



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, December 5, 2017
Veteran's Memorial Building – 6:00 P.M.
209 Surf Street, Morro Bay, CA**

Chairperson Gerald Luhr

Vice-Chairperson Michael Lucas
Commissioner Jesse Barron

Commissioner Richard Sadowski
Commissioner Joseph Ingrassia

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 Department at (805) 772-6264. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. There are devices for the hearing impaired available upon request at the staff's table.

PRESENTATIONS

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

A. CONSENT CALENDAR

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

B. PUBLIC HEARINGS

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

- B-1** **Case No.:** UP0-496 and AD0-124

Site Location: 550 Fresno Avenue, Morro Bay, CA

Project Description: The project is a request for Conditional Use Permit and Parking Exception approval for a single-story addition to an existing 952 sq. ft. nonconforming single-family residence. Specifically, the project includes the addition of 362 sq. ft. of habitable floor area, a 66 sq. ft. covered porch, and 52 sq. ft. for an exterior stair to access a new roof top deck above the new addition. The project is located within the R-1 Residential Zoning District and outside of the Coastal Commission Appeals Jurisdiction.

CEQA Determination: Categorically exempt Section 15301, Class 1

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 December 19, 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.morrobayca.gov/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.morrobayca.gov/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 a \$277 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 December 5, 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	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. Planning permit denied 11-27-17.		PN - Disapproved 5/3/17		wm
2	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. Planning permit conditionally approved 11-27-17.		PN - Disapproved 5/3/17		wm
3	Mathias Family Trust	2515/2525 Greenwood	10/16/17	CP0-553	Admin Coastal Development Permit for the construction of a new SFR and associated ADU	Under Initial Review. To be noticed 12/4/2017				jg
4	Griffin	550 Fresno	10/12/17	UP0-496/AD0-124	Conditional Use Permit for an addition to an existing nonconforming SFR and parking exception for tandem space in the drive	Under Initial Review. PC hearing December 5, 2017				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. Resubmittal rcv'd 10/26. Ready to issue with conditions				jg
6	Abuhilal	844 Main	9/26/17	UP0-494	Minor Use Permit for an outdoor bread oven	Under Review. Submittal of supplemental info rcv'd 10/17. Correction Letter sent 10/30 (hard copy given to Jan over the counter 10/30). Noticed 11/16. Renoticed 11/22. to be issued 12/5				jg
30 -Day Review, Incomplete or Additional Submittal Review Projects:										

#	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
7	Wong	500 Embarcadero	11/27/17	UP0-505	Minor Use Permit to add 4 foot plexiglass wind break atop an existing 2 foot planter box to protect customers while dining.	Under Initial Review				rr
8	Biaggini	1152 Market Avenue	11/21/17	CP0-557 & UP0-504	Coastal Development Permit & CUP for new 1320 sf single family residence w/ detached two-car garage;	Under Initial Review				jg
9	Osborne	450 Piney	11/16/17	CP0-556	Administrative Coastal Development Permit for demolition of existing single family residence, construct new 3,008SFR, 460 sf garage, 214sf decks, 58sf porch	Under Initial Review				rr/jg
10	Madding	458 Dunes St	11/7/17	UP0-503	Remodel & addition to existing single family home; addition is 373sf.	Under Initial Review				jg
11	Di Benedetto	235 Marina	11/1/17	CP0-555/UP0-495	Coastal Development Permit & CUP for Demo/Reconstruct	Under initial Review. Correction Letter sent 11/13				jg
12	Silvaggio/Marshall	401 Pico	10/19/17	UP0-499/AD0-125	Minor Use Permit and Parking Exception for the construction of a single-car garage for a SFR, nonconforming due to the absence of a garage. Parking exception for the 2nd space in tandem in the drive	Under Initial Review. Correction Letter sent 11/21				jg
13	Kalin	937 Anchor	10/17/17	UP0-497	Conditional Use Permit for an addition to an existing nonconforming SFR	Under Initial Review. Spoke with Agent 11/20 about proposal's consistency with the design guidelines. Waiting for Applicant to decide how to move forward				jg
14	Irons	598 Shasta	10/3/17	S00-129	Lot merger of two adjacent parcels	PW denial, correction letter sent 10/27				jg

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15	Kwai	2780 Main	9/15/17	UP0-493	Minor Use permit for reduction in commercial use to limit commercial use to the first floor and expansion of residential use to limit residential use to second floor. No additional square footage is proposed	Under Initial Review. Correction Letter sent 10/17				jg
16	MacMillan	590 Morro Bay Blvd	8/17/17	A00-051	Minor modification to UP0-460 for Distasio's restaurant	Under review. Additional minor modification proposed and added to A00-051 8/29/17. Under review. Additional changes submitted 9/5/17. Waiting on corrections. Waiting on submittal of color for approval				jg
17	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. Correction letter sent. Waiting for resubmittal		PN- Conditionally approved 8/10/2017		jg
18	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. Resubmittal received 9/28. Performed Site Visit. Waiting on confirmation of the removal of second kitchen area on lower floor		PN- Conditionally approved 7/17/2017		jg
19	Guesno	210 Atascadero	6/1/17	CP0-544 / UP0-481	Coastal Development Permit and Conditional Use Permit for commercial change in use	Under Review. Correction memo sent to applicant 6-27-17. Resubmittal received 7/24/17. Incomplete letter sent 8/4/2017. Plans still incomplete as of Nov. 2017		PN- Disapproved 7/5/17		wm
20	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. Applicant resubmitted 10-2017		PN- Conditionally Approved 6/7/17		wm
21	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
22	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. Resubmitted 11-2017. RFP released for preparation of environmental (IS/MND).		PN- Not Approved per memo dated 3/16/17		wm
23	Eisemann	535 Atascadero	10/12/15	CP0-490 & S00-125	Parcel map application & GDP 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. Applicant now wants to remove development from proposal and process the parcel map independently of any development. Waiting on updated map (4/7/2017) Rcv'd 4/17. Correction letter sent 5/30/2017. Resubmittal Received 7/10/17. Correction Letter sent 8/22. Resubmittal rcv'd 10/18/17		PN- Disapproved per Memo dated 8/10/2017		jg

