



CITY OF MORRO BAY PLANNING COMMISSION AGENDA

The City of Morro Bay provides essential public services and infrastructure to maintain a safe, clean and healthy place for residents and visitors to live, work and play.

**Regular Meeting - Tuesday, August 15, 2017
Veteran's Memorial Building – 6:00 P.M.
209 Surf Street, Morro Bay, CA**

Chairperson Robert Tefft

Commissioner Gerald Luhr
Commissioner Michael Lucas

Commissioner Richard Sadowski
Commissioner Joseph Ingraffia

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

PUBLIC COMMENT PERIOD

Members of the audience wishing to address the Commission on matters not on the agenda may do so at this time. For Public Hearing, New Business, and Unfinished Business items, additional opportunities for public comment will be provided following the Staff Report for each such item. Commission hearings often involve highly emotional issues. It is important that all participants conduct themselves with courtesy, dignity and respect. All persons who wish to present comments must observe the following rules to increase the effectiveness of the Public Comment Period:

- When recognized by the Chair, please come forward to the podium and state your name and address for the record. Commission meetings are audio and video recorded and this information is voluntary and desired for the preparation of minutes.
- Comments are to be limited to three minutes so keep your comments brief and to the point.
- All remarks shall be addressed to the Commission, as a whole, and not to any individual member thereof. Conversation or debate between a speaker at the podium and a member of the audience is not permitted.
- The Commission respectfully requests that you refrain from making slanderous, profane or personal remarks against any elected official, commission and/or staff.
- Please refrain from public displays or outbursts such as unsolicited applause, comments or cheering.
- Any disruptive activities that substantially interfere with the ability of the Commission to carry out its meeting will not be permitted and offenders will be requested to leave the meeting.
- Your participation in Commission meetings is welcome and your courtesy will be appreciated.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development at (805) 772-6264. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. There are devices for the hearing impaired available upon request at the staff's table.

PRESENTATIONS – NONE

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

A. CONSENT CALENDAR

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

A-2 Approval of minutes from the Planning Commission meeting of July 18, 2017.
Staff Recommendation: Approve minutes as submitted.

B. PUBLIC HEARINGS

Public testimony given for Public Hearing items will adhere to the rules noted above under the Public Comment Period. In addition, speak about the proposal and not about individuals, focusing testimony on the important parts of the proposal; not repeating points made by others.

B-1 **Case No.:** CP0-465 and UP0-411

Site Location: 590 Morro Avenue, Morro Bay, CA

Project Description: Continued review of a request for approval of a Coastal Development Permit and Conditional Use Permit to modify and add to an existing unmanned telecommunication wireless facility at the Twin Dolphin Comfort Inn motel on the southeast corner of Morro Avenue and Marina Street in the R-2/PD/S.4 zone. The project is located outside of the Coastal Commission Appeals Jurisdiction.

CEQA Determination: Categorically Exempt, Section 15303, Class 3

Staff Recommendation: Conditionally Approve

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

B-2 **Case No.:** CP0-546 / UP0-484 / AD0-121

Site Location: 2101 Sunset Avenue, Morro Bay, CA

Project Description: Coastal Development Permit and Conditional Use Permit approval with an associated Parking Exception for the addition of a 625 sq. ft. detached accessory dwelling unit to an existing single-family residence with a nonconforming side-yard setback and parking situation. The Parking Exception is to allow for the second required space to be located in tandem in the driveway. The project is located within the R-2 Residential Zoning District and outside of the Coastal Commission Appeals Jurisdiction.

CEQA Determination: Categorically Exempt, Section 15303, Class 3

Staff Recommendation: Conditionally Approve

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

C. NEW BUSINESS - NONE

D. UNFINISHED BUSINESS - NONE

E. PLANNING COMMISSIONER COMMENTS

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENTS

G. ADJOURNMENT

Adjourn to the next regular Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on September 5, 2017 at 6:00 p.m.

PLANNING COMMISSION MEETING PROCEDURES

This Agenda is subject to amendment up to 72 hours prior to the date and time set for the meeting. Please refer to the Agenda posted at the Community Development Department, 955 Shasta Avenue, for any revisions, or call the department at 772-6264 for further information.

Written testimony is encouraged so it can be distributed in the Agenda packet to the Commission. Material submitted by the public for Commission review prior to a scheduled hearing should be received by the Planning Division at the Community Development Department, 955 Shasta Avenue, no later than 5:00 P.M. the Tuesday (eight days) prior to the scheduled public hearing. Written testimony provided after the Agenda packet is published will be distributed to the Commission but there may not be enough time to fully consider the information. Mail should be directed to the Community Development Department, Planning Division.

Materials related to an item on this Agenda are available for public inspection during normal business hours in the Community Development Department, at Mill's/ASAP, 495 Morro Bay Boulevard, or the Morro Bay Library, 695 Harbor, Morro Bay, CA 93442. Materials related to an item on this Agenda submitted to the Planning Commission after publication of the Agenda packet are available for inspection at the Community Development Department during normal business hours or at the scheduled meeting.

This Agenda may be found on the Internet at: www.morro-bay.ca.us/planningcommission or you can subscribe to Notify Me for email notification when the Agenda is posted on the City's website. To subscribe, go to www.morro-bay.ca.us/notifyme and follow the instructions.

The Brown Act forbids the Commission from taking action or discussing any item not appearing on the agenda, including those items raised at Public Comment. In response to Public Comment, the Commission is limited to:

1. Responding to statements made or questions posed by members of the public; or
2. Requesting staff to report back on a matter at a subsequent meeting; or
3. Directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Commission meetings are conducted under the authority of the Chair who may modify the procedures outlined below. The Chair will announce each item. Thereafter, the hearing will be conducted as follows:

1. The Planning Division staff will present the staff report and recommendation on the proposal being heard and respond to questions from Commissioners.
2. The Chair will open the public hearing by first asking the project applicant/agent to present any points necessary for the Commission, as well as the public, to fully understand the proposal.
3. The Chair will then ask other interested persons to come to the podium to present testimony either in support of or in opposition to the proposal.
4. Finally, the Chair may invite the applicant/agent back to the podium to respond to the public testimony. Thereafter, the Chair will close the public testimony portion of the hearing and limit further discussion to the Commission and staff prior to the Commission taking action on a decision.

APPEALS

If you are dissatisfied with an approval or denial of a project, you have the right to appeal this decision to the City Council up to 10 calendar days after the date of action. Pursuant to Government Code §65009, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Commission, at, or prior to, the public hearing. The appeal form is available at the Community Development Department and on the City's web site. If legitimate coastal resource issues related to our Local Coastal Program are raised in the appeal, there is no fee if the subject property is located within the Coastal Appeal Area. If the property is located outside the Coastal Appeal Area, the fee is \$268 flat fee. If a fee is required, the appeal will not be considered complete if the fee is not paid. If the City decides in the appellant's favor then the fee will be refunded.

City Council decisions may also be appealed to the California Coastal Commission pursuant to the Coastal Act Section 30603 for those projects that are in their appeals jurisdiction. Exhaustion of appeals at the City is required prior to appealing the matter to the California Coastal Commission. The appeal to the City Council must be made to the City and the appeal to the California Coastal Commission must be made directly to the California Coastal Commission Office. These regulations provide the California Coastal Commission 10 working days following the expiration of the City appeal period to appeal the decision. This means that no construction permit shall be issued until both the City and Coastal Commission appeal period have expired without an appeal being filed. The Coastal Commission's Santa Cruz Office at (831) 427-4863 may be contacted for further information on appeal procedures.



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

This tracking sheet shows the status of the work being processed by the Planning & Building Divisions

New Planning items or items recently updated are highlighted in yellow.

Approved projects are deleted on next version of log.

Agenda No: A-1

Meeting Date August 15, 2017

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
Hearing or Action Ready Projects:										
1	Vankrieken	462 Arbutus	12/9/16	UP0-465/ CP0-535	CDP and Conditional Use Permit for new 515 sq. ft. garage and remodel of existing nonconforming SFR	Under Initial Review. Correction Letter sent 1/6. Resubmittal received 1/20/217. Correspondence with Agent regarding residential design guidelines, waiting for updated front elevations. Noticed for PC hearing on 3/10/16. Agendized for 3/21/17. Continued to a date uncertain with direction for design changes. In discussion with Applicant/Agent - resubmittal is getting closer. PC hearing 8/1/17		PN- Conditionally approved per memo dated 12/22/16		jg
30 -Day Review, Incomplete or Additional Submittal Review Projects:										
4	Ferrin	2770 Elm	7/7/17	CP0-550/UP0-487	Coastal Development and Conditional Use Permit for a 752 sq. ft. 2nd story addition and garage expansion	Under Initial Review				jg
5	Gillean	479 Panay	7/6/17	CP0-549	Coastal Development Permit to allow for an existing accessory dwelling unit.	Under Initial Review. Correction Letter sent 7/20/2017				jg
6	Jeff Edwards	1111 Main	6/16/17	CP0-548 / UP0-485	Conceptual Review for future Regular Coastal Development Permit for a mixed use project to include commercial space along Main St. with living units above as well as 8 transient occupied suites	Conceptual review to be heard at Planning Commission. Tentatively scheduled for 8/15 hearing		PN- Conditionally approved 7/25/2017		jg
7	Taverner	335 Piney	6/15/17	CP0-547	Coastal Development Permit for the construction of a detached 624 sq. ft. accessory dwelling unit	Under Initial Review. Correction Letter sent 7/11/2017		PN- Conditionally approved 7/17/2017		jg

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8	Sotelo	2101 Sunset	6/9/17	CP0-546, UP0-484, & AD0-121	Coastal Development, Use Permit, and Parking Exception for a detached secondary dwelling unit.	Under review. Correction letter sent 7/6/2017. Resubmittal received 7/12/2017		PN-Conditionally Approved 7/5/17		jg
9	Guesno	210 Atascadero	6/1/17	CP0-544 / UP0-481	Coastal Permit and Use Permit for commercial change in use	Under Review. Correction memo sent to applicant 6-27-17. Resubmittal received 7/24/17		PN- Not Approved 7/5/17		wm
10	Teresa Drive Estates, LLC	301 Sea Shell Cove	5/11/17	CP0-543 & UP0-480	Coastal Development Permit & Conditional Use Permit for new SFR on Lot 1. 2220sf living, 580sf garage, 336sf covered patio & decks.	Under Review. Correction memo sent to applicant 6-19-17.		PN- Conditionally Approved 6/7/17		wm
11	Morgan	101 Fig St.	4/12/17	UP0-476	Conceptual Review of New SFR with accessory unit. Existing historical structure on lower level.	PC Conceptual Review 5/16/17. Applicant evaluating whether to pursue project.		PN-Conditionally approved 5/11/17		wm
12	So Cal Gas Company	0 Sequoia St (Public Right of Way, 32' west of Alder Ave)	3/29/17	CP0-539	Administrative Coastal Development Permit to install new class 5 wood pole, 29' above ground level. Advance Meter - Equipment attached to top of pole	Under Initial Review. Working with So Cal Gas to lower pole height and locate behind future sidewalk.		PN - Disapproved 5/3/17		wm
13	So Cal Gas Company	0 Nutmeg (Public Right of Way, 710' north of Cuesta St.)	3/29/17	CP0-538	Administrative Coastal Development Permit to install new class 5 wood pole, 29' above ground level. Advance Meter - Equipment attached to top of pole	Under Initial Review. Working with So Cal Gas to move slightly northeast out of resident viewshed and into PUC easement.		PN - Disapproved 5/3/17		wm
14	Mathias Family Trust	2515 & 2525 Greenwood	3/29/17	CP0-537	Administrative Coastal Development Permit for demolition of two residential structure, prep site for new construction, prune & trim overgrown bushes, and removal of fallen tree.	CDP approved for demo 4/25/17.		PN- Conditionally Approved per memo dated 5/1/17		wm
15	Assembly of God	615 Monterey	3/6/17	CP0-534/ AD0-113	Admin CDP and Parking Exception to convert existing garage to living space (house adjacent to church), convert lower rear portion of church to new garage.	Under Initial Review. Waiting on project redlines 4/12 Resubmittal received 7/20/2017		PN- Conditionally Approved per memo dated 4/24/17		jg
16	James / Nisbet	310 Mindoro	3/2/17	CP0-533	Admin CDP for New SFR on vacant lot for 1542sf living, 462sf garage, 176sf deck.	Incomplete letter sent 3/23. Requires CDP, MUP, Parking exception. Action date set for 6/27/17		PN- Conditionally Approved 7/5/17		wm
17	James/ Nisbet	300 Mindoro	3/2/17	CP0-532	Admin CDP for New SFR on vacant lot, 1433sf living, 446 sf garage, 195sf deck.	Incomplete letter sent 3/23. Requires CDP, MUP, and Parking Exception. Action Date set for 6/27/17		PN- Conditionally Approved 7/5/17		wm

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18	Huber	2783 Coral Ave	2/24/17	CP0-530, UP0-470, S00-127	Proposed 6 lot residential subdivision (Tentative Tract Map, CDP, and CUP application). Property located at corner of San Jacinto & Coral Ave.	Under Initial Review		PN- Not Approved per memo dated 3/16/17		wm
19	Najarian	321 Luzon	11/7/16	CP0-521 & UP0-473 and AD0-115	Coastal Development Permit for a new 1,694 sq. ft. SFR	CDP/MUP/Parking exception issued for plans redesigned to meet flood zone standards on 5/30/17.		PN- Conditionally Approved 5/26/17		wm
20	Najarian	320 Mindoro	11/7/16	CP0-520 & UP0-472 & AD0-114	Admin CDP and MUP to build a SFR in an MCR/R-4 zone on a vacant lot. Proposed 2 story, 1694sf living, 546sf garage, & 144sf deck.	CDP/MUP/Parking exception issued for plans redesigned to meet flood zone standards on 5/30/17.		PN - Conditionally Approved 5/25/17		wm
21	Fennacy	939 Main Street	10/18/16	UP0-459	Use permit approval for change of occupancy for the creation of outdoor dining area at the Brickhouse BBQ	Project under review. Correction letter sent 11/17. Resubmittal Rcv'd 3/27, Resubmittal 5/25/17, Building correction letter. Resubmittal received 7/17/2017.		Conditionally approved per memo dated 5/1/17		rr
22	Van Buerden	945 Embarcadero	5/24/16	UP0-446	Conditional Use Permit for House of JuJu restaurant remodel, and City Park improvements	Incomplete letter sent 6-23-16 to Applicant and Applicant Representative. Cj. Resubmitted revised plans 6-5-17. Project reviewed and discussed with Consultant. Tentative PC hearing date is 9-5-17.		Conditionally approved 6/14/16		cj
23	Eisemann	535 Atascadero	10/12/15	CP0-490 & S00-125	Parcel map application & CDP to split 1 R-4 zoned lot in to two lots.	Incomplete letter sent 11-5-15. Received revised plans and communicated via email to applicant regarding plan corrections. Resubmittal under review. Correction letter sent 2/18/16 with Public Works comments. Received revised info from Applicant 3-3-16. Correction sent and resubmitted 4-8-16. Met w/ Architect to discuss intent to include development of 4-plex apartments. Resubmittal rcv'd 5/10. Correction letter sent 6/14/16. Spoke with architect 8/9/2016. Resubmittal rcv'd 8/17/2016. Correction letter sent 10/13/2016. <i>Applicant now wants to remove development from proposal and process the parcel map independently of any development.</i> Waiting on updated map (4/7/2017) Rcv'd 4/17. Correction letter sent 5/30/2017. Resubmittal Received 7/10/17		PN- Diapproved per Memo dated 6/14/16		jg
24	DeGarimore	1001 Front St.	7/14/15	A00-026 and UP0-442	Amendment to CUP to modify project description to remove proposed new awning.	Letter sent to applicant 9-9-15 regarding public access requirements. In process. Applicant wishes to include a kiosk for Virg's Landing with the awning amendment. Reviewed prelim site plan of kiosk and provided email comment corrections on 2/24/16. Met with Virg's Landing owner to discuss kiosk plan 2-29-16. TUP application submitted for kiosk proposal adjacent to parking lot on 4-19-16. Correction letter sent 5-12-16. No recent activity as of 7-1-17.		PN- Conditionally Approved 5/17/2017		cj

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25	Gambriel	405 Atascadero Rd.	5/13/15	CP0-475 / UP0-417	New construction of 10,000sf commercial retail on vacant lot	WM. Under review. Will need Arch and Traffic reports. Incomplete letter sent 9/4/15.		PN-Plans Disapproved. Req. Stormwater & plan update-8/24/15		wm
26	Leage	833 Embarcadero	9/15/14	UP0-389	Demolish existing building. Reconstruct new 1 story 19 foot building (retail/restaurant use) & outdoor improvements	Under review. Deemed incompleated. Letter sent 10-13-14. CJ Resubmittal received 2/17/15. Incomplete letter sent . Resubmittal received. Not compliant with view corridors requirements. Resubmitta received 1-20-16. Email corrections provided to Applicant on 2/10. Reviewed revised plans received from architect via email on 3/7/16.	BC- incomplete	RPS - Disapproved for plan corrections noted in memo of 10/14/14		cj
Planning Commission Continued projects:										
2	Elster	530 Morro	4/20/16	UP0-282 & CP0-323	New 2,978 sq. ft. SFR with 1,516 sq. ft. garage, 1,191 sq. ft. of decking, and a 560 s. ft. secondary dwelling unit.	Applicant has decided against the parcel map and development of three townhomes and now proposes to build one SFR and a secondary dwelling unit. Under initial review. Waiting on PW comments. Correction letter sent 5/18/16. Spoke with Applicant 8/4/2016 - resubmittal pending. Resubmittal received. Correction Letter Sent 11/7/2016. Resubmittal received 1/17/17. PC on March 7, 2017. Continued to a date uncertain. Resubmittal Received 6/2/2017. Emailed correction comments 6/26.				ig
3	Rhine LP & Morro 94, LLC	3300 Panorama	2/24/16	CP0-500 & UP0-440	Coastal Development Permit & Conditional Use Permit for Demolition of 3 existing tanks, related pumps and concrete	Under review. Correction letter sent 5-10-16. Environmental review complete and to be routed 7-28-16 for required 30 day period. PC 9/6/16 hearing. Reviewed and PC continued hearing to 10/4/16. Project continued to 12/6 PC meeting. Project reviewed at 1/3/17 PC hearing and continued to a date uncertain.		PN- Conditionally approved per memo dated 7/26/16		wm
4	Verizon / Knight	484 Main new location, Corner of Main and Cabrillo	11/19/14	UP0-394 and CP0-512	Coastal Development Permit and Conditional Use Permit for installation of new Wireless Facility/Verizon antennas on existing pole.	Under Review. JG. Incomplete. Waiting on response from Tricia Knight. Wants to keep project open and figure out the parking situation or move location. 1/26. JG. Applicant looking to move location to pole across the street. resubmittal rcv'd 5/26. Deemed Complete, waiting for Applicant to confirm PC meeting date. PC hearing held on 9/6/16 and continued for further review to 11-1-16 PC hearing. Continuance requested. Continued to a date uncertain		PN- Conditionally approved 6/14/16		ig
5	Seashell Estates, LLC	361 Sea Shell Cove	1/26/15	CP0-459/ UP0-401	Coastal Development Permit/Conditional Use Permit for new SFR. Lot 4 of 1305 Teresa Subdivision	Reviewing CC&R Design Guidelines. Deemed complete 3-2-15. Anticipate 4/21 PC hearing. Project continued to a date uncertain. CJ.	2/23/15 FD Cond App TP	BCR has for review 2/3/15		cj

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6	City of Morro Bay	End of Nutmeg	1/18/12	UP0-344	Environmental documents for Nutmeg Tanks. Permit number for tracking purposes only County issuing permit. Demo existing and replace with two larger reservoirs. City handling environmental review	KW--Environmental contracted out to SWCA estimated to be complete on 4/27/2012. SWCA submitted draft I.S. to City on May 1, 2012. MR-Reviewed MND and met with SWCA to make corrections. In contact with County Environmental Division for their review. MND received by SWCA on 10/7/12. MND out for public notice and 30 day review as of 11/19/12. 30 day review ends on 12/25/12. No comments received. Scheduled for 1/16/13 Planning Commission meeting and then to be referred back to SLO County. Planning Commission continued this item to address concerns regarding traffic generated from the removal of soil. In applicant's court, they are addressing issues brought up by neighbors during initial P.C. meeting. Project has been redesigned and will be going forward with concrete tanks. Modifications to the MND are in process. Neighborhood meeting conducted with Engineering on 9/27/2013. Revising project description and MND.	No review performed.	BCR- New design concept completed. Needs new MND for concrete tank, less truck trips.Neighborhood mtg held 9/27. Neighbors generally support new design that reduces truck trips by 80%. Concrete batch plant set up on site will further reduce impact. 5/5/14 - Cannon contract signed to finish permit phase. Construction will be delayed to FY15/16		wm
7	AT&T	590 Morro Street	4/10/15	UP0-411 & CP0-465	Conditional Use Permit & Coastal Development permit to modify 2006 Planning permit approval for unmanned cell site	WM.Was tentatively scheduled for 3-1-16 PC hearing. Awaiting additional info from applicant. Tentatively scheduled for 5-17-16 hearing. Applicant requested continuance. PC continued review with direction on June 21, 2016.				wm
Projects Appealed or Forwarded to City Council:										
8	Baston	561 Embarcadero	UP0-448	UP0-448	Conditional use permit for Gray's Inn access improvements and piling repair	Incomplete letter sent 8-4-16. Received resubmittal 9/16/16. Correction letter sent 10/14 and resubmittal 10/19. Met w/ Agent to review resubmittal 10/19. Project reviewed at 12/20 PC meeting and continued to 1/17 PC meeting. Project reviewed for favorable recommendation to the City Council with direction. City Council reviewed and continued to a date uncertain to allow plan revisions to sign location and ADA clarification. Resubmitted plans 5-25-17		PN- Conditionally approved per memo dated 8/3/16		cj

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9	City of Morro Bay	Citywide	6/19/13	A00-015	Sign Ordinance Update. Text Amendment Modifying Section 17.68 "Signs"	Text Amendment Modifying Section 17.68 "Signs". Planning Commission reviewed 5/17/2010. Item heard at 5/24/11 City Council Meeting. Interim Urgency Ordinance approved to allow projecting signs. PC reviewed 2/7/2011. Workshops scheduled 9/29/11 & 10/6/11 .City Council 12/13/11. Continued to 1/10/12 CC meeting. PC reviewed 5/2/2012. Update due to City Council in June 2013. Draft Sign Ordinance reviewed by PC on 6/19/13 & 7/3/13. PC has reviewed Downtown, Embarcadero, and Quintana Districts as well as the Tourist-Oriented Directional Sign Plan. 8/21/13 Final Draft of Sign Ordinance approved at 9/4/13 PC meeting with recommendation to forward to City Council. Council directed staff to do further research with local businesses. Business workshops held fall/winter 13/14. Result of sign workshops discussed at 11-3-15 PC mtg. Revised Public Draft of Sign Ordinance posted to City website on July 6, 2017	No review performed.	N/R		sg
Environmental Review										
10	Bay Pines/Shorebreak Energy	1501 Quintana	11/29/16	UP0-463/CP0-525	Coastal development permit & Conditional Use Permit for Bay Pines Solar Project.	Under Initial Review. Bio Report and Phase 1 Arch report rcv'd. Waiting for preliminary title report. Rcv'd 3/15. Sent to PW: Under Review. Correction letter sent 4/12/2017. Rcv'd email resubmittal 5/5, resubmittal under review. Requires Initial Study		PN- Conditionally Approved, 6/5/17		ig
11	City of Morro Bay	N/A		UP0-423	MND for Chorro Creek Stream Gauges	Applicant requesting meeting for week of 9/9/13. SWCA performing the environmental review. Received completed MND from Water Systems Consulting (WSC) on 4/1/15. Routed to State Clearinghouse for required 30 day review period. Tentative hearing 8/4/15. No recent activity.	No review performed.	MND complete. Cut permit checks to RWQCB and CDFW on 2/27/15		cj
Final Map Under Review Projects:										
12	Tract 2739	485 S. Bay Blvd, Black Hill Villas Subdivision	1/17/17	Map	Final Map - Tract 2739 / 16 lot subdivision with dedicated lot for riparian enhancement and raptor preservation.	Final Map Application Under review. Map corrections forwarded to Engineering/Public Works Dept. on 3/13/16. Final Map & Public Improvement Plans resubmitted to City on 4/24/17. Corrections on CC&Rs and tree removal sent to Applicant on 6-30-17		JW/PN - Disapproved final map and public improvements		cj
13	Tract 2818	2400 Main St / Morro Mist	6/13/16	Map	Final Map - Tract 2818 / 23 lot subdivision and 1 common lot	Initial submittal for final map processing received 6-13-16. Correction letter sent 7-6-16. Draft CC&Rs received. Resubmittal received 1/5/17. Corrections sent 4-7-17. Resubmittal received 6-16-17.		JW/PN - Disapproved final map and public improvements		cj

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Projects going forward to Coastal Commission for review (Pending LCP Amendments) / or State Department of Housing:										
18	City of Morro Bay	Citywide	10/16/13	A00-013. A00-029: Ordinance 601	Zoning Text Amendment - Second Unit	Secondary Unit Ordinance Amendment. Ordinance 576 passed by City Council in 2012. 6-11-13 City Council direction to staff to bring back to Planning Commission for review of ordinance. At 10-16-13 PC meeting, Commission recommended changes to maximum unit size and tandem parking design where units over 900 sf and/or tandem parking design of second unit triggers a CUP process. Council accepted PC recommendation at 2-11-14 meeting and directed staff to bring back revised ordinance for a first reading and introduction. Item continued to 4/22/14 Council meeting to allow time for Coastal staff comment regarding proposed changes. Council approved Into and First Reading on 4/22/14. Final Adoption of Ord. 585 at 5/13/14 Council meeting. Ordinance to be sent as an LCP Amendment for certification by Coastal Commission. New language for PC and Council review. Second reading going to council on April 12, 2016. PC reviewed change 5-3-16. CC second First Reading 6-28-16.. Application submitted to Coastal Commission August 2016. Coastal objected to ban on use as vacation rentals. New State legislation will force additional changes.	No review performed.			wm
Projects Continued Indefinitely, No Response to Date on Incomplete Letter or inactive:										
19	T-Mobile	1478 Quintana	1/30/15	UP0-403	Minor Use Permit to Modify existing wireless telecommunication site at church	JG - Under initial review. Correction letter sent 3/5/2015. JG. Partial resubmittal rcv'd via email 9/18		JW approved		jg
Grants										
20	California Coastal Commission, California Ocean Protection Council	City-wide	4/6/16		\$400,000 Grant for LCP update to address sea-level rise and climate change impacts. Round 3 Grant award of \$200,000 for Lateral Access Plan, and ESHA delineation.	Grant agreements for both the grants are in place and grant administration has been turned over to Michael Baker International, per terms of the GP/LCP update contract. Received signed grant agreement for \$200,000 LCP Planning grant by CCC for Round 3 awards 2-27-17.	No review performed.	N/A		sg

#	Applicant/ Property Owner	Project Address		Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
21	City of Morro Bay	City-wide				Community Development Block Grant/HOME Program - Urban County Consortium	Staff has ongoing responsibilities for contract management in coordination with County staff administraiton. Final 2016 funding recommendations reviewed by Council on 3-8-16. 2016 Subrecipient Agreement executed and Council approved 2018-2020 Cooperation Agreement with County on 6-13-17.	No review performed.	N/R		cj
22	City of Morro Bay	City-wide				Climate Action Plan - Implementation	Staff has ongoing responsibilities for implementation of Climate Action Plan as adopted by City Council January 2014. Staff coordinating activities with other Cities and County of SLO via APCD.				cj

Projects in Building Plan Check:

1	Frank	2900	Alder	4/4/16	B-30941	New Duplex	Approved by jg. 5/31/16	Approved by cdl on 6-3-16.	PN- Approved 6/27/16		
2	LaPlante	3093	Beachcomber	4/24/17	B-31487	New SFR: 3,495sf w/ 500 sf garage on vacant land. No activity on this project. Remains in plan check.	Sent correction memo 6-13-17. cj.	Approved by cdl on 5-10-17	PN - Disapproved 6/9/17		
3	Diodati	175	Capri	5/22/17	B-31508	216sf addition to existng SFR		Approved by cdl on 6-27-17.PZ	PN- Disapproved 6/16/17		
4	Gambrill	571	Embarcadero	8/3/17	B-31612	Replace wood rotted siding, hand rails & post beams					
5	Schechter	245	Driftwood	5/31/17	B-31529	Exterior elevator installation,		Approved by cdl on 6-27-17.PZ			
6	MMbs Llc	1215	Embarcadero	12/9/16	B-31326	Demo existing Dockside 3 and Morro Bay Landing to replace with 2 story new structure	Disapproved with plan corrections 1-5-17. CJ.	Plans sent to Ca, Code Check 1-5-17.	PN- Disapproved per memo dated 1/18/17		
7	Appleby	381	Fresno	7/31/14	B-30227	Carport& Storage Shed. Remians in plan check status.	Correction sent 8-7-14. WM. Will require a CUP prior to building. JG. Corrections sent 2/23 JG	Building approved 08-04-15 cdl	RPS - No PW comments if street access is not		
8	Rezzonico	421	Fresno	5/24/17	B-31524	Interior remodel and addition of 189sf covered deck.		Disapproved by cdl on 6/7/17.	PN- conditionally approved per memo 5/31/17		
9	Stanley	570 Harbor St		9/12/16	CP0-517	Demo existing SFR/Chiropractic office. New construction of 2 new SFRs - 1507sf living with 480sf garage, and 891 sf living with 441 sf	CDP approved 11-22-16. WM	Conditionally approved per memo dated 9/12/16.	PN-Conditionally approved per memo dated 11/17/16		
10	Weisberger	115	Hatteras	7/31/17	B-31604	Sf alteration .					
11	Stanton	2335	Ironwood	4/19/17	B-31484	75sf addition to existing SFR		Approved by cdl on 4-26-17.	PN- Not approved per memo dated 4/28/17		
12	Spencer	2445	Ironwood	7/21/17	B-31594	Sf alteration 151 sq. ft. addition, 78 Sq. ft. deck.					

