



CITY OF MORRO BAY PLANNING COMMISSION MEETING AGENDA

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

209 Surf Street, Morro Bay
Tuesday July 6, 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 21, 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.

IX. FUTURE AGENDA ITEMS

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

X. PUBLIC HEARINGS

A. **Site Location:** 2330 Hemlock Ave.

Applicant: John Christie

Request: The applicants request approval of an addition to the first story and new construction of a second story to an existing non-conforming single-family residential unit. The addition would add approximately 657 square feet of habitable space and 55.25 square feet for a laundry room accessed from the exterior of the residential unit.

Recommended CEQA Determination: Categorically Exempt, Class 32, Section 15332.

Staff Recommendation: Review and take action on the Conditional Use Permit #UP0-259.

Staff Contact: Sierra Davis, Assistant Planner.

XI. OLD BUSINESS

A. Current Planning Processing List/Advanced Work Program.

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

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 19, 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 21, 2010

Vice-Chairperson Gerald Luhr Commissioner Jamie Irons	Chairperson Nancy Johnson Rob Livick, Secretary	Commissioner Michael Lucas Commissioner John Diodati
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I. CALL MEETING TO ORDER

Chairperson Johnson called the meeting to order at 6:04 p.m.

II. PLEDGE OF ALLEGIANCE

Davis led the pledge.

III. ROLL CALL

Chairperson Johnson noted for the record that Commissioner Diodati is absent but all other Commissioners are present.

Staff Present: Rob Livick, Kathleen Wold, Sierra Davis and Cindy Jacinth

IV. ACCEPTANCE OF AGENDA

MOTION: Agenda accepted as presented.

V. DIRECTOR'S REPORT/WRITTEN COMMUNICATIONS

Livick briefed the Commission on action taken at the June 14, 2010 City Council meeting and also on items scheduled for the June 28, 2010 City Council meeting.

VI. PUBLIC COMMENT

Johnson opened the public comment period.

- Nancy Castle representing the Historical Society spoke regarding the Downtown Visioning Committee and the Historical Society's interest in developing a walking tour brochure. They want to add plaques to the buildings included in the brochure which would include a history of the building.
- Bill Yates of Morro Bay said he wanted to comment on the two public hearings on the agenda. He believes the sign exception permit request is appropriate for that location. He also stated the Virg's Harbor Hut GAFCO project is a great project for Morro Bay and the waterfront and encouraged the Planning Commission to approve it.

Hearing no further comment, Johnson closed the public comment period.

VII. CONSENT CALENDAR

A. Approval of minutes from hearing held on June 7, 2010

Irons noted an error in the spelling of Bruce Elster's name and asked to have the spelling of his last name corrected from "O" to "E".

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

VIII. PRESENTATIONS

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

Livick presented the Pedestrian Plan. The pedestrian plan is included in the Circulation Element of the City's 1988 General Plan. The highlights of this presentation included a discussion of the City's existing pedestrian facilities and current requirements. The key highlights of the plan included explaining the goals of safety, security, comfort and accessibility and clarifying the requirements for installing sidewalk improvements.

Commissioners thanked Livick for the information. Commissioners discussed whether new and other pedestrian routes would be established and also whether the Pedestrian Plan would be combined with the Bike Plan and then incorporated into the Circulation Element.

Livick noted that the Pedestrian Plan will be brought back to the Planning Commission when work commences on the General Plan update.

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

- 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

Davis presented the staff report.

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

- Debbie Dover, owner of Fitness Works, clarified their intent to change the signage is meant to promote the therapy side of the business and to increase visibility.

Hearing no further comment, Johnson closed the Public Hearing.

Lucas asked if there was any additional lighting proposed with this project. Applicant stated no, but they will seek to add additional lighting at a later date.

Irons briefly discussed this project's sign compared with the proposed City draft sign ordinance.

MOTION: Irons moved the Planning Commission conditionally approve the project to include the following action(s):

- A. Adopt the Findings included as Exhibit “A”, including findings required by the California Environmental Quality Act (CEQA); and
- B. Approve Sign Exception Permit #SPO-124, subject to the Conditions included as Exhibit “B” and the site development plans dated June 3, 2010

The motion was seconded by Lucas and carried 4-0.

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.

Wold presented the staff report.

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

- Cathy Novak, the representative for Virg’s, Harbor Hut, and GAFCO summarized the project status and the two phases of the project. Novak explained the floating dock configuration and the relocation of ADA access from lift to the gangway. Novak also noted each restaurant will seek a separate building permit for construction.
- John Barta, resident of Morro Bay, encouraged the Planning Commission to support this project which will be a big benefit to Morro Bay. He does not support the rooftop sign and suggested the Planning Commission condition its removal.
- George Leage, Applicant, stated their project will bring a lot of revenue to the City and encouraged the Planning Commission to approve the project.

Commissioners had general discussion with Novak on the following:

- Rooftop sign detail and whether the signs would include lighting and any changes to the existing roof material. Applicant noted the existing sign is lighted only during business hours. Luhr suggested a different roofing material might be more suitable to the commercial use of the building when the roofing is replaced. Applicant agreed and said they would change the roofing material when it is ready for replacement.
- The detail for the pole light fixture is missing from the drawings. Novak clarified the style will be nautical.
- The project’s ADA lift access change to a gangway.
- The remodel of the GAFCO restaurant.

Commissioners also discussed the design of the gangway and floating dock as proposed and how to ensure equal public access especially during high tides.

Novak noted that the project is not required to have ADA access, but the owners took the extra step to provide this public benefit to improve the project.

Johnson closed the public hearing.

Irons asked staff to clarify the storage tanks and driveway conditions in regards to whether that is part of Phase I or Phase 2. Wold clarified that the conditions presented tonight were inclusive of the entire project and not just Phase I.

Wold also clarified for the Planning Commission that the Mitigated Negative Declaration has already addressed the project details and the Planning Commission cannot change what the City Council has already approved.

MOTION: Luhr moved the Planning Commission conditionally approve the project to include the following action(s):

- A. Adopt Conditional Use Permit (UP0-058) as a Precise Plan subject to the Finding 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) and 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:
 - 1. The addition of the rooftop sign shall be lit only during business operating hours and all decorative lighting shall be consistent with a nautical theme and the Waterfront Master Plan.
 - 2. When the applicant replaces the existing roof shingles, that they be replaced with a metal roof.

Lucas seconded the motion and carried 4-0.

Commissioners further discussed whether the motion should be amended to include the rooftop sign. Since no changes are being made to the sign, it was determined that the sign does not need to be included in the motion.

XI. OLD BUSINESS

- A. Current Planning Processing List/Advanced Work Program

Commissioners reviewed and discussed current list and work program.