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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 9-1-17.		PN- Conditionally Approved 5/17/2017		cj
25	Gambril	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. Resubmittal received 8/11/15. 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 incompletd. 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:										
27	Erlendson	299 Sienna	9/1/17	UP0-491/AD0-123	Minor use permit and parking exception for the conversion of a 2-car garage to habitable living space and a parking exception to allow for no parking or a one-car carport to satisfy the parking requirement in the R-1/S.2A zoning district	Under review. Correction letter sent 9/13/17. PC hearing 10/3/2017. Continued to a date uncertain with direction to work with staff prior to resubmittal. Applicant must resubmit.				jg
28	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. Revised MND in progress.		PN- Conditionally approved per memo dated 7/26/16		wm
29	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		jg

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30	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
31	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
Projects Appealed or Forwarded to City Council:										
32	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. PC hearing date is 9-5-17. Conditionally approved via Favorable Recommendation to City Council for approval. Council reviewed on 10-10-17 and continued project to 11-14-17.		Conditionally approved 6/14/16		cj

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33	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. Met with Applicant and Agent 9-2017 to discuss project issues related to parking.		PN- Conditionally approved per memo dated 8/3/16		cj
34	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										
35	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		cg
36	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:										

#	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
37	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. Correspondence with applicant regarding CC&Rs and affordable housing covenants ongoing. Approved rough grading permit. Addendum to grading permit forthcoming to minimize amount of cut. Review in progress of affordable housing covenant. Scheduled for Council map acceptance on 12/12/17.		JW/PN - Disapproved final map and public improvements 8/16/2017		cj
38	Tract 2812	2400 Main St / Morro Mist	6/13/16	Map	Final Map - Tract 2812 / 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 and 9-5-17. CC&Rs approved. Draft affordable housing documents prepared and sent to Applicant 11-28-17		JW/PN - Disapproved final map and public improvements 8/1/2017		cj
39	Medina	3390 Main	10/7/11	Map	Final Map. Issues with ESH restoration. Applicant placed processing of final map on hold by proposing an amendment to the approved tentative map and coastal development permit. Applicant proposed administrative amendment. Elevated to PC, approved 1/4/12. Appealed, scheduled for 2/14/12 CC Meeting. Appeal upheld by City Council, and project with denied 2/14/12. map check returning for corrections on 3/9/12	SD--Meeting with applicant regarding ESH Area and Biological Study. MR- Received letters from biologist regarding revegetation on 9/2/12. Letter sent to biologist. Recent Submittal reviewed and memo sent to PW regarding deficiencies. Initial review shows resubmitted map does not meet the 50 foot ESH buffer setback requirement. Creek restoration required per Planning condition #4 prior to recordation of the final map. Unresolved Planning conditions. Sent correction letter to Engineering 4-14-16. Received request for extension of permit as allowed by code. One year extension of permits granted extending map to 7/19/2017. Received map resubmittal 11-28-16. Response letter sent 12-27-16. Biologist submitted revised creekside restoration plan on 6/8/17 for City review. Sent comments back to Biologist on 6-29-17 with response received. Creekside Restoration plan approved. Planning conditions addressed.	No review performed.	DH - resubmitted map and Biological study on Dec 19th 2012. PW has completed their review. Received a letter from Medina's lawyer and preparing response. PW comments sent to RS to be included with his response letter. RS said to process map for CC. Letter being prepared to send to applicant to submit mylars for CC meeting.		sg/cj
Projects requiring coordination with another jurisdiction:										
40	City of Morro Bay	Outfall			Original jurisdiction CDP for the outfall and for the associated wells	Coastal staff is working with staff. Coastal letter received 4/29/2013. Discussed project with Coastal staff in meeting 11-18-14.	No review performed.	City provided response to CCC on 7/12/13. Per Qtrly Conference Call CCC will take 30days to respond		

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41	City of Morro Bay Desal Plant	170 Atascadero			Project requires a Coastal Development Permit for upgrades at the Plant. Final action taken Sent to CCC but pursuant to their request the City has rescinded the action.	Waiting for outcome from the CDP application for the outfall. Discussed project with Coastal staff in meeting 11-18-14.	No review performed.	BCR- Phase 1 Maint and Repair project is underway. Desal plant start-up scheduled for 10/15/13. Phase 1 complete and finalized. Phase 2 on hold as of 7/22/14.		
Projects going forward to Coastal Commission for review (Pending LCP Amendments) / or State Department of Housing:										
42	City of Morro Bay	Citywide			Plan Morro Bay: General Plan / Local Coastal Program / Zoning Code Update project	Comprehensive overall update to the City's 1988 General Plan, 1984 Local Coastal Program, and 1997 Zoning Code. General Plan Advisory Committee meetings ongoing. For more information or to get involved, visit www.morrobayca.gov/planmb . Project to be complete with documents ready for adoption and certification by end of 2018.				
43	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.			
Projects Continued Indefinitely, No Response to Date on Incomplete Letter or inactive:										