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
13	Linkwiller/Balch	535 Kern Ave	5/10/17	B-31504	118sq.ft. 1st. Floor addition new bathroom & porch 102 sq. ft. second floor addition new observation room decrease size of existing bathroom & deck.		Disapproved by cdl on 5-12-17 . Approved by cdl on 5-17-17.	PN- Disapproved 6/6/17		
14	Wright	6/3/1901 LaJolla	7/21/17	B-31595	Enclose 10'x20' carport for single car garage					
15	PG&E	1245 Little Morro Creek	3/25/16	B-30925	Add 25K Generator to cell site/tower to satisfy Planning Commission conditions.	Approved. CJ. 4-5-16. Complies w/ PC approval.	Approved by cdl 3/30/16	PN- Approved 5/17/16		
16	Najarian	321 Luzon	6/9/17	B-31543	New SFR 2-story 1694 sq. ft, living 546 sq ft.garage 144 sq. ft. deck		Disapproved by cdl on 7-5-17.	PN- Not Approved 7/26/17		
17	Morro Mist LLC	2402-2446 Main	7/5/16	B-31067 through B-31089	Building permit applications for 23 new townhomes in 6 detached building clusters to include 15 one-bedroom units and 8 three-bedroom units. 23 separate permit applications	Disapproved. Corrections sent 8-3-16. cj.	Disapproved by cdl on 1-23-17.	PN- Approved waiting for RL sign-off of WEU form.		
18	Bradley/Edwards	310 Mindoro	7/19/17	B-31592	SFNew 1486 ft. of living, 446 sq. ft. of decking					
19	Najarian	320 Mindoro	6/9/17	B-31544	New SFR 2-story 1694 sq. ft, living 546 sq ft.garage 144 sq. ft. deck		Disapproved by cdl on 7-5-17.	PN- Not Approved 7/26/17		
20	Assembly of God	615 Monterey	10/14/16	B-31226	Interior remodel (to rear house) - Demo interior, replace sub floor, drywall, electrical & plumbing, new structure over exterior	Disapproved 11-10-16. JG	Disapproved by cdl on 11-17-16.	PN- Disapproved 11/16/16		
21	Crowfoot	416 Napa	3/1/17	B-31417	Convert downstairs closet into kitchen to create secondary dwelling unit (CP0-531)		Approved by cdl on 3-23-17	PN- Disapproved per memo dated 3/29/17		
22	Robson	110 Orcas	12/9/16	B-31350	2098 s.f. living, 939 s.f. subterranean garage, and 376 s.f. decking	Corrections sent 3-24-17 to Bldg. CJ.	Disapproved by cdl on 01-12-17			
23	Fenske	470 Orcas	5/29/17	B-31525	After fact permit for basement bedroom and bathroom		Disapproved by cdl on 6-7-17.	PN- Approved 5/31/17		
24	Rose	630 San Joaquin	7/20/17	B-31593	Deck repairs and and replacement of dry rot.					
25	Barfield	260 Shasta	4/24/17	B-31486	Remodel, Room Addition and new garage		Disapproved by cdl on 5-4-17.	PN - Disapproved 5/25/17		
26	Dolezal	1885 to 1905 Sunset	3/17/17	B31378	Addendum to Grading permit #G00-045 issued 12/7/16. Changes to approved Grading to on-site improvements	Disapproved 5/9/17. CJ	Disapproved by cdl on 5-12-17.	PN- Not Approved per memo dated 3/29/17		
27	Dolezal	1885 Sunset	11/30/15	B-30758	Lot 6: New SFR with 1140sf and 480 garage. Remains in plan check Status.	Disapproved 7-6-16. Plans not consistent with pending final map. Corrections needed. CJ.	Approved by cdl on 5/6/16	PN- Approved 7/14/16		
28	Dolezal	1889 Sunset	11/30/15	B-30757	Lot 5: New SFR with 1140sf with 480 garage. Remains in plan check Status.	Disapproved 7-6-16. Plans not consistent with pending final map. Corrections needed. CJ.	Approved by cdl on 5/6/16	PN- Approved 7/14/16		
29	Dolezal	1893 Sunset	11/30/15	B-30756	Lot 4: New SFR with 1140sf living and 480sf garage. Remains in plan check Status.	Disapproved 7-6-16. Plans not consistent with pending final map. Corrections needed. CJ.	Approved by cdl on 5/6/16	PN- Approved 7/14/16		
30	Dolezal	1897 Sunset	11/30/15	B-30753	Lot 1: New SFR with 1140sf living and 480sf garage.Remains in plan check Status.	Disapproved 7-6-16. Plans not consistent with pending final map. Corrections needed. CJ.	Approved by cdl on 5/6/16	PN- Approved 7/14/16		

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
31	Dolezal	1901 Sunset	11/30/15	B-30754	Lot 2: New SFR with 1541sf living and 483sf garage. Remains in plan check Status.	Disapproved 7-6-16. Plans not consistent with pending final map. Corrections needed. CJ.	Approved by cdl on 5/6/16	PN- Approved 7/14/16		
32	Dolezal	1905 Sunset	11/30/15	B-30755	Lot 3: New SFR with 1457sf living and 480sf garage. Remains in plan check Status.	Disapproved 7-6-16. Plans not consistent with pending final map. Corrections needed. CJ.	Approved by cdl on 5/6/16	PN- Approved 7/14/16		
33	Adamson	155 Terra	6/9/17	B-31545	Addition to single family residence. Remodel to existing living, dining,kitchen, 7 rooms.		Approved by cdl on 7/5/17.	PN- Not Approved 7/25/17		
34	Jordan	340 Tulare	6/17/16	B-31046	2nd floor 650sf Addition & 75sf garage addition	Approved 5-17. JG	Disapproved by cdl on 1-13-16.	PN- Approved 2/2/17		
Planning Project	Giovanni's	1001 Front Street	7/10/17	UP0-488	Temporary Use permit for a waterfront market for local vendors in existing parking lot	Under initial review. Noticed 7/24/17. Permit issued				rr
1	Spencer	2445 Ironwood	5/4/17	UP0-478	Conditional Use Permit for an addition to a nonconformin SFR to include 151 sq. ft. of living area and 78 sq. ft. of decking	Under Initial Review. Noticed 7/7/2017. PC scheduled 7/18/2017. Approved 7/18/17				rr
2	Regan	3030 Beachcomber	6/29/17	A00-050	Amendment to Admin CDP to allow recent guest room addition to become a secondary dwelling unit.	Under Review. Noticed 7/6/2017. Permit issued 7/18/17				jg
3	Leage	1205 Embarcadero	9/28/16	A00-044 (UP0-058)	Minor amendment to UP0-058 to relocate approved floating dock location and construct new finger slip and lease line amendment	Project under review. Correction letter sent 11-21-16. Resubmittal received 1-27-17 and under review. Fire corrections forwarded to applicant to be made prior to noticing. Noticed on 5/22/17 for minor amendment. Permit issued.		PN Disapproved per memo dated 10/25/16		cj
4	Maritime Museum Association (Larry Newland)		11/21/05	UP0-092	Embarcadero-Maritime Museum (Larry Newland). Submitted 11/21/05. Resubmitted 10/5/06, tentative CC for landowner consent 1/22/07 Landowner consent granted. Resubmitted 5/25/07. Resubmitted additional material on 9/30/09. Applicant working with City Staff regarding lease for subject site. Applicants enter into agreement with City Council on project. Applicant to provide revised site plan. Staff processing a "Summary Vacation (abandonment)" for a portion of Surf Street. Staff waiting on applicant's resubmittal. Meeting held with applicant 2/23/2011. Staff met with applicant 1/27/11 and reviewed new drawings, left meeting with applicant indicating they would be resubmitting new plans based on our discussions.	KW--Incomplete 12/15/05. Incomplete 3/7/07. Incomplete Letter sent 6/27/07. Met to discuss status 10/4/07 Incomplete 2/4/08. Met with applicants on 3/3/09 regarding inc. later. Met with applicants on 2/19/2010. Environmental documents being prepared. Meeting held with city staff and applicants on 2/3/2011. Sent Intent to Deem Withdrawn letter 9-2-14. JG. Revised preliminary plans emailed to City 11-4-16 for initial comment review. Staff feedback emailed to Architect 11-15-16. Resubmitted 3-20-17. Project located in C-VS/S.4 zoning district. Museum use allowed in C-VS zone with a Minor Use Permit. Determined not to require PC approval. Project located in original jurisdiction of Coastal Commission which will require CDP review. Noticed 5/9/2017. MUP issued and approved 5/22/17.	Please route project to Building upon resubmittal.	An abandonment of Front street necessary. To be scheduled for CC mtg.		cj

ACTION MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – JULY 18, 2017
VETERANS MEMORIAL BUILDING – 6:00 PM

PRESENT:	Robert Tefft	Chairperson
	Gerald Luhr	Vice-Chairperson
	Richard Sadowski	Commissioner
	Joe Ingraffia	Commissioner
ABSENT:	Michael Lucas	Commissioner
STAFF:	Scot Graham	Community Development Director
	Ryan Russell	Planning Intern

ESTABLISH QUORUM AND CALL TO ORDER
MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE
PLANNING COMMISSIONER ANNOUNCEMENTS
<https://youtu.be/CFVkJCVTaGds?t=2m10s>

Commissioner Sadowski announced there will be a Surf Camp this Friday the 21st for disabled kids at Coleman Park, 10 a.m.

Commissioner Ingraffia announced there will be a meeting on Thursday the 20th at 4 p.m. regarding the progress of the various conservatory groups acquiring the Chevron tract. Ingraffia was not sure if the meeting was being held at the Vet's Hall or the Rec and Park Multipurpose Room.

Chairperson Tefft announced a citizen pointed out it was unnecessary for the Commission to re-open public comment to ask the applicant or staff questions. Tefft also noted, because public comment was open, it didn't mean it would be open for public comment.

PUBLIC COMMENT PERIOD - NONE

PRESENTATIONS – NONE

A. CONSENT CALENDAR

<https://youtu.be/CFVkJCVTaGds?t=4m41s>

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

A-2 Approval of minutes from the Planning Commission meeting of June 6, 2017.
Staff Recommendation: Approve minutes as submitted.

MOTION: Commissioner Ingraffia moved to approved the Consent Calendar. Commissioner Sadowski seconded and the motion passed unanimously (4-0).
<https://youtu.be/CFVkJCVTaGds?t=5m5s>

B. PUBLIC HEARINGS

Public testimony given for Public Hearing items will adhere to the rules noted above under the Public Comment Period. In addition, speak about the proposal and not about individuals, focusing testimony on the important parts of the proposal; not repeating points made by others.

B-1 Case No.: UP0-478, AD0-122

Site Location: 2445 Ironwood, Morro Bay, CA

Project Proposal: Conditional use permit and Parking Exception for a 151 square foot addition to an existing 896 square foot nonconforming residence. The single-family house has a nonconforming side-yard setback, and the parking exception request is to allow a tandem parking space behind an existing one car garage. The project is located in the R-1 Residential Zoning District and is outside of the Coastal Commission appeal jurisdiction.

CEQA Determination: Categorically Exempt under Section 15301, Class 1

Staff Recommendation: Conditionally approve

Staff Contact: Ryan Russell, Planning Intern, (805) 225-2619

<https://youtu.be/CFVkCVTaGds?t=5m25s>

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS –
NONE

Russell presented the staff report.

The Commissioners presented their questions and concerns to staff.

Chairperson Tefft opened the Public Comment period.

<https://youtu.be/CFVkCVTaGds?t=16m4s>

James Spencer, applicant, explained the concept of the plan and noted he was not going to use it as a secondary dwelling unit.

Chairperson Tefft closed the Public Comment period.

<https://youtu.be/CFVkCVTaGds?t=17m7s>

Discussion between Commissioners and staff.

MOTION: Commissioner Sadowski motioned to approved PC Resolution 19-17, UP0-478/AD0-122 for 2445 Ironwood Avenue. Commissioner Ingraffia seconded and the motion passed unanimously (4-0).

<https://youtu.be/CFVkCVTaGds?t=24m3s>

C. NEW BUSINESS

C-1 Measure D/ “Working Waterfront” Subcommittee – City Council direction on 7/11/2017 to form Planning Commission subcommittee to work with

the Harbor Advisory Board on ambiguities in Measure D and the “Working Waterfront” initiative.

Staff recommendation: Nominate and appoint 2 Commissioners

Item was not discussed because it was not included in the online agenda.

Graham discussed what would be in the discussion in the August 1st Planning Commission meeting.

Commissioners presented their questions to staff.

D. UNFINISHED BUSINESS

<https://youtu.be/CFVkJCVTaGds>

D-1 Case No.: n/a

Project: Downtown Waterfront Strategic Plan (DWSP)

Review of revised draft Downtown Waterfront Strategic Plan based on Planning Commission review and input provided at its May 16, 2017 meeting. The DWSP is a long-range strategic planning document with objectives to connect the downtown and waterfront areas, establish design guidelines, identify opportunity sites and catalyst projects with a 10 year near-term vision. Revised public draft document available at <http://www.morro-bay.ca.us/945/Project-Documents> with copies also available upon request.

Staff Recommendation: Review revised document and forward to City Council for adoption

Staff Contact: Scot Graham, Community Development Director, (805) 772-6291

Jacinth presented the staff report.

Discussion between Commissioners and staff.

E. PLANNING COMMISSIONER COMMENTS

<https://youtu.be/CFVkJCVTaGds?t=1h59m25s>

Commissioner Sadowski recommended a discussion regarding the sewer plant location to be placed on a future agenda item.

Chairperson Tefft stated he feels the discussion Commissioner Sadowski is requesting would go against the City Council direction.

Graham agreed with Chairperson Tefft and noted it was not a task the City Council had given to the Planning Commission. Graham stated the City Council has formed a special advisory board just for the wastewater treatment plant project.

Vice-Chairperson Luhr stated he received a weed abatement letter and didn't think there was enough time to respond.

ACTION MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – JULY 18, 2017

Graham asked Luhr to give a copy of the letter to him so he could notify the Fire Department.

Chairperson Tefft stated the proponents have been removing vegetation in a manner inconsistent with the conditions of the conditional use permit. Tefft asked staff if they had any information on this.

Graham stated he was waiting for more information to bring the item back to the Planning Commission. Graham noted staff received a complaint, and the Planner and Code Enforcement have been investigating it. Graham stated staff went on site today to determine what the violation was. Currently staff is drafting a violation letter which will be mailed to the applicant.

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENT – NONE

G. ADJOURNMENT

The meeting adjourned at 8:15 p.m. to the regular Planning Commission meeting at the Veteran’s Memorial Building, 209 Surf Street, on August 1, 2017, at 6:00 p.m.

Robert Tefft, Chairperson

ATTEST:

Scot Graham, Secretary



AGENDA NO: B-1

MEETING DATE: August 15, 2017

Staff Report

TO: Planning Commissioners

DATE: August 1, 2017

FROM: Whitney McIlvaine, Contract Planner

SUBJECT: 590 Morro Avenue: Continued review from June 21, 2016 of Conditional Use Permit and Coastal Development Permit (UP0-411 and CP0-465) request to modify and add to an existing unmanned telecommunication wireless facility at the Twin Dolphin Comfort Inn motel on the southeast corner of Morro Avenue and Marina Street in the R-2/PD/S.4 zone.

RECOMMENDATION:

Adopt Planning Commission Resolution 21-17 which includes the Findings and Conditions of Approval for the project depicted on site development plans date stamped May 31, 2017.

APPLICANT/AGENT: AT&T Wireless/ Alexander Lew, Core Development Services

APN: 066-133-001

PROJECT DESCRIPTION:

The Applicant, AT&T, is requesting approval to upgrade and expand an unmanned telecommunications facility at 590 Morro Avenue, which was approved in 2006. The purpose of the upgrade is to enhance



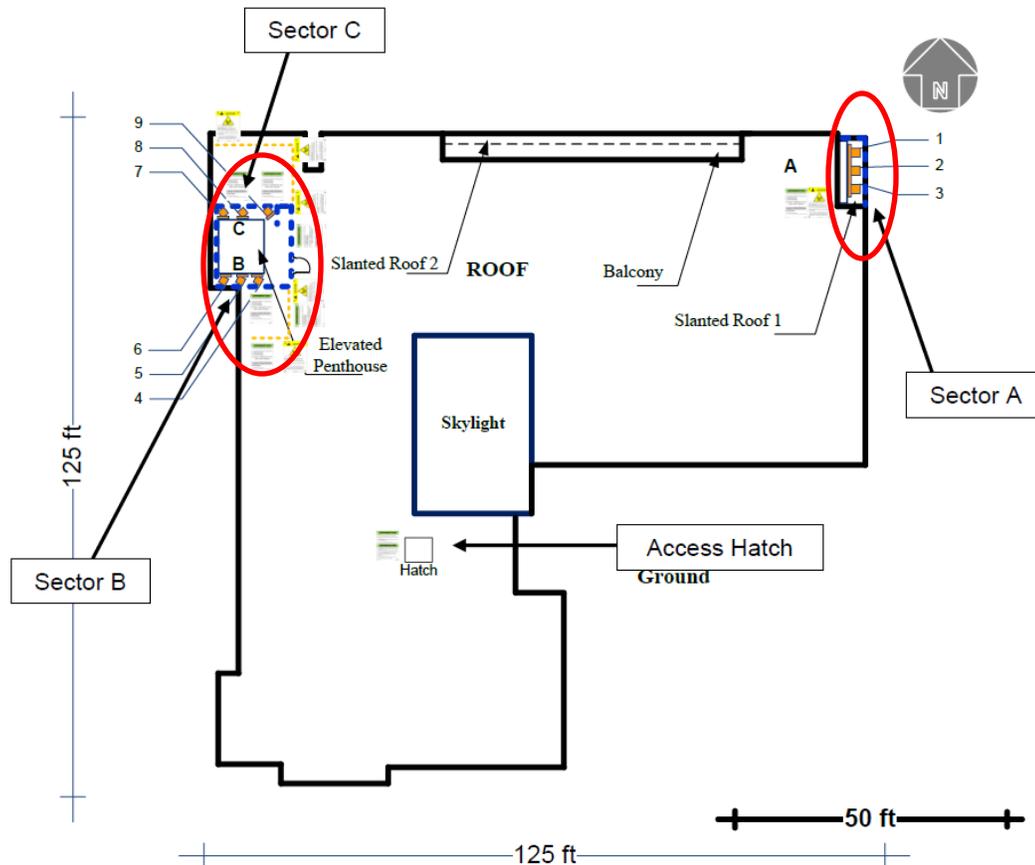
AT&T's wireless network within Morro Bay by increasing network capacity and throughput to keep pace with customer demand for increased wireless multimedia. AT&T also has a cell site at 800 Quintana, which was approved for a similar upgrade. The upgraded technology is referred to as "Long-Term Evolution" (LTE) wireless technology.

Prepared By: ___ WM ___

Department Review: _____

Existing Installation:

Both the existing and proposed installation involve three sectors. Sector A is east facing on the wall at the northeast corner of the building. Sector B is southwest facing with antennas on the south side of the elevator penthouse. Sector C is northwest facing with antennas on the north side of the elevator penthouse.



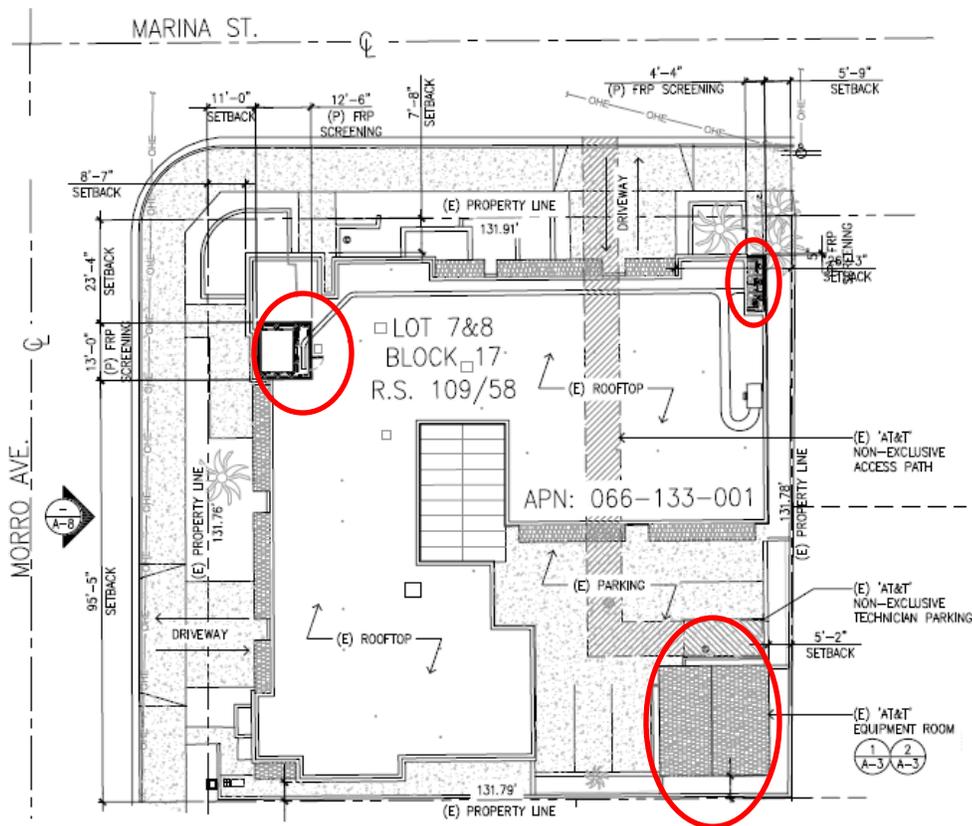
The 590 Morro Avenue facility currently consists of:

- 4 panel antennas and associated equipment mounted to the existing elevator penthouse near the northwest corner of the roof and concealed from view with fiber reinforced plastic (FRP) screens in Sectors B and C;
- 2 panel antennas mounted to the building's eastern wall at the northeast corner of the building and concealed behind an FRP screen wall in Sector A; and
- ancillary equipment consisting of three remote radio units (RRUs) and radio equipment racks within an equipment room on the ground floor at the southeast corner of the lot.

Proposed Installation:

AT&T's upgrade and modification will consist of replacing one existing antenna in each sector, adding one additional antenna in each sector, and repositioning the antennas on the building rooftop and the eastern wall, which will require changing and expanding the FRP screening.

The new configuration of antennas and proposed screening will alter the hotel building's appearance by: a) slightly enlarging the rooftop lease area, and b) moving the screening on the wall at the northeast corner of the building outward to be flush with the rest of the eastern building wall. The current project proposes to maintain the existing height of the screen wall on the roof and move it back a bit from the edge of the roof. The agent submitted photo simulations showing the existing and proposed screened antenna areas. Please refer to Exhibit B.



SITE PLAN

PROJECT SETTING:

The unmanned telecommunication facility is located on the same site with the Twin Dolphins motel at the southeast corner of Morro Avenue and Marina Street at the edge of the downtown area. The base zoning for the site is Duplex Residential (R-2) and the motel is surrounded by residential uses.

Adjacent Zoning/Land Use			
North	C-1/R-4/S.4 residential and marine storage yard	South:	R-2/PD/S.4 residential
East:	C-1/R-4/S.4 residential	West:	R-2/PD/S.4 residential

PERMITTING / REGULATIONS:

Per sections 17.30.030(F) and 17.30.030(P) of the Zoning Ordinance, antennas and public utility facilities can be located within any zoning district after obtaining a conditional use permit. A conditional use permit is also required for all but minor amendments to a previous use permit approval. Section 17.58.120 requires that amendments to coastal development permits issued by the city be made to the Planning Commission. A height exception was granted as part of the approval for the existing telecommunication facility in 2006 per Zoning Ordinance Section 17.48.070. Roof top equipment is required to be screened per Section 17.48.100.

PREVIOUS REVIEW:

On June 21, 2016, the Planning Commission continued review of this project with direction to:

1. Revise the project such that the maximum permissible radio frequency exposure is not exceeded beyond the project's eastern property line at the height of the wall mounted antennas.
2. Submit a revised Radio Frequency Exposure Report that more clearly shows how the project complies with maximum allowed FCC exposure limits.

In response to this direction, the applicant has submitted a letter clarifying that the project will comply with applicable FCC limits. The letter also notes, where it can be demonstrated that a project will comply with FCC limits, concerns regarding radio frequency exposure and speculation about possible future development on an adjacent lot do not constitute adequate grounds for denial of the project (Exhibit C).

Rather than revise the previous Electromagnetic Energy Measurement and Site Compliance Report prepared by Telnet, Inc., the applicant asked consulting engineers at Hammett & Edison, Inc. to prepare a new independent analysis of radio frequency exposure resulting from this project

(Exhibit E). The executive summary letter from Bill Hammett explains that the FCC requires its licensees to comply with exposure limits at all times. Therefore, if the environment surrounding a wireless base station changes in the future, then the licensee must accommodate the changed condition, which may require modifying the operation and/or reconfiguration of equipment so that the FCC exposure limits would continue to be met (Exhibit D).