XII. NEW BUSINESS - None

XII. ADJOURNMENT

Johnson adjourned the meeting at 8:42 p.m. to the next regularly scheduled Planning Commission meeting at the Veterans Hall, 209 Surf Street, on Tuesday, July 6, 2010 at 6:00 p.m.

Nancy Johnson, Chairperson

ATTEST:

Rob Livick, Secretary



AGENDA ITEM: Y-A
ACTION: _____

CITY OF MORRO BAY PLANNING COMMISSION

July 6, 2010

PROJECT SUMMARY

The applicant request approval for an addition to the first story and new construction of a second story to an existing non-conforming single family residential unit. The addition would add approximately 658 square feet of habitable space and 55.25 square feet for a laundry room accessed from the exterior of the residential unit. The house is non-conforming because the house does not meet setbacks nor is there access to the garage at the rear of the site.

FILE NUMBERS

UP0-259

SITE ADDRESS

2330 Hemlock Ave.

APN(S)

068-272-025

APPLICANT:

John Christie

ATTACHMENTS

1. Findings, Exhibit A
2. Conditions, Exhibit B
3. Graphics/Plan reductions, Exhibit C
4. Applications, Conditional Use Permit and Parking Exception for guest house, Exhibit D
5. August 2007 Deed Restriction for Garage Access, Exhibit E
6. Correspondence with Applicant, Exhibit F
7. Plans, Exhibit G



Vicinity Map

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
- B. Approve Conditional Use Permit, subject to the Conditions included as Exhibit "B" and the site development plans dated June 29, 2010.

ENVIRONMENTAL DETERMINATION

Pursuant to the California Environmental Quality Act the project is Categorically Exempt under class 32, section 15332, for in-fill development projects. Class 32 provides for but not limited to development that occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

BACKGROUND

The house is a non-conforming single family residence with a one car garage at the rear of the property. The residence is non-conforming because the house does not meet the required front yard setback of 20 feet. The site is also non-conforming because the one car garage at the rear of the property is not accessible from the front of the property because an 89.375 square foot (16'3"x5'6") portion of the house blocks the access to the rear of the property.

The garage was approved August 27, 2007 when the applicant applied for a building permit to demolish an existing 79 square foot back room, construct a 128 square foot addition of habitable space and a 242 square foot one car garage. The one car garage was constructed and made the site more conforming, however appropriate access to the garage was not provided. A deed restriction was placed on the property restricting any subsequent building permit from being issued, until such time the portion blocking the garage access was removed. The deed restriction also required that vehicular access to the one-car garage be a minimum width of ten feet. According to City records the garage was never finalized by the building department and the portion blocking the driveway access was never removed. Pursuant to the deed restriction any subsequent building permit, including the applicant's request before you, the garage will have to be finalized and the portion of the house blocking the driveway will have to be removed. The plans indicate that the portion is proposed to be removed with this permit to provide the 10 feet access to the garage.

The building permit in the 2007 application included the demolition of an existing 79 square foot back room and the addition of 128 square feet of habitable space was to be constructed as a bedroom. The back room was demolished, but the new 128 square foot bedroom was never constructed.

PROJECT DESCRIPTION

The proposed project consists of an addition to the first story and new construction of a second story to an existing 430 square foot non-conforming single family residential unit. The applicant has applied for a Conditional Use Permit because the proposed construction will result in an addition in excess of 25% of the existing floor area (MBMC 17.56.160). The house is currently

non-conforming because the house does not meet setbacks nor is there access to the garage at the rear of the site. The addition would add approximately 657 square feet of habitable space and 55.25 square feet for a laundry room accessed from the exterior of the residential unit.

In addition to the new 657 square feet of habitable space making the proposed residential unit 999 square feet, the applicant also proposes three porches. The first porch is on the first story on the south side of the property. The porch is approximately 14.25 square feet and cannot be accessed from the interior of the residential unit. The resident must walk outside of the structure to utilize the porch on the south side of the property. On the second story there is one covered porch adjacent to the habitable space equaling 131.25 and an uncovered porch adjacent to the covered porch equals 94.5 square feet.

Habitable Square Footage

The current residential unit is approximately 430 square feet, which includes that area to be removed pursuant to the deed restriction allowing access to the garage. The area to be removed is approximately 89 square feet making the existing structure before improvements approximately 341 square feet. Additions to the residence will bring the square footage up to 999 square feet of habitable space as see on the plans dated June 29, 2010 on file with the Public Services Department.

Parking Requirements

The site is located in the R-1/S.2 zoning designation which allows for residences on lots under 3,500 square feet with a residence under 1,000 square feet are required to provide only one carport or garage space for a single family residence. Once the residence is over 1,000 square feet the resident is required to provide 2 covered and enclosed parking spaces. The proposed residence equals 999 square feet and will have to provide one space on site. Currently the residence has one covered and enclosed parking space on-site, but no access to the required parking. In order to meet this requirement the applicant shall remove the portion of building that is blocking access to the garage.

In order to ensure that the proposed project will not exceed 1,000 square feet and require and additional parking space, the residence will have to be surveyed prior to foundation inspection and after construction to ensure the structure does not exceed the 1,000 square foot limit. If the structure exceeds the 1,000 square foot limit the applicant will be required to provide one additional covered and enclosed parking space on-site or reduce the building to less than 1,000 square feet. Staff has determined that although one additional covered and enclosed parking space may not be feasible with the proposed configuration that applicant has the ability to conform to parking by applying for a parking exception permit and return to Planning Commission to request approval.

Please note that pursuant to Morro Bay Municipal Code section 17.48.030.A, Converting fractions to whole numbers, General Rounding, fractions of one-half or greater shall be rounded up to the next whole number. If the structure were to exceed the proposed 999 square footage by 0.51 square feet the structure would be considered 1,000 square feet and the applicant would have to provide one additional one-site parking space.

Second Unit Deed Restriction

This particular application has undergone multiple changes over the last year. Originally the applicant had submitted for a guest house on the second floor. Section 17.48.315, Guesthouse/quarters and accessory living areas, strictly prohibits any cooking or food preparation or food storage facilities within a guest house. As a result the applicant changed the proposal to a 2nd unit with an exterior entrance accompanied by a request for a parking exception to allow tandem parking. The applicant was made aware of section 17.48.320.F, parking requirements for secondary unit, which strictly prohibits parking tandem with the main residence. The section states that the required on-site parking space for the secondary unit shall not be in tandem with the required parking of the principal dwelling unit. Ultimately the project was revised to be just one unit with a wet bar located on the second floor.

The proposed second story addition includes a wet bar. Pursuant to Morro Bay Municipal Code section 17.48.325, Wet bars and bathrooms, the wet bar requires a deed restriction.