wm

#	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
44	T-Mobiile	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										
45	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
46	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 administration. 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
47	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	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 memo correction 6-15-17. Disapproved by cj on 10-16-17.	Approved by cdl on 5-10-17	PN - Disapproved 6/9/17	Emailed comments on 10-20-17.	
2	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. Approved 11-27-17. CJ	Plans sent to Ca, Code Check 1-5-17.Sent CA code check 11/14/17	PN- Disapproved per memo dated 1/18/17		
3	Bulatov	2980 Hemlock	9/11/17	B-31651	Remodel existing SFR, new 1st & 2nd floor addition (1444 sq. ft.), new 310 sf deck above	Disapproved by jg on 9-8-17.	Disapproved by cdl on 9-18-17.	Disapproved by jb on 9-15-17.	Emailed comments on 10-03-17	
4	Spencer	2445 Ironwood	7/21/17	B-31594	151sf single story addition at rear of SFR, new second bath, new 78 sf deck at rear of SFR	Approved by rr on 8-1-17.	Approved by cdl on 8-29-17	Approved by pn on 9-6-17	working on getting contractor.	
5	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 rr on 8-22-17.	Disapproved by cdl on 8-8-17	Disapproved by pn on 8-22-17 approved by jb 11/22/17.	Resubmitted on 11-17-17.	
6	Grover	484 Kings	8/31/17	B-31650	Single Family Addition	Approved by jg on 9-6-17.	Disapproved by cdl on 9-7-17.	Disapproved by jb on 9-14-17.	Emailed comments 9/21/17.	
7	Wright	520 LaJolla	7/21/17	B-31595	Enclose 10'x20' carport for single car garage	Disapproved by rr on 7-26-17.	Disapproved by cdl on 8/11/17.	N/A		

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
8	Olcott	285 Marina	10/27/17	B-31752	ADA Renovation; parking lot	Approved by sg on 11-6-17.	Approved by cdl on 11-14-17.	Disapproved by jb on 11-3-17.	Emailed comments 11/21/17	
9	Gotchal	315 Marina	10/27/17	B-31753	Remodel SFR, change floor plan, add 2 single car garages in building next door.	Approved by jg on 11-6-17.		Disapproved by jb on 11-8-17.		
10	Henderson	958 Marina	10/18/17	B-31732	Replace interior finish, repair & reinforce existing structure & replace electrical mechan.& plumbing systems on 2ndary unit	Under review Disapproved by rr on 11-1-17. Project requires planning entitlements.	Approved by cdl on 11-3-17.	Approved by jb on 10-23-17.		
11	Kinsinger	222 Main St.	11/22/17	B-31786	149 Sq. Ft. addition & interior remodel of kitchen, bath and living-room.					
12	Millerstein	844 Main St.	11/17/17	B-31781	Com. Alteration Re-enclosed storage area & upgrade to allow for office spacein addition to storage upgrade exterior to match surrounding	Under Review. RR	Disapproved by cdl on 11-27-17.	Approved by jb 11/22/17		RR
13	Sonic	1840 Main	10/17/17	B-31730	Sonic Drive-in Restaurant, 1395 sf building, 1020 sf covered patio, 2646 sf covered parking	Under review.				
14	Morro Mist LLC	2402-2446 Main	7/5/16	B-31067 through B-31089	Building Permit applications for 23 new town homes in 6 detached building clusters to include 15 one- bedroom units and 8 three bedroom units. 23 separate applications	Disapproved. Corrections sent 8-3-16. cj. Resubmittal received and disapproved 11-28-17.	Disapproved by cdl on 1-23-17.	PN- Approved waiting for RL sign-off of WEU form.		
15	Lau	2780 Main	9/15/17	B-31680	Remodel existing resteraunt/ apartment. Reduce size of restaurant by 500 sf and add that to the Apartment.	Disapproved by jg 10-18-17.	Disapproved by cdl on 9-22-17	Disapproved by jb on 9-22-17.	Emailed comments on 10/19/17.	
16	Assembly of God	615 Monterey	10/14/16	B-31226	Interior remodel (to rear house) - Demo interior, replace sub floor, drywall, electrical & plumbing, new stucco over exterior.	Disapproved 11-10-16. JG	Disapproved by cdl on 11-17-16.	PN- Disapproved 11/16/16		
17	Swindle	590 Morro	9/25/17	B-31690	Remove and relocate panel antennas to roof top cell site.	Disapproved by wm on 10-18-17.	Approved by cdl on 10-26-17.	Approved by jb on 10-17-17.	Emailed comments on 10/31/17	
18	Crowfoot	416 Napa	3/1/17	B-31417	Convert downstairs closet into kitchen to create secondary dwelling unit (CP0-531)	Approved by rr on 7-31-17.	Approved by cdl on 3-23-17	PN- Disapproved per memo dated 3/29/17		
19	Wilhelm	2265 Nutmeg	10/20/17	B-31741	Relace existing 209 sf deck (adding 26 sf) totalling 235 sf decking.	Approved by rr on 10-23-17	Approved by cdl on 11-3-17.	Disapproved by jb on 10-24-Approved by jb 11/13/17.	Emailed comments on 11/6/17.	
20	Colmer	501 Quinn Ct,	11/16/17	B-31775	SFR- New					
21	Colmer	505 Quinn Ct,	11/16/17	B-31774	SFR- New					
22	Colmer	557 Quinn Ct,	11/16/17	B-31776	SFR- New					
23	Giannini	750 Radcliff	9/15/17	B-31681	Remove & Replace antenna on tower,	Disapproved 9-18-17. JG Approved by jg on 10-31-17.	Approved by cdl on 9-19- 17. PZ	Disapproved 9-15-17. JB		
24	Brisson	341 Sicily	9/12/17	B-31670	Single Family Alteration	Conditional approval 9-27-17. RR	Disapproved by cdl on 9-21-17.	N/A	Emailed comments on 9/28/17	

#	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
25	Sotelo	2101 Sunset	10/3/17	B-31698	Proposed detached accessory building 625 sq. ft.	Disapproved by jg on 10-16-17.	Disapproved by cdl on 10/4/17.	Disapproved by jb on 10-05-17.	Emailed owner 10/20/17.	
Planning Projects & Permits with Final Action:										
1	Whitaker	1170 Front	10/19/17	UP0-498	Temporary Use Permit for staging and grading on the adjacent parcel to the north (APN 066-034-021)	Under Initial Review. Site Noticed 10/25/2017				jg
2	Driscoll	2599 Koa	10/24/17	CP0-554	Coastal Development Permit for an Accessory Dwelling Unit within the first floor of an existing single family dwelling.	Under Initial Review. Application complete. Site noticed 11/15/2017. Approved 11-27-2017				rr



AGENDA NO: B-1

MEETING DATE: December 5, 2017

Staff Report

TO: Planning Commissioner **DATE:** December 5, 2017

FROM: Joan Gargiulo, Assistant Planner

SUBJECT: **Conditional Use Permit (#UP0-496) and Parking Exception (#AD0-124)** for the construction of a 362 sq. ft. addition with roof-top deck to an existing 952 sq. ft. nonconforming single-family residence located within the R-1 Residential Zoning District and outside of the Coastal Commission Appeals Jurisdiction.