The analysis prepared by Hammett & Edison, Inc. concludes that the maximum exposure on the ground level near the project is 11% of the FCC limit for public exposure. This occurs at the middle of the driveway for the house to the north, about 7 feet from the property line. Calculated exposure levels at all other ground locations are lower. Calculated exposure levels on the motel roof are shown in Figure 3 attached to the exposure analysis (Exhibit E). Calculated levels on the roof tops and uppermost floors of surrounding residences are shown in Figure 1 attached to the letter from Bill Hammett (Exhibit D). The analysis contains recommended mitigation measures, incorporated into the resolution for approval (Exhibit A) to prevent exposures in excess of FCC limits for anyone with access to the roof of the motel and in front of the antennas themselves. Bill Hammett will be at the August 15th Planning Commission meeting to answer questions related to his firm's analysis of radio frequency exposure resulting from operation of the proposed project.

ENVIRONMENTAL DETERMINATION

Environmental review was performed for this project which staff determined qualifies for a Class 3 categorical exemption under CEQA Guidelines Section 15303 (e). This exemption applies to the construction and location of limited numbers of new, small facilities or structures. Additionally, none of the Categorical Exemption exceptions, noted under Section 15300.2, apply to the project.

PUBLIC NOTICE:

Notice of a public hearing on this item was posted at the site and published in the Tribune newspaper on August 4, 2017, and mailed directly to all property owners and occupants of record within 500 feet of the subject site. The notices invite the public to attend the hearing and express any concerns they may have regarding the proposed project.

CONCLUSION:

Improved wireless communication abilities are a community need from the standpoint of both convenience and public safety. The proposed upgrades are comparable to the recent upgrades made to AT&T and Verizon wireless facilities at 800 Quintana Road. The project, as proposed, is consistent with required development standards of the Zoning Ordinance and all applicable provisions of the General Plan and Local Coastal Plan with incorporation of the recommended conditions of approval.

Staff recommends that the Planning Commission approve the Coastal Development Permit and Conditional Use Permit for proposed upgrades to the AT&T Wireless facility at 590 Morro Avenue based on the findings and subject to the conditions included in the attached resolution.

EXHIBITS:

Exhibit A – Planning Commission Resolution 21-17

Exhibit B – Visual Simulation, Existing and Proposed (5.31.17)

Exhibit C – Letter from Nelsonya Causby, legal counsel on behalf of AT&T (5.1.17)

Exhibit D – Letter from William Hammett, Hammett & Edison, Inc. (4.21.17)

Exhibit E - Analysis of project-related radio frequency exposure (4.21.17)

Exhibit F – Graphics/Plan Reductions, date stamped 5.31.17

RESOLUTION NO. PC 21-17

RESOLUTION OF THE MORRO BAY PLANNING COMMISSION APPROVING
COASTAL DEVELOPMENT PERMIT (CP0-465) AND CONDITIONAL USE
PERMIT (UP0-411) FOR UPGRADES TO AN UNMANNED
TELECOMMUNICATION WIRELESS FACILITY AT 590 MORRO AVENUE

WHEREAS, the Planning Commission of the City of Morro Bay (the “City”) conducted a public hearing at the Morro Bay Veteran’s Hall, 209 Surf Street, Morro Bay, California, on June 21, 2016 and on August 15, 2017, for the purpose of considering Coastal Development Permit CP0-465 & Conditional Use Permit UP0-411 to allow upgrades to an existing unmanned telecommunication facility at 590 Morro Avenue in an area outside of the Coastal Commission Appeals Jurisdiction; and

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

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

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

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

California Environmental Quality Act (CEQA) Finding

1. Pursuant to the California Environmental Quality Act, the project is categorically exempt under Section 15303, Class 3: New construction of small structures. This exemption applies to the construction and location of limited numbers of new, small facilities or structures.

Coastal Development Permit Findings

1. 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. “Antennas” and “Public Utility Facilities” are both listed as uses that may be permitted in any zone district with an approved Conditional Use Permit (Zoning Ordinance Section 17.30.0030 (F) & (P), respectively).

Conditional Use Permit Findings

1. The establishment, maintenance, or operation of the use applied for will not be detrimental to the health, safety, comfort and general welfare of the persons

- residing or working in the neighborhood because the project is consistent with all applicable zoning and plan requirements, and potential public health impacts were studied and addressed in an April 21, 2017 Statement prepared by Hammett & Edison, Inc. and confirmed to be consistent with FCC exposure standards for radio frequency energy; and
2. 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 consistent with all applicable City regulations and will limit access to the roof hatch, provide occupational training and post explanatory warning signs to ensure compliance with occupational exposure limits.
 3. The height of the roof top antennas and equipment which exceed the maximum allowed for the R-2 zone district will not be injurious or detrimental to the surrounding area as reviewed by the Planning Commission because, as stated at MBMC 17.48.070, height limits are allowed to be exceeded through a use permit and proposed upgrades will be the same height as the existing approved roof top facility.

Section 2: Action. The Planning Commission does hereby approve Coastal Development Permit CP0-465 and Conditional Use Permit #UP0-411 for property at 590 Morro Avenue (APN number 066-133-001) subject to the following conditions:

STANDARD CONDITIONS

1. Permits: This Coastal Development Permit and Conditional Use Permit are granted for the uses described in the August 15, 2017 staff report and all attachments thereto, and as shown on the plans received by the Community Development Department on May 31, 2017. In addition to satisfying all of the Conditions of Approval for the proposed use, the applicant shall obtain and maintain compliance with all other required permits and approvals.
2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced within two (2) years of the effective date of this approval and is diligently pursued thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Said extensions may be granted by the Community Development Manager, upon finding that the project complies with all applicable provisions of the Morro Bay Municipal Code, General Plan and Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.
3. Changes: Any minor change may be approved by the Community Development Manager. Any substantial change, as so deemed by the Community Development Manager, will require the filing of an application for an amendment to be reviewed by the Planning Commission.

4. Compliance with the Law: All requirements of any law, ordinance or regulation of the State of California, City of Morro Bay, and any other governmental entity shall be complied with in the exercise of this approval.
5. Compliance with Conditions: Prior to issuance of a building permit for the proposed use or development, the owner or designee accepts and agrees to comply with all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Community Development Manager and/or as authorized by the Planning Commission. Failure to comply with these conditions shall render this entitlement, at the discretion of the Community Development Manager, null and void. Continuation of the use without a valid entitlement will constitute a violation of the Morro Bay Municipal Code and is a misdemeanor.
6. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the Morro Bay Municipal Code, and shall be consistent with all programs and policies contained in the Zoning Ordinance, certified Coastal Land Use Plan and General Plan for the City of Morro Bay.
7. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicants failure to comply with conditions of approval. This condition and agreement shall be binding on all successors and assigns.
8. Construction Hours: Pursuant to MBMC Section 9.28.030 (I), noise-generating construction related activities and routine maintenance activities shall be limited to the hours of 7:00 AM to 7:00 PM Monday through Friday, and 8:00 A.M. to 7:00 P.M. on Saturday and Sunday, unless an exception is granted by the Community Development Manager pursuant to the terms of this regulation.
9. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan of the City.

PLANNING CONDITIONS

1. Antenna and Equipment Screening: As presented in the photo simulations of the proposed project, the color and texture of the proposed screening shall match the color and texture of the exterior motel walls.

2. Screen Height: The maximum height of the roof top screen wall, including the cornice, shall not exceed seven (7) feet.
3. Exposure Signs and Barrier Areas: Prior to final inspection, explanatory warning signs shall be posted and barrier areas shall be clearly delineated at the locations indicated by Figure 3 in the statement prepared for this project by Hammett & Edison, Inc. The content of explanatory sign shall include summary results of the post construction RF compliance report and inform personnel of the maximum permissible exposure (MPE) levels. The applicant shall submit building plans illustrating the placement of the required explanatory warning signs. The warning signs shall be utilized to establish awareness and provide information in a prominent manner on the risk of potential exposure to radio frequency fields and instructions on methods to minimize such exposure risk.
4. Conditions of Approval: Prior to the issuance of a Building Permit, the final Conditions of Approval shall be attached to the set of approved plans. The sheet containing Conditions of Approval shall be the same size as other plan sheets and shall be the last sheet in the set of Building Plans.
5. Inspection: The applicant shall comply with all Planning conditions listed above and obtain a final inspection from the Planning Division at the necessary time in order to ensure all conditions have been met.
6. RF Compliance Report: A post construction RF compliance report shall be submitted to the Community Development Manager *prior to final inspection*. Study shall measure cumulative RF emission levels for all antennas on the rooftop and the east facing wall and shall show results for all areas modeled in the April 21, 2017 statement prepared for this project by Hammett & Edison, Inc.
7. Roof Access: The roof access hatch shall be kept locked at all times, limiting access only to authorized personnel or emergency services officials as noted in Fire Condition 1.
8. RF Safety Training: Prior to final inspection, Applicant shall provide evidence of appropriate RF safety training to all authorized personnel who have access to the roof, including but not limited to employees and contractors of the wireless carriers and of the property owner.

BUILDING CONDITION

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

FIRE CONDITIONS

The following Fire Department conditions shall be satisfied prior to issuance of a building permit:

1. Required access to roof. Exterior doors and openings required by this code or the California Building Code shall be maintained readily accessible for emergency access by the fire department (CFC 504.1). **The area at the base of the access ladder to the roof shall be free of storage to maintain a clear aisle width of 36 inches (minimum).**
2. Roof access signage. So that emergency response personnel may identify the location of the roof access ladder, provide approved signage of ROOF ACCESS LADDER, outside of the utility room, in accordance with CFC 404 and CFC 504. **Applicant shall provide approved signage outside the utility room, in the hallway, of “ROOF ACCESS LADDER INSIDE”.**
3. Equipment signage. Provide approved signage at three rooftop locations to include: northeast antenna location, coax cable tray, and northwest antenna location of “CAUTION-ENERGIZED ELECTRICAL EQUIPMENT”, in accordance with CFC 605.3.1, to alert firefighting personnel of energized electrical equipment during roof operations. **Applicant shall provide approved warning signage at three rooftop locations to include: northeast antenna locations, coax cable tray, and northwest antenna locations of “CAUTION-ENERGIZED ELECTRICAL EQUIPMENT”.**
4. During final field inspection of the equipment room, we will require the following:
 - a. Knox box access and key update. The Knox box located on exterior of the detached equipment room structure, keys and alarm information shall be updated and inserted in the box. (CFC 605.2)
 - b. Equipment room door signage. Provide approved signage of “CAUTION-ENERGIZED ELECTRICAL EQUIPMENT”. Sign shall have red lettering $\frac{1}{4}$ inch stroke and 3 inches high on white reflective background of durable material so to withstand a marine environment. (CFC 605.3.1)
 - c. Equipment room and building signage. Doors into electrical equipment rooms or building containing stationary battery systems shall be provided with approved signs. The signs shall state:
 1. This room contains energized battery systems.
 2. This room contains energized electrical circuits.
 3. This room contains battery electrolyte solutions that are corrosive liquids.
 - d. Cabinet signage. Cabinets shall have exterior labels that identify the manufacturer and model number of system and electrical rating (voltage and current) of the contained battery system. There shall be signs within the cabinet that indicate the relevant electrical, chemical and fire hazard. (CFC 608.7.2)
 - e. Smoke detection. An approved automatic smoke detection system shall be installed in accordance with CFC 907.2 in rooms containing stationary battery systems. (CFC 608.9)

f. Portable fire extinguisher. Provide one wall-mounted, portable fire extinguisher (5-10-B:C minimum), listed and suitable for both energized electrical equipment and liquid or gaseous fuel fires. (CCR T19 Sec. 569)

g. Storage. Combustible materials shall not be stored in boiler rooms, mechanical rooms or electrical equipment rooms. (CFC 315.3.3)

5. Automatic fire sprinkler system five-year report. Water-based fire protection systems shall be inspected, tested and maintained in accordance with frequencies required by NFPA 25 (2011 California Edition) including annexes A, B, D, and E as amended by the State of California. Applicant/Hotel shall provide a current SFM Title 19 five-year sprinkler report.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 15th day of August, 2017, upon motion of Commissioner _____ and seconded by Commissioner _____ on the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson Robert Tefft

ATTEST

Scot Graham, Planning Secretary

The foregoing resolution was passed and adopted this 15th day of August, 2017.



VN0004

TWIN DOLPHIN HOTEL

590 MORRO AVENUE MORRO BAY CA 93442



LOCATION

©2015 Google Maps



EXISTING



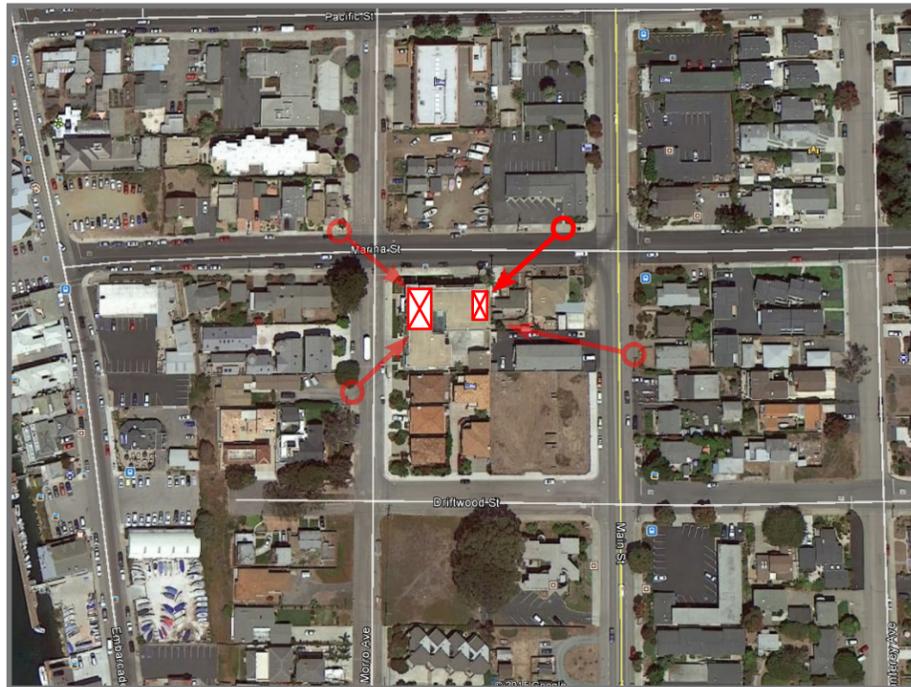
PROPOSED

LOOKING SOUTHEAST FROM MORRO AVENUE



VN0004 TWIN DOLPHIN HOTEL

590 MORRO AVENUE MORRO BAY CA 93442



LOCATION

©2015 Google Maps



EXISTING



PROPOSED REPLACEMENT ANTENNAS
BEHIND NEW REPLACEMENT SCREENS

PROPOSED

LOOKING SOUTHWEST FROM MARINA STREET



VN0004 TWIN DOLPHIN HOTEL

590 MORRO AVENUE MORRO BAY CA 93442



LOCATION

©2015 Google Maps



PROPOSED REPLACEMENT ANTENNAS
BEHIND NEW REPLACEMENT SCREEN



EXISTING

PROPOSED LOOKING NORTHWEST FROM MAIN STREET



VN0004

TWIN DOLPHIN HOTEL

590 MORRO AVENUE MORRO BAY CA 93442





Nelsonya Causby, AVP - Senior Legal Counsel
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RECEIVED

MAY 05 2017

City of Morro Bay
Community Development Dept.

May 1, 2017

Via Email and US Mail

Morro Bay Planning Commission
City of Morro Bay
955 Shasta Avenue
Morro Bay, CA 93442

Re: AT&T Application Nos. CP0-465 and UP0-411
590 Morro Avenue (AT&T Site No. VN0004)

Dear Chairperson Tefft, Vice-Chairperson Luhr, and Commissioners Ingraffia, Lucas, and Sadowski:

I write on behalf of New Cingular Wireless PCS, LLC dba AT&T Mobility (AT&T) in connection with AT&T's application seeking to modify its existing wireless telecommunications facility located at the Comfort Inn, 590 Morro Avenue, Morro Bay ("Application"). I understand that the City Planning Commission has raised a concern about the potential environmental effects of radio frequency emissions from the proposed facility. Under the Telecommunications Act of 1996, the city may not deny an application seeking to construct a wireless telecommunications facility on the basis of its environmental effects or potential future environmental effects when the proposed facility will comply with applicable Federal Communications Commission standards for radio frequency exposure.¹

Here, the proposed equipment will operate below applicable FCC limits. AT&T has obtained an engineering analysis that confirms AT&T's proposed modification will operate well within applicable FCC public and occupational exposure limits. AT&T previously submitted to the city an Electromagnetic Energy (EME) Measurement and Site Compliance Report, prepared by Telnet on June 13, 2016. More recently, in response to questions raised by the Planning Commission, AT&T obtained the attached radio frequency exposure engineering analysis from Hammett & Edison, Inc., Consulting Engineers. Hammett & Edison note some deficiencies with the previous Telnet report, so the Hammett & Edison report replaces the Telnet report for purposes of AT&T's Application.² Given compliance with the FCC's standards, AT&T's Application cannot be rejected based on health concerns of radio frequency emissions.

¹ See 47 U.S.C. §332(c)(7)(B)(iv) ("No state or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions.")

² In addition to the Hammett & Edison report, attached hereto is a letter from Hammett & Edison, Inc. explaining the need for this replacement report.

I understand that the Planning Commission raised a question about potential future effects of RF emissions in the event a neighboring building might be renovated to add a floor that would be nearer to AT&T's proposed antennas. This concern is addressed in the Hammett & Edison letter. Moreover, potential future conditions cannot be the basis to deny the Application. In addition to prohibiting consideration of the effects of RF emissions with respect to the Application, the Telecommunications Act also prohibits the city from denying the Application absent "substantial evidence contained in a written record."³ The "substantial evidence" requirement means that a local government's decision must be "authorized by applicable local regulations and supported by a reasonable amount of evidence."⁴ In other words, a local government must have specific reasons that are both consistent with the local regulations and supported by substantial evidence in the record to deny a permit. Speculation about possible future scenarios is not substantial evidence that can lawfully support denial.⁵ Likewise, courts within the Ninth Circuit and elsewhere have agreed that generalized concerns do not constitute substantial evidence supporting the denial of a permit to install telecommunications facilities.⁶

AT&T is diligently upgrading its network to meet the growing wireless communications demand within Morro Bay. It is doing so in a manner that takes careful consideration of the impacts of its facilities. I urge the Planning Commission to approve AT&T's Application. To that end, AT&T requests that the Planning Commission set this matter for hearing. Please contact AT&T's vendor, Mr. Alexander Lew with Core Development Services, regarding the hearing date.

Very truly yours,

cc: Joseph W. Pannone, Esq., Morro Bay City Attorney

Attachments: Statement of Hammett & Edison, Inc. (April 21, 2017)
Letter from Hammett & Edison, Inc. (April 21, 2017)

³ See 47 U.S.C. §332(c)(7)(B)(iii).

⁴ See *Metro PCS, Inc. v. City and County of San Francisco*, 400 F.3d 715, 725 (9th Cir. 2005).

⁵ See, e.g., *T-Mobile USA, Inc. v. City of Anacortes*, 2008 U.S. Dist. LEXIS 116764, *14 (W.D. Wash. July 18, 2008) (speculation that alternatives may work without technical analysis "certainly does not meet the substantial evidence standard"), *affirmed*, 572 F.3d 987, 999 (9th Cir. 2009); see also *Orange County-Poukeepsie Ltd. P'ship v. Town of East Fishkill*, 84 F.Supp.3d 274, 308 (S.D.N.Y. 2015) (local government's consideration of possible future changes was speculation that "cannot provide substantial evidence for denying the Application"), *affirmed*, 2015 U.S. App. LEXIS 19548 (2d Cir. Nov. 10, 2015).

⁶ See, e.g., *California RSA No. 4 v. Madera County*, 332 F.Supp.2d 1291, 1309 (E.D. Cal. 2003) (citing *Omnipoint Corp. v. Zoning Hearing Bd.*, 181 F.3d 403, 409 (3d Cir.1999)); see also *T-Mobile Central, LLC v. Charter Twp. of West Bloomfield*, 691 F.3d 794, 800-01 (6th Cir. 2012).



HAMMETT & EDISON, INC.
CONSULTING ENGINEERS
BROADCAST & WIRELESS

RECEIVED

MAY 05 2017

BY E-MAIL WMCILVAINE@MORROBAYCA.GOV City of Morro Bay
Community Development Dept.

April 21, 2017

Ms. Whitney McIlvaine
City Planner
City of Morro Bay
955 Shasta Avenue
Morro Bay, California 93442

WILLIAM F. HAMMETT, P.E.
STANLEY SALEK, P.E.
ROBERT P. SMITH, JR.
RAJAT MATHUR, P.E.
NEIL J. OLIJ, P.E.
AMELIA NGAI
MANAS REDDY

ROBERT L. HAMMETT, P.E.
1920-2002
EDWARD EDISON, P.E.
1920-2009

DANE E. ERICKSEN, P.E.
ANDREA L. BRIGHT, P.E.
CONSULTANTS

Re: Upgrade Proposal for AT&T Mobility Base Station at 590 Morro Avenue in Morro Bay
Case No. CP0-465 and UP0-411

Executive Summary

The proposed AT&T operation will meet, with no mitigation requirements, the federal RF exposure limits at all locations accessible to the general public. Certain measures are recommended to comply with the FCC occupational exposure limits.

Dear Ms. McIlvaine:

You will find enclosed our independent analysis of RF exposure conditions from operation of the AT&T Mobility base station (Site No. VN0004) proposed to be located at 590 Morro Avenue in Morro Bay. This report replaces in its entirety the earlier study done by Telnet, Inc., dated June 13, 2016, which we understand was submitted to the City of Morro Bay and reviewed by the Planning Commission on June 21, 2016.

We have read the Telnet report and have watched some of the video record of the Planning Commission hearing. To assist the City, we thought it would be helpful to address here several issues in the Telnet report that may have caused confusion during the Commission's review.

- First, the Telnet report mis-characterized its calculations with regard to the "Adjacent Roof" of the one-story residential building immediately to the east, on Marina Street. Figure 8 in the Telnet report, on page 13, shows with a tiny blue square where it calculates exposure to be between 100% and 500% of the limit, and that blue square is not on the adjacent roof. Because Telnet uses software with limited flexibility, the calculations for Figure 8 were not actually on the adjacent roof – they are at the same elevation as the adjacent roof. Therefore, Telnet's Table 2 Site Summary on page 3 is not correct when it lists that result ("342.1%") as applying to the Adjacent Roof.

The correct calculation for a person on that roof is 69% of the applicable public limit, as reported in our study, requiring no access restrictions or other mitigation measures for anyone on that roof, in that building, or on the property outside that building. The attached Figure 1 shows similar rooftop and ground-level calculations for this and other nearby buildings. No mitigation measures are required at any nearby location.

Ms. Whitney McIlvaine, page 2
April 21, 2017

- Second, the Telnet report features in nearly half of its figures a threshold equal to 5% of the FCC limit, perhaps not realizing that such a threshold has no regulatory basis and is irrelevant for this site. The sole threshold that the FCC requires is, by definition, 100%; if exposure levels are less than the FCC's maximum permissible exposure level, then the Congress' 1996 Telecommunications Act §704(a)(7)(B)(iv) pre-empts local jurisdictions from applying any tighter requirement. In contrast, the lower threshold was included in the FCC Rules §1.1307(b)(3)(i) to identify, at a multi-carrier site, which of those carriers have responsibility to mitigate exposure conditions that exceed the FCC limit. For this AT&T site in Morro Bay, there are no collocated carriers, nor do levels exceed 100% of the limit.

It should be noted that there are numerous sitings of wireless base stations where levels in nearby areas of uncontrolled, public access exceed 5% of the FCC limit; so long as those levels do not exceed 100%, such operations are in full compliance with the FCC requirements.

One of the questions asked by the Planning Commission concerned exposure levels up in the airspace in front of the antennas oriented east along Marina Street. It is important to note that the FCC requires its licensees to comply with the exposure limits at all times. Therefore, if the environment surrounding a wireless base station were to change in the future, creating a situation where exposure levels exceeded 100% of the applicable limit, then the FCC licensee would have to accommodate the changed conditions; the licensee's operation is not protected by FCC Rules against such changes in the environment.

So if the adjacent one-story residence (the "Adjacent Roof" location discussed above) were to add a second floor, or if it were to be torn down and a three-story apartment building constructed in its place, AT&T may have to modify its operation so that the FCC's exposure limits would continue to be met. The modifications might include reducing operating power levels or reorienting, repositioning, or removing antennas. This is a common situation in urban areas and, in our experience, the wireless carriers well recognize their burden of constant compliance with the federal exposure limits. When we evaluate new or modified facilities, it is not our practice to speculate on what might occur at some time in the future and then evaluate those hypothetical environments.

I hope that these discussions are helpful to the Planning Commission. AT&T has asked that I attend the next hearing on this project, and I look forward to further discussions at that time. Please do not hesitate to call me directly if questions arise in the meantime.

Sincerely yours,



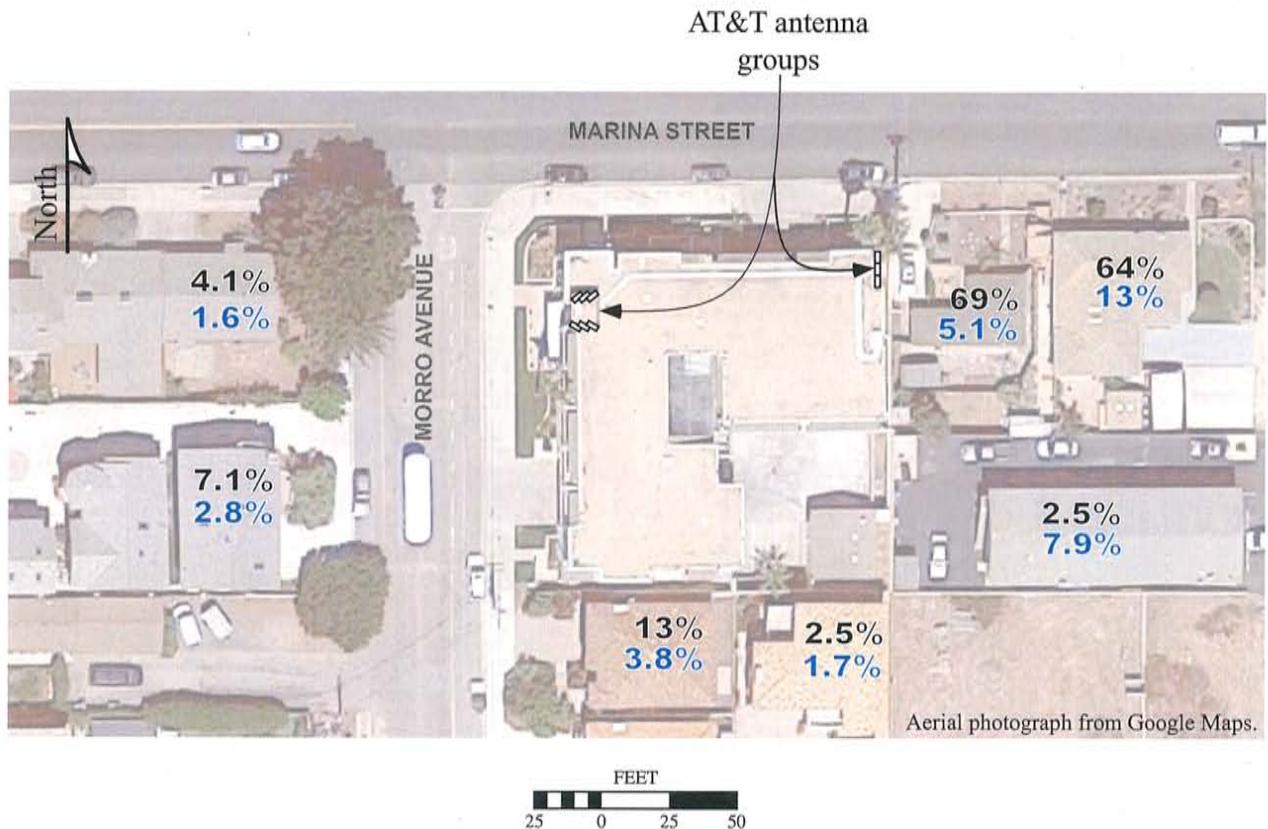
William F. Hammett, P.E.

bb

Enclosure

AT&T Mobility • Base Station No. VN0004
590 Morro Avenue • Morro Bay, California

Calculated RF Exposure Levels at Nearby Buildings



Calculated levels are expressed as percent of the applicable FCC public maximum permissible exposure: shown in **black** for a person on the roof, shown in **blue** for a person at the top-floor elevation. The calculated maximum level for a person at ground near the site is 11% of the public limit. Calculations performed according to OET Bulletin No. 65, August 1997, and include several worst-case assumptions. See text.