“Sinks or lavatories in residential units, except in bathrooms, kitchens, garages, or rooms clearly used only for laundry purposes, shall be prohibited unless a deed restriction is recorded to run with the property restricting the wet bar from being converted into a sink for a second residential unit.”

The property will have a deed restriction placed on the wet bar restricting any owner from converting the second floor into a second unit and converting the wet bar into cooking facilities. Although the deed restriction is placed on the wet bar restricting an addition of a second unit, there are other factors of the proposed project that may be of concern to staff. The property conforms to the title as proposed, but there is a potential for a separate exterior entrance to the 2nd floor and the laundry being accessed from the exterior of the residence.

The first concern is the design of the residence with the porch on the exterior on the south side of the property. The proposed porch cannot be accessed from the interior of the structure. Staff has determined that in the future it is possible that the stairway can easily be sealed off from the rest of the house and a door cut into the house in the same location as the porch providing a separate exterior entrance to the upstairs.

The second concern is that if the residence is converted to a main residence with a second unit on the second floor, the laundry facilities will already be in place. The proposed laundry facilities are accessed from the exterior of the site and will allow a secondary unit access to the facilities without disturbing the main residence.

Therefore conditions will be placed on this proposal requiring the recordation of a deed restriction which will clearly indicate to all future owners that the property is approved for one unit only.

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

<u>Site Characteristics</u>	
Existing Use	Single Family Residential
Terrain	Developed urban lot, slight slope
Vegetation/Wildlife	Landscaped
Archaeological Resources	No archaeological resources.
Access	Hemlock Ave

<u>General Plan, Zoning Ordinance & Local Coastal Plan Designations</u>	
General Plan/Coastal Plan Land Use Designation	Moderate Density Residential
Base Zone District	R-1
Zoning Overlay District	S.2
Special Treatment Area	n/a
Combining District	n/a
Specific Plan Area	n/a
Coastal Zone	Not located in the Coastal Commission Appeals Jurisdiction

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 proposal and found the single family residential unit 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 25, 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 with the California Coastal Commission Jurisdiction.

Report prepared by: Sierra Davis, Assistant Planner

EXHIBIT A

FINDINGS

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

- A. Pursuant to the California Environmental Quality Act the project is Categorical Exempt under class 32, section 15332, exemption for in-fill development projects. Class 32 provides for but not limited to development that occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

SPECIAL USE PERMIT FINDINGS

- B. That the project is an allowable use in its zoning district and is also in accordance with the certified Local Coastal Program and the General Plan for the City of Morro Bay based on the analysis and discussion in the attached staff memorandum; and
- C. The establishment, maintenance, or operation of the use applied for will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use as the project will be consistent with all applicable zoning and plan requirements as indicated in the attached staff memorandum; and
- D. The use will not be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the City since the project, as conditioned, will be constructed and developed consistent with all applicable City regulations, as indicated in the attached staff memorandum.

EXHIBIT B

CONDITIONS OF APPROVAL

STANDARD CONDITIONS

1. This permit is granted for the land described in the staff report referenced above, dated July 6, 2010 for the project depicted on the attached plans labeled "Exhibit D", dated June 29, 2010, on file with the Public Services Department, as modified by these conditions of approval, and more specifically described as follows:
 - a) The structures 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

1. Garage Access: At the time of rough framing inspection the applicant shall demonstrate compliance with Morro Bay Municipal Code section 17.44.030 by providing a minimum 10 foot wide garage access pursuant to the deed restriction on file with the Public Services Department dated August 24, 2007.
2. Verification of Gross Floor Area:
 - a. Prior to requesting foundation inspection the applicant shall hire a California Licensed Land Surveyor to verify that the dimension and area of the formed foundation. The surveyor shall submit the survey to the building official for review.
 - b. Prior to final inspection the applicant shall hire a California Licensed Land Surveyor to verify the gross floor area of the first and second floor, pursuant to the definition of gross floor area as found in section 17.12.287 of the Morro Bay Municipal Code and submit survey to Building Official for review.
3. Deed Restriction: The applicant shall record a deed restriction with the County of San Luis Obispo restricting the wet bar from being converted into a sink for a second residential unit and acknowledge that the structure is approved as one unit only. No exterior door shall be constructed to the stairway and the 2nd floor stairway shall not be separated and enclosed from the 1st floor.
4. Construction Hours: Pursuant to section 9.28.030.I, Construction or Repairing of Buildings. The erection (including excavating), demolition, alteration or repair of any building or general land grading and contour activity using equipment in such a manner as to be plainly audible at a distance of fifty feet from the building other than between the hours of seven a.m. and seven p.m. on weekdays and eight a.m. and seven p.m. on weekends except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the community development department, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for a period of three days or less while the emergency continues.
5. Building Height Verification: Prior to either roof nail or framing inspection, a licensed surveyor shall submit a letter to the building inspector certifying that the height of the structures are in accordance with the approved plans and complies with the height

requirement of 25 feet above average natural grade as accepted by the City Building Official.

6. Dust Control: That prior to issuance of a grading permit, a method of control to prevent dust and wind blow earth problems shall be submitted for review and approval by the Building Official.
7. Conditions of Approval on Building Plans: Prior to the issuance of a Building Permit, the final Conditions of Approval shall be attached to the set of approved plans. The sheet containing Conditions of Approval shall be the same size as other plan sheets and shall be the last sheet in the set of Building Plans.

