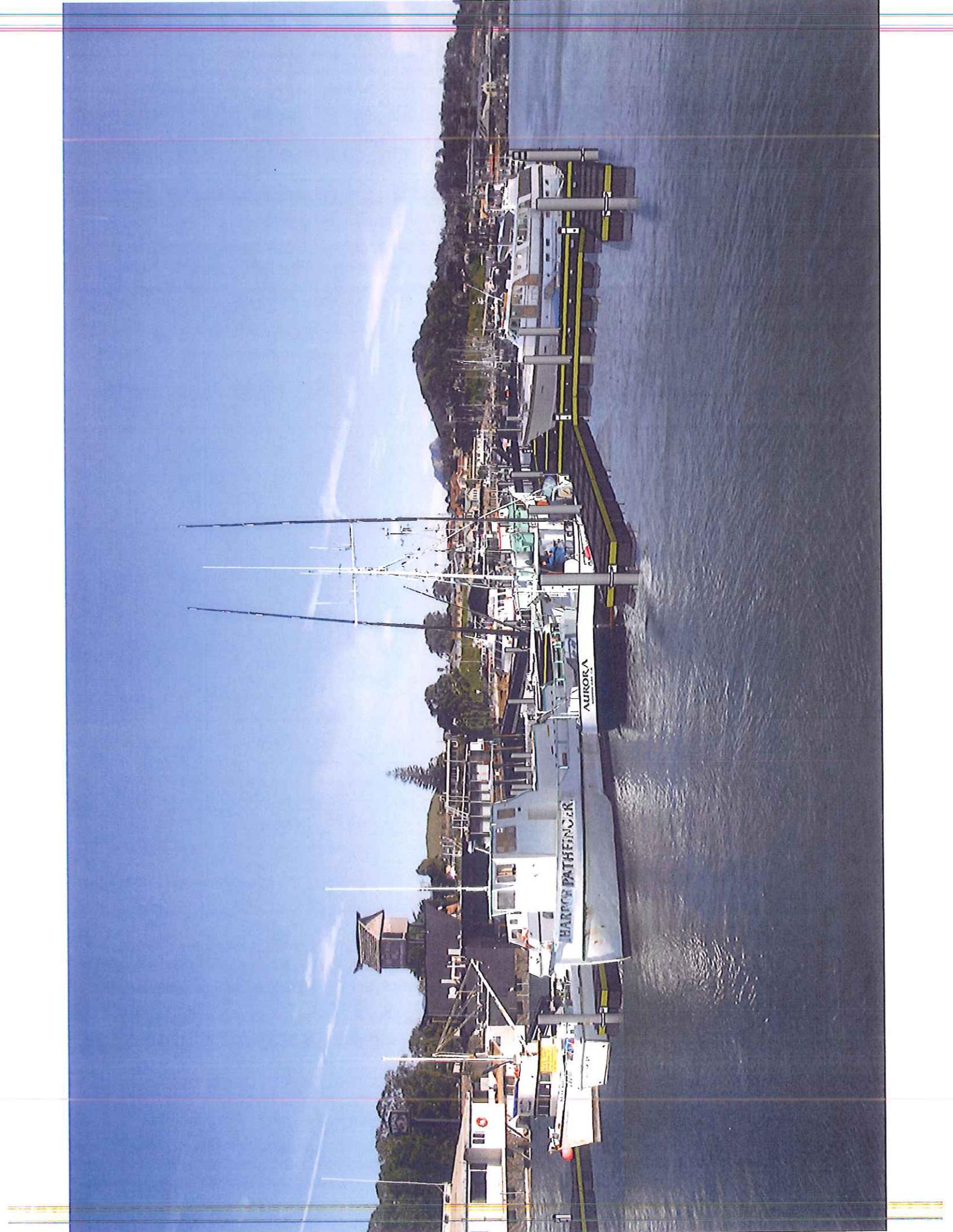
















## EXHIBIT F

### Cathy Novak Consulting

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**From:** Michael Watson [mwatson@coastal.ca.gov]  
**Sent:** Thursday, April 29, 2010 2:40 PM  
**To:** Cathy Novak Consulting  
**Subject:** RE: Harbor Hut et al gangway