RECOMMENDATION:

CONDITIONALLY APPROVE THE PROJECT by approving Planning Commission **Resolution 26-17** which includes the Findings and Conditions of Approval for the project depicted on site development plans dated stamped received October 12, 2017.

APPLICANTS:

Donna Daniels and Denis Griffin

DESIGNER:

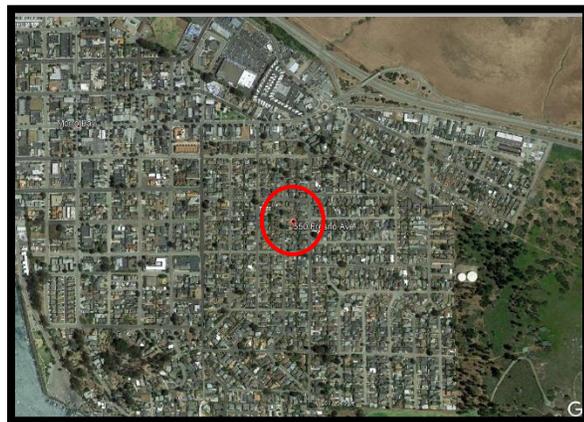
Brent Berry

LEGAL DESCRIPTION/APN:

066-158-014

PROJECT DESCRIPTION:

The Applicant is requesting Conditional Use Permit and Parking Exception approval for a 362 sq. ft. single-story addition with a roof-top deck to an existing 952 sq. ft. nonconforming residence. The project includes a 66 sq. ft. covered porch and a 52 sq. ft. exterior stairway and a request to allow for tandem parking in the driveway to provide the second required on-site parking space.



Vicinity Map

PROJECT SETTING:

The project is located in the Central Morro Bay neighborhood, designated as Planning

Prepared By: JG

Department Review: _____

Area 7 in the Local Coastal Plan. The parcel at 550 Fresno Avenue is located to the west of Kern Avenue, east of Piney Avenue, north of Anchor Street, and south of Pacific Street.

Adjacent Zoning/Land Use			
North:	R-1 Single-Family Residential	South:	R-1 Single-Family Residential
East:	R-1 Single-Family Residential	West:	R-1 Single-Family Residential

Site Characteristics	
Site Area	5,500 sq. ft.
Existing Use	Single-Family Residential
Terrain	Virtually Level and Developed
Vegetation/Wildlife	None
Archaeological Resources	N/A
Access	Fresno Avenue

General Plan, Zoning Ordinance, & Local Coastal Plan Designations	
General Plan/Coastal Plan Land Use Designation	Moderate Density Residential
Base Zone District	R-1
Zoning Overlay District	n/a
Special Treatment Area	n/a
Combining District	n/a
Specific Plan Area	n/a
Coastal Zone	Located Outside of the Coastal Appeal Jurisdiction

PROJECT ANALYSIS:

Background

County Assessor records indicate the existing nonconforming single-family residence was originally built in 1935 and is located in a neighborhood consisting of mostly single-family residential development with a variety of architectural styles and sizes. The residential use is consistent with the General Plan designation of Moderate Density Residential and with the Single-Family Residential (R-1) Zoning District. The project site is located outside of the Coastal Commission Appeal Jurisdiction.



Existing Site

Zoning Ordinance Standards			
	Standards	Existing	Proposed
Front Setback	20 feet	20 feet	20 feet
Interior Side Setback	5 feet	5 feet	5 feet
Rear Setback	10 feet	55 feet	35'6"
Rear Garage Setback	1 foot	0 feet	0 feet
Side Garage Setback	1 foot	1'6"	1'6"
Height	25 feet	15'6"	15'6"
Lot Coverage	Max. 50%	26%	35%
Parking	2 Car Garage	One-Car Garage	One-Car Garage
Stairway Projections	3 feet	n/a	4'6"

Project Evaluation

Current requirements of the Morro Bay City Zoning Ordinance (the “Zoning Ordinance”) pertaining to the rear yard garage setback and parking requirements render the existing structure nonconforming. However, additions to nonconforming structures may be permitted with the approval of a Conditional Use Permit, subject to certain findings (Morro Bay Municipal Code Section (MBMC) 17.56.160). The proposed addition is in conformance with all setback height, lot coverage and other development requirements of the MBMC.

Porch, Landing Place, or Stairway Projections

Per Section 17.48.120 of the MBMC, open, uncovered, landing places and outside stairways in excess of 30 inches above ground elevation may project up to 3 feet from any interior lot line. The project proposal includes an exterior stairway and landing place providing access to the roof-top deck that encroaches 6 inches into the required 5-foot side-yard setback and shall be located 4’6” from the property line consistent with the requirements of the MBMC.

Setbacks

The existing detached garage lies along the rear property line and therefore does not conform to the minimum one-foot rear-yard setback requirement as set forth in Section 17.48.045 of the Morro Bay Municipal Code (MBMC).