ENGINEERING CONDITIONS

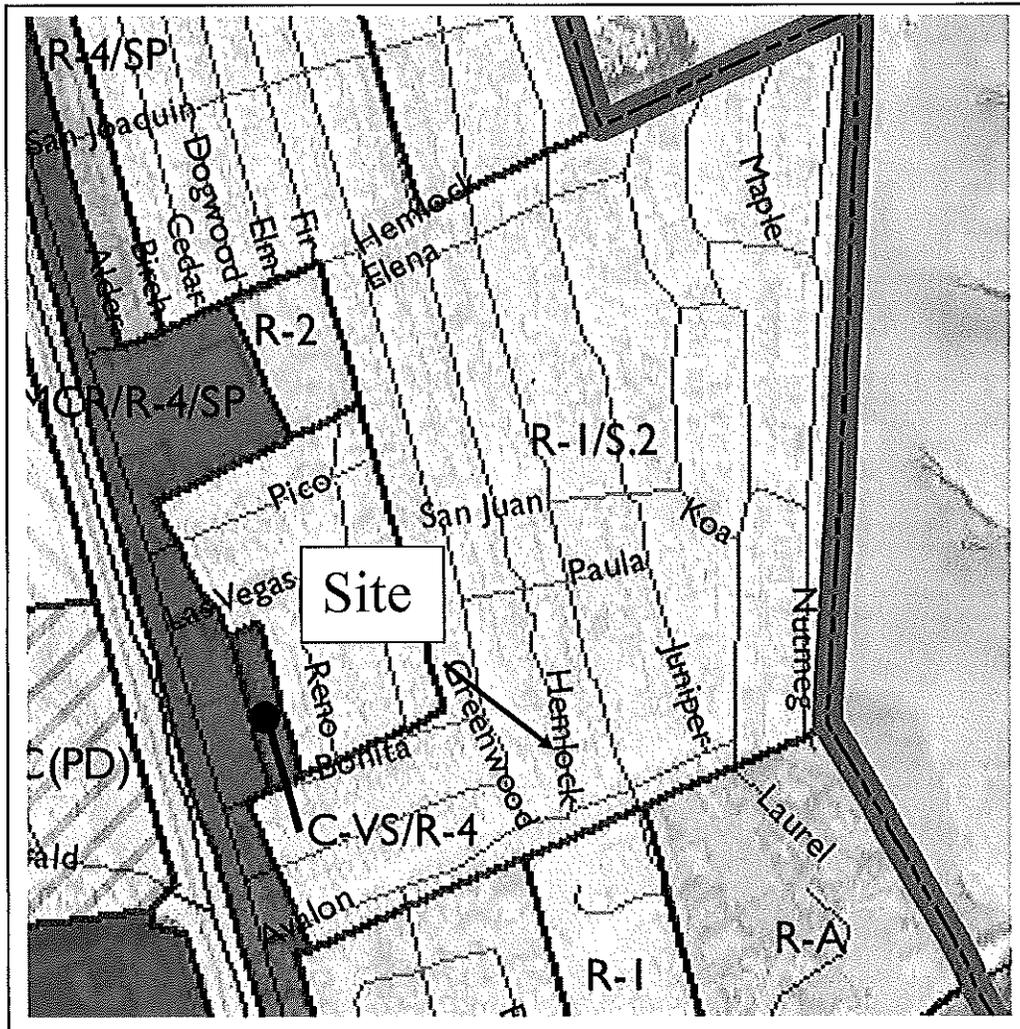
1. Show the water and sewer mains and laterals. The existing sewer lateral must be video inspected prior to building permit issuance. The DVD shall be submitted to the Public Services Department for review, any damages shall be repaired to prohibit inflow/infiltration.
2. A sewer backwater valve shall be installed on site to prevent a blockage or maintenance of the municipal sewer main from causing damage to the proposed project. Please indicate on the plans.
3. Show the installation of a City standard driveway approach (B-7 or B-8). An encroachment permit is required for any work within the Right of Way.
4. Provide a standard erosion and sediment control plan. The Plan shall show control measures to provide protection against erosion of adjacent property and prevent sediment or debris from entering the City right of way, adjacent properties, any harbor, waterway, or ecologically sensitive area.

Add the following notes on the Plans:

1. No work shall occur within (or use of) the City's Right of Way without an encroachment permit. Encroachment permits are available at the City of Morro Bay Public Services Office located at 955 Shasta Ave. The Encroachment permit shall be issued concurrently with the building permit.
2. Any damage, as a result of construction operations for this project, to the City facilities i.e. curb/berm, street, sewer line, water line, or any public improvements shall be repaired at no cost to the City of Morro Bay.