**AT&T Mobility • Base Station No. VN0004
590 Morro Avenue • Morro Bay, California**

Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained on behalf of AT&T Mobility, a personal wireless telecommunications carrier, to evaluate proposed modifications to its existing base station (Site No. VN0004) located at 590 Morro Avenue in Morro Bay, California, for compliance with appropriate guidelines limiting human exposure to radio frequency (“RF”) electromagnetic fields.

Executive Summary

AT&T proposes to install additional antennas at the three-story Comfort Inn located at 590 Morro Avenue in Morro Bay. The proposed operation will comply with the FCC guidelines limiting public exposure to RF energy; certain mitigation measures are recommended to comply with FCC occupational guidelines.

Prevailing Exposure Standards

The U.S. Congress requires that the Federal Communications Commission (“FCC”) evaluate its actions for possible significant impact on the environment. A summary of the FCC’s exposure limits is shown in Figure 1. These limits apply for continuous exposures and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health. The most restrictive FCC limit for exposures of unlimited duration to radio frequency energy for several personal wireless services are as follows:

Wireless Service	Frequency Band	Occupational Limit	Public Limit
Microwave (Point-to-Point)	5–80 GHz	5.00 mW/cm ²	1.00 mW/cm ²
WiFi (and unlicensed uses)	2–6	5.00	1.00
BRS (Broadband Radio)	2,600 MHz	5.00	1.00
WCS (Wireless Communication)	2,300	5.00	1.00
AWS (Advanced Wireless)	2,100	5.00	1.00
PCS (Personal Communication)	1,950	5.00	1.00
Cellular	870	2.90	0.58
SMR (Specialized Mobile Radio)	855	2.85	0.57
700 MHz	700	2.40	0.48
[most restrictive frequency range]	30–300	1.00	0.20

General Facility Requirements

Base stations typically consist of two distinct parts: the electronic transceivers (also called “radios” or “channels”) that are connected to the traditional wired telephone lines, and the passive antennas that send the wireless signals created by the radios out to be received by individual subscriber units. The transceivers are often located at ground level and are connected to the antennas by coaxial cables. A small antenna for reception of GPS signals is also required, mounted with a clear view of the sky.



AT&T Mobility • Base Station No. VN0004 590 Morro Avenue • Morro Bay, California

Because of the short wavelength of the frequencies assigned by the FCC for wireless services, the antennas require line-of-sight paths for their signals to propagate well and so are installed at some height above ground. The antennas are designed to concentrate their energy toward the horizon, with very little energy wasted toward the sky or the ground. This means that it is generally not possible for exposure conditions to approach the maximum permissible exposure limits without being physically very near the antennas.

Computer Modeling Method

The FCC provides direction for determining compliance in its Office of Engineering and Technology Bulletin No. 65, "Evaluating Compliance with FCC-Specified Guidelines for Human Exposure to Radio Frequency Radiation," dated August 1997. Figure 2 describes the calculation methodologies, reflecting the facts that a directional antenna's radiation pattern is not fully formed at locations very close by (the "near-field" effect) and that at greater distances the power level from an energy source decreases with the square of the distance from it (the "inverse square law"). The conservative nature of this method for evaluating exposure conditions has been verified by numerous field tests.

Site and Facility Description

Based upon information provided by AT&T, including zoning drawings by Core Development Services, dated May 25, 2016, that carrier presently has six directional panel antennas installed in pairs above the roof and high on the face of the three-story Comfort Inn, located at 590 Morro Avenue in Morro Bay. It is proposed to replace three of those antennas with six Kathrein Model 800-10767 directional panel antennas at the same locations, in pairs next to the remaining three Powerwave Model 7770.00 antennas. The nine antennas would employ up to 2° downtilt. Two groups would be mounted on the north and south faces of the elevator penthouse at an effective height of about 28 feet above ground, 3½ feet above the roof, and would be oriented in identical groups of three toward 210°T and 320°T. The third group would be mounted on the face of the building at the northeast corner, at an effective height of about 22 feet above ground, and would be oriented toward 90°T. The maximum effective radiated power in any direction would be 7,990 watts, representing simultaneous operation at 2,350 watts for AWS, 4,280 watts for PCS, 540 watts for cellular, and 820 watts for 700 MHz service. There are reported no other wireless telecommunications base stations at the site or nearby.

Study Results

For a person anywhere at ground, the maximum RF exposure level due to the proposed AT&T operation is calculated to be 0.075 mW/cm², which is 11% of the applicable public exposure limit. The maximum calculated level at the top-floor elevation of any nearby building* is 13% of the public exposure limit;

* This occurs at the one-story residence located about 70 feet to the east, based on photographs from Google Maps.

AT&T Mobility • Base Station No. VN0004 590 Morro Avenue • Morro Bay, California

the maximum calculated level for a person on any nearby roof[†] is 69% of the public limit. It should be noted that these results include several “worst-case” assumptions and therefore are expected to overstate actual power density levels from the proposed operation. Levels may exceed the applicable public exposure limit on the roof of the subject building, in front of the antennas.

Recommended Mitigation Measures

It is recommended that the roof access hatch be kept locked, so that the AT&T antennas are not accessible to unauthorized persons. To prevent occupational exposures in excess of the FCC guidelines, it is recommended that appropriate RF safety training, to include review of personal monitor use and lockout/tagout procedures, be provided to all authorized personnel who have access to the roof or to the antennas, including employees and contractors of AT&T and of the property owner. No access within 15 feet directly in front of the AT&T antennas themselves, such as might occur during certain maintenance activities, should be allowed while the base station is in operation, unless other measures can be demonstrated to ensure that occupational protection requirements are met. It is recommended that boundary lines be marked on the roof with blue and yellow paint to identify areas that are calculated to exceed the public and occupational FCC limits, respectively, as shown in Figure 3. It is recommended that explanatory signs[‡] be posted at the roof access hatch and on the screens in front of the antennas, readily visible from any angle of approach to persons who might need to work within that distance.

Conclusion

Based on the information and analysis above, it is the undersigned’s professional opinion that the proposed operation of the AT&T Mobility base station located at 590 Morro Avenue in Morro Bay, California, can comply with the prevailing standards for limiting human exposure to radio frequency energy and, therefore, need not for this reason cause a significant impact on the environment. The highest calculated level in publicly accessible areas is much less than the prevailing standards allow for exposures of unlimited duration. This finding is consistent with measurements of actual exposure conditions taken at other operating base stations. Locking the roof access hatch is recommended to establish compliance with public exposure limits; training authorized personnel, marking roof areas, and posting explanatory signs are recommended to establish compliance with occupational exposure limits.

[†] This occurs at the one-story residence located about 15 feet to the east, based on photographs from Google Maps.

[‡] Signs should comply with OET-65 color, symbol, and content recommendations. Contact information should be provided (*e.g.*, a telephone number) to arrange for access to restricted areas. The selection of language(s) is not an engineering matter, and guidance from the landlord, local zoning or health authority, or appropriate professionals may be required.

AT&T Mobility • Base Station No. VN0004
590 Morro Avenue • Morro Bay, California

Authorship

The undersigned author of this statement is a qualified Professional Engineer, holding California Registration Nos. E-13026 and M-20676, which expire on June 30, 2017. This work has been carried out under his direction, and all statements are true and correct of his own knowledge except, where noted, when data has been supplied by others, which data he believes to be correct.



William F. Hammett

William F. Hammett, P.E.

William F. Hammett, P.E.

707/996-5200

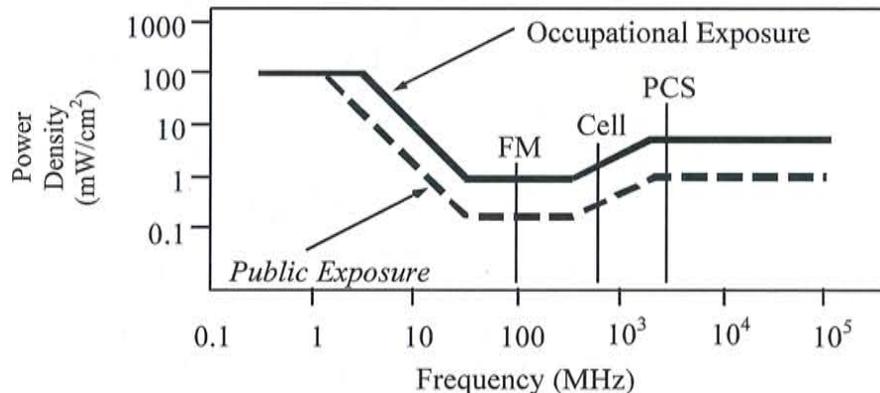
April 21, 2017

FCC Radio Frequency Protection Guide

The U.S. Congress required (1996 Telecom Act) the Federal Communications Commission (“FCC”) to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment. The FCC adopted the limits from Report No. 86, “Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields,” published in 1986 by the Congressionally chartered National Council on Radiation Protection and Measurements (“NCRP”). Separate limits apply for occupational and public exposure conditions, with the latter limits generally five times more restrictive. The more recent standard, developed by the Institute of Electrical and Electronics Engineers and approved as American National Standard ANSI/IEEE C95.1-2006, “Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz,” includes similar limits. These limits apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health.

As shown in the table and chart below, separate limits apply for occupational and public exposure conditions, with the latter limits (in *italics* and/or dashed) up to five times more restrictive:

Frequency Applicable Range (MHz)	Electromagnetic Fields (f is frequency of emission in MHz)					
	Electric Field Strength (V/m)		Magnetic Field Strength (A/m)		Equivalent Far-Field Power Density (mW/cm ²)	
0.3 – 1.34	614	<i>614</i>	1.63	<i>1.63</i>	100	<i>100</i>
1.34 – 3.0	614	<i>823.8/f</i>	1.63	<i>2.19/f</i>	100	<i>180/f²</i>
3.0 – 30	1842/f	<i>823.8/f</i>	4.89/f	<i>2.19/f</i>	900/f ²	<i>180/f²</i>
30 – 300	61.4	<i>27.5</i>	0.163	<i>0.0729</i>	1.0	<i>0.2</i>
300 – 1,500	3.54√f	<i>1.59√f</i>	√f/106	<i>√f/238</i>	f/300	<i>f/1500</i>
1,500 – 100,000	137	<i>61.4</i>	0.364	<i>0.163</i>	5.0	<i>1.0</i>



Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits, and higher levels also are allowed for exposures to small areas, such that the spatially averaged levels do not exceed the limits. However, neither of these allowances is incorporated in the conservative calculation formulas in the FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) for projecting field levels. Hammett & Edison has built those formulas into a proprietary program that calculates, at each location on an arbitrary rectangular grid, the total expected power density from any number of individual radio sources. The program allows for the description of buildings and uneven terrain, if required to obtain more accurate projections.



RFR.CALC™ Calculation Methodology

Assessment by Calculation of Compliance with FCC Exposure Guidelines

The U.S. Congress required (1996 Telecom Act) the Federal Communications Commission (“FCC”) to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment. The maximum permissible exposure limits adopted by the FCC (see Figure 1) apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health. Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits.

Near Field.

Prediction methods have been developed for the near field zone of panel (directional) and whip (omnidirectional) antennas, typical at wireless telecommunications base stations, as well as dish (aperture) antennas, typically used for microwave links. The antenna patterns are not fully formed in the near field at these antennas, and the FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) gives suitable formulas for calculating power density within such zones.

For a panel or whip antenna, power density $S = \frac{180}{\theta_{BW}} \times \frac{0.1 \times P_{net}}{\pi \times D \times h}$, in mW/cm²,

and for an aperture antenna, maximum power density $S_{max} = \frac{0.1 \times 16 \times \eta \times P_{net}}{\pi \times h^2}$, in mW/cm²,

where θ_{BW} = half-power beamwidth of the antenna, in degrees, and

P_{net} = net power input to the antenna, in watts,

D = distance from antenna, in meters,

h = aperture height of the antenna, in meters, and

η = aperture efficiency (unitless, typically 0.5-0.8).

The factor of 0.1 in the numerators converts to the desired units of power density.

Far Field.

OET-65 gives this formula for calculating power density in the far field of an individual RF source:

power density $S = \frac{2.56 \times 1.64 \times 100 \times RFF^2 \times ERP}{4 \times \pi \times D^2}$, in mW/cm²,

where ERP = total ERP (all polarizations), in kilowatts,

RFF = relative field factor at the direction to the actual point of calculation, and

D = distance from the center of radiation to the point of calculation, in meters.

The factor of 2.56 accounts for the increase in power density due to ground reflection, assuming a reflection coefficient of 1.6 (1.6 x 1.6 = 2.56). The factor of 1.64 is the gain of a half-wave dipole relative to an isotropic radiator. The factor of 100 in the numerator converts to the desired units of power density. This formula has been built into a proprietary program that calculates, at each location on an arbitrary rectangular grid, the total expected power density from any number of individual radiation sources. The program also allows for the description of uneven terrain in the vicinity, to obtain more accurate projections.

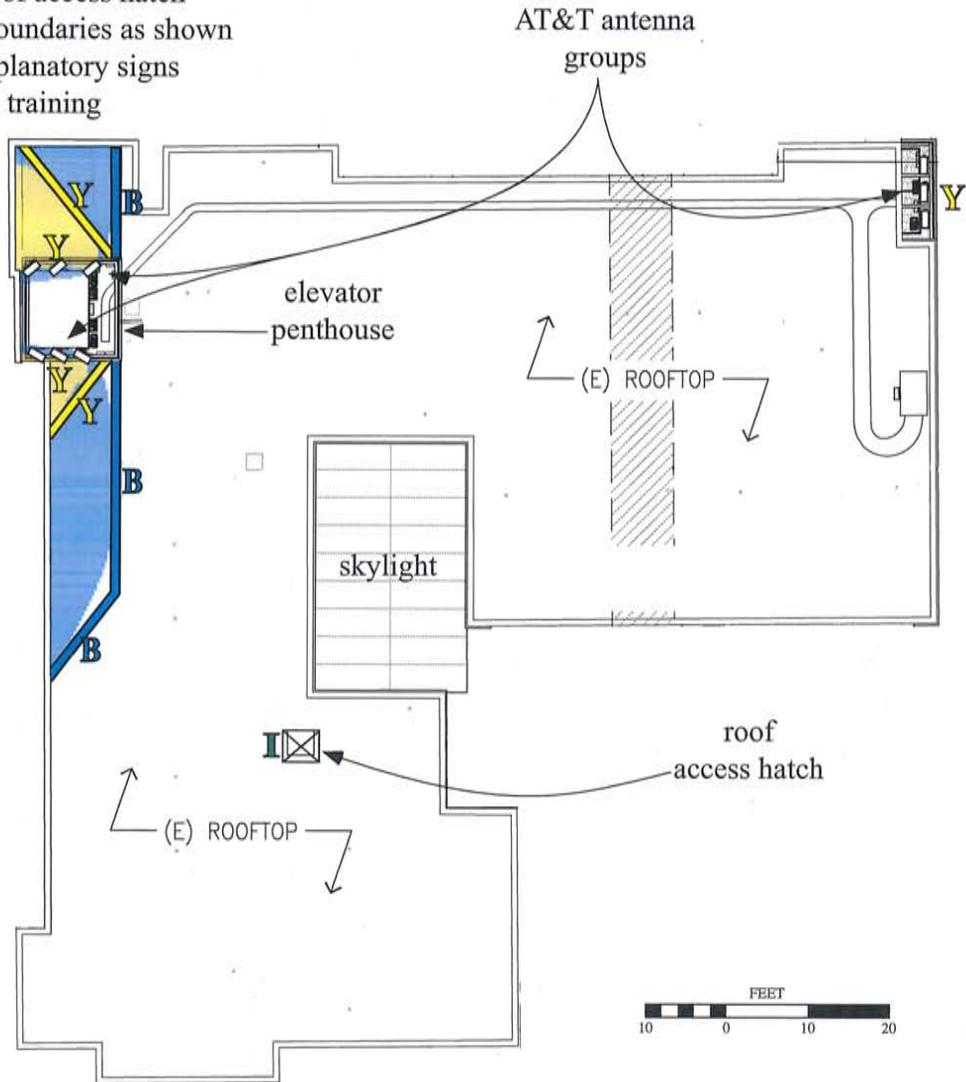


**AT&T Mobility • Base Station No. VN0004
590 Morro Avenue • Morro Bay, California**

Calculated RF Exposure Levels on Roof

Recommended Mitigation Measures

- Lock roof access hatch
- Mark boundaries as shown
- Post explanatory signs
- Provide training



Notes: See text.

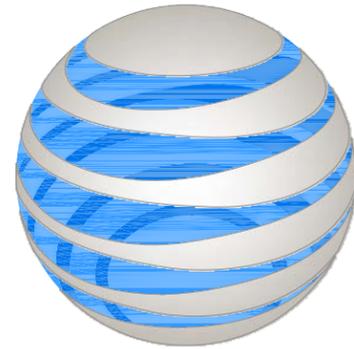
Base drawing from Core Development Services, dated May 25, 2016.

Calculations performed according to OET Bulletin 65, August 1997.

Legend:	Less Than Public	Exceeds Public	Exceeds Occupational	Exceeds 10x Occupational
Shaded color	blank			
Boundary marking	N/A			
Sign type	I - Green INFORMATION	B - Blue NOTICE	Y - Yellow CAUTION	O - Orange WARNING



HAMMETT & EDISON, INC.
CONSULTING ENGINEERS
SAN FRANCISCO



at&t

TWIN DOLPHIN HOTEL

VN0004

PA# 3551316169, 3551727350, 3551865192

590 MORRO AVENUE
MORRO BAY, CA 93442

LTE 1C/2C/3C PROJECT

REV	DATE/BY	DESCRIPTION
A	05/10/16 AH	ISSUED FOR 100% ZD
B	05/25/16 AH	REVISED PER PLANNING COMMENTS

ENGINEER / CONSULTANT



SITE BUILDER



A&E DEVELOPMENT

core
DEVELOPMENT SERVICES
A&E SERVICES
3350 E. Birch Street #250
Brea, California 92821
(714)729-8404 (714)333-4441 fax
www.core.us.com

SITE DEVELOPMENT

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www.core.us.com

SITE INFORMATION

SITE NAME:
TWIN DOLPHIN HOTEL
VN0004/PA#3551316169,
3551727350, 3551865192

SITE ADDRESS:
590 MORRO AVENUE
MORRO BAY, CA 93442
SAN LUIS OBISPO COUNTY

SHEET TITLE

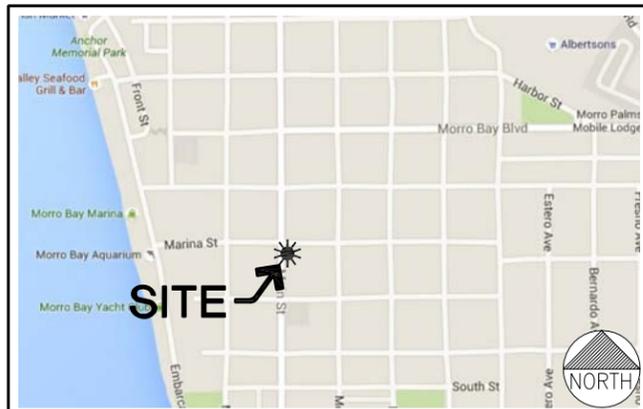
TITLE SHEET

DRAWING INFORMATION

DRAWN BY	CHECKED BY	ISSUE DATE
EC	SMR	09/22/2015

SHEET NUMBER

T-1



VICINITY MAP

PROPERTY OWNER:
NATHU & HANSABEN PATEL
590 MORRO AVENUE
MORRO BAY, CA 93442
CONTACT: HERMANT PATEL
PHONE: 805.801.1224

APPLICANT:
AT&T MOBILITY
12900 PARK PLAZA DRIVE
CERRITOS, CA 90703
CONTACT: CORREEN VOEKS
PHONE: 714.394.9836

APPLICANT REPRESENTATIVE:
CORE DEVELOPMENT SERVICES
3350 E. BIRCH STREET #250
BREA, CA 92821
CONTACT: KRISTIN CORDRAY
PHONE: 714.729.8404

PROPERTY INFORMATION:
JURISDICTION: CITY OF MORRO BAY
CURRENT ZONING: R-2, S-4
A.P.N.: 066-133-001
(E) CONSTRUCTION TYPE: N/A
(E) BUILDING OCCUPANCY: U-UNMANNED TELECOMMUNICATIONS FACILITY
LATITUDE: 35.36383333° N
LONGITUDE: -120.8509444° W
BUILDING STORIES: 2

PROJECT INFORMATION

ARCHITECT:
CORE DEVELOPMENT SERVICES
3350 E. BIRCH STREET #250
BREA, CA 92821
CONTACT: STEVEN M. RAMON
PHONE: 714.729.8404

CONSULTING TEAM

AT&T IS SUBMITTING AN APPLICATION FOR ZONING APPROVAL FOR THE:

- REMOVAL OF (3) PANEL ANTENNAS BEHIND (E) FIBER REINFORCED PLASTIC (FRP) SCREENING.
- REMOVAL AND REPLACEMENT OF (E) FRP SCREENING ON BUILDING FACADE/ROOFTOP.
- RELOCATION OF (3) PANEL ANTENNAS BEHIND (P) FIBER REINFORCED PLASTIC (FRP) FACADE MOUNTED SCREENING (SECTOR A).
- REPLACEMENT OF (6) PREVIOUSLY APPROVED PANEL ANTENNAS BEHIND FIBER REINFORCED PLASTIC (FRP) SCREENING.
- INSTALLATION OF (3) DC6 SURGE SUPPRESSORS MOUNTED ON THE EXISTING ROOFTOP.
- INSTALLATION OF (9) REMOTE RADIO UNITS (RRUS) AND (6) A2 MODULES ON THE EXISTING ROOFTOP.
- INSTALLATION OF (2) DUS41 AND (1) AUXILIARY MULTIPLEX UNIT (XMU) WITHIN (E) RACK.
- INSTALLATION OF (1) DC-12 SURGE SUPPRESSOR WITHIN (E) RACK.
- INSTALLATION OF (1) FC-12 SURGE SUPPRESSOR ON (E) DOGHOUSE AT ROOFTOP.
- EXTENSION OF (E) ROOF MOUNTED FRP SCREENING ENCLOSURE.

PROJECT DESCRIPTION

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES:

- 2013 CALIF. ADMINISTRATIVE CODE
- 2013 CALIFORNIA ENERGY CODES (INCL. TITLES 24 & 25)
- 2013 CALIFORNIA BUILDING CODES
- 2013 CALIFORNIA ELECTRICAL CODES
- 2013 CALIFORNIA MECHANICAL CODES
- 2013 CALIFORNIA PLUMBING CODES
- 2013 CALIFORNIA FIRE CODES
- 2013 CALIFORNIA ENERGY CODES
- TIA-222-G STANDARD
- LOCAL BUILDING CODES
- CITY/COUNTY ORDINANCES

CODE COMPLIANCE

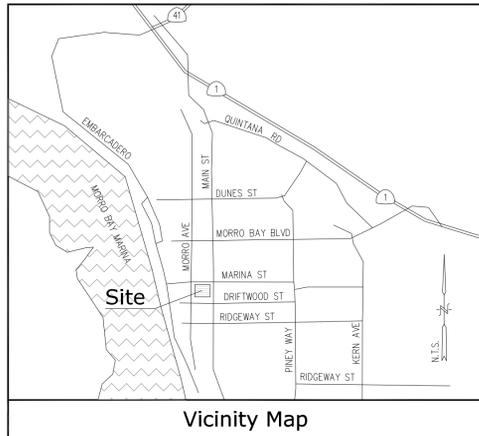
SHEET	DESCRIPTION
T-1	TITLE SHEET
C-1	TOPOGRAPHIC SURVEY
A-1	SITE PLAN
A-2	ROOFTOP PLANS
A-3	GROUND LEVEL EQUIPMENT ROOM PLANS
A-4	NORTHEAST BUILDING FACADE ANTENNA PLANS
A-5	NORTHWEST ANTENNA PLANS
A-6	EAST ELEVATIONS
A-7	NORTH/MARINA STREET ELEVATIONS
A-8	WEST/MORRO STREET ELEVATIONS
A-9	SOUTH ELEVATIONS
A-10	SCREENING ELEVATIONS
A-11	SCREENING ELEVATIONS

SHEET INDEX

SYMBOLS:

(E)	EXISTING		
FRP	FIBER REINFORCED PLASTIC		
MGB	MAIN GROUND BAR		
(P)	PROPOSED		
RAD CENTER	RADIATION CENTER	(X)	DETAIL NUMBER
RBS	RADIO BASE STATION	(X-X)	DETAIL REFERENCE
RRU	REMOTE RADIO UNIT	(X)	SHEET NUMBER
TMA	TOWER MOUNTED AMPLIFIER		
XMU	AUXILIARY MULTIPLEX UNIT		
---	PROPERTY LINE	(X)	DETAIL NUMBER
(X)	KEY NOTE REFERENCE	(X-X)	EXTERIOR ELEVATION REFERENCE
		(X-X)	SHEET NUMBER

ABBREVIATIONS & SYMBOLS



Title Report

THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE REPORT.
 PREPARED BY:
 ORDER NO.:
 DATED:

Legal Description

LOT 7 OF BLOCK 17, IN THE CITY OF MORRO BAY, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, FILED IN BOOK 109, PAGE 58, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Assessor's Parcel No

066-133-001

Easements

NOT AVAILABLE

Access Easement/Lease Area

TO BE DETERMINED

Geographic Coordinates at Center of Sectors

1983 DATUM: LATITUDE: 35° 21' 49.90" N LONGITUDE: 120° 51' 02.86" W
 ELEVATION = 42.6 FEET ABOVE MEAN SEA LEVEL

CERTIFICATION:
 THE LATITUDE AND LONGITUDE SHOWN ABOVE ARE ACCURATE TO WITHIN +/- 15 FEET HORIZONTALLY AND THAT THE ELEVATIONS SHOWN ABOVE ARE ACCURATE TO WITHIN +/- 3 FEET VERTICALLY. THE HORIZONTAL DATUM (GEOGRAPHIC COORDINATES) IS IN TERMS OF THE NORTH AMERICAN DATUM OF 1983 (NAD 83) AND IS EXPRESSED IN DEGREES (°), MINUTES (') AND SECONDS ("). TO THE NEAREST HUNDREDTH OF A SECOND. THE VERTICAL DATUM (ELEVATIONS) IS IN TERMS OF THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) AND IS DETERMINED TO THE NEAREST TENTH OF A FOOT.