Parking

The project proposes no change to the existing driveway area and parking arrangement. As per Section 17.44.020 of the Zoning Ordinance, single-family residential development requires two covered and enclosed parking spaces. The existing 338 sq. ft. detached garage does not meet this minimum requirement. The Applicant is applying for a Parking Exception to allow for the second required parking space to be located in tandem in the driveway outside of the public right-of-way and outside of the front setback area (MBMC section 17.44.050). Exceptions to parking standards require the following findings to be made:

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 tandem parking is approved, then the project would meet that requirement. The length of the driveway is more than adequate to provide space for a tandem space entirely on the property, outside of the front setback. Many dwellings in the neighborhood 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.

Tandem parking will not result in traffic safety problems at this location because the parking area will be entirely 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.

Conditional Use Permit Requirement

The Zoning Ordinance, subsection 17.56.160A, requires approval of a conditional use permit for additions to any structure which is nonconforming with any provision of this title. The project proposes to add a 362 square-foot addition to a nonconforming structure. As noted above, the structure is nonconforming with regard to the rear-yard setback and parking situation. Approval of a Conditional Use Permit 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 addition is consistent with Zoning Ordinance requirements.

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 an addition to single-family dwelling unit, which is an allowed use in the R-1 Residential zoning district. The surrounding neighborhood is developed with one and two-story single-family and multi-family development.

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 front-yard setback.

PUBLIC NOTICE:

Notice of this item was published in the San Luis Obispo Tribune newspaper on Friday, November 24, 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 15301 Class 1. The exemption applies to minor addition to a single-family residence in a residential zone and the project will have no potentially significant environmental impacts. Additionally, none of the Categorical Exemption exceptions, noted under Section 15300.2, apply to the project.

CONCLUSION:

The proposed project is relatively minor in nature. With incorporation of the recommended findings and conditions, approval of 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 Moderate Density land use designation and because the Zoning Ordinance allows exceptions to the parking standards (MBMC Section 17.44.050), and additions to nonconforming structures upon approval of a conditional use permit (MBMC section 17.56.160).

RECOMMENDATION:

Staff recommends the Planning Commission approve the requested Conditional Use Permit #UPO-496 and Parking Exception #ADO-124 for the proposed addition to a nonconforming structure for the project at 550 Fresno Avenue, as shown on plans date stamped received October 12, 2017, by adopting Planning Commission **Resolution 26-17** which includes the Findings and Conditions of Approval for the project.

EXHIBITS:

Exhibit A – Planning Commission Resolution 26-17
Exhibit B – Plan Reductions

EXHIBIT A

RESOLUTION NO. PC 26-17

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT (UP0-496) TO ALLOW AN ADDITION TO A NONCONFORMING RESIDENTIAL STRUCTURE AND PARKING EXCEPTION (AD0-124) TO ALLOW A SECOND OPEN UNCOVERED PARKING SPACE IN THE DRIVEWAY AT 550 FRESNO 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 December 5, 2017 for the purpose of considering Conditional Use Permit UPO-496 for a proposed addition to a nonconforming single-family residence and parking exception AD0-124 for a second open, tandem parking space in the driveway at 550 Fresno 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 pursuant to Class 1, CEQA Guidelines Section 15301(e) for additions to existing structures with no potentially significant environmental impacts. Additionally, none of the Categorical Exemption exceptions, noted under section 15300.2, apply to the project.

Conditional Use 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.
2. The proposed addition is in conformance with all applicable provisions of the Morro Bay City Zoning Ordinance (the “Zoning Ordinance”), including building height, setbacks, and lot coverage.
3. The project meets applicable Title 14 (Building and Construction Code) requirements for a conforming use since the applicant is required to submit a complete building permit application and obtain the required building permit prior to construction.

EXHIBIT A

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UP0-496 / AD0-124: 550 Fresno Avenue

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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 addition to a single-family dwelling, which is an allowed use in the R-1 zone and the surrounding neighborhood is developed with one and two-story homes.
5. 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 rear setback and covered and enclosed parking requirement.

Parking Exception Findings

1. The exception to allow a tandem parking space in the driveway where a second covered and enclosed is otherwise required will not constitute a grant of special privilege inconsistent with the driveway or parking limitations upon other properties in the vicinity. Many dwellings in the neighborhood have nonconforming parking situations.
2. The proposed parking space location and dimensions will be adequate to accommodate parking needs generated by the use. With approval of the exception, two required parking places will be provided on site consistent with the Zoning Ordinance requirements.
3. The exception to allow a second open tandem parking space in the driveway will not adversely affect the health, safety or general welfare of persons working or residing in the vicinity, where a similar development pattern exists, and will not alter or conflict with existing traffic patterns in the right-of-way because the parking area is located completely out of the public right-of-way and outside of the front-yard setback.
4. 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 buildings on site.

Section 2. Action. The Planning Commission does hereby approve Conditional Use Permit UPO-496 and Parking Exception AD0-124 for the property located at 550 Fresno Avenue subject to the following conditions:

STANDARD CONDITIONS

1. This permit is granted for the land described in the staff report dated December 5, 2017, for the project at 550 Fresno Avenue depicted on plans date stamped received October 12, 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.

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UP0-496 / AD0-124: 550 Fresno Avenue

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2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this Resolution and is diligently pursued, thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Any extension may be granted by the City's Community Development 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.
6. Compliance with Conditions: The applicant's establishment of the use or development of the subject property constitutes acknowledgement and acceptance of all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Director or as authorized by the Planning Commission. Failure to comply with any of these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the MBMC and is a misdemeanor.
7. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan of the City.

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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.

BUILDING CONDITION

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

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 2,500 sf of new or redeveloped impervious area are subject to these requirements. Complete and submit the "SFR Performance Requirement Determination Form".
2. **Sewer Lateral:** Indicate and label existing sewer lateral and connection. If an

EXHIBIT A

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. Sewer lateral approximately located 4-5 feet from north property line (similar location to drainage line). Show on site plan.