Hi Cathy: got the final ok today on the gangway revision. Both Dan and I agree that the change is in substantial conformance with the approved plans. Mike

PS. More to follow on Estero Landing compliance soon

Mike Watson, Coastal Program Analyst  
California Coastal Commission  
Central Coast Office  
725 Front Street, Suite 300 v. 831/ 427-4898  
Santa Cruz, CA 95060 f. 831/ 427-4877  
[mwatson@coastal.ca.gov](mailto:mwatson@coastal.ca.gov)

---

**From:** Cathy Novak Consulting [mailto:NovakConsulting@charter.net]  
**Sent:** Friday, April 23, 2010 1:21 PM  
**To:** Michael Watson  
**Subject:** Harbor Hut et al gangway

Hi Mike,  
Have you been able to determine if we need to do any more with you for the revision of the gangway? If we are clear, then I will proceed with finalizing the City permit process and get things underway.  
Have a great weekend,  
Cathy

Cathy Novak Consulting  
PO Box 296  
Morro Bay, CA 93443  
Phone/Fax: 805-772-9499  
E-mail: [NovakConsulting@charter.net](mailto:NovakConsulting@charter.net)

RECEIVED

JUN 16 2010

City of Morro Bay  
Public Services Department

Dynergy Morro Bay, LLC  
1290 Embarcadero Road  
Morro Bay, CA 93442

## EXHIBIT G



January 5, 2009

Ms. Cathy Novak  
Cathy Novak Consulting  
PO Box 296  
Morro Bay, CA 93443

RE: Morro Bay Power Plant property encroachment

Dear Cathy,

Thank you for your recent inquiry regarding the the Morro Bay Power Plant (MBPP) Embarcadero Road property (between the Harbor Hut and the Great American Fish Company restaurants) for the potential boardwalk associated with your Dock Master Plan Development proposal. At this time, the MBPP is not in a position to grant any further encroachments on this property.

Should you have any questions or require additional information, please do not hesitate to contact me at (805) 595-4212.