Basis of Bearings

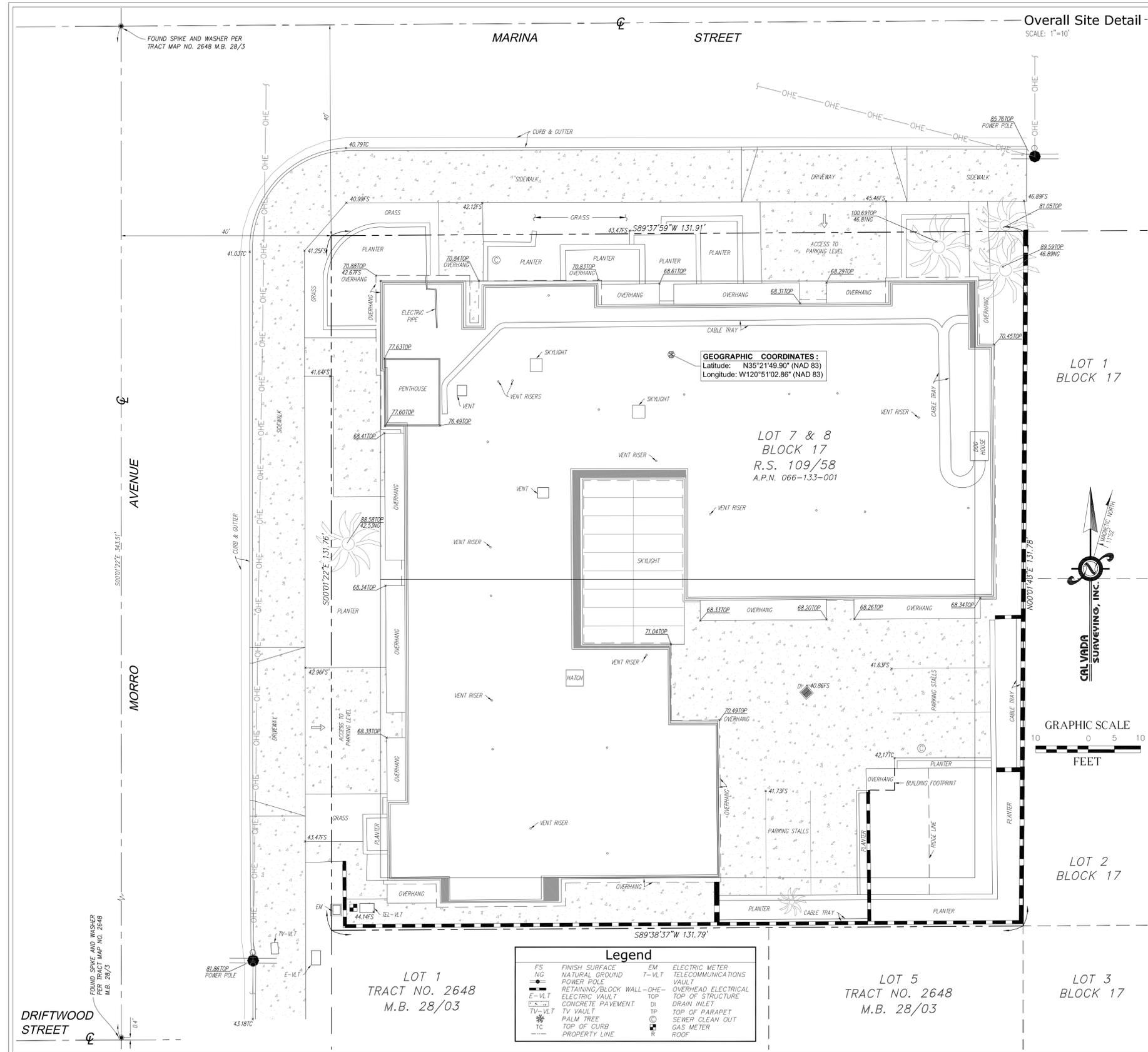
THE BASIS OF BEARING FOR THIS SURVEY IS THE CALIFORNIA COORDINATES SYSTEM (CCS 83), ZONE 5, 1983 DATUM, DEFINED BY SECTIONS 8801 TO 8819 OF THE CALIFORNIA PUBLIC RESOURCES CODE.

Bench Mark

THE CALIFORNIA SPATIAL REFERENCE CENTER C.O.R.S "P523", ELEVATION = 252.76 FEET (NAVD 88).

Date of Survey

OCTOBER 12, 2015



core
 DEVELOPMENT SERVICES
 A&E SERVICES

2903-H Saturn Street
 Brea, California 92821
 (714)725-8404 (714)333-4441 fax
 www.core.us.com

PROPRIETARY INFORMATION

THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO AT&T MOBILITY IS STRICTLY PROHIBITED.

CONSULTANT

CAL VADA
SURVEYING, INC.

411 Jenks Cir., Suite 205, Corona, CA 92880
 Phone: 951-280-9960 Fax: 951-280-9746
 Toll Free: 800-CALVADA www.calvada.com
 JOB NO. 15684

PREPARED FOR



2600 Camino Ramon, West Wing
 San Ramon, California 94583

APPROVALS

R.F.	DATE
SAC AND ZONING	DATE
CM	DATE
AT&T CM	DATE
OWNER APPROVAL	DATE

PROJECT NAME

TWIN DOLPHIN HOTEL

PROJECT NUMBER

VN0004

590 MORRO AVENUE,
 MORRO BAY, CA 93442
 SAN LUIS COUNTY

DATE	DESCRIPTION	BY
10/15/15	SUBMITTAL	MN/BF

SHEET TITLE

TOPOGRAPHIC SURVEY

C-1

SHEET 1 OF 1

EXHIBIT F

REV	DATE/BY	DESCRIPTION
A	05/10/16 AH	ISSUED FOR 100% ZD
B	05/25/16 AH	REVISED PER PLANNING COMMENTS

ENGINEER / CONSULTANT



A&E DEVELOPMENT



SITE DEVELOPMENT



SITE INFORMATION

SITE NAME:
TWIN DOLPHIN HOTEL
VN0004/PA#3551316169,
3551727350, 3551865192

SITE ADDRESS:
590 MORRO AVENUE
MORRO BAY, CA 93442
SAN LUIS OBISPO COUNTY

SHEET TITLE

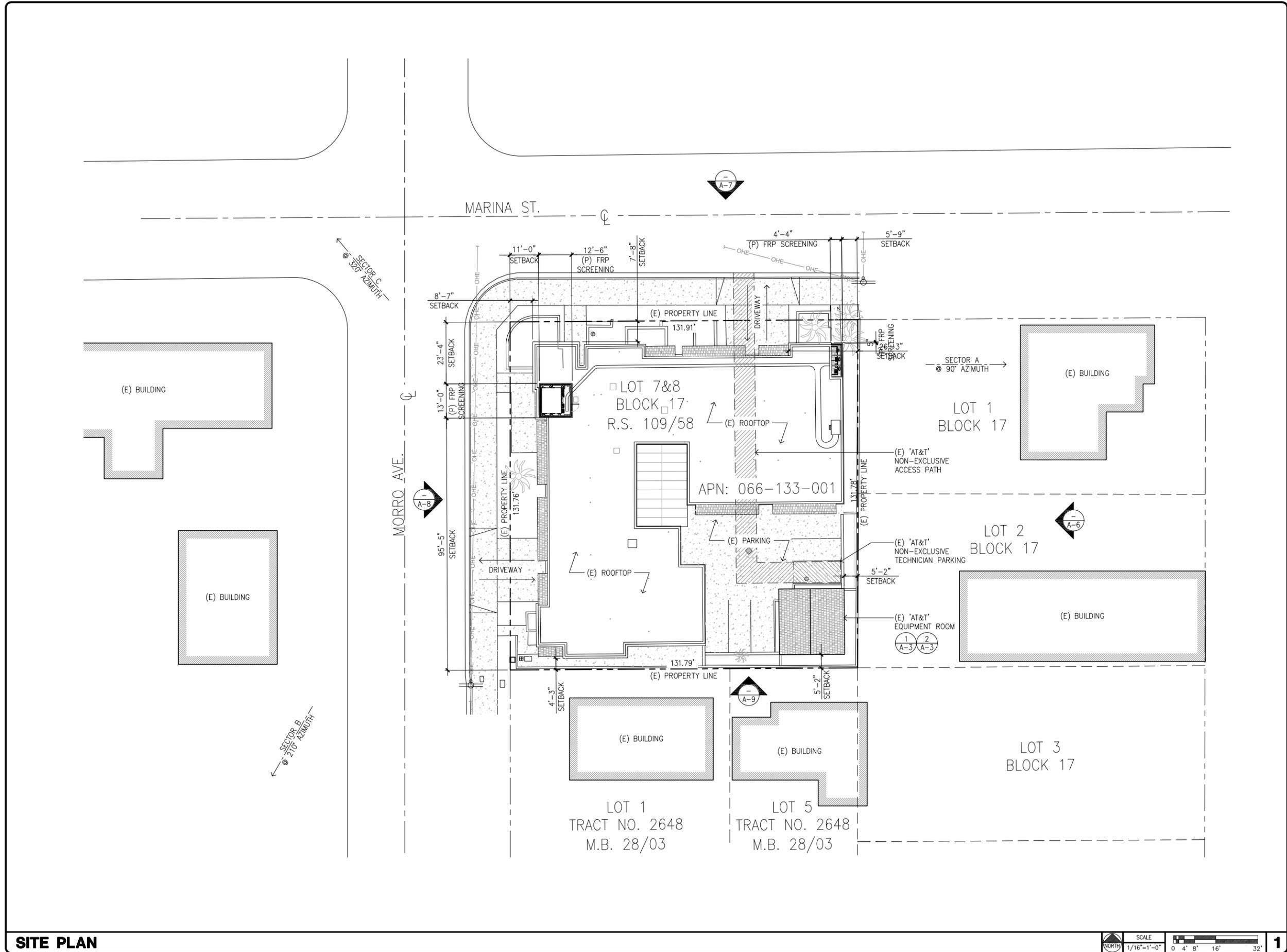
SITE PLAN

DRAWING INFORMATION

DRAWN BY	CHECKED BY	ISSUE DATE
EC	SMR	09/22/2015

SHEET NUMBER

A-1



SITE PLAN

SCALE
1/16"=1'-0"
0 4' 8' 16' 32'

1

PROPOSED TRANSMISSION LINES				
TYPE	QUANTITY	MODEL	SIZE	LENGTH
COAX	-	-	-	-
FIBER	1	RFFT-36SM-001-XXM	3/8"	120'-0"
DC	2	PWRT-608-S	13/16"	120'-0"

NOTE:
1. (P) FIBER REINFORCED PLASTIC (FRP) SCREENING SHALL BE PAINTED AND TEXTURED TO MATCH (E).

LEASE AREA NOTE:
(E) ANTENNA/EQUIPMENT LEASE AREA = 373 SQ. FT.
(P) ANTENNA LEASE AREA = 55.29 SQ. FT.

EXISTING TRANSMISSION LINES				
TYPE	QUANTITY	MODEL	SIZE	LENGTH
COAX	8 4	LD7-50A	1 5/8"	288'-0" 208'-0"
FIBER	-	-	-	-
DC	-	-	-	-

LEASE AREA NOTE:
(E) ANTENNA/EQUIPMENT LEASE AREA = 373 SQ. FT.

REV	DATE/BY	DESCRIPTION
A	05/10/16 AH	ISSUED FOR 100% ZD
B	05/25/16 AH	REVISED PER PLANNING COMMENTS

ENGINEER / CONSULTANT

SITE BUILDER



A&E DEVELOPMENT

core
DEVELOPMENT SERVICES
A&E SERVICES
3350 E. Birch Street #250
Brea, California 92821
(714)729-8404 (714)333-4441 fax
www.core.us.com

SITE DEVELOPMENT

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SITE INFORMATION

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MORRO BAY, CA 93442
SAN LUIS OBISPO COUNTY

SHEET TITLE

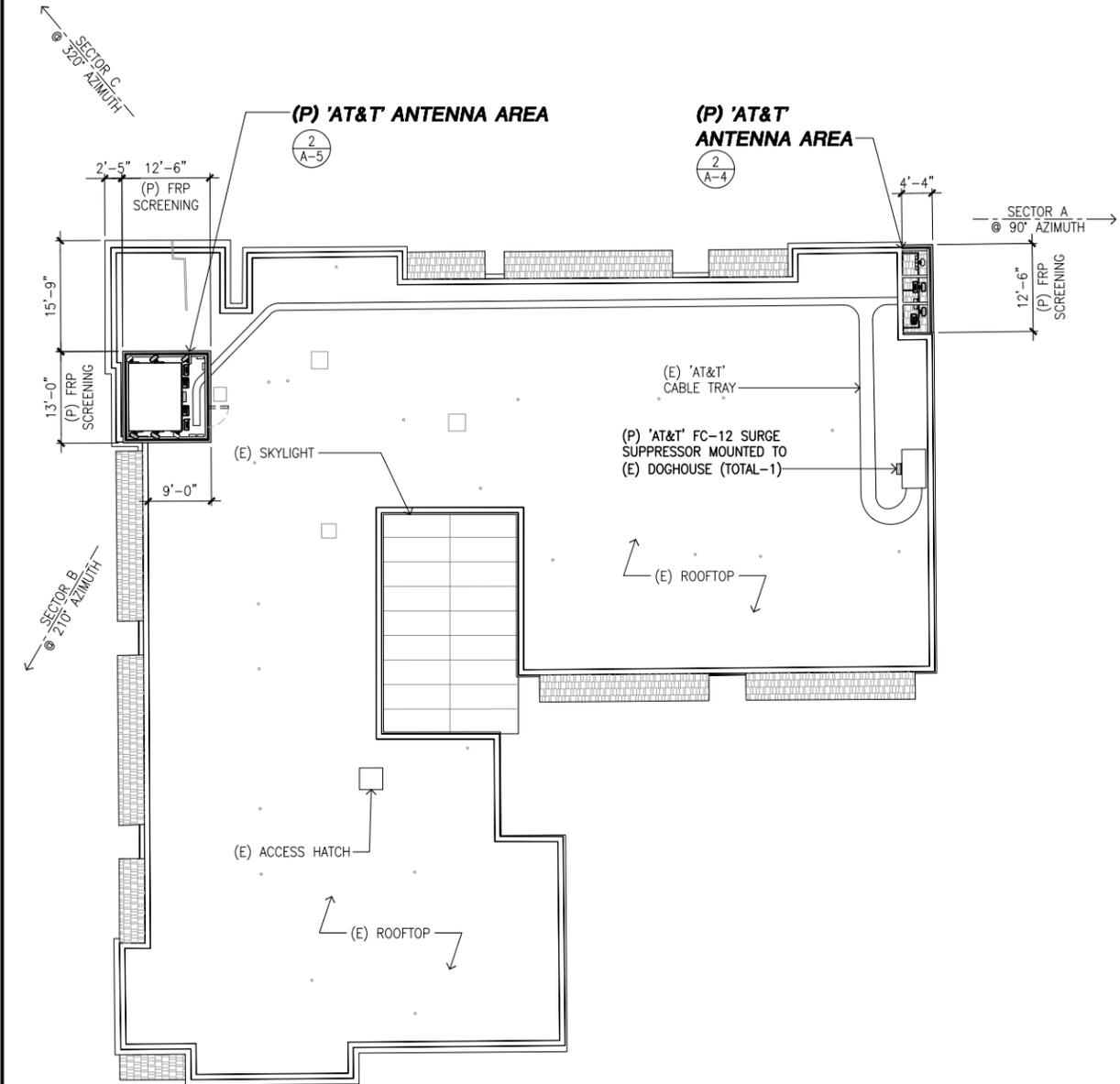
ROOFTOP PLANS

DRAWING INFORMATION

DRAWN BY	CHECKED BY	ISSUE DATE
EC	SMR	09/22/2015

SHEET NUMBER

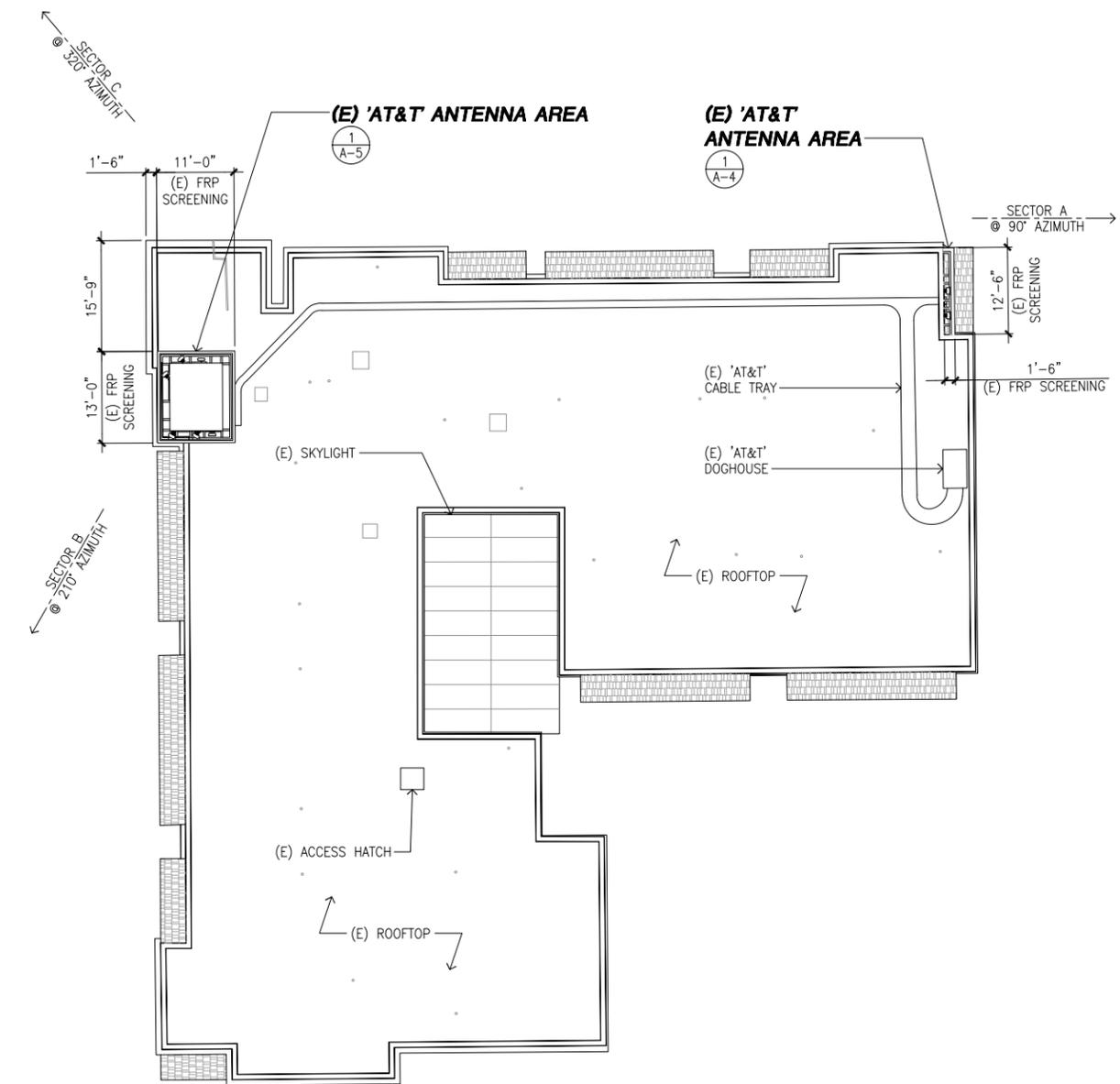
A-2



PROPOSED ROOFTOP PLAN

SCALE 3/32"=1'-0" 0 2' 4' 8' 16'

2



EXISTING ROOFTOP PLAN

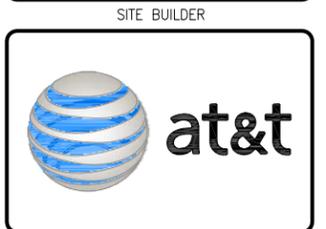
SCALE 3/32"=1'-0" 0 2' 4' 8' 16'

1

EXHIBIT F

REV	DATE/BY	DESCRIPTION
A	05/10/16 AH	ISSUED FOR 100% ZD
B	05/25/16 AH	REVISED PER PLANNING COMMENTS

ENGINEER / CONSULTANT



A&E DEVELOPMENT



SITE DEVELOPMENT



SITE INFORMATION

SITE NAME:
TWIN DOLPHIN HOTEL
VN0004/PA#3551316169,
3551727350, 3551865192

SITE ADDRESS:
590 MORRO AVENUE
MORRO BAY, CA 93442
SAN LUIS OBISPO COUNTY

SHEET TITLE

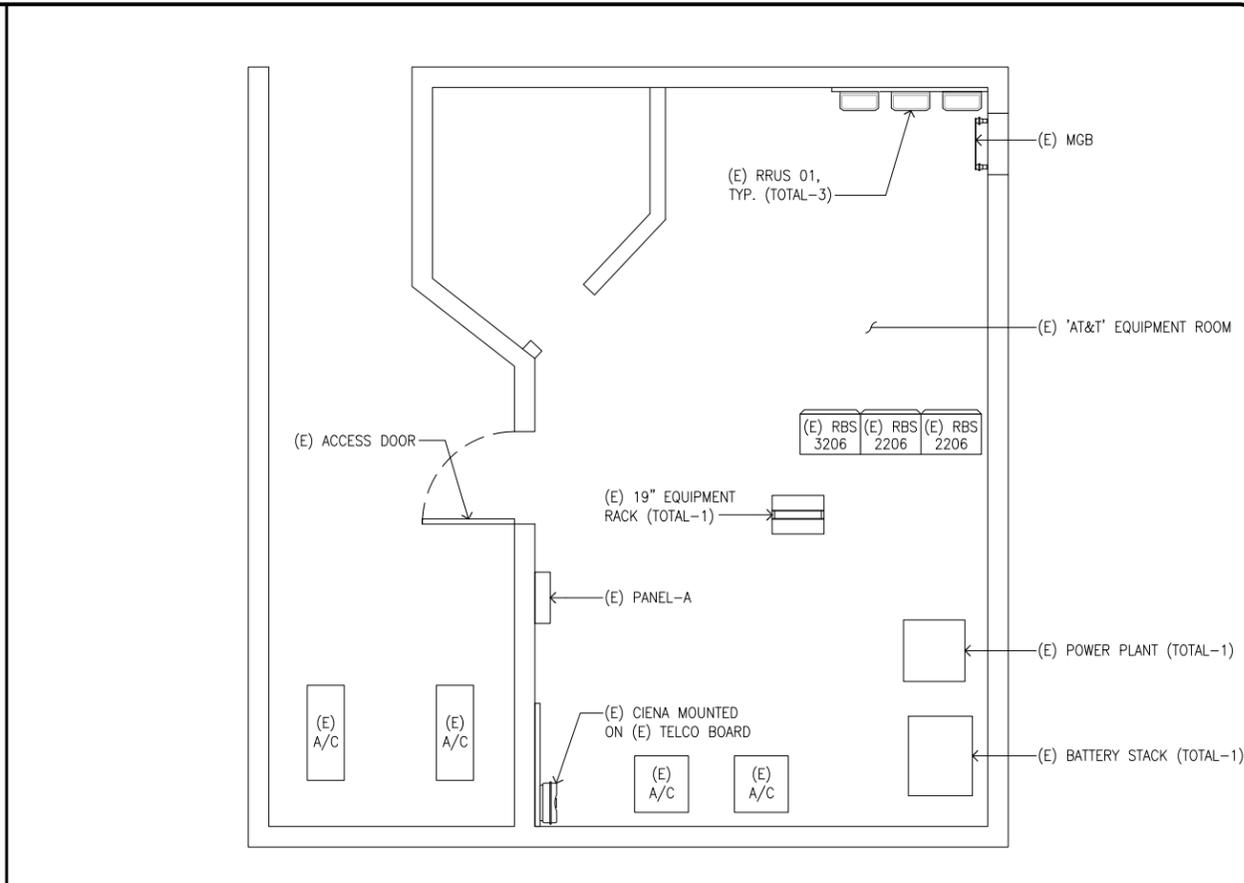
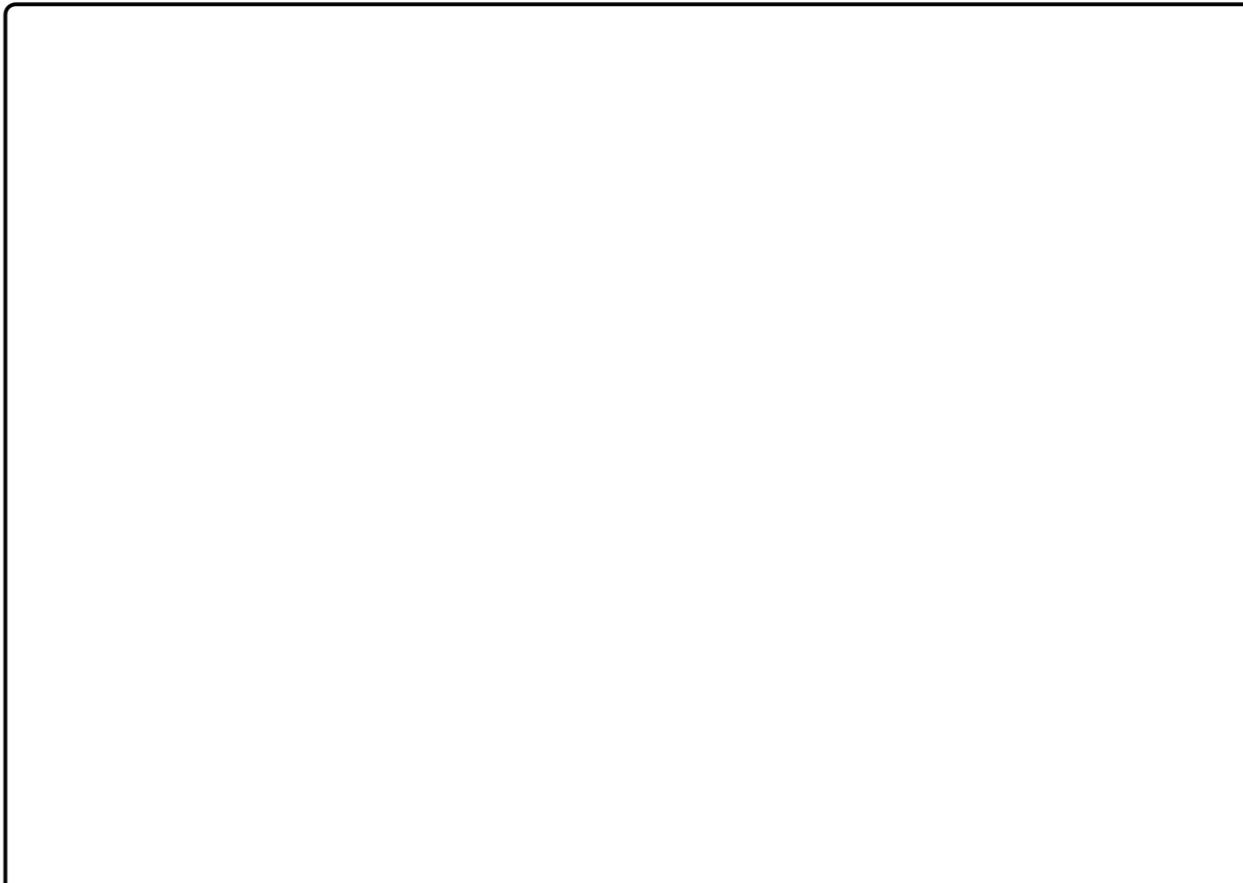
**GROUND LEVEL
EQUIPMENT ROOM
PLANS**