3. 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).
4. 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. Show location and type of sediment control measures to be implemented on site plan.
5. 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.
6. 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 as determined by the City Engineer.
7. Site Plan: Dimension City Right of Way from Fresno center line to property line. (25')

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 Department Office located at 955 Shasta Ave. The

EXHIBIT A

Planning Commission Resolution No. 26-17

UP0-496 / AD0-124: 550 Fresno Avenue

Page 6

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), California Residential Code (Section R313), and Morro Bay Municipal Code (Section 14.08.090). We strongly recommend installation of an automatic fire sprinkler system for the fire protection and life safety of the residence.
2. Carbon Monoxide Alarms: 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 install carbon monoxide detection alarms in required locations.
3. Fire Safety During Construction and Demolition: 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.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 5th day of December, 2017 on the following vote:

AYES:

NOES:

ABSENT:

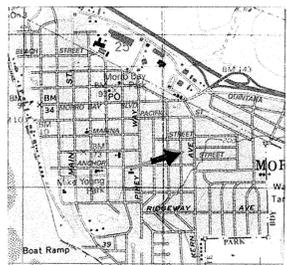
ABSTAIN:

Gerald Luhr, Chairperson

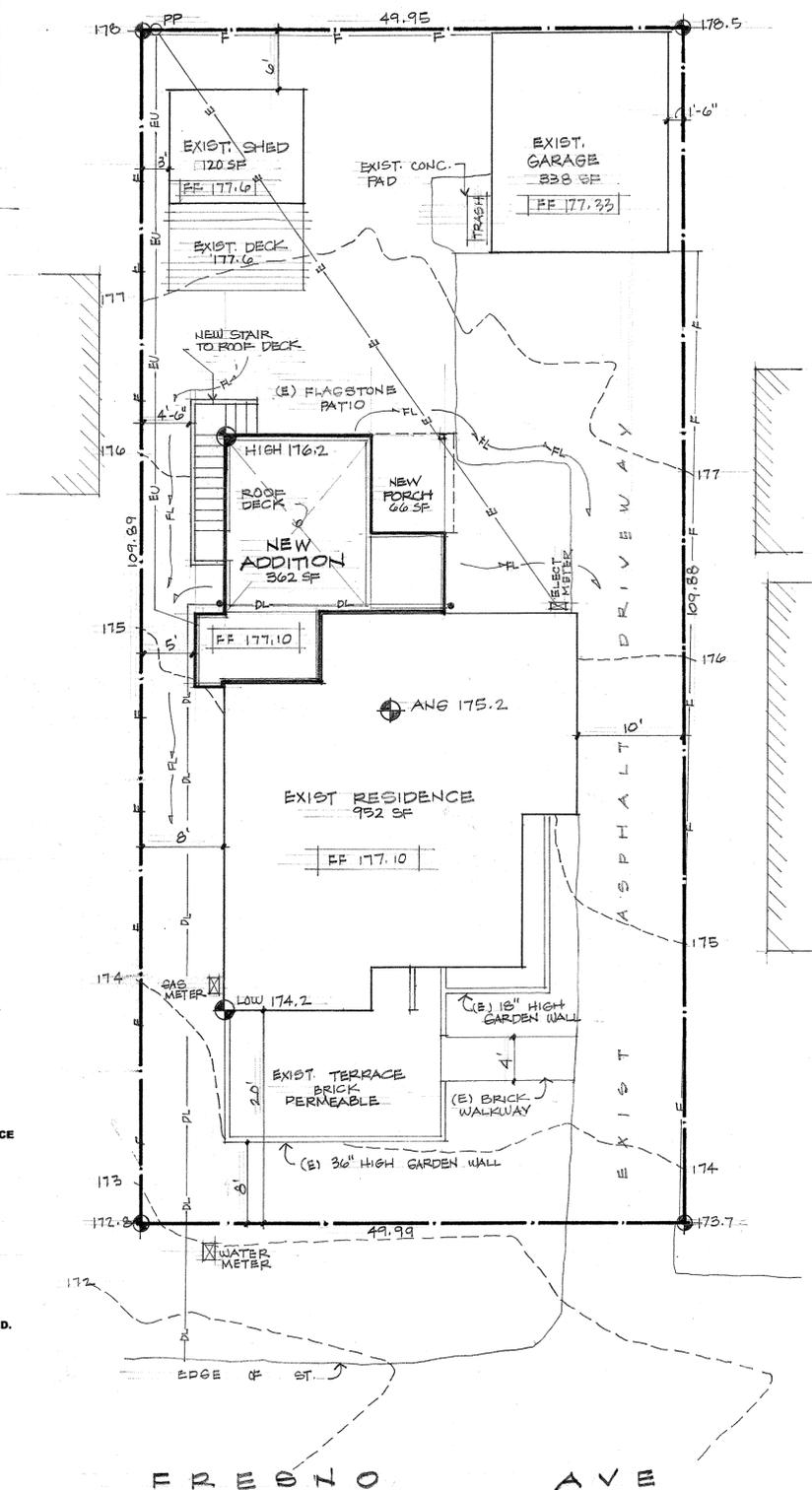
ATTEST

Scot Graham, Planning Secretary

The foregoing resolution was passed and adopted this 5th day of December, 2017.



VICINITY MAP



LEGEND

- PROPERTY LINE
- NEW CONSTRUCTION FOOTPRINT
- EXISTING NATURAL GRADE
- DIRECTION OF SURFACE DRAINAGE
- ELEVATION OF EXISTING NATURAL GRADE
- 4" DRAIN LINES FROM DOWNSPOUTS
- EXISTING ELECTRIC SERVICE
- PROPOSED UNDERGROUND ELECTRIC SERVICE
- EXISTING SIX FOOT HIGH FENCE

NOTE
 NO ON SITE TREES TO BE REMOVED.
 NO NEW LANDSCAPE AREAS TO BE DEVELOPED.