EXHIBIT C

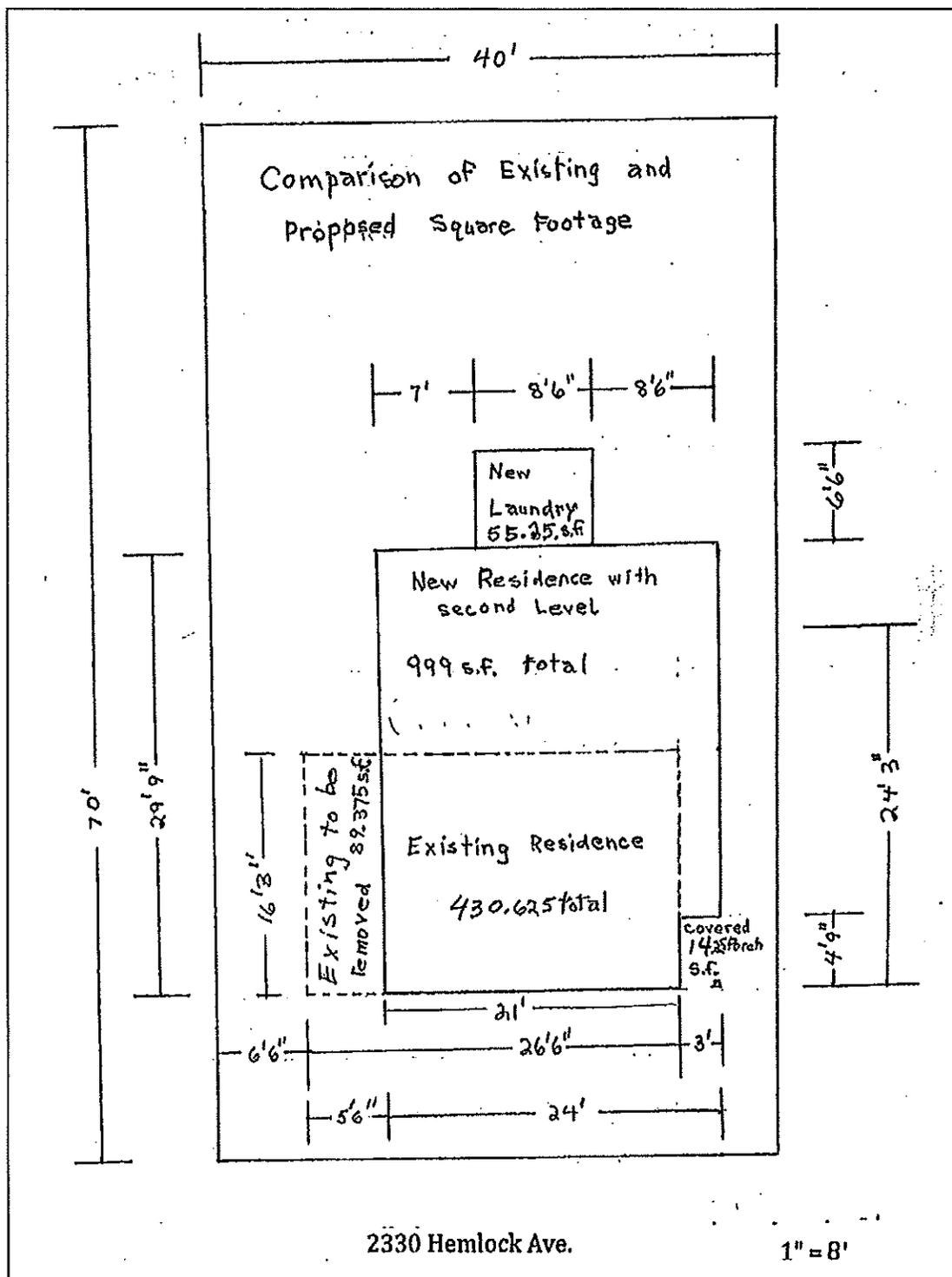
GRAPHICS/PLAN REDUCTIONS



Planning Commission
2330 Hemlock



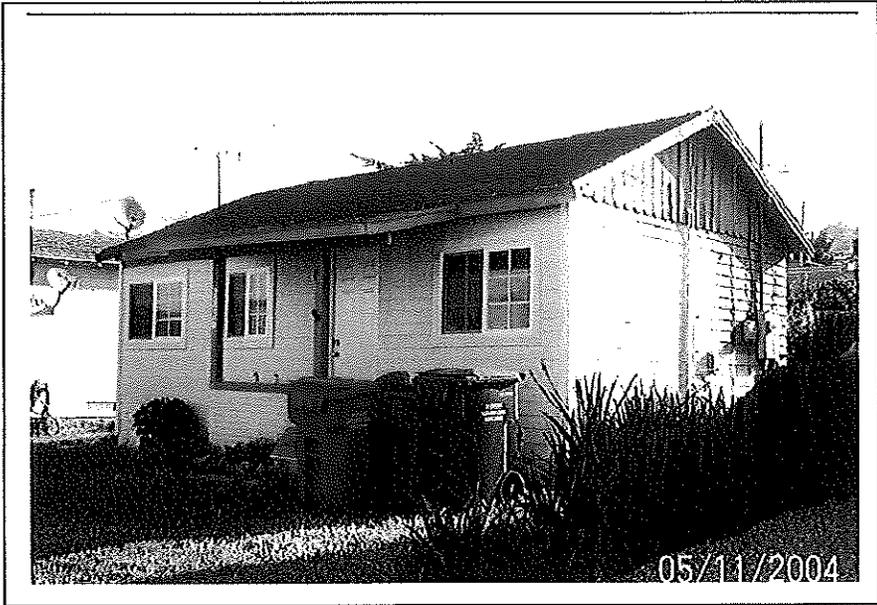
ZONING MAP



Planning Commission
2330 Hemlock



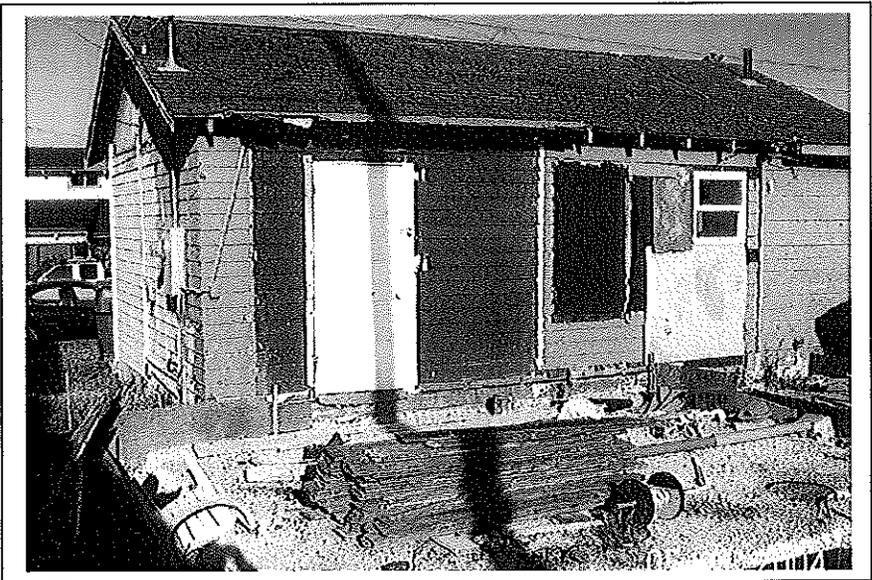
SITE PLAN



View of front of property.



View of rear of property.



View of garage at the rear of the property.





View of garage access from front of the property.



View of garage from the south.

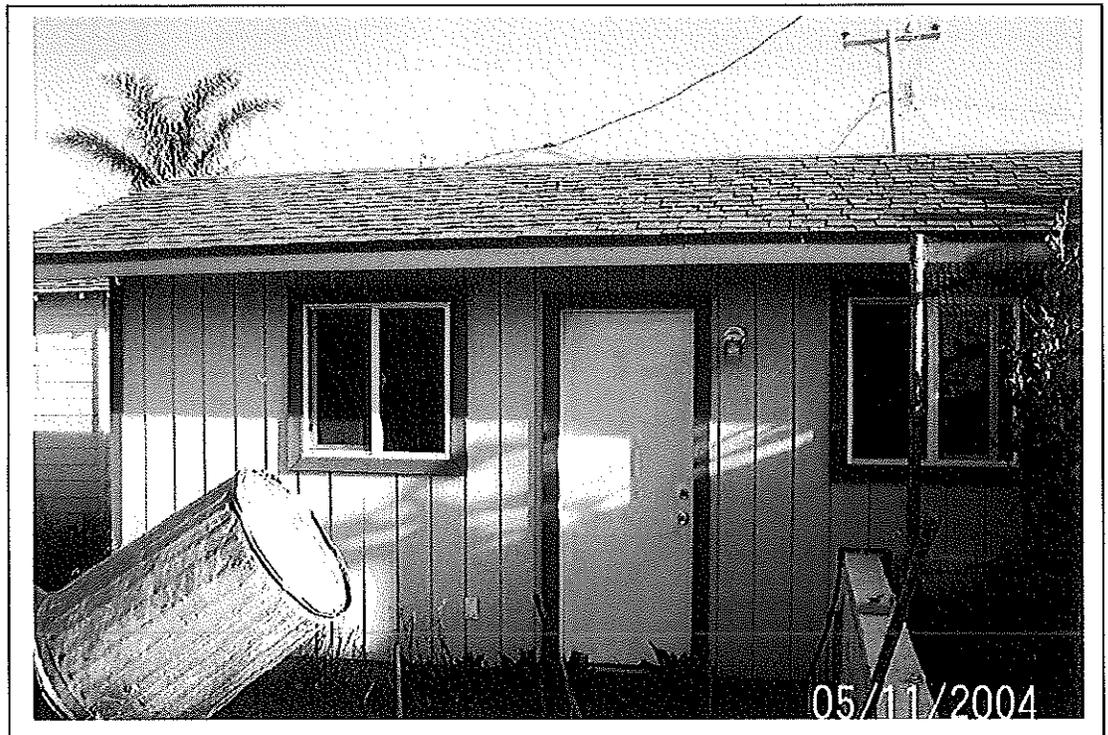


EXHIBIT D

CITY OF MORRO BAY
PUBLIC SERVICES DEPARTMENT
955 SHASTA AVENUE ♦ MORRO BAY, CA 93442 ♦ 805.772.6261

APPLICATION

- TEMPORARY USE PERMIT
- SPECIAL USE PERMIT
- COASTAL DEVELOPMENT PERMIT
- CONDITIONAL USE PERMIT
- MINOR USE PERMIT

CASE NO. <i>UPD-259</i>
BUILDING PERMIT:

Project address: *2330 Hemlock Ave MB*

Existing use: *single Family Residence* Existing sq. ft.