DRAWING INFORMATION

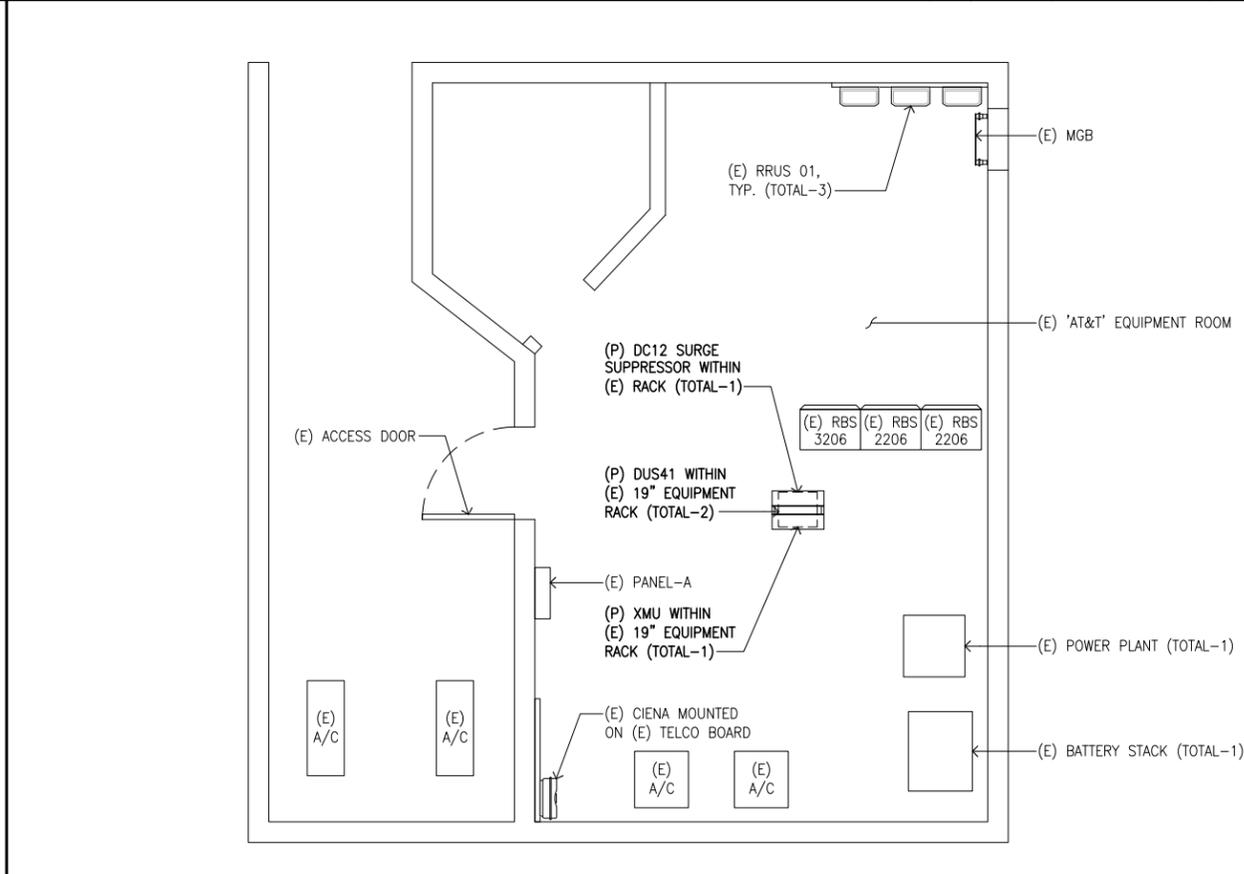
DRAWN BY	CHECKED BY	ISSUE DATE
EC	SMR	09/22/2015

SHEET NUMBER

A-3



NOT USED **3** **EXISTING GROUND LEVEL EQUIPMENT ROOM PLAN** **1**



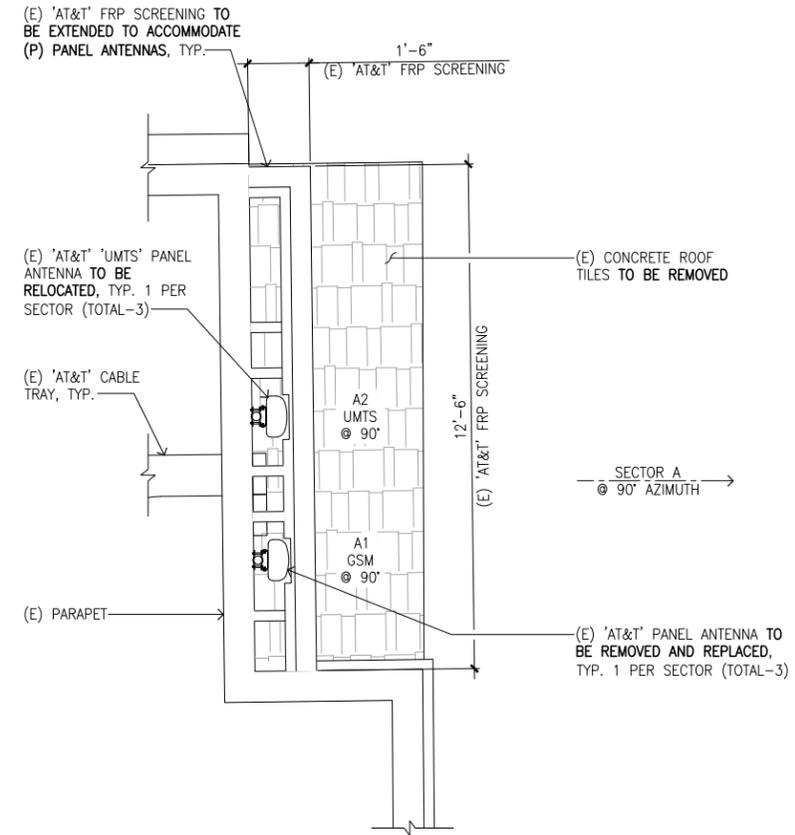
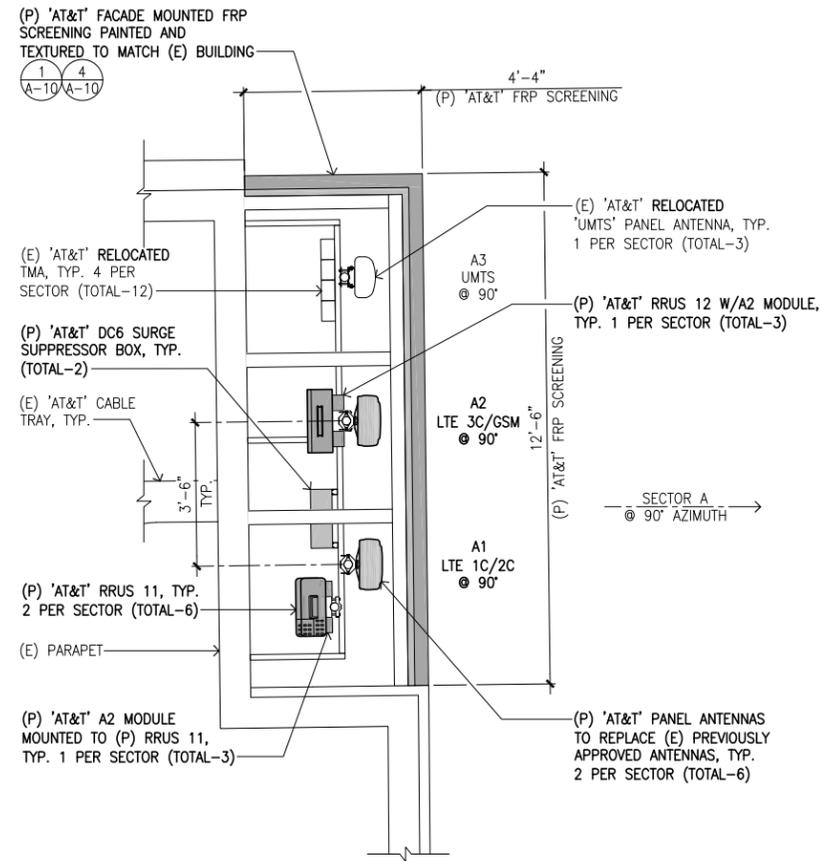
NOT USED **4** **PROPOSED GROUND LEVEL EQUIPMENT ROOM PLAN** **2**

EXHIBIT F

PROPOSED ANTENNA AND RRU CONFIGURATION										
POS	TECHNOLOGY	AZIMUTH	RAD CENTER	ANTENNA MAKE	ANTENNA MODEL	PORT	# OF RRU	RRU MODEL	# OF TMA	TMA
A1	LTE 1C/2C	90°	22'-0"	KATHREIN	800-10767	OCTO	2	RRUS 11 RRUS 11+A2	-	-
A2	LTE 3C/GSM	90°	22'-0"	KATHREIN	800-10767	OCTO	1	RRUS 12+A2	2	ERICSSON
A3	UMTS	90°	22'-0"	POWERWAVE	P65-15-XLH-RR	QUAD	-	-	2	ERICSSON

NOTE:
1. (P) FIBER REINFORCED PLASTIC (FRP) SCREENING SHALL BE PAINTED AND TEXTURED TO MATCH (E).

EXISTING ANTENNA AND RRU CONFIGURATION										
POS	TECHNOLOGY	AZIMUTH	RAD CENTER	ANTENNA MAKE	ANTENNA MODEL	PORT	# OF RRU	RRU MODEL	# OF TMA	TMA
A1	GSM	90°	22'-4"	POWERWAVE	P65-15-XLH-RR	QUAD	-	-	2	ERICSSON
A2	UMTS	90°	22'-4"	POWERWAVE	P65-15-XLH-RR	QUAD	-	-	2	ERICSSON



REV	DATE/BY	DESCRIPTION
A	05/10/16 AH	ISSUED FOR 100% ZD
B	05/25/16 AH	REVISED PER PLANNING COMMENTS

ENGINEER / CONSULTANT

SITE BUILDER



A&E DEVELOPMENT

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SITE INFORMATION

SITE NAME:
TWIN DOLPHIN HOTEL
VN0004/PA#3551316169,
3551727350, 3551865192

SITE ADDRESS:
590 MORRO AVENUE
MORRO BAY, CA 93442
SAN LUIS OBISPO COUNTY

SHEET TITLE

**NORTHEAST
BUILDING FACADE
ANTENNA PLANS**

DRAWING INFORMATION

DRAWN BY	CHECKED BY	ISSUE DATE
EC	SMR	09/22/2015

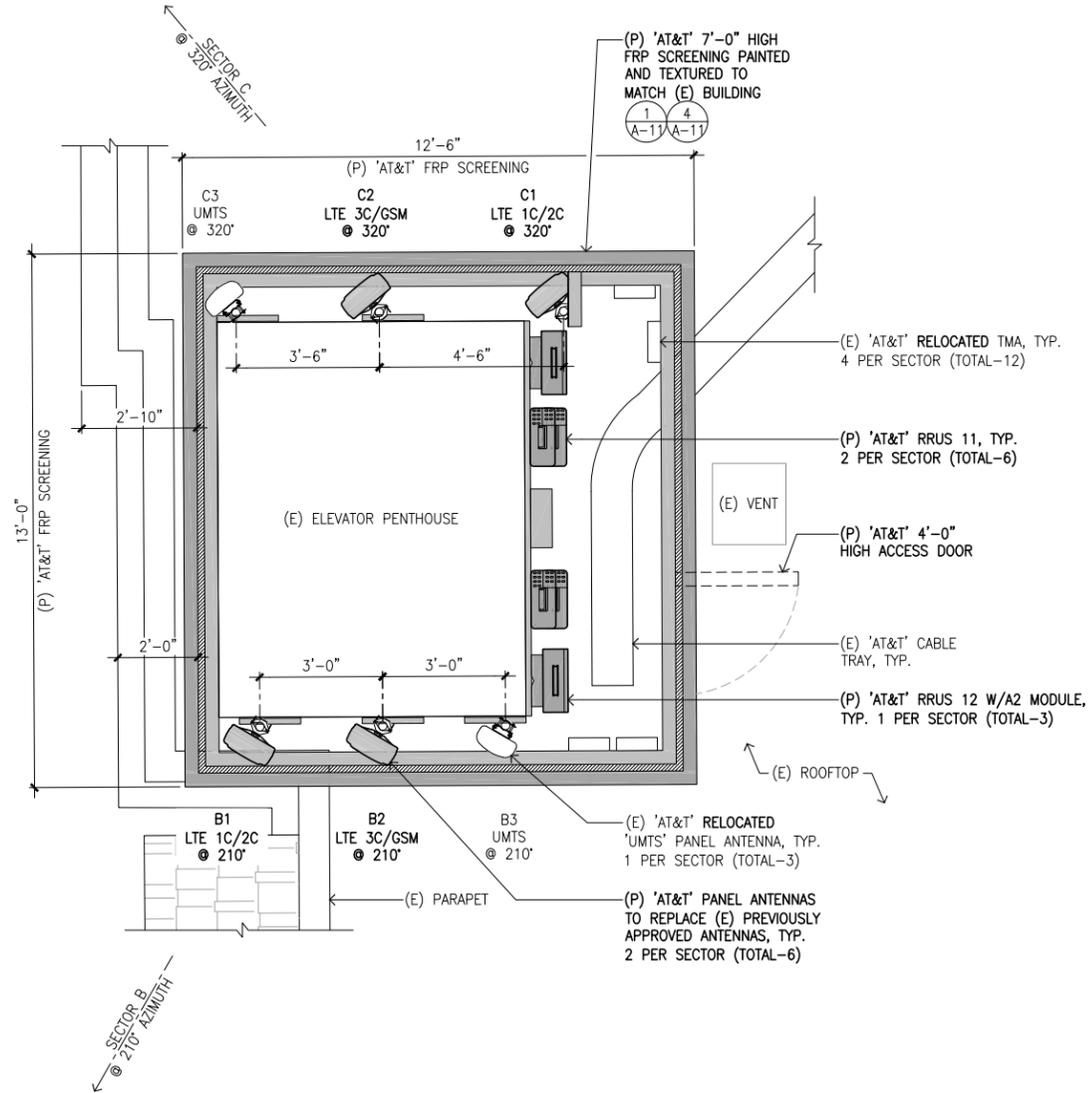
SHEET NUMBER

A-4

PROPOSED ANTENNA AND RRU CONFIGURATION											
POS	TECHNOLOGY	AZIMUTH	RAD CENTER	ANTENNA MAKE	ANTENNA MODEL	PORT	# OF RRU	RRU MODEL	# OF TMA	TMA	
SECTOR B	B1	LTE 1C/2C	210°	28'-2"	KATHREIN	800-10767	OCTO	2	RRUS 11 RRUS 11+A2	-	-
	B2	LTE 3C/GSM	210°	28'-2"	KATHREIN	800-10767	OCTO	1	RRUS 12+A2	2	ERICSSON
	B3	UMTS	210°	28'-2"	POWERWAVE	P65-15-XLH-RR	QUAD	-	-	2	ERICSSON
SECTOR C	C1	LTE 1C/2C	320°	28'-2"	KATHREIN	800-10767	OCTO	2	RRUS 11 RRUS 11+A2	-	-
	C2	LTE 3C/GSM	320°	28'-2"	KATHREIN	800-10767	OCTO	1	RRUS 12+A2	2	ERICSSON
	C3	UMTS	320°	28'-2"	POWERWAVE	P65-15-XLH-RR	QUAD	-	-	2	ERICSSON

NOTE:
1. (P) FIBER REINFORCED PLASTIC (FRP) SCREENING SHALL BE PAINTED AND TEXTURED TO MATCH (E).

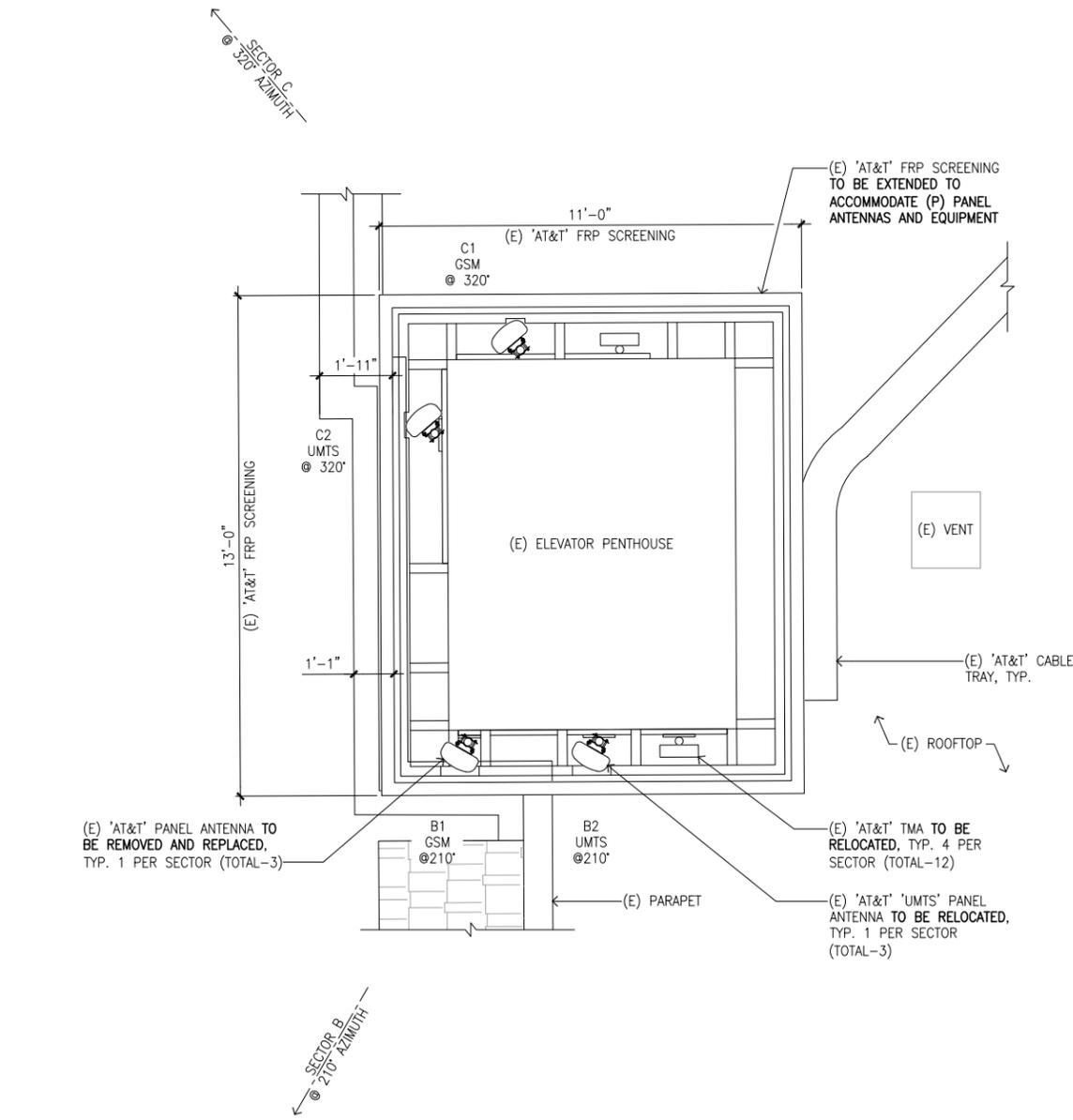
EXISTING ANTENNA AND RRU CONFIGURATION											
POS	TECHNOLOGY	AZIMUTH	RAD CENTER	ANTENNA MAKE	ANTENNA MODEL	PORT	# OF RRU	RRU MODEL	# OF TMA	TMA	
SECTOR B	B1	GSM	210°	28'-2"	POWERWAVE	P65-15-XLH-RR	QUAD	-	-	2	ERICSSON
	B2	UMTS	210°	28'-2"	POWERWAVE	P65-15-XLH-RR	QUAD	-	-	2	ERICSSON
SECTOR C	C1	GSM	320°	28'-2"	POWERWAVE	P65-15-XLH-RR	QUAD	-	-	2	ERICSSON
	C2	UMTS	320°	28'-2"	POWERWAVE	P65-15-XLH-RR	QUAD	-	-	2	ERICSSON



PROPOSED NORTHWEST ANTENNA PLAN

SCALE 1/2"=1'-0" 0 1' 2' 4'

2



EXISTING NORTHWEST ANTENNA PLAN

SCALE 1/2"=1'-0" 0 1' 2' 4'

1

REV	DATE/BY	DESCRIPTION
A	05/10/16 AH	ISSUED FOR 100% ZD
B	05/25/16 AH	REVISED PER PLANNING COMMENTS

ENGINEER / CONSULTANT

SITE BUILDER

A&E DEVELOPMENT

DEVELOPMENT SERVICES
A&E SERVICES
3350 E. Birch Street #250
Brea, California 92821
(714)729-8404 (714)333-4441 fax
www.core.us.com

SITE DEVELOPMENT

DEVELOPMENT SERVICES
3350 E. Birch Street #250
Brea, California 92821
(714)729-8404 (714)333-4441 fax
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SITE INFORMATION

SITE NAME:
TWIN DOLPHIN HOTEL
VN0004/PA#3551316169,
3551727350, 3551865192

SITE ADDRESS:
590 MORRO AVENUE
MORRO BAY, CA 93442
SAN LUIS OBISPO COUNTY

SHEET TITLE

**NORTHWEST
ANTENNA PLANS**

DRAWING INFORMATION

DRAWN BY	CHECKED BY	ISSUE DATE
EC	SMR	09/22/2015

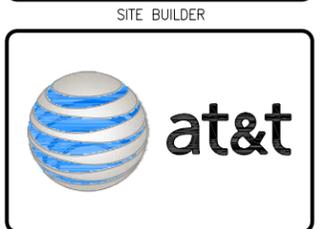
SHEET NUMBER

A-5

EXHIBIT F

REV	DATE/BY	DESCRIPTION
A	05/10/16 AH	ISSUED FOR 100% ZD
B	05/25/16 AH	REVISED PER PLANNING COMMENTS

ENGINEER / CONSULTANT



A&E DEVELOPMENT



SITE DEVELOPMENT



SITE INFORMATION

SITE NAME:
TWIN DOLPHIN HOTEL
VN0004/PA#3551316169,
3551727350, 3551865192

SITE ADDRESS:
590 MORRO AVENUE
MORRO BAY, CA 93442
SAN LUIS OBISPO COUNTY

SHEET TITLE

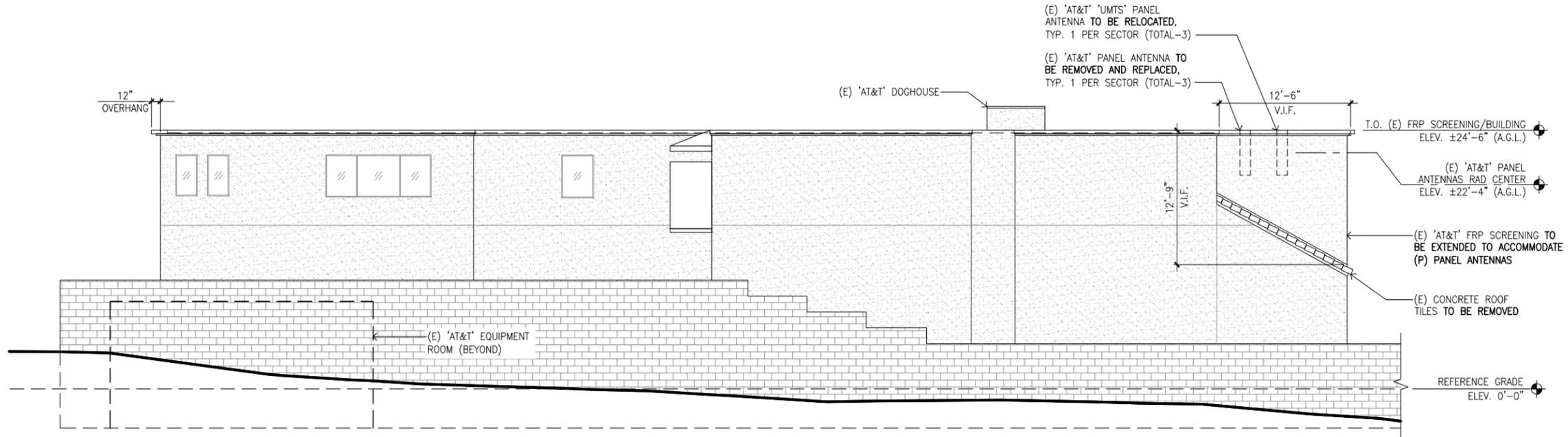
EAST ELEVATIONS

DRAWING INFORMATION

DRAWN BY	CHECKED BY	ISSUE DATE
EC	SMR	09/22/2015

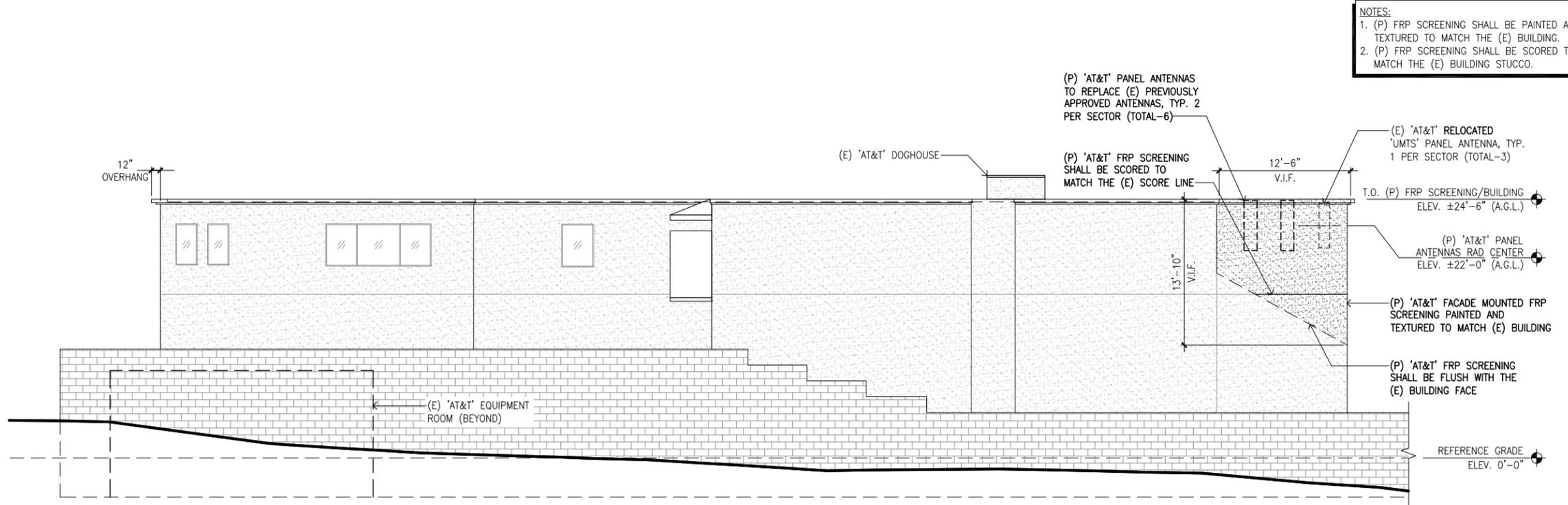
SHEET NUMBER

A-6



EXISTING EAST ELEVATION (REAR OF BUILDING)

SCALE 3/16"=1'-0" 0 2' 4' 8' **1**



PROPOSED EAST ELEVATION (REAR OF BUILDING)