DESIGN TEAM

OWNERS
 DONNA DANIELS AND DENIS GRIFFIN
 1213 HIGHLAND VIEW LOOP
 REDMOND, OREGON 97756
 541-923-8973

ARCHITECT
 BRENT BERRY - ARCHITECT
 656 WEYMOUTH STREET
 CAMBRIA, CA. 93428
 805-927-4962

SURVEYOR
 DANNY F. HORN SURVEYORS
 566 SPRING STREET
 PASO ROBLES, CA. 93446
 805-239-0355

HISTORIC RESOURCE EVALUATION
 BERTRANDO AND BERTRANDO RESEARCH CONSULTANTS
 267 EAST FOOTHILL BOULEVARD
 SAN LUIS OBISPO, CA. 93401
 805-543-7831

PROJECT DATA

LEGAL DESCRIPTION
 LOT 16, BLOCK 20,
 CITY OF MORRO BAY
 SLO COUNTY, CA.

APN
 066-158-014

ADDRESS
 550 FRESNO AVE.
 MORRO BAY, CA.

USE
 NEW 362 SF ADDITION TO EXISTING
 SINGLE FAMILY RESIDENCE

ZONING
 R-1

OCCUPANCY GROUP
 R-3

CONSTRUCTION TYPE
 V-B

LOT SIZE
 5,500 SF

EXISTING BUILDING FOOTPRINT

RESIDENCE LIVING AREA:	952 SF
DETACHED GARAGE:	338 SF
DETACHED SHED:	120 SF
EXISTING PORCHES:	44 SF
TOTAL	1454 SF

PERCENTAGE OF SITE: 1454 / 5500 = 26%

PROPOSED BUILDING FOOTPRINT

EXISTING RESIDENCE:	952 SF
EXISTING COVERED PORCHES:	16 SF
EXISTING GARAGE:	338 SF
EXISTING SHED:	120 SF
NEW ADDITION:	362 SF
NEW COVERED PORCH:	66 SF
NEW EXTERIOR STAIR:	52 SF
TOTAL	1906 SF

PERCENTAGE OF SITE: 1906 / 5500 = 35%

HARDSCAPE COVERAGE

ASPHALT DRIVEWAY:	1150 SF
CONCRETE PAD:	42 SF
TOTAL	1192 SF

PERCENTAGE OF SITE: 1192 / 5500 = 22%

PERMEABLE SURFACE OF SITE

TOTAL FOOTPRINT OF BUILDINGS:	1906 SF
TOTAL HARDSCAPE COVERAGE:	1192 SF
TOTAL	3098 SF

LOT AREA (5500 SF) - 3098 SF = 2402 SF
 PERCENTAGE OF SITE: 2402 / 5500 = 44%

AVERAGE NATURAL GRADE
 LOW NATURAL GRADE ELEVATION = 174.2
 HIGH NATURAL GRADE ELEVATION = 176.2
 AVERAGE NATURAL GRADE ELEVATION = 175.2

BUILDING HEIGHT
 ALLOWABLE 175.2 ANG + 25 FT. = 200.2
 ACTUAL: 177.10 FF + 13.5 FT. = 190.60

LOT SLOPE
 1 FT/20 FT = 5%

EXISTING SETBACKS
 FRONT: 20 FT
 NORTH SIDE: 8 FT
 SOUTH SIDE: 10 FT
 BACK: 56 FT

PROPOSED SETBACKS
 FRONT: 20 FT
 NORTH SIDE: 5 FT
 SOUTH SIDE: 10 FT
 BACK: 39 FT.

SITE PLAN 1/8" = 1'-0"

REVISIONS	BY

**DANIELS-GRIFFIN RESIDENCE
 ADDITION AND REMODEL**

BRENT BERRY
 ARCHITECT
 656 WEYMOUTH ST • CAMBRIA • CA 93428
 805 927 4962

Date 10-10-17
 Scale 1/8" = 1'-0"
 Drawn BB
 Job DANIELS
 Sheet **1**
 Of 2 Sheets