Lot *16* Block *3* Tract *Morro Del Mar Sub 1* APN. *068,272,025*

Project description: *Addition to a single family residence including a second level ^{second unit} ~~guest house~~ with access via an external stairway.*

Applicant: *John G. Christie* Day phone: *805 481 5068*

Address: *2330 Hemlock Ave*

City: *Morro Bay, CA* Zip code: *93442*

Agent (if any): *NA* Business phone: *NA*

Address:

City: Zip code:

Property owner: *Same as applicant* Day phone:

Address:

City: Zip code:

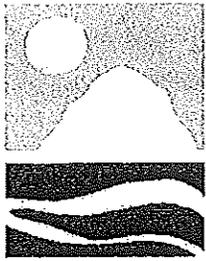
Acceptance of this application does not imply approval/authorization of this request. I realize that this application may be denied or that conditions may be attached to this request to assure compliance with applicable Municipal Code requirements.

Applicant's signature: *John G. Christie* Date: *4-24-09*

Property owner's signature: *John G. Christie* Date: *4-24-09*

APPLICATION SUBMITTAL REQUIREMENTS - SEE PAGE TWO

\$113.00



CITY OF MORRO BAY
PUBLIC SERVICES DEPARTMENT
955 SHASTA AVENUE ♦ MORRO BAY, CA 93442
805-772-6261

RECEIVED

PARKING EXCEPTION
TO CHAPTER 17.44
PARKING DRIVEWAY AND LOADING FACILITIES

MAY 25 2010

City of Morro Bay
Public Services Department

PROJECT ADDRESS 2330 Hemlock Ave CASE NO. _____

EXISTING/PROPOSED USE: residential w/ guest unit (second level)

EXCEPTION REQUESTED: tandem parking for the 10x20 parking
space required for the guest house addition.

LOT 16 BLOCK 3 TRACT Morro Del Mar 1 ASSESSOR'S PARCEL NUMBER
068 272 025

APPLICANT John G. Christie DAY PHONE 805 481 5668

ADDRESS PO Box 491 CITY Cayucos ZIP CODE 93430

AGENT (IF ANY) _____ BUSINESS PHONE _____

ADDRESS _____ CITY _____ ZIP CODE _____

PROPERTY OWNER same DAY PHONE _____

ADDRESS: _____ CITY _____ ZIP CODE _____

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

APPLICANT'S SIGNATURE: John G. Christie DATE 5-24-10
~~11-30-09~~

PROPERTY OWNER'S SIGNATURE: John G. Christie DATE 5-24-10
~~11-30-09~~

APPLICATION SUBMITTAL REQUIREMENTS - SEE PAGE TWO

EXCEPTION APPLICATION SUPPLEMENT
to Chapter 17.44
Parking, Driveway and Loading Facilities

Attach this supplement to the application form for an exception to Chapter 17.44 Parking, Driveway and Loading Facilities. Please type, or print clearly. Attach additional sheets if necessary.

JUSTIFICATION FOR AN EXCEPTION

The exception is a way of obtaining relief from a parking, driveway, and loading facility standards that should not be applied to a project because of some unusual circumstance relating to the physical characteristics of the project site. Authorized under Section 17.44.050 MBMC, the Community Development Director may grant exceptions to the limitations of Chapter 17.44 Parking, Driveway and Loading Facilities subject to appropriate conditions and upon a findings that:

EXPLANATION OF FINDINGS

1. **Special Circumstances** - Explain why the exception will not constitute a grant of special privilege inconsistent with the driveway or parking limitations upon other properties in the vicinity, and the reduced parking or alternative to the parking design standards within Chapter 17.44 of the MBMC will be adequate to accommodate on the site all parking needs generated by the use?

The S-2 overlay zoning permits one garage space for a residence under 1000 sq ft. The City code for guest house requires one uncovered parking space. The requested exception would allow the uncovered parking space to be tandem.

2. **Health, Safety or General Welfare** - Explain how granting the exception will not adversely affect the health, safety or general welfare of persons working or residing in the vicinity and that no traffic safety problems will result from the proposed modification of parking standards.

This tandem parking exception was granted to my neighbor across the street (he expanded his house over 1000 sq ft & needed to add a space). His exception has not interfered with neighborhood parking standards & neither would mine.

3. **Applicant's Full Enjoyment** - Explain why the exception is reasonably necessary for the applicant's full enjoyment of uses similar to those permitted upon the adjoining real property.

I would like to be able to enjoy the views from my property that are only available from a second story. The only way to have a reasonable upper living area & keep total sq footage under 1000 sq ft is to have outside stairs. The only way to have outside stairs is to call the second level a guest house. The only space available

APPLICANT SIGNATURE

John H. Christen

for parking requires tandem DATE

5-24-10

EXHIBIT E

JULIE RODEWALD
San Luis Obispo County - Clerk/Recorder

SC
8/27/2007
10:14 AM

RECORDING REQUESTED BY

CITY OF MORRO BAY

WHEN RECORDED, RETURN TO:

City of Morro Bay
Public Services Department
590 Morro Bay Blvd
Morro Bay, CA 93442

Recorded at the request of
Public

DOC#: **2007058136**



Titles: 1 Pages: 2

Fees	10.00
Taxes	0.00
Others	0.00
PAID	<u>\$10.00</u>

GARAGE ACCESS AGREEMENT

THIS GARAGE ACCESS AGREEMENT is made and entered into this 24 day of August 2007, by John G. Christie hereinafter "Owner".

WHEREAS, Owner is record owner of the real property located at 2330 Hemlock Avenue, Morro Bay, California, more specifically described as 068-272-025, Lot 16, Block 3, Morro del Mar Subdivision No. 1; as recorded in Book 3, on Page 76 of the official maps with the San Luis Obispo County Recorder; and

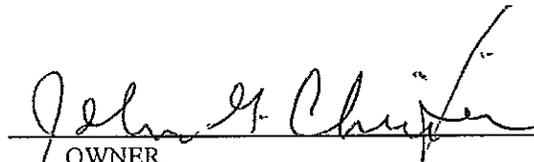
WHEREAS, the owner has applied for building permit number 28563 requesting approval to construct a 128 square foot addition of habitable space and a 242 square foot garage addition to an existing nonconforming residence; and

WHEREAS, the proposed garage will not be accessible for vehicular use due to the layout of the existing residential unit.