Sincerely,

Steve Goschke  
Morro Bay Power Plant Manager

SCG/mml

cc: Mr. Randy Hickok  
Mr. Dan Thompson  
Ms. Brandy Copley

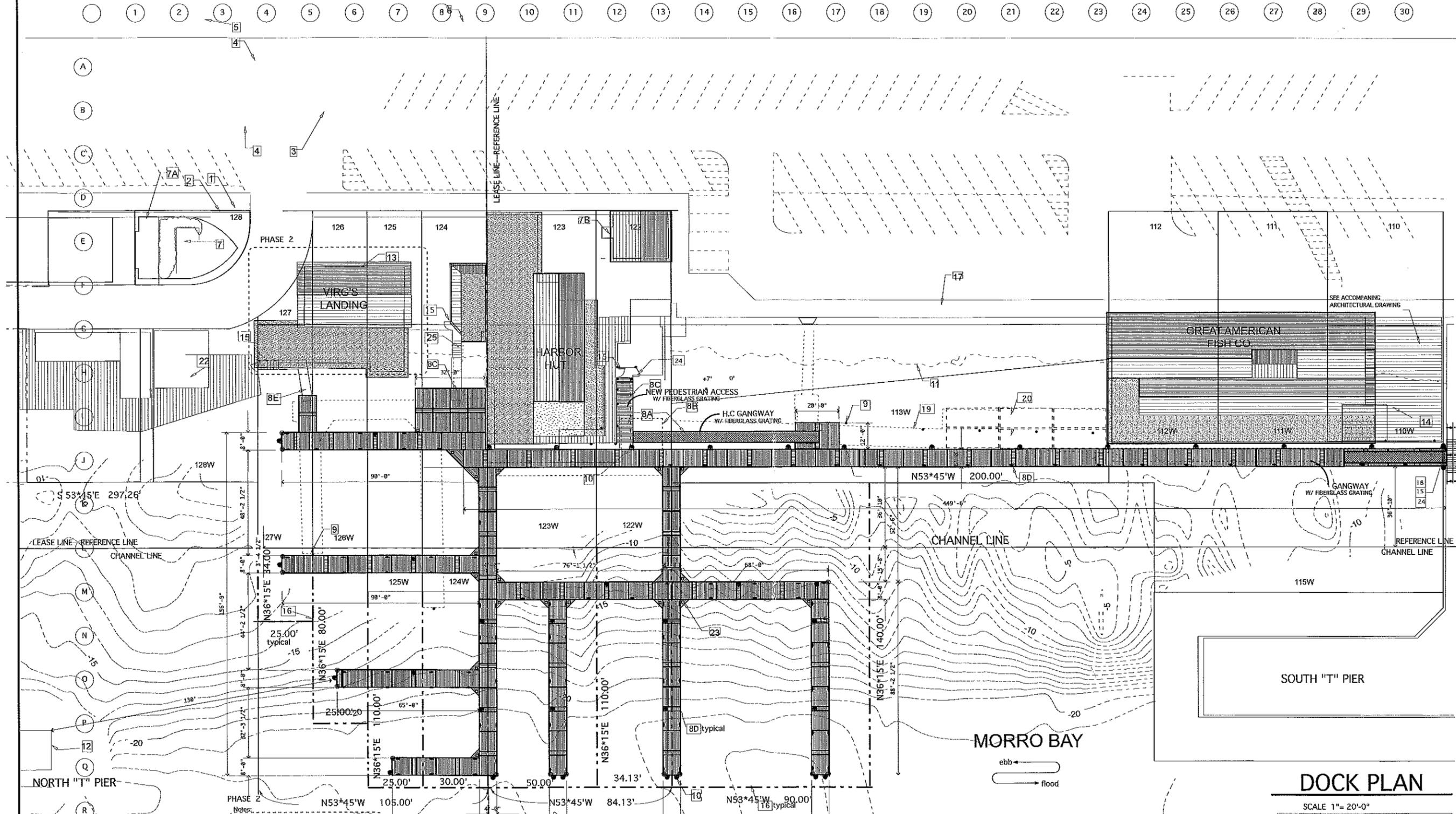
RECEIVED

JUN 16 2010

City of Morro Bay  
Public Services Department

# EXHIBIT H

## EMBARCADERO ROAD

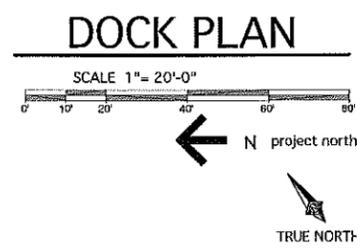


- Notes:
1. Reconfigure lease site 128.
  2. Realign existing driveway entry.
  3. Existing curb to be removed and relocated.
  4. Relocate entry to parking lot.
  5. Move median.
  6. Extend turn lane island.
  7. New pocket park, remove Thai Boat building. Install fuel tanks under pocket park. Refer to Arch. site plan for park improvements.
  - 7A. Trash / recycling enclosure (inc. waste oil).
  - 7B. Existing trash enclosure to remain.
  - 7C. XXXXX
  8. XXXXX

EXISTING FLOATING DOCKAGE	PROPOSED FLOATING DOCKAGE
G.A.F.C.-----720 S.F.	G.A.F.C.-----1221 S.F.
HARBOR HUT-----854 S.F.	HARBOR HUT-----3760 S.F.
VIRG'S LANDING-----4453 S.F.	VIRG'S LANDING-----7219 S.F.
<b>TOTAL-----6327 S.F.</b>	<b>TOTAL-----11800 S.F.</b>

- 8A. New landing and ramp.
- 8B. Existing Harbor Hut boathouse to be removed & replaced.
- 8C. Existing ramp to be removed & replaced.
- 8D. NEW FLOATING DOCK W/ TRANSLUCENT GRATING EVERY 20'
- 8E. Ramp. Restricted access for mechanics & equipment.
9. Existing piles, to be removed.
10. New piles.
11. Approx. low water line, existing.
12. End of north T-Pier.
13. New remodel, Virg's landing. Refer to Arch. plans.
14. Remove & replace existing patio, deck & gangway w/ new addition, GAFCO to extend from existing building to lease line. Refer to arch plans.