SHEET INDEX

1. SITE PLAN, PROJECT TEAM, PROJECT DATA.
2. FLOOR PLANS, EXTERIOR ELEVATIONS, SECTION.

LEGEND

-  NEW CONSTRUCTION
-  EXISTING CONSTRUCTION

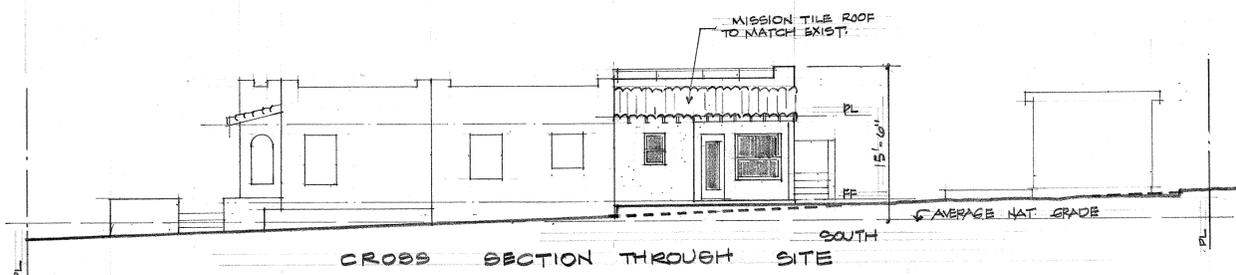
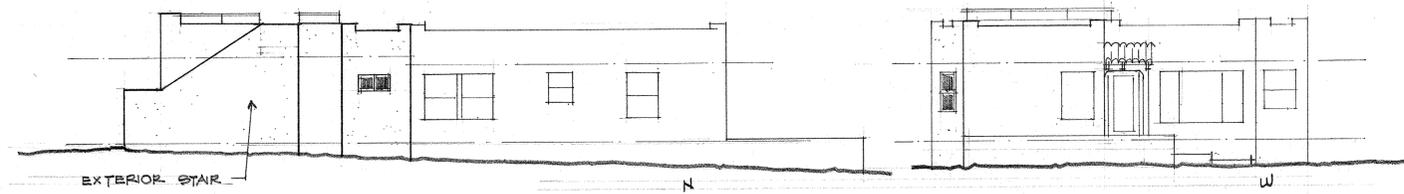
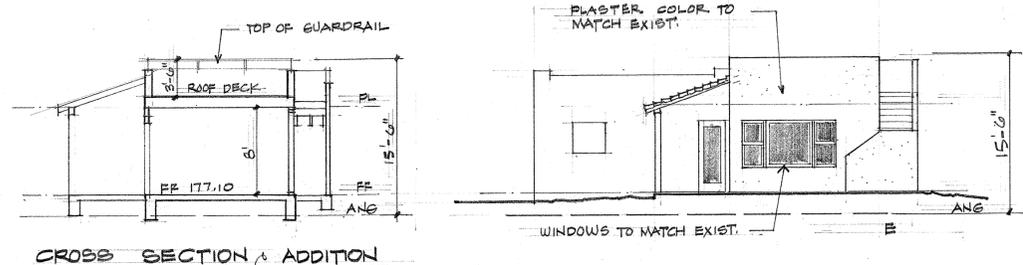
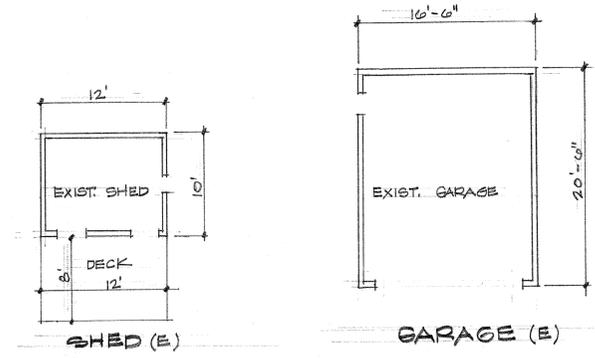
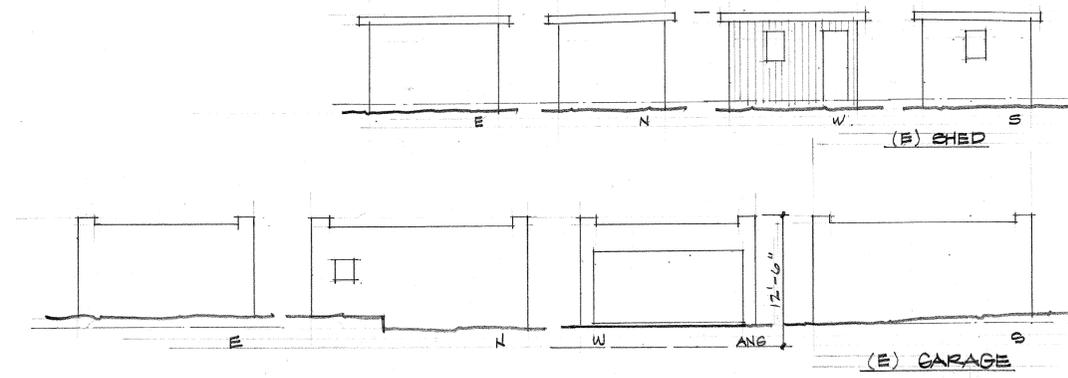
WINDOW/DOOR SCHEDULE

WINDOW COLOR AND STYLE TO MATCH EXISTING

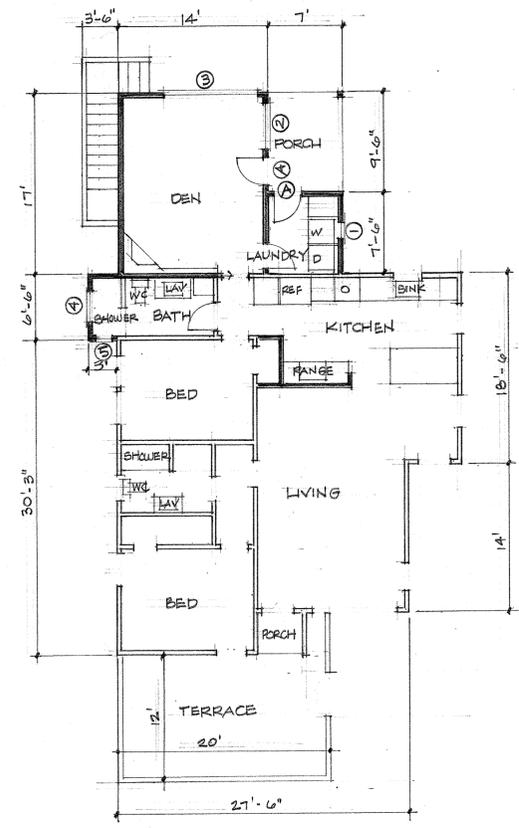
MILGARD VINYL WINDOWS / DOORS

*U-FACTOR: 0.32 MAXIMUM

SYM.	QTY.	DESCRIPTION
1	1	2/0 X 3/0 SH
2	1	4/6 X 4/6 SH
3	1	9/0 X 4/6 SH/PICTURE/SH
4	1	3/0 X 1/6 SLIDER TEMPERED
5	1	2/0 X 4/0 SH TEMPERED
A	2	2/6 X 6/8 FRENCH



CROSS SECTION THROUGH SITE
EXIST. RESIDENCE - ADDITION
EXTERIOR ELEVATIONS 1/8"=1'-0"



FLOOR PLAN 1/8"=1'-0"

REVISIONS	BY

**DANIELS-GRIFFIN RESIDENCE
ADDITION AND REMODEL**

ARENT BERRY
ARCHITECTS
656 WEYMOUTH ST. • CAMBRIDGE, CA 93428
805.927.4962

Date 10.10.17
Scale 1/8"=1'-0"
Drawn BB
Job DANELS
Sheet **2**
Of 2 Sheets