NOW, THEREFORE, THE OWNER AGREES AS FOLLOWS:

1. Any subsequent building permit applications requesting approval for construction of additional floor area at 2330 Hemlock Avenue shall require the applicant to provide vehicular access to the requested one-car garage; and
2. Vehicular access to the one-car garage shall be a minimum width of ten feet; and
3. This agreement shall be binding for the current and any future owners of the property.

DATED: 8-24-07


OWNER
John G. Christie

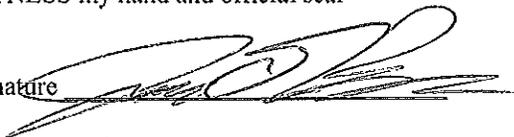
STATE OF CALIFORNIA)
) SS.
COUNTY OF SAN LUIS OBISPO)

On 8/24/07, before me, Jason Overacker, personally appeared John Garfield Christie,

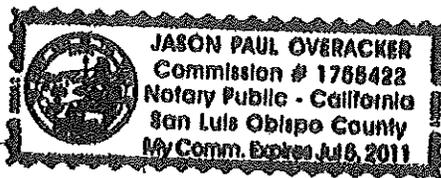
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature



(Seal)



Approved for Recordation By:



Michael Prater
Planning Manager
City of Morro Bay

STATE OF CALIFORNIA)
) SS.
COUNTY OF SAN LUIS OBISPO)

On August 23, 2007, before me, BRIDGETT BAUER, City Clerk for the City of Morro Bay, personally appeared Michael Prater, Planning Manager for the City of Morro Bay, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Signature



BRIDGETT BAUER, City Clerk
City of Morro Bay, California

(Seal)

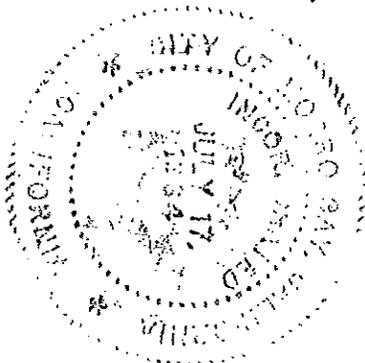
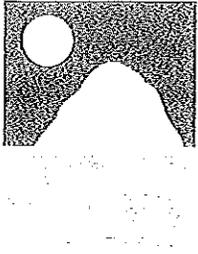


EXHIBIT F



City of Morro Bay

Morro Bay, CA 93442 • 805-772-6200

www.morro-bay.ca.us

November 3, 2009

Mr. John Christie
2330 Hemlock Ave.
Morro Bay, CA 93442

Subject: Conditional Use Permit UP0-259 (2330 Hemlock – Secondary Unit and Addition to a Single Family Residence)

Dear Mr. Christie,

Staff has reviewed your Conditional Use Permit application to add a secondary unit and addition to a single family residence. The submittal is incomplete. In order to continue review of the project, depict the following information on the plans and provide written responses to the below corrections.

General Comments

1. The plans do not depict the required parking for the secondary unit. Provide a space for this unit on-site or provide justification for a parking exception (variance) by addressing the findings for the exception. See Section 17.44.050 of the code for the findings. An application and fee are required for the Parking Exception. Note that there is no guarantee that the exception will be approved.
2. Provide a scaled site plan that is consistent with and engineer's or architect's scale.

Sheet T-1

3. Provide the zoning (R-1 Single family residential, S.2 Special Overlay) and required and proposed development standards on this sheet. See Section 17.40.050 of the code for the required development standards (Lot Coverage, Setbacks, Height, Landscaping, etc.)
4. Depict the access to the garage on the plans.
5. Provide dimensions from the garage to the side and rear property lines.
6. Include the application (Conditional Use Permit) and case number (UP0-259) on this sheet.

FINANCE

595 Harbor Street

ADMINISTRATION

595 Harbor Street

FIRE DEPARTMENT

715 Harbor Street

PUBLIC SERVICES

955 Shasta Street

HARBOR DEPARTMENT

1275 Embarcadero Road

CITY ATTORNEY

955 Shasta Avenue

POLICE DEPARTMENT

850 Morro Bay Boulevard

RECREATION AND PARKS

1001 Kennedy Way

Sheet A-1

7. Provide the dimensions where requested on the plan.

Any further processing of this project must be initiated by you, the applicant, and is subject to the applicable rules and regulations of the Morro Bay Municipal Code.

Please contact me if you have any questions at 772-6270.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gene Lehotsky".

Gene Lehotsky
Associate Planner



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
Hearing or Action Ready							
1	John Christie	2329 Hemlock	4/26/09	UP0-258	<i>CUP for 2nd unit to nonconforming site. 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. Scheduled for 7/5/10 PC.</i>	SD	PC
2	John Saurwein	2718 Alder	6/1/10	AD0-055 CP0-331	<i>New SFR. Submitted 6/1/10. Met with applicant 6/4/10. Incomplete letter 6/4/10. Resubmittal 6/23/10. Scheduled for 7/19/10 Planning Commission Meeting.</i>	SD	PC
3	Johnnie Medina	3390 Main	5/29/08	CP0-276 & S00-89	2 Lot Subdivision. 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. Applicant submitted email from the U.S. Fish and Wildlife Service regarding wetland status.	KW	PC
30 -Day Review, Incomplete or Additional Submittal Review							
4	Kleinhammer	160, Anchor 190	7/29/08	S00-100, UP0-279 and CP0-311	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.	KW	PC/CC
5	Pina Noran	2176 Main	10/3/08	CUP-35-99 & CDP-66-99R	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 3/22/10 and requested information. Applicant is considering a redesign of the project.	KW	PC
6	Studio Design Group	962 Piney	10/15/09	CP0-314 & UP0-281	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.	SD	PC
7	Vallely and Crafton	430 Olive	11/23/09	S00-102	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.	SD	AD