15. Security gate.
15. Reconfigured lease sites
17. Pedestrian walkway/observation area.
18. Ramp from South T pier to floating dock
19. Existing floating docks
20. Existing & new bait receivers
21. Existing lease sites
22. Virg's maintenance/tool shed.
23. Pedestal lighting, water, elec.
24. a sign that states that "Caution :Due to fluctuation of water elevation, this dock/pier is only accessible between the tidal elevations of +7' to 0' use with caution".
25. Existing staircase, 7 risers.



GREAT AMERICAN FISH CO./ HARBOR HUT/ VIRG'S LANDING  
**LAND/SEA INTERFACE**  
**FLOATING DOCK IMPROVEMENTS**  
 1200 BLOCK EMBARCADERO BAY, CALIF.  
 GENE DOUGHTY-ARCHITECT  
 1-805-772-9436  
 DATE: 1-8-10  
 1-11-10  
 1-20-10  
 3-18-10  
 SCALE: AS NOTED  
 DRAWN: GD  
 SHEET **A-1** OF SHEET



# City of Morro Bay Public Services Current Project Tracking Sheet

New items or items which have been recently updated are italicized. Approved projects are deleted on next version of log.

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
<b>Hearing or Action Ready</b>							
1	Great American Fish Co.	1185 Embarcadero	1/6/05	UP0-058/ Precise Plan	<i>GAFC, Virg's, &amp; Harbor Huts Revitalization Plan . Submitted 1/06/05, Starting Initial Study Draft MND, eel grass study complete concurrence on findings Tentative PC 11/5/07 Continued, date uncertain CC March Phase I approved Phase II approved 5/12/08. CDP approval from Coastal Commission on June 10, 2009. Project submitted for precise review. Scheduled for the 6/21/10 PC.</i>	KW	PC
2	Ginger Machado	500 Quintana	3/16/10	SP0-124	<i>Sign Permit. "Fitness Works." Comments sent 3/23/10. Sign Exception Permit 4/5/10. Incomplete letter 4/15/10. Resubmittal 6/3/10. Scheduled for the 6/21/10 PC.</i>	SD	PC
3	John Christie	2330 Hemlock	4/27/09	UP0-259	<i>CUP for 2nd unit to nonconforming structure. No scaled plans submitted. Comment letter sent 11/3/09. No response to date. Parking is an issue. Resubmittal 5/25/10. Met with applicant 5/28/10. Resubmittal 6/9/10. Applicant revised the 2nd unit request to additional square footage instead. Scheduled for 7/5/10 PC.</i>	GL	PC
<b>30 -Day Review, Incomplete or Additional Submittal Review</b>							
4	Kleinhammer	160, 190 Anchor	7/29/08	S00-100, UP0-279 and CP0-311	<i>Parcel Map dividing one parcel into two with Right of Way abandonment. Incomplete letter sent 8/25/09. Met with applicant's representative regarding a redesign of the project. Pre-application submitted on 3/15/10 for compact infill development. Mtg with applicant 3/25/10.</i>	KW	PC/CC
5	Pina Noran	2176 Main	10/3/08	CUP-35-99 & CDP-66-99R	<i>Convert commercial space to residential use. Submitted 10/03/08, Inc. Later 10/22/08, resubmitted 2/5/09. Project still missing vital information for processing 11/30/09. Called applicant</i>	KW	PC
6	Studio Design Group	962 Piney	10/15/09	CP0-314 & UP0-281	<i>Preapplication Demo, addition and remodel of existing church., application taken to DRT. Incomplete letter sent 12/4/09. Resubmittal 2/8/10. Incomplete letter sent 4/12/10. Resubmittal 6/15/10.</i>	GL	PC
7	Vallely and Crafton	430 Olive	11/23/09	S00-102	<i>Lot Line Adjustment. Incomplete letter sent 12/23/09. Resubmittal 4/16/10. Project does not meet Zoning Standards, letter sent indicating the project is deficient.</i>	GL/SD	AD
8	David Foote	235 Atascadero	12/16/09	CP0-322	<i>CUP and Coastal Development Permit. Solar Arrays. Solar arrays located on carport structures at Morro Bay High School. Incomplete letter sent 1/15/10. Mtg follow up letter sent 1/29/10. Resubmittal - change in project description 3/16/10. Comments sent 4/16/10. Resubmittal 5/18/2010. Project deemed complete for processing 5/25/2010.</i>	GL	PC