SCALE 3/16"=1'-0" 0 2' 4' 8' **2**

EXHIBIT F

REV	DATE/BY	DESCRIPTION
A	05/10/16 AH	ISSUED FOR 100% ZD
B	05/25/16 AH	REVISED PER PLANNING COMMENTS

ENGINEER / CONSULTANT



SITE BUILDER



A&E DEVELOPMENT



SITE DEVELOPMENT



SITE INFORMATION

SITE NAME:
TWIN DOLPHIN HOTEL
VN0004/PA#3551316169,
3551727350, 3551865192

SITE ADDRESS:
590 MORRO AVENUE
MORRO BAY, CA 93442
SAN LUIS OBISPO COUNTY

SHEET TITLE

NORTH/MARINA STREET ELEVATIONS

DRAWING INFORMATION

DRAWN BY	CHECKED BY	ISSUE DATE
EC	SMR	09/22/2015

SHEET NUMBER

A-7



EXISTING NORTH/MARINA STREET ELEVATION SCALE 3/16"=1'-0" 1

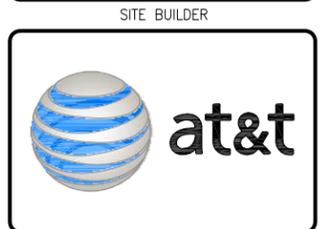


PROPOSED NORTH/MARINA STREET ELEVATION SCALE 3/16"=1'-0" 2

EXHIBIT F

REV	DATE/BY	DESCRIPTION
A	05/10/16 AH	ISSUED FOR 100% ZD
B	05/25/16 AH	REVISED PER PLANNING COMMENTS

ENGINEER / CONSULTANT



A&E DEVELOPMENT



SITE DEVELOPMENT



SITE INFORMATION

SITE NAME:
TWIN DOLPHIN HOTEL
VN0004/PA#3551316169,
3551727350, 3551865192

SITE ADDRESS:
590 MORRO AVENUE
MORRO BAY, CA 93442
SAN LUIS OBISPO COUNTY

SHEET TITLE

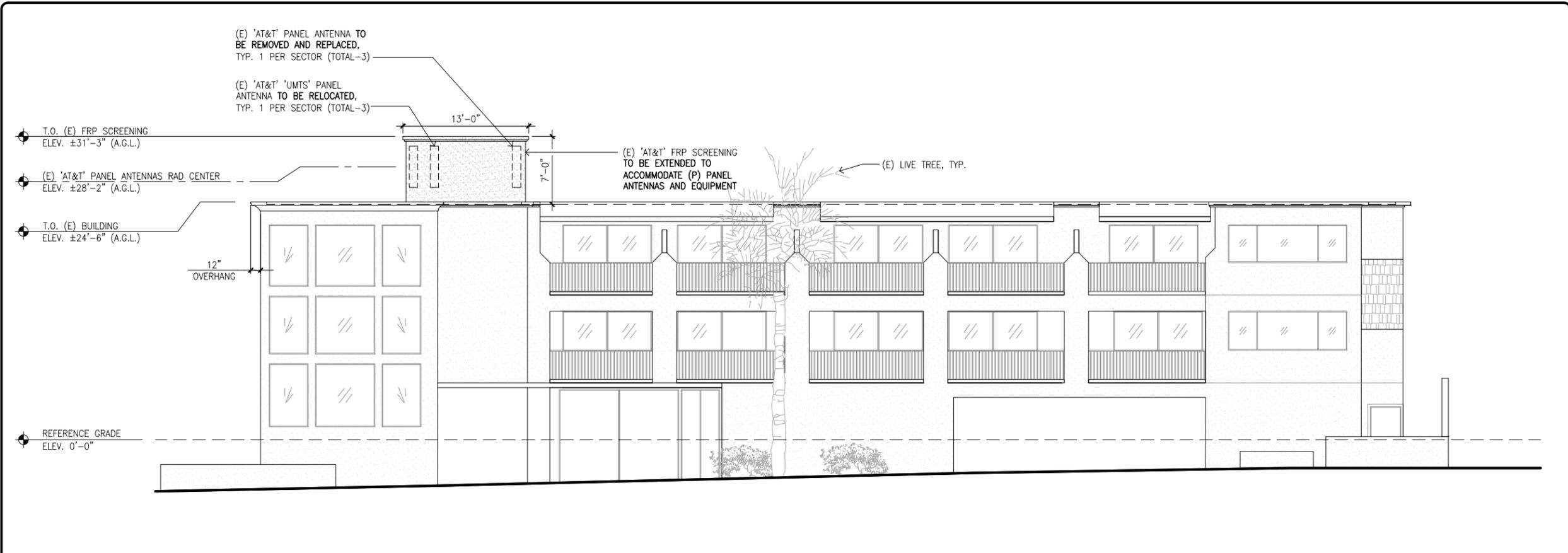
WEST/MORRO STREET ELEVATIONS

DRAWING INFORMATION

DRAWN BY	CHECKED BY	ISSUE DATE
EC	SMR	09/22/2015

SHEET NUMBER

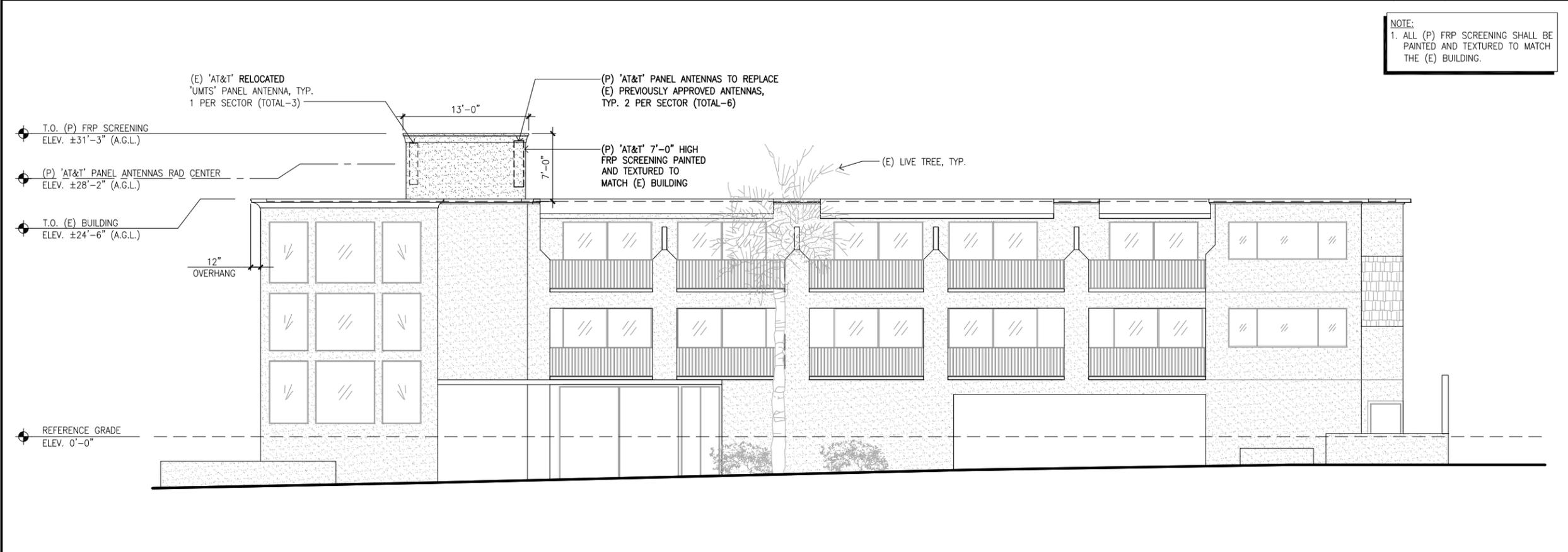
A-8



EXISTING WEST/MORRO STREET ELEVATION

SCALE 3/16"=1'-0" 0 2' 4' 8' **1**

NOTE:
1. ALL (P) FRP SCREENING SHALL BE PAINTED AND TEXTURED TO MATCH THE (E) BUILDING.



PROPOSED WEST/MORRO STREET ELEVATION

SCALE 3/16"=1'-0" 0 2' 4' 8' **2**

EXHIBIT F

REV	DATE/BY	DESCRIPTION
A	05/10/16 AH	ISSUED FOR 100% ZD
B	05/25/16 AH	REVISED PER PLANNING COMMENTS

ENGINEER / CONSULTANT



SITE BUILDER



A&E DEVELOPMENT



SITE DEVELOPMENT



SITE INFORMATION

SITE NAME:
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VN0004/PA#3551316169,
3551727350, 3551865192

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MORRO BAY, CA 93442
SAN LUIS OBISPO COUNTY

SHEET TITLE

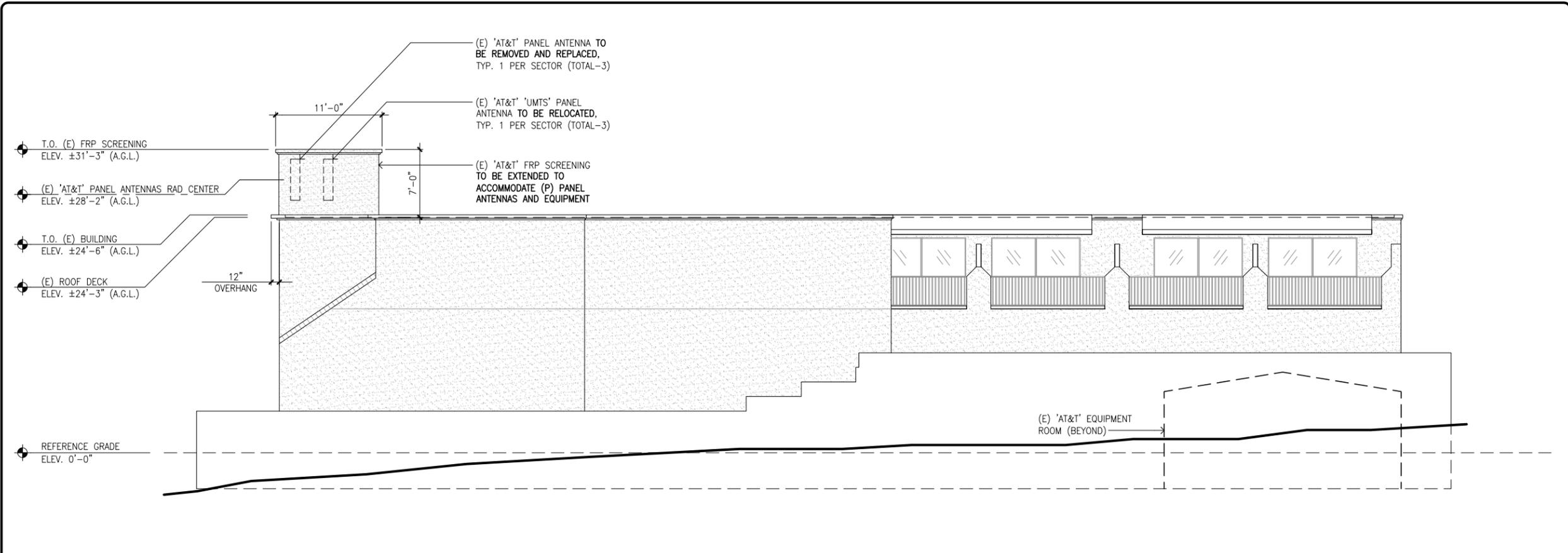
SOUTH ELEVATIONS

DRAWING INFORMATION

DRAWN BY	CHECKED BY	ISSUE DATE
EC	SMR	09/22/2015

SHEET NUMBER

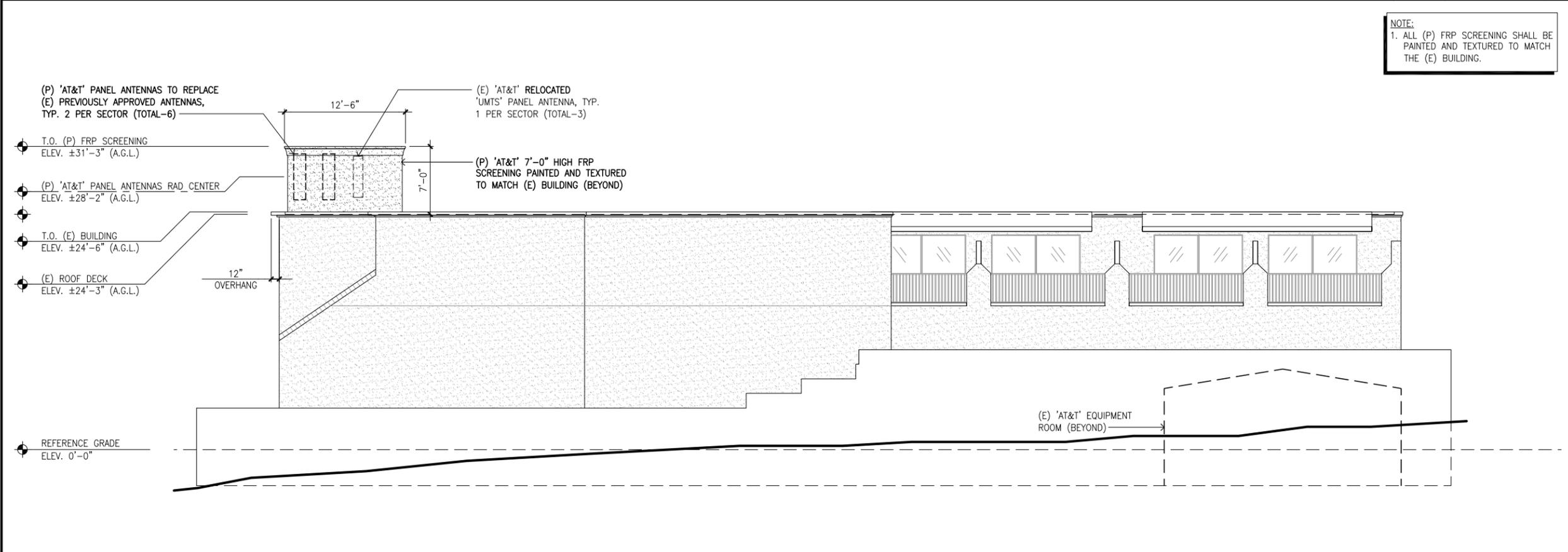
A-9



EXISTING SOUTH ELEVATION

SCALE 3/16"=1'-0" 0 2' 4' 8' **1**

NOTE:
1. ALL (P) FRP SCREENING SHALL BE PAINTED AND TEXTURED TO MATCH THE (E) BUILDING.



PROPOSED SOUTH ELEVATION

SCALE 3/16"=1'-0" 0 2' 4' 8' **2**

EXHIBIT F

REV	DATE/BY	DESCRIPTION
A	05/10/16 AH	ISSUED FOR 100% ZD
B	05/25/16 AH	REVISED PER PLANNING COMMENTS

ENGINEER / CONSULTANT



SITE BUILDER



A&E DEVELOPMENT



SITE DEVELOPMENT



SITE INFORMATION

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3551727350, 3551865192

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590 MORRO AVENUE
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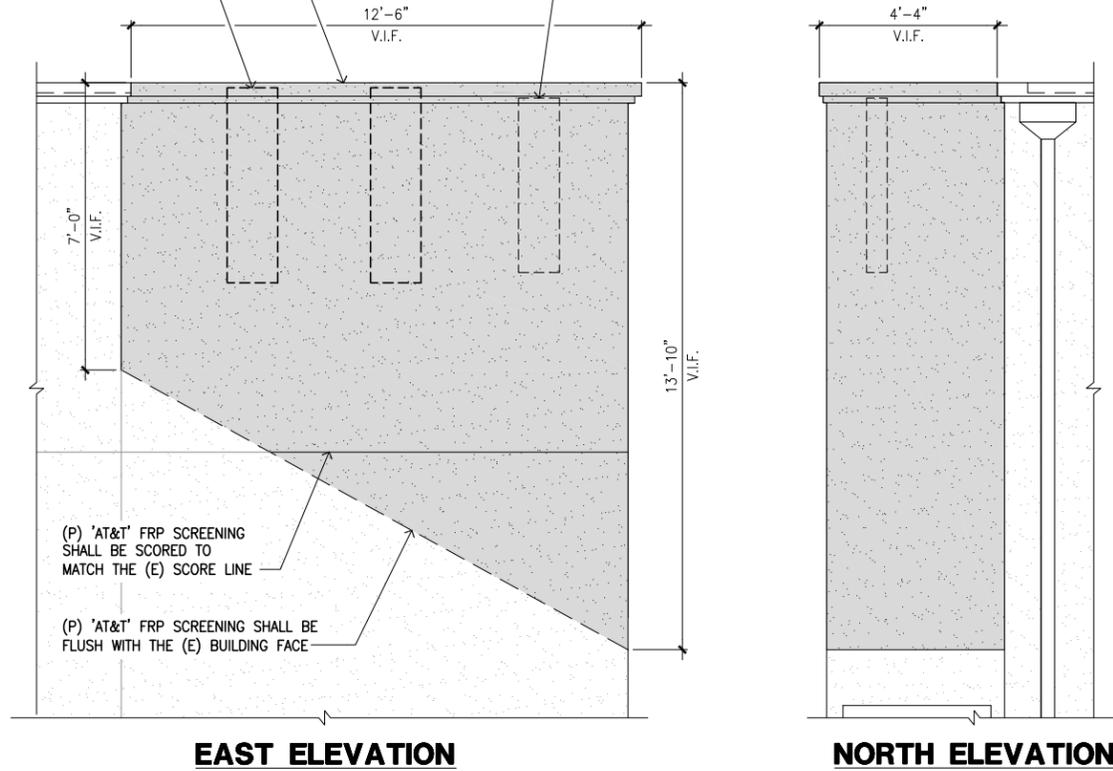
SHEET TITLE
SCREENING ELEVATIONS

DRAWING INFORMATION		
DRAWN BY	CHECKED BY	ISSUE DATE
EC	SMR	09/22/2015

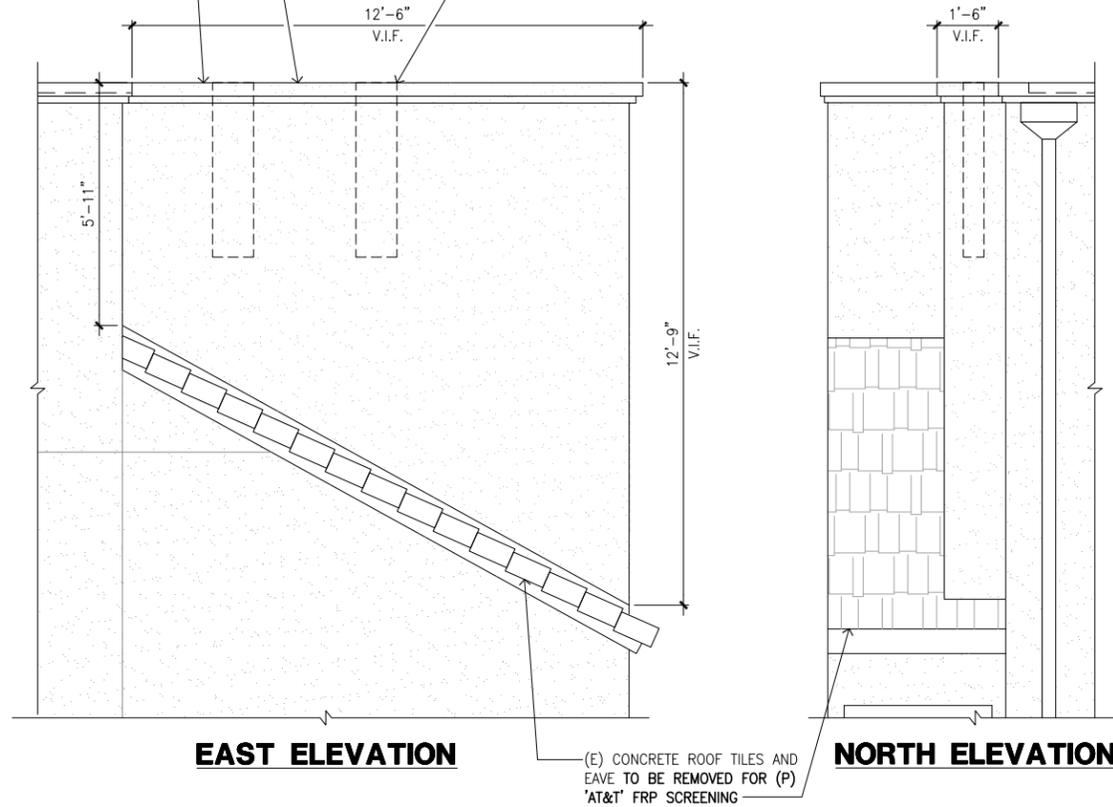
SHEET NUMBER
A-10

NOTES:
1. (P) FRP SCREENING SHALL BE PAINTED AND TEXTURED TO MATCH THE (E) BUILDING.
2. (P) FRP SCREENING SHALL BE SCORED TO MATCH THE (E) BUILDING STUCCO.

(P) 'AT&T' FACADE MOUNTED FRP SCREENING PAINTED AND TEXTURED TO MATCH (E) BUILDING (SEE NOTES)
(P) 'AT&T' PANEL ANTENNAS TO REPLACE (E) PREVIOUSLY APPROVED ANTENNAS, TYP. 2 PER SECTOR (TOTAL-6)
(E) 'AT&T' RELOCATED 'UMTS' PANEL ANTENNA, TYP. 1 PER SECTOR (TOTAL-3)



(P) 'AT&T' FACADE MOUNTED FRP SCREENING PAINTED AND TEXTURED TO MATCH (E) BUILDING
(E) 'AT&T' FRP SCREENING TO BE EXTENDED TO ACCOMMODATE (P) PANEL ANTENNAS, TYP.
(E) 'AT&T' 'UMTS' PANEL ANTENNA TO BE RELOCATED, TYP. 1 PER SECTOR (TOTAL-3)



PROPOSED SECTOR A SCREENING ELEVATIONS

SCALE	1/2"=1'-0"	0 1' 2' 4'	4
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EXISTING SECTOR A SCREENING ELEVATIONS

SCALE	1/2"=1'-0"	0 1' 2' 4'	1
-------	------------	------------	----------

NOT USED

NOT USED

NOT USED

NOT USED

6

5

3

2

EXHIBIT F

REV	DATE/BY	DESCRIPTION
A	05/10/16 AH	ISSUED FOR 100% ZD
B	05/25/16 AH	REVISED PER PLANNING COMMENTS

ENGINEER / CONSULTANT



SITE BUILDER



A&E DEVELOPMENT



SITE DEVELOPMENT



SITE INFORMATION

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3551727350, 3551865192

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MORRO BAY, CA 93442
SAN LUIS OBISPO COUNTY

SHEET TITLE

SCREENING ELEVATIONS

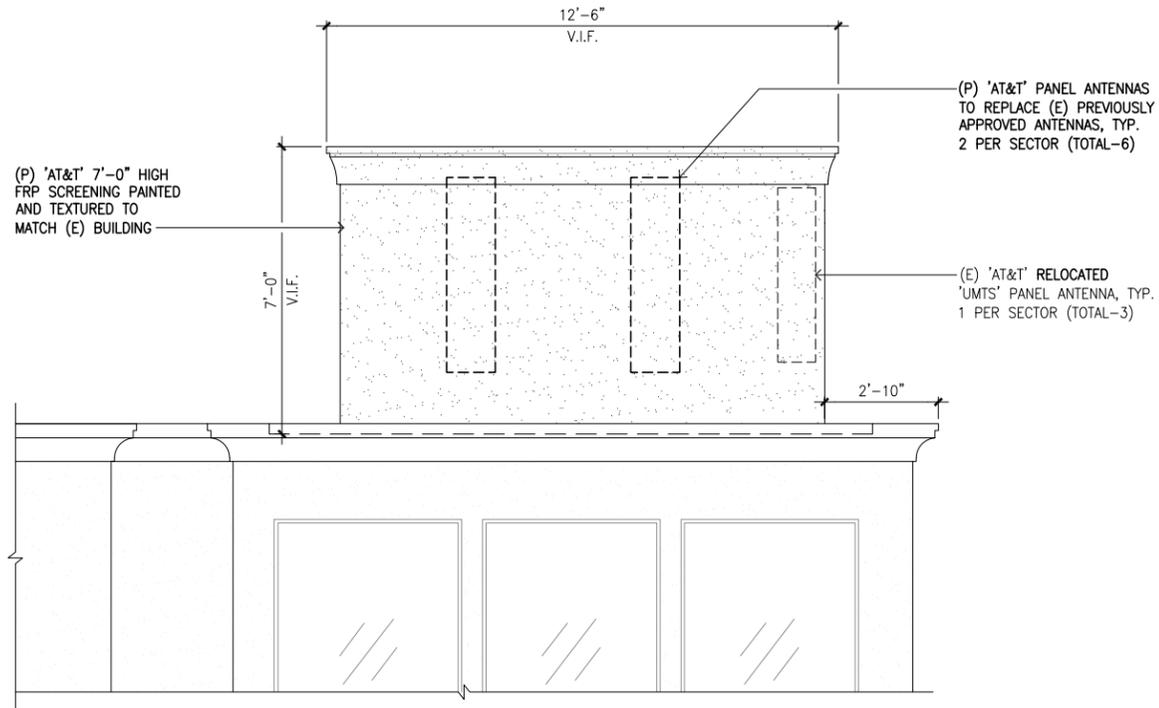
DRAWING INFORMATION

DRAWN BY	CHECKED BY	ISSUE DATE
EC	SMR	09/22/2015

SHEET NUMBER

A-11

NOTE:
1. ALL (P) FRP SCREENING SHALL BE PAINTED AND TEXTURED TO MATCH THE (E) BUILDING.



PROPOSED SECTOR C SCREENING - NORTH ELEVATION

SCALE
1/2"=1'-0"

EXISTING SECTOR C SCREENING - NORTH ELEVATION

SCALE
1/2"=1'-0"

NOT USED

6 NOT USED

5 NOT USED

3 NOT USED

2



AGENDA NO: B-2

MEETING DATE: August 15, 2017

Staff Report

TO: Planning Commissioners **DATE:** August 15, 2017

FROM: Joan Gargiulo, Assistant Planner

SUBJECT: Coastal Development Permit (CP0-546) Conditional Use Permit (#UP0-484) and Parking Exception (AD0-121) Request for Coastal Development Permit, Conditional Use Permit, and Parking Exception approval for a detached accessory dwelling unit associated with an existing nonconforming single-family residence and to allow tandem parking in the driveway within the R-2 Residential Zoning District and outside of the Coastal Commission Appeal Jurisdiction.

RECOMMENDATION:

CONDITIONALLY APPROVE THE PROJECT by approving Planning Commission Resolution 22-17 (Exhibit A) which includes the Findings and Conditions of Approval for the project depicted on site development plans dated July 31, 2017.

APPLICANT:

Joshua Sotelo

AGENT:

Johnny Kudla, JJK Draft Design

ADDRESS/APN:

2101 Sunset; 068-314-012

PROJECT DESCRIPTION:

The Applicant is requesting approval for a prefabricated detached 625 sq. ft. accessory dwelling unit on a parcel with an existing 970 sq. ft. nonconforming single family residence. The requested parking exception is to allow for the second required space to be located in tandem in the driveway.