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
8	David Foote	235 Atascadero	12/16/09	CP0-322	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. Agent indicates that the project has been revised so that no trees will be removed.	KW	PC
9	James Maul	530, 532, 534 Morro Ave	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.	KW	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.	SD	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.	SD	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.	KW	PC
13	Kim Van Nordstand	736 Main Street	4/6/10	SP0-130	Sign Permit. Incomplete letter sent 4/28/10. Resubmittal 6/28/10.	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. Project Noticed for Admin Action 6/16/10.	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. Comment Letter 6/9/10. Noticed project	SD	AD
16	Mike Wilson	957 Pacific	6/1/10	CP0-330 AD0-053	Demo Garage/Replace with Tandem Structure. Incomplete letter 6/16/10. Resubmittal 6/23/10.	SD	AD
17	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. Resubmittal 6/17/10. Approved	SD	AD
18	Hamrick Associates	1129 Market	6/10/10	UP0-291	Remodel and Addition. Incomplete letter 6/23/10.	SD	PC
19	Dan Reddell	550 Morro Bay Blvd	6/14/10	UP0-293	Farmer's Market. Conditional Use Permit for vendors and events. Resubmittal 6/17/10	SD	PC
Projects in Process							
20	Rudolph Kubus	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. Project resubmitted on 6/29, 2010	KW	PC

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
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.	KW	PC
22	City of Morro Bay & Cayucos	160 Atascadero	7/1/08	EIR	WWTP Upgrade. 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 OCB
23	Dan Reddell	1 Jordan Terrance	7/25/08	UP0-223 & CP0-285	New SFR. 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
24	California State Park	201 State Park Drive	2/11/09	CP0-303 & UP0-254	Solar Panels 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
25	Tank Farm	1290 Embarcadero	2/27/10	N/A	Tank Demo. Demo of seven tanks at the Morro Bay Power Plant. Materials submitted and under review	SD	AD
26	City of Morro Bay	10 State Park Drive	11/10/09	UP0-278	Marina Dredging. CUP to dredge State Park Marina. Consultant working on Addendum to the EIR.	KW	PC
27	City of Morro Bay	Citywide	5/1/10	AD0-047	Text Amendment modifying Section 17.68 "Signs". Planning Commission placed the ordinance on hold pending additional work on definitions and temporary signs.-5/17/2010	KW	PC/CC
Environmental Review							
28	Chevron	3072 Main	12/31/08	C90-301	Remove Underground Pipes. 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.	SD	PC
29	Robert Tefft	395 Acacia	11/10/09	CP0-320	SFR demolition. 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.	KW	AD
30	Larry Newland	Embarcadero	11/21/05	UP0-092 & CP0-139	Embarcadero-Maritime Museum (Larry Newland). 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.	KW	PC
Coordinating with Other Jurisdictions							
31	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.	SD	PC/CC/ CCC

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
32	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
33	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
Projects Continued Indefinitely or No Response to Date on Incomplete Letter							
34	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
35	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
36	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
37	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
38	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
39	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
40	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.	SD	AD
41	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.	SD	PC
42	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
43	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
Projects in Building Plan Check							
44	Don Doubledee	360 Morro Bay Blvd	5/15/09	Building	Mixed Use Project - Ciano . Comments sent 2/25/10.	SD	N/A
45	Valori	2800 Birch Ave	2/10/10	Building	Remodel/Repair . Sunroom, garage, and study. Comments sent 2/24/10	SD	N/A

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
46	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
47	Jon Wickstrom	401 Panay	2/5/10	Building	SFR Addition. 1,000 sf. addition. Comments sent 3/17/10.	SD	N/A
48	Costanzo Addition	1202 Bolton Dr	9/18/09	Building	SFR Addition. Add stairs to the existing house. Comments sent 9/24/2009	SD	N/A
49	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.	SD	N/A
50	Colhover	2800 Dogwood	3/8/10	Building	New SFR. Comments sent 3/25/10.	SD	N/A
51	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
52	Tricia Knight	1478 Quintana	3/12/10	Building	MetroPCS Telecom Site on Rock Harbor Church. Comments sent 4/12/10.	SD	N/A
53	Ronald Stuard	490 Avalon	4/22/10	Building	SFR Addition. 79 sf. bedroom addition. Comments sent 4/27/10.	SD	N/A
54	Joe Silva	570 Avalon	5/12/10	Building	SFR Addition. 84 sf. addition. Comments sent 5/17/10.	SD	N/A
55	Lou McGonagill	690 Olive	6/7/10	Building	SFR Addition. 1,000 sf. addition with garage.	SD	N/A
Projects & Permits with Final Action							
56	Great American Fish Co.	1185 Embarcadero	1/6/05	UP0-058/ Precise Plan	GAFC, Virg's, & 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.	KW	PC
57	Ginger Machado	500 Quintana	3/16/10	SP0-124	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.	SD	PC



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



Memorandum

TO: PLANNING COMMISSION **DATE:** June 29, 2010

FROM: KATHLEEN WOLD, PLANNING MANAGER

SUBJECT: RESTRICTIONS/RULES ON INSTALLING GATES ON DRIVEWAYS FOR RESIDENTIAL AND COMMERCIAL PROPERTIES.

BACKGROUND/DISCUSSION:

On August 17, 2009 the Planning Commission requested that staff research the issue of allowing gates restricting access for residential and commercial properties. The Planning Commission requested the following:

Provide information on the regulations regarding gating a subdivision.

Current regulations regarding gating residences and commercial businesses.

Regulations as proposed in the new Zoning Ordinance.

Information on the permit process required when proposing to gate a property.

CURRENT REGULATIONS

Title 17 currently does not have any regulations which specifically address the issue of gating property. However, currently staff reviews all proposals to ensure that all proposed gates provide sufficient distance from the gate to the street to allow a car to get completely off the street if the gate were to be closed. In addition there are no provisions to strict the applicant from submitting for an encroachment permit to allow the gating to occur within the public right-of-way providing there is still sufficient room to queue outside the actual street.

NEW ZONING ORDINANCE REGULATIONS

The Zoning Ordinance awaiting certification from the California Coastal Commission contains the following

Gates. Parking lot and parking garage gates shall not move in a direction that interferes with on-street or pedestrian circulation.

There is no additional standards regarding gating driveways provided within the document.

SUBDIVISION REGULATIONS

Title 16 (Land Division Ordinance) does not specifically address the gating of a subdivision other than to require any street which has restricted access to be private.

CURRENT PERMIT PROCESS FOR GATING A PROPERTY

A request to modify a commercial site to enclose the parking would require an amendment to the existing permit. A request to fence and gate a residential property would have to comply with all current fencing requirements including the height of the fence within the front yard. While requests for gating driveways are infrequent, city staff currently does review all requests to ensure that there are no traffic hazards created. As stated above all gates need to allow a minimum of 20 feet between the gate and the street to allow all vehicles to get off the street should the gate be closed. In addition any proposal to have a gate within the public right of way but outside the street requires a special encroachment permit that holds the City harmless, requires removal upon demand and is recorded against the property. All requests must also be submitted to the Fire Department for review to ensure that sufficient accommodations have been provided to ensure emergency access.

CONCLUSION

After conducting the necessary research it does not appear that there are specific regulations concerning the gating of driveways or streets, however it is standard practice for staff to review all requests to ensure adequate emergency access and that no traffic hazards are created.