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
9	James Maul	530, Morro Ave 532, 534	3/12/10	SP0-323 & UP0-282	Parcel Map. CDP & CUP for 3 townhomes. Incomplete letter sent 4/20/10. Met with applicant 5/25/10.	GL	PC
10	Mark Reisnick	691 Ponderosa	3/17/10	CP0-324	Granny Unit & Garage. CDP for 900 sf unit & 504 sf garage. Incomplete Letter sent 4/19/10.	GL	AD
11	Giovanni DeGarimore	1001 Front	3/22/10	UP0-284	Floating Dock. CUP to reconfigure existing side tie floating dock to include 4 new finger floating docks, 50 ft. x 4 ft. Incomplete letter sent 4/26/10. Resubmittal 6/10/10.	GL	PC
12	Walter & Karen Roza	595 Driftwood	3/30/10	UP0-285 S00- 103 CP0-325	Coastal Development Permit, Use Permit, Parcel Map Demo Reconstruct SFR & 2nd Unit. VPM, CUP & CDP.	GL	PC
13	Kim Van Nordstand	736 Main Street	4/6/10	SP0-130	Sign Permit. Incomplete letter sent 4/28/10.	SD	AD
14	Debbie Dover	500 Quintana	4/21/10	UP0-289	UP0-289, Use Permit Outdoor Fitness Classes. Incomplete letter sent 5/11/010. Applicant resubmitted 5/14/2010. Spoke to Ginger 6/3/10 discussed project. Comment letter 6/3/10.	SD	AD
15	Doug Hoppe	2525 Nutmeg	5/7/10	CP0-328	New SFR. 2,640 s.f. Incomplete letter 5/17/10. Resubmittal 5/18/10. Incomplete letter 5/19/10. Spoke with designer, emailed 5/26/10. Resubmittal 6/2/10.	SD	AD
16	Mike Wilson	957 Pacific	6/1/10	CP0-330 AD0- 053	Demo Garage/Replace with Tandem Structure. Plans incomplete, insufficient information to complete processing.	SD	AD
17	John Saurwein	2718 Alder	6/1/10	AD0-055 CP0- 331	New SFR. Submitted 6/1/10. Spoke to applicant 6/4/10. Incomplete letter 6/4/10.	SD	PC
18	Dan Reddell	550 Morro Bay Blvd	6/3/10	UP0-292	Vendor. Temporary Use Permit for fruit, vegetable, and flower vendor. Comments sent 6/16/10.	GL	AD
19	Dan Reddell	550 Morro Bay Blvd	6/14/10	UP0-293	Farmer's Market. Conditional Use Permit for vendors and events.	GL	PC
<b>Projects in Process</b>							
20	Rudolph Kubes	1181 Main & Bonita	11/23/06	UP0-086 & CP0-130	Morro Mist 20 Lot SFR Subdivision. Submitted 11/23/06, SRB 3/15/06, Staff requested information Resubmitted 8/16/06 MND analysis needed MIND Complete 7/20 PC 8/20/07 Continued date uncertain revised project smaller units still 100% residential. Applicant has redesigned project and resubmitted on June 1, 2009. Project under review. Letter sent to applicant regarding issues on 7/2009. Subsequent meeting with applicant team 8/2009. Staff has had additional correspondence with the applicant. Project tentatively scheduled for Planning Commission late February/early March 2010. Applicant considering redesign of project. Change in agent.	KW	PC
21	Frank Loving	247 Main	10/27/07	UP0-192	Docking for Vessels. Submitted 10/29/07, Incomplete 11/19/07 PC 2/4/08, Continued to PC 3/17/08, continued to PC 9/15/08 Applicant has indicated to staff that they wish to move ahead with the project. Met with applicant 5/24/10.	GL	PC