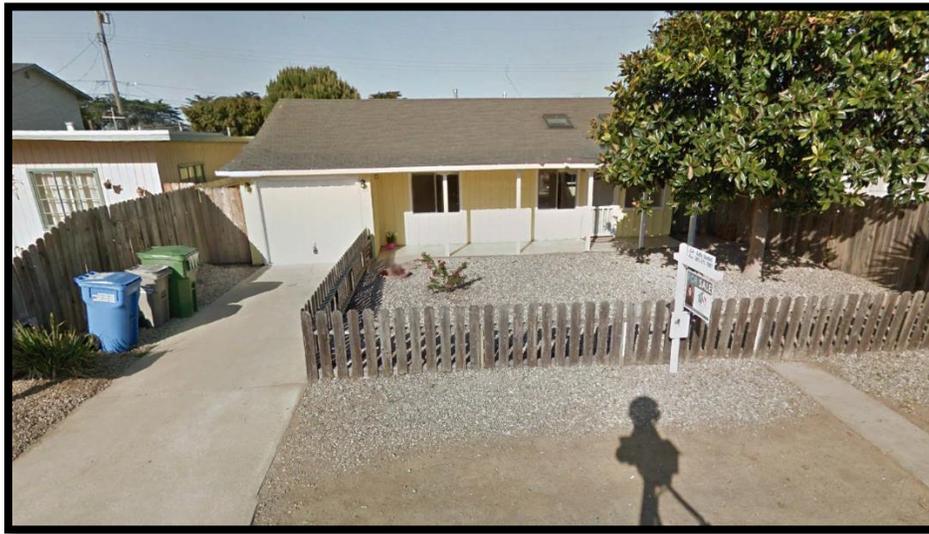


Prepared By: JG

Department Review:

PROJECT SETTING:

The project is located within the Del Mar Neighborhood, designated as Planning Area 3 in the Local Coastal Plan, it lies within the R-2 Duplex Residential Zoning District and outside of the Coastal Commission Appeal Jurisdiction. Located to the north of Highway 41, south of Avalon Street, and to the west of Ironwood Avenue, the western rear property line of this 5,000 sq. ft. lot sits directly adjacent to the commercial storage facility that fronts on North Main Street. The project cannot be seen from scenic Highway 1.



Adjacent Zoning/Land Use			
North:	R-2 Duplex Residential	South:	R-2 Duplex Residential
East:	R-2 Duplex Residential	West:	MCR/R-4/SP Mixed Commercial/Residential

Site Characteristics	
Site Area	5,000 square feet
Existing Use	Single-Family Residential
Terrain	Virtually Flat and Undeveloped
Vegetation/Wildlife	Ornamental Landscaping, Two 12" Trees on Site
Archaeological Resources	N/A
Access	Sunset Avenue

General Plan, Zoning Ordinance, & Local Coastal Plan Designations	
General Plan/Coastal Plan Land Use Designation	Medium Density Residential
Base Zone District	R-2
Zoning Overlay District	n/a
Special Treatment Area	n/a
Combining District	n/a
Specific Plan Area	n/a
Coastal Zone	Located outside of the Coastal Commission Appeal Jurisdiction

Zoning Ordinance Standards		
	Standards	Proposed
Front Setback	20 feet	23' 7"
Side-Yard Setback	5 feet	2' 9" (existing)
Rear Setback	5 feet	5 feet
Height	25 feet	14' 3"
Lot Coverage	Max. 50%	40%
Building Separation	6 feet	12'2"
Parking	2 Car Garage	1 Car Garage

PROJECT DISCUSSION:

County Assessor records indicate the existing single-family residence was constructed in 1959 with a 130 sq. ft. addition of habitable floor area sometime before 1987. The Applicant proposes to erect a manufactured prefabricated 625 sq. ft. detached accessory dwelling unit associated with an existing 970 sq. ft. single-family residence with a nonconforming side-yard setback and parking situation. As noted above, the parcel shares a rear property line with an existing commercial storage facility fronting on Main Street and is not visible from scenic Highway 1.

Manufactured Home

MBMC Section 17.48.350 pertains to the placement of a manufactured home on a residentially zoned parcel. The proposed development complies with all

development standards including setbacks, height, and lot coverage as well as the utilization of materials customarily used for conventional dwellings and the placement of the structure on a permanent foundation.

Setbacks

The proposed 625 sq. ft. single-story accessory dwelling unit will be located at the rear, northwest corner of the parcel, separated 21' 7" from the primary residential structure, and shall adhere to the 5 ft. rear and side-yard setback requirements for projects located within the R-2 zoning district. As stated above, the existing residence does not conform to the current side-yard setback requirements as set forth in Section 17.24.050 of the Morro Bay Municipal Code (MBMC). The existing single-family residence is 2' 9" from the southerly side-yard property line where 5 feet is the minimum.

Parking

Because of the changes to California State Law as it relates to Accessory Dwelling Units, a parking space is no longer required for accessory dwelling units that are located within ½ mile of a transit stop. The proposed project is located 0.39 miles from the nearest transit stop to the south.

Pursuant to Section 17.44.020 of the MBMC, two covered and enclosed parking spaces are required for single-family residential use. The existing residence was constructed with a single-car garage. To bring the parking situation into compliance with current standards, the Applicant is requesting the approval of a Parking Exception to allow for the second required parking space to be located in tandem in the driveway. As shown on the site plan included in the plan set (Exhibit B), the 23' 7" front setback can easily accommodate a parked car in the driveway, completely outside of the public right-of-way.

Exceptions to the parking standards require certain findings to be made as detailed below.

Permit Requirements

Title 17 of the MBMC establishes land use and zoning permit requirements. The project at 2101 Sunset Avenue proposes construction of detached accessory dwelling unit subordinate to the existing nonconforming single-family residence. This project requires Planning Commission approval of a coastal development permit (MBMC Section 17.58.030), a conditional use permit (MBMC Section

17.56.160), and a parking exception (MBMC Section 17.44.050).

Coastal Development and Conditional Use Permit

The Zoning Ordinance, subsection 17.56.160A, requires approval of a coastal development permit for the construction of an accessory dwelling unit and conditional use permit approval for any nonconforming structure that has already been expanded in the past. The project proposes to add a 625 square-foot single-story detached accessory dwelling unit to an existing 970 sq. ft. nonconforming structure that had a previous addition of habitable floor area. As noted above, the structure is nonconforming with regard to the southern side-yard setback and the parking situation. The addition is compliant with all pertinent development standards. Permit approval requires the following findings to be made:

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

The proposed detached accessory dwelling unit is consistent with Zoning Ordinance requirements as detailed above.

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

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

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

The project proposes a detached accessory dwelling unit associated with a single-family dwelling, which is an allowed use in the R-2 Residential Zoning District.

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

Major reconstruction would be necessary to meet the required side-yard setback and construct a two-car garage.

Parking Exception

Exceptions to the parking standards require certain findings to be made as detailed below:

1. 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 of this chapter will be adequate to accommodate on the site all parking needs generated by the use.

Single-Family Residences are required to provide two parking spaces. If the parking exception is approved, then the project would meet that requirement. The parking space in tandem in the driveway is adequate in size to accommodate a parked vehicle. Many dwellings in the City have nonconforming parking situations.

2. 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 the parking standard.

Unenclosed parking will not result in traffic safety problems at this location because the parking area will be outside of the Public Right-of-Way; sight distance is adequate for vehicles maneuvering into and out of the driveway.

3. The exception is reasonably necessary for the applicant's full enjoyment of uses similar to those upon the adjoining real property.

The Applicant's parking proposal is reasonable given similar parking arrangements in the project vicinity and given the footprint and construction of the existing buildings on site.

PUBLIC NOTICE:

Notice of this item was published in the San Luis Obispo Tribune newspaper on July 22, 2017, and all property owners and occupants of record within 500 feet of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application.

ENVIRONMENTAL DETERMINATION:

Environmental review was performed for this project and staff determined it meets the requirements for a Categorical Exemption under CEQA Guidelines Section 15303 Class 3. The exemption applies to the construction of a second dwelling unit in a residential zone. Additionally, none of the Categorical Exemption exceptions, noted under Section 15300.2, apply to the project.

CONCLUSION:

The project is consistent with the General Plan and Local Coastal Plan which

establish five residential land use categories to provide for a wide range of densities and to ensure residential land is developed to a density suitable to its location and physical characteristics. The project is consistent with the Zoning Ordinance because housing is a principally allowed use in the Low/Medium Density land use designation and because the project meets the development standards set forth in the Ordinance.

RECOMMENDATION:

Staff recommends the Planning Commission approve the requested Coastal Development Permit (CP0-546), Conditional Use Permit (UP0-484), and Parking Exception (AD0-121) for the proposed project at 2101 Sunset Avenue, as shown on plans dated July 31, 2017 by adopting Planning Commission **Resolution 22-17** which includes the Findings and Conditions of Approval for the project.

EXHIBITS:

Exhibit A – Planning Commission Resolution 22-17
Exhibit B – Graphics/Plan Reductions

EXHIBIT A

RESOLUTION NO. PC 22-17

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT (UP0-484) AND COASTAL DEVELOPMENT PERMIT (CP0-546), ALLOWING A DETACHED SECONDARY DWELLING UNIT TO A NONCONFORMING RESIDENTIAL STRUCTURE AND APPROVING A PARKING EXCEPTION (ADO-121) TO ALLOW A SECOND OPEN UNCOVERED SPACE IN TANDEM IN THE DRIVEWAY AT 2101 SUNSET AVENUE

WHEREAS, the Planning Commission of the City of Morro Bay (the “City”) conducted a public hearing at the Morro Bay Veteran’s Hall, 209 Surf Street, Morro Bay, California, on August 15, 2017, for the purpose of considering Conditional Use Permit UPO-484 and Coastal Development Permit (CP0-546) for a proposed 625 square-foot detached accessory dwelling unit to a nonconforming 970 square-foot single-family home, and Parking Exception (ADO-121) for a second open, tandem parking space in the driveway at 2101 Sunset Avenue; and

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

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

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

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

California Environmental Quality Act (CEQA) Finding

1. Pursuant to the California Environmental Quality Act, the project is categorically exempt under Section 15303(a), Class 3 for the construction of a second dwelling unit in a residential zone. Additionally, none of the Categorical Exemption exceptions, noted under section 15300.2, apply to the project.

Conditional Use Permit and Coastal Development Permit Findings

1. The project is consistent with the General Plan and Local Coastal Plan which establish five residential land use categories to provide for a wide range of densities and to ensure that residential land is developed to a density suitable to its location and physical characteristics.

EXHIBIT A

2. The proposed accessory dwelling unit is in conformance with all applicable provisions of the Morro Bay City Zoning Ordinance (the “Zoning Ordinance”), including building height, setbacks, and lot coverage.
3. The project meets applicable Title 14 (Building and Construction Code) requirements for a conforming use since the applicant is required to submit a complete building permit application and obtain the required building permit prior to construction.
4. The project is suitable for conforming uses and will not impair the character of the zone in which it exists because it proposes an accessory dwelling unit, which is an allowed use in the R-2 zone.
5. It is not feasible to make the structure conforming without major reconstruction/demolition to meet the required side-yard setback and to construct a two-car garage.

Parking Exception Findings

1. The exception to allow a tandem space in the driveway will not constitute a grant of special privilege inconsistent with the driveway or parking limitations upon other properties in the vicinity. If the parking exception is approved, then the project would meet the requirement for two parking spaces. The parking space in tandem in the driveway is adequate in size to accommodate a parked vehicle. Many dwellings in the City have nonconforming parking situations.
2. 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 the parking standard. Unenclosed parking will not result in traffic safety problems at this location because the parking area will be outside of the Public Right-of-Way; sight distance is adequate for vehicles maneuvering into and out of the driveway.
3. The exception is reasonably necessary for the applicant’s full enjoyment of uses similar to those upon adjoining real property, given the footprint of the existing building on site.

Section 2. Action. The Planning Commission does hereby approve Conditional Use Permit UP0-484, Coastal Development Permit CP0-546 and Parking Exception AD0-121 for property located at 2101 Sunset Avenue subject to the following conditions:

STANDARD CONDITIONS

EXHIBIT A

1. This permit is granted for the land described in the staff report dated August 15, 2017, for the project at 2101 Sunset Avenue depicted on plans dated July 31, 2017, on file with the Community Development Department, as modified by these conditions of approval, and more specifically described as follows: Site development, including all buildings and other features, shall be located and designed substantially as shown on plans, unless otherwise specified herein.
2. Inaugurate Within Two Years: Unless the construction is commenced not later than two (2) years after the effective date of this Resolution and is diligently pursued, thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Any extension may be granted by the City's Community Development Director (the "Director"), upon finding the project complies with all applicable provisions of the Morro Bay Municipal Code (the "MBMC"), General Plan and certified Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.
3. Changes: Minor changes to the project description and/or conditions of approval shall be subject to review and approval by the Community Development Director. Any changes to this approved permit determined, by the Director, not to be minor shall require the filing of an application for a permit amendment subject to Planning Commission review.
4. Compliance with the Law: (a) All requirements of any law, ordinance or regulation of the State of California, the City, and any other governmental entity shall be complied with in the exercise of this approval, (b) This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan for the City.
5. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicant's failure to comply with conditions of approval. Applicant understands and acknowledges the City is under no obligation to defend any legal actions challenging the City's actions with respect to the project. This condition and agreement shall be binding on all successors and assigns.

EXHIBIT A

6. Compliance with Conditions: The applicant's establishment of the use or development of the subject property constitutes acknowledgement and acceptance of all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Director or as authorized by the Planning Commission. Failure to comply with any of these conditions shall render this entitlement, at the discretion of the Director, null and void.
7. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan of the City.

PLANNING CONDITIONS

1. Archaeology: In the event of the unforeseen encounter of subsurface materials suspected to be of an archaeological or paleontological nature, all grading or excavation shall immediately cease in the immediate area, and the find should be left untouched until a qualified professional archaeologist or paleontologist, whichever is appropriate, is contacted and called in to evaluate and make recommendations as to disposition, mitigation and/or salvage. The developer shall be liable for costs associated with the professional investigation.
2. Construction Hours: Pursuant to MBMC subsection 9.28.030.I, Construction or Repairing of Buildings, the erection (including excavating), demolition, alteration or repair of any building or general land grading and contour activity using equipment in such a manner as to be plainly audible at a distance of fifty feet from the building other than between the hours of seven a.m. and seven p.m. on weekdays and eight a.m. and seven p.m. on weekends except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Community Development Department, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for a period of three days or less while the emergency continues.
3. Dust Control: That prior to issuance of a grading permit, a method of control to prevent dust and wind blow earth problems shall be submitted for review and approval by the Building Official.
4. Conditions of Approval: Prior to the issuance of a Building Permit, the final Conditions of Approval shall be attached to the set of approved plans. The sheet containing Conditions of Approval shall be the same size as other plan sheets and shall be the last sheet in the set of Building Plans.
5. Color and Materials: The exterior building treatment of the addition shall be consistent with the existing structure in terms of colors, materials, and architectural style.

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6. Boundaries and Setbacks: The property owner is responsible for verification of lot boundaries. At the time of foundation inspection, the property owner shall verify lot boundaries and building setbacks to the satisfaction of the City Planning Director and City Building Official.

PUBLIC WORKS CONDITIONS

1. Stormwater Management: The City has adopted Low Impact Development (LID) and Post Construction requirements to protect water quality and control runoff flow from new and redevelopment projects. The requirements can be found in the Stormwater management guidance manual on the City's website www.morro-bay.ca.us/EZmanual. Projects with more than 2,500sf of new or redeveloped impervious area are subject to these requirements. Complete and submit the "SFR Performance Requirement Determination Form".
2. Frontage Improvements: Per MBMC 14.44.030, frontage improvements are required whenever the value of the proposed on-site improvements is greater than fifty percent of the value of the existing structure.
3. Utilities: Show all existing and proposed locations of the sewer lateral, water service, and water and sewer mains on the building plans. Include sizes where appropriate. Note the location of all overhead utilities and construction underground service entrances per the CBC.
4. Sewer Lateral: Indicate and label new or existing sewer lateral and connection. If an existing lateral is used, perform a video inspection of the lateral and submit to Public Works via flash drive or DVD, prior to building permit issuance. Lateral shall be repaired as necessary and all repairs shall be noted on approved set of plans. A sewer backwater valve and downstream cleanout, extended to grade, shall be installed on the sewer lateral.
5. Sewer Backwater Valve: Indicate and label sewer backwater valve on plan. A sewer backwater valve shall be installed on site to prevent a blockage or maintenance of the municipal sewer main from causing damage to the proposed project (MBMC 14.24.070).
6. Erosion and Sediment Control Plan: For small projects less than one acre and less than 15% slope, 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.
7. Grading and Drainage: Indicate on plans the existing and updated contours, drainage patterns, spot elevations, finish floor elevation and all

EXHIBIT A

existing and proposed drainage pipes and structures.

8. Encroachment Permits: A standard encroachment permit shall be required for the proposed driveway; the driveway shall comply with B-9 (Driveway Ramps: Size & Location). A sewer encroachment permit shall be required for any repairs or installation of a sewer lateral within the City right-of-way or within a utility easement. When utility connections require pavement cuts a traffic control plan indicating appropriate signing, marking, barricades and flaggers must be submitted with the Encroachment Permit application. If a construction dumpster is used, the dumpster location shall be on private property, unless allowed by an encroachment permit within the City right-of-way.

Add the following Notes to the Plans:

1. Any damage, as a result of construction operations for this project, to City facilities, i.e. curb/berm, street, sewer line, water line, or any public improvements shall be repaired at no cost to the City of Morro Bay.
2. 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 Works Office located at 955 Shasta Ave. The Encroachment permit shall be issued concurrently with the building permit.

FIRE CONDITIONS

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

For the fire and life safety of the building occupants, we strongly recommend installation of automatic fire sprinklers, in accordance with NFPA 13-D.

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

Applicant shall provide Carbon Monoxide detection in accordance with CRC R315.2.

3. Fire Safety During Construction and Demolition shall be in accordance with 2016 California Fire Code, Chapter 33. This chapter prescribes minimum safeguards for construction, alteration and demolition operations to provide reasonable safety to life and property from fire during such operations

EXHIBIT A

Applicant shall include above language in Building Plan submittal.

BUILDING CONDITION

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

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 15th day of August, 2017 on the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson Tefft

ATTEST

Scot Graham, Planning Secretary

The foregoing resolution was passed and adopted this 15th day of August, 2017.

LEGAL DESCRIPTION

LOT 12, BLOCK 1, TRACT 52 IN MORRO BAY CA. AS RECORDED IN BOOK 5, PAGE 71 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

BASIS OF BEARINGS

THE CENTERLINE OF SUNSET AVE. BEING N17°30'00"W AS SHOWN ON 5 MB 71

BENCH MARK

THE LID OF A SEWER MH ON SUNSET AVE. OPPOSITE LOT 14 WITH AN ASSUMED ELEVATION OF 42.00 FT.

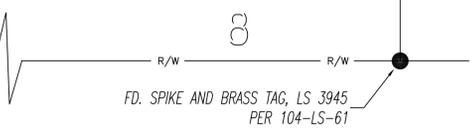
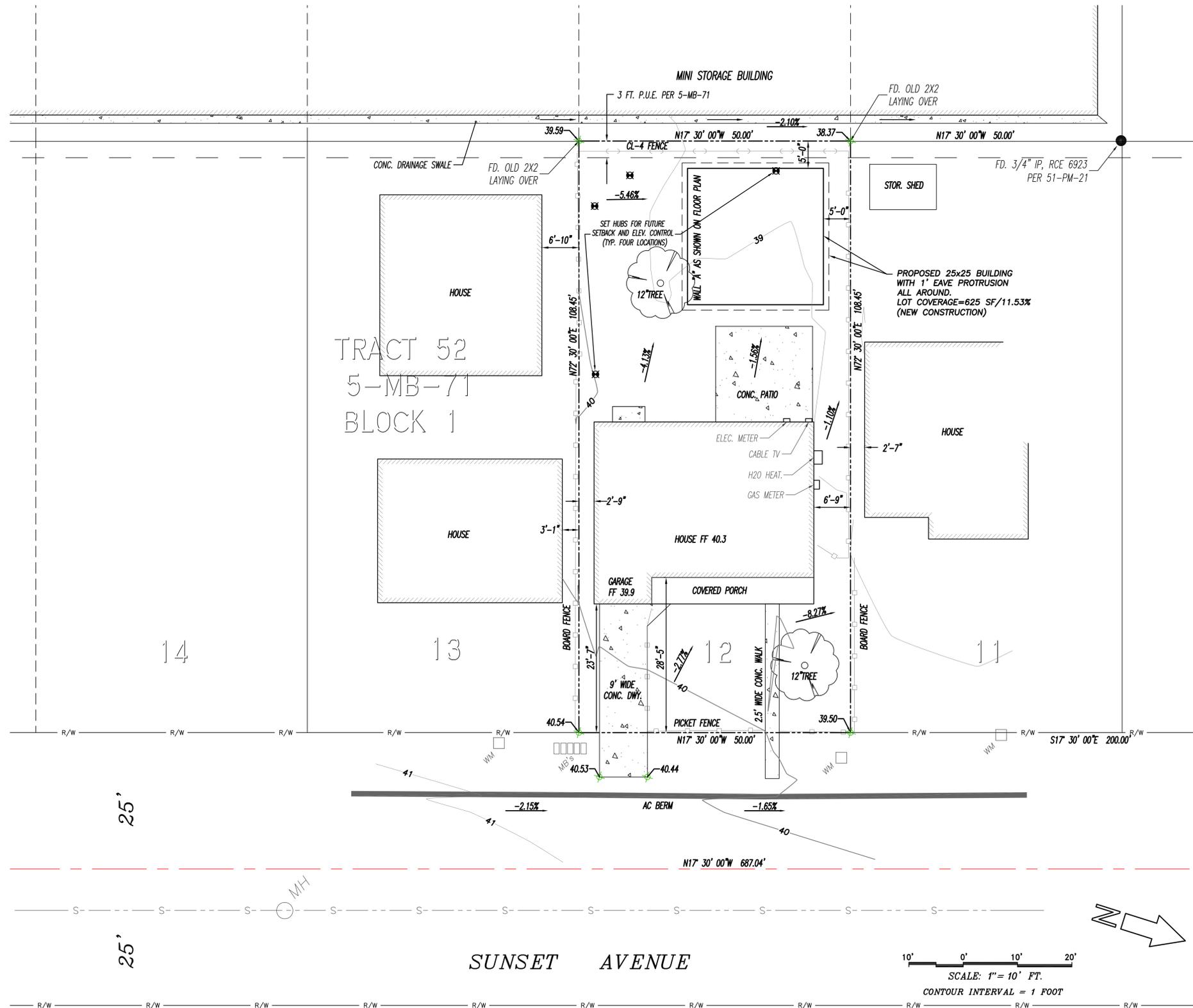
NOTES

1. TOPOGRAPHIC SURVEY AND BOUNDARY SURVEY WERE PERFORMED.
2. ANY POSSIBLE EASEMENTS AFFECTING PROPERTY ARE UNKNOWN EXCEPT AS SHOWN. NO TITLE REPORT WAS PROVIDED.
3. UNDERGROUND UTILITIES SHOWN HEREON (IF ANY) ARE BASED ON ABOVE-GROUND STRUCTURES, USA MARKINGS, AND RECORD DRAWINGS ONLY. ACTUAL LOCATION MAY VARY.
4. ADDITIONAL UNDERGROUND UTILITY SERVICE LINES TO THE PROPERTY MAY EXIST. FOR INFORMATION REGARDING UTILITY LOCATIONS, SIZE, DEPTH, CONDITION, AND CAPACITY, CONTACT UTILITY OWNERS.
5. FIELD SURVEY PERFORMED: 5/5/2017
6. PROPERTY OWNERS: JOSH SOTELO
APN: 068-314-012
7. SITE ADDRESS: 2101 SUNSET AVE.
MORRO BAY, CA 93442
8. BOUNDARY INFORMATION SHOWN IS RECORD PER 5 MB 71.



LOCATION MAP

NO SCALE



SURVEYOR'S STATEMENT

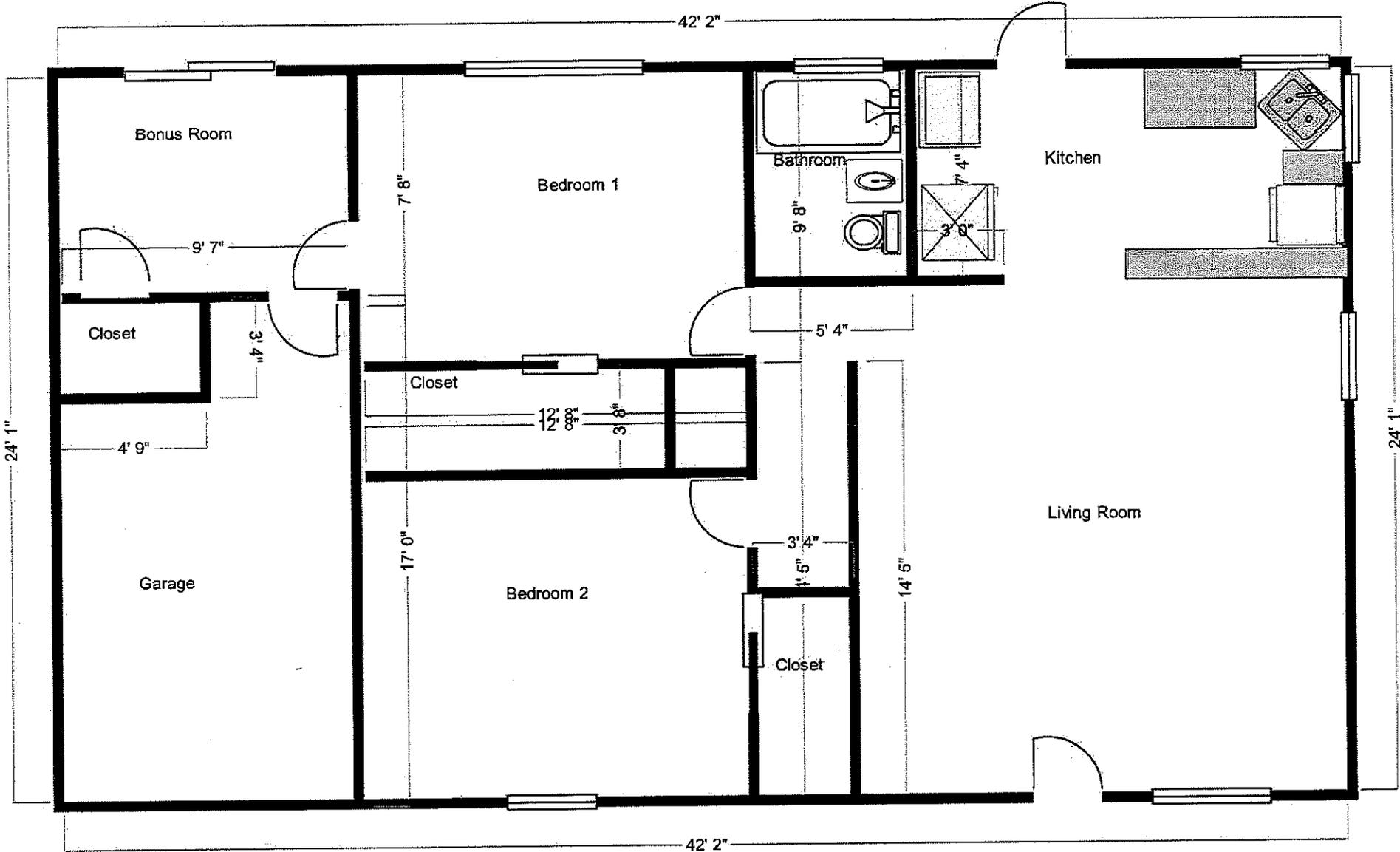
THIS MAP CORRECTLY REPRESENTS A TOPOGRAPHIC SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT. AT THE REQUEST OF JOSH SOTELO ON MAY 5, 2017.



[Signature]
WILLIAM ISBELL P.L.S. 9145
5/8/2017
DATE

SITE PLAN

EXHIBIT B



EXISTING SFR FLOOR PLAN