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
22	Johnnie Medina	3390 Main	5/29/08	CP0-276 & S00-89	<b>2 Lot Subdivision.</b> Submitted 5/29/08, Incomplete CCC coordination; Inc. Later 12/2/08; Resubmitted 1/5/09. Staff working on environmental document, MND Noticed as available for review 6/9/09. Hearing schedule 7/20/09. Item continued to date uncertain. Applicant submitted additional materials, staff waiting for applicant's response to ESH/Willow buffer. Biologist letter submitted November 30, 2009. Resubmittal 1/20/10. Applicant resolving issues of having stated project includes wetland area.	KW	PC
23	City of Morro Bay & Cayucos	160 Atascadero	7/1/08	EIR	<b>WWTP Upgrade.</b> Submitted 7/1/08, Preparing Notice of Preparation, Staff reviewing Ad Min Draft EIR. Modifications to project description underway and subsequent renoticing.	RL	PC/CC/RW QCB
24	Dan Reddell	1 Jordan Terrace	7/25/08	UP0-223 & CP0-285	<b>New SFR.</b> Submitted 7/25/08, Inc. Later 8/19/08; resubmitted 2/24/09, project under review. Letter sent to agent regarding issues. Applicant and staff met 1/20/10 on site to further discuss issues. Resubmittal 2/16/10. Administrative Draft Initial Study complete. Comment review period ends 6/22/10.	JH/KW	PC
25	California State Park	201 State Park Drive	2/11/09	CP0-303 & UP0-254	<b>Solar Panels</b> at the State Park with the addition of one carport structure for support of the panels. Coastal Development Permit and Conditional Use Permit. Comments sent 3/23/10.	SD/KW	PC
26	Tank Farm	1290 Embarcadero	2/27/10	N/A	<b>Tank Demo.</b> Demo of seven tanks at the Morro Bay Power Plant. Materials submitted and under review	SD	AD
27	City of Morro Bay	10 State Park Drive	11/10/09	UP0-278	<b>Marina Dredging.</b> CUP to dredge State Park Marina. Consultant working on Addendum to the EIR.	KW	PC
28	City of Morro Bay	Citywide	5/1/10	AD0-047	<b>Text Amendment</b> modifying Section 17.68 "Signs". Planning Commission placed the ordinance on hold pending additional work on definitions and temporary signs. -5/17/2010	KW	PC/CC
<b>Environmental Review</b>							
29	Chevron	3072 Main	12/31/08	C90-301	<b>Remove Underground Pipes.</b> Submitted 12/31/08, environmental reports submitted for review 5/8/09. Project under review. Project routed to other agencies for comment. Environmental being processed. Requested additional documentation 4/29/10.	GL/SD	PC
30	Robert Tefft	395 Acacia	11/10/09	CP0-320	<b>SFR demolition.</b> Incomplete letter sent 12/31/09. Resubmittal 3/15/10. Comments 4/22/10. Applicant filed an appeal on the environmental decision 4/28/10. Appeal withdrawn. Environmental document being prepared.	GL	AD
31	Larry Newland	Embarcadero	11/21/05	UP0-092 & CP0-139	<b>Embarcadero-Maritime Museum (Larry Newland).</b> Submitted 11/21/05, Incomplete 12/15/05 Resubmitted 10/5/06, tentative CC for landowner consent 1/22/07 Landowner consent granted. Incomplete 3/7/07. Resubmitted 5/25/07 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. Applicant resubmitted additional material on 9/30/2009. Met with applicants on 2/19/2010. Environmental documents being prepared.	GL	PC
<b>Coordinating with Other Jurisdictions</b>							

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
32	Burt Caldwell	801 Embarcadero	5/15/08	UP0-212	Conference Center. Submitted 5/15/08, Inc Ltr 5/23 Resubmitted MND Circulating 7/15/08 PC 9/2 Approved, CC 9/22/08 Approved, CDP granted by CCC. Waiting for Precise Plan submittal.	GL	PC/CC/CCC
33	City of Morro Bay	887 Atascadero	3/9/09	N/A	Nutmeg Water Tank Upgrade (City of Morro Bay CIP project). Oversight of County of San Luis Obispo application process. Preapplication meeting 3/9/09. Consultant coordination meeting 3/12/09.	KW	SLO County
34	John King	60 Lower State Park	7/2/08		Lower parking lot resurface and construction of 2 new stairways. Submitted 7/02/08, PC Tent 10/6, PC Date TBD Applicant coordinating w/ CCC 10/20/08.	KW	PC
<b>Projects Continued Indefinitely or No Response to Date on Incomplete Letter</b>							
35	SLO County	60 Lower State Park	09/28/04	CP0-063	Master Plan for Golf Course. Submitted 9/28/04, On hold per applicant, project to be amended. Resubmitted 2/9/07 Tentative PC 3/19/07 Continued, date uncertain; Planting trees.	KW	PC/CC
36	Cameron Financial	399 Quintana	04/11/07	CP0-233	New Commercial Building. Submitted 4/11/07, Inc. Letter 5/09/07. Sent letter 1/25/2010 to applicant requesting direction, letter returned not deliverable	KW	AD
37	West Millennium Homes	895 Monterey	7/10/07	CUP-151 S00-067 & CP0-215	Mixed-use building. 16 residential units and 3 commercial units, Submitted 7/10/07, Inc Later 7/25 Resubmitted 1/14/08 SRB 3/10/08.	KW	PC
38	Kenneth & Lisa Blackwell	2740 Dogwood	07/20/07	UP0-178	Addition to nonconforming residence. Submitted 7/20/07, Complete, tentative PC 9/17/07 Continued, date uncertain Resubmitted 10/31/07, PC 12/17/07 Continued, date uncertain.	KW	PC
39	Jeff Gregory	1295 Morro	09/25/07	CP0-254	Coastal Development Permit to allow a second single family residence on lot with an existing home. Incomplete letter sent 10/9/2007. Intent to Deem Application Withdrawn Letter sent 12/29/09. Response from applicant 1/8/10 keep file open indefinitely.	KW	AD
40	Nicki Fazio	360 Cerrito	08/15/07	CP0-246	Appeal of Demo/Rebuild SFR and 2 trees removal. Continued to a date uncertain.	KW	PC
41	Cathy Novak	263 Main Street	09/12/07	CP0-258/S00-078	Lot line Adjustment. Application has had no activity from the applicant since 2007. A Parcel Map was finalized for the property.	GL	AD
42	Ron McIntosh	190 Olive	8/26/08	UP0-232 & CP0-288	New SFR. Submitted 8/26/08, Inc. Letter 9/24/08; Resubmitted 12/10/08, 1/9/09 request for more information. Applicant resubmitted on 2/06/09. Environmental under review. Applicant and City agree to continuance. Applicant put project on hold.	GL	PC
43	Candy Botich	206 MainWater Lease Site 34 Main & Oak St.	6/17/09	CP0-310	New Parking. Project under review. Agent given DRT comments July 10, 2009. Applicant submitted redesigned project 9/30/2009. Associated application submitted for a parking exception for the lease site generating the parking demand.	KW	PC/CC
44	Bob Crizer	206 Main Street, water lease site 34	11/9/09	AD0-047	Oak Street Parking Exception. Also see 206 Main Street (Botich). Request to allow parking spaces to be placed on Oak Street to replace parking currently provided at 206 Main Street. Waiting for parties to resolve issue of ownership.	KW	PC/CC
<b>Projects in Building Plan Check</b>							

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
45	Don Doubledee	360 Morro Bay Blvd	5/15/09	Building	Mixed Use Project - Ciano. Comments sent 2/25/10.	GL	N/A
46	Valori	2800 Birch Ave	2/10/10	Building	Remodel/Repair. Sunroom, garage, and study. Comments sent 2/24/10	GL	N/A
47	John & Alair Hough	285 Main	2/16/10	Building	SFR Addition. Second unit over detached garage. Comments sent 3/19/10. Resubmittal 6/10/10. Comments sent 6/16/10.	SD	N/A
48	Jon Wickstrom	401 Panay	2/5/10	Building	SFR Addition. 1,000 sf. addition. Comments sent 3/17/10.	SD	N/A
49	Costanzo Addition	1202 Bolton Dr	9/18/09	Building	SFR Addition. Add stairs to the existing house. Comments sent 9/24/2009	GL	N/A
50	Todd Schnack	2248 Emerald	2/17/10	Building	New Guesthouse Cloisters. Comments sent 3/22/10. Resubmittal 3/30/10. Waiting for recorded covenant to record - 4/22/10.	GL	N/A
51	Colhover	2800 Dogwood	3/8/10	Building	New SFR. Comments sent 3/25/10.	GL	N/A
52	Mark Reisnick	691 Ponderosa	3/17/10	Building	Granny Unit & Garage. CDP for 900 sf unit & 504 sf garage. Comments sent 4/19/10.	SD	N/A
53	Tricia Knight	1478 Quintana	3/12/10	Building	MetroPCS Telecom Site on Rock Harbor Church. Comments sent 4/12/10.	GL	N/A
54	Ronald Stuard	490 Avalon	4/22/10	Building	SFR Addition. 79 sf. bedroom addition. Comments sent 4/27/10.	GL	N/A
55	Joe Silva	570 Avalon	5/12/10	Building	SFR Addition. 84 sf. addition. Comments sent 5/17/10.	GL	N/A
56	Lou McGonagill	690 Olive	6/7/10	Building	SFR Addition. 1,000 sf. addition with garage. Comments sent 6/14/10.	GL	N/A
<b>Projects &amp; Permits with Final Action</b>							
57	Mark Hanson	2736 Birch Ave	4/28/10	CP0-326	Coastal Development Permit New SFR. , Building and Public Works comments received. Noticed for CDP on 5/19/10. Planning permit scheduled for 6/1/2010. Coastal Development Permit issued 6/2/10.	SD	AD
58	Lorraine Wagner	465 Harbor	5/5/10	CP0-327	Greenhouse Demolition. 3,248 s.f. Incomplete letter 5/19/10. Resubmittal 5/21/10. Noticed for CDP 5/24/10. Coastal Development Permit Issued 6/3/10.	SD	AD
59	Louise Baldwin	650 Ponderosa	5/5/10	UP0-290	Second Unit. 1,200 s.f. Incomplete letter 5/20/10. Resubmittal 5/24/10. project complete and hearing ready. Scheduled for 6/7/10 PC. Approved 6/7/10. Permit sent 6/8/10,	SD	PC
60	Gordon Harmston	150 Gilbert	6/4/10	Building	SFR Addition. 333 sf. addition. Approved 6/11/10.	GL	N/A
61	Imani	571 Embarcadero	5/14/09	UP0-260	Remodel of Salt Building to include new public walkway and additional piling for support. Eel grass study submitted. Initial Study complete 4/19/10. Project continued from 5/3/10 PC. Concept plan approved 5/17/2010. Appeal filed on May 24, 2010. Appeal approved at 6/14/2010 CC.	SD/KW	CC



City of Morro Bay  
 Public Services  
 Advanced Planning Work Program

Work Item	Planning Commission	City Council	Coastal Commission	Comments	Estimated Staff Hours
Neighborhood Compatibility Standards	TBD	TBD			120 to 160
Strategic plan for managing the greening process					200 to 300
	Annual Updates	Annual Updates			
AB811	continuing with updates				120 to 160
Safety Element	Approved	TBD			20 to 40
Draft Urban Forest Management Plan	TBD	TBD			200 to 300
CEQA Implementation Guidelines	TBD	TBD	NA		120 to 160
Update CEQA checklist pursuant to SWMP (2/2011)	TBD	TBD			120 to 160
Downtown Visioning	TBD	TBD			120 to 160
PD Overlay	TBD	TBD			3/20/00
Annexation Proceeding for Public Facilities		TBD			TBD
<i>Planning Commission Generated Items</i>					
Work Item	Requesting Body				Estimated Staff Hours
Pedestrian Plan	Planning Commission				TBD
<i>Items Requiring Further Analysis When Received Back From The Coastal Commission</i>					
Work Item	Plng. Comm.	City Council	Coastal Comm.		Estimated Staff Hours
Updated Zoning Ordinance	TBD	TBD			1,800
Updated General Plan/LCP	TBD	TBD			1,800