



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, April 3, 2018
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 - 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.

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.:** SP0-216 and UP0-513

Site Location: 701 Embarcadero, Morro Bay, CA

Proposal: Sign Permit and Minor Use Permit for a change in the existing signage program at 701 Embarcadero, lease site numbers 78-79/78W-79W and 80-81/80W-81W. The Applicant is proposing two approximately 16 sq. ft. internally illuminated surface signs; one on the eastern facing elevation fronting on Embarcadero and the second on the northern facing elevation. The project site is located in the WF/PD/S.4 Zoning District and within the Coastal Commission Original Jurisdiction.

CEQA Determination: Categorically Exempt, Section 15301 Class 1

Staff Recommendation: Approve the permit request

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

- B-2** **Case No.:** UP0-503/AD0-126

Site Location: 458 Dunes Street, Morro Bay, CA

Project Description: Conditional Use Permit and Parking Exception for an addition to an existing single-family residence with a nonconforming front yard setback, side-yard setback and parking situation. Specifically, the Applicant proposes to add a 245-sq. ft. addition to the ground floor and add a 373-sq. ft. second floor to an existing 651 sq. ft. residence located in within the R-4 zoning district. The property is outside of the Coastal Commission Appeal Jurisdiction. The parking exception is required to allow the existing single-car garage with the second required parking space to be a tandem space within the existing driveway. There are no changes to the existing garage or storage buildings on the property.

CEQA Determination: Categorically exempt Section 15301, Class 1.

Staff Recommendation: Conditionally Approve

Staff Contact: Nancy Hubbard, Contract Planner, (805) 772-6211

- B-3** **Case No.:** Amendment of PC Resolution 5-16 approving CP0-470 and UP0-415

Site Location: 1149 West Street, Morro Bay, CA

Proposal: Request for an amendment of Planning condition #19 imposed in the approval of this project on January 19, 2016. The applicant would like to install a driveway gate on the home located at 1149 West Street. The driveway gate was specifically disapproved in the Planning Commission hearing on January 19, 2016. The applicant is requesting that the Planning Commission reconsider their condition and allow a fence and driveway gate along the front property line. The property is zoned Duplex Residential with a Planned Development and Specific Plan overlay (R-2/PD/SP) This project is in the Coastal Commission appeal jurisdiction.

CEQA Determination: Categorically Exempt, Section 15303 Class 3

Staff Recommendation: Deny amendment request

Staff Contact: Nancy Hubbard, Contract Planner, (805) 772-6211

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 April 17, 2018 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 April 3, 2018

#	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	Madding	458 Dunes St	11/7/17	UP0-503	Remodel & addition to existing single family home; addition is 373sf.	Under Intial Review. Correction letter sent 12/13. Resubmitted 2/28/18. Deemed complete. Adendized for April 3, 2018 Planning Commission.				nh
2	Davis	1149 West Street	3/13/18	A00-055	Request for Amendment to PC Resolution 5-16, Planning condition #19 - to allow a driveway gate	On the Agenda for Planning Commission April 3, 2018				nh
3	Van Buerden	701 Embarcadero	2/6/18	UP0-513/SP0-216	Minor Use Permit for a change to the existing signage program and to allow internally illuminated signage on the Embarcadero	Correction Letter sent 1/18. Waiting on Applicant's decision to redesign or take to PC. Agendized for 4/3/2018 PC hearing				jg
4	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.. Resubmitted 2/5/18. Project to be agendized for 3/27/18 City Council review of Concept Plan CUP.		Conditionally approved 6/14/16		cj
30 -Day Review, Incomplete or Additional Submittal Review Projects:										
5	Smothers/Fortino	570 Kings	3/23/18	UP0-517 and CP0-571	Construct two new dwelling units for an additional 1430 sq. ft. of habitable space on an R-2 parcel with an existing SFR	Under initial review.				jg
6	Stollmeyer	312 Tahiti	3/16/18	CP0-570	Demo existing Stollmeyers building and construct SFR with accessory dwelling unit (ADU) on each of the 2 existing legal lots on	Under Intial Review				jg
7	Stollmeyer	310 Tahiti	3/16/18	CP0-570	Demo existing Stollmeyers building and construct SFR with accessory dwelling unit (ADU) on each of the 2 existing legal lots on	Under Initial Review				jg

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8	Tench	1001 Front St.	3/14/18	UP0-516	Minor Use Permit - Waterfront Market in Parking lot of Gio's Fish Market	Under Initial Review				jn
9	Beecham	781 Harbor	3/13/18	CP0-569	Admin CDP for demolition only of 1653 sf structure & 807sf garage	Under initial Review. Requires an historical evaluation				ig
10	Hilton	430 La Jolla	3/5/18	CP0-568	Remodel existing SFR to create an Accessory Dwelling Unit	Under Initial Review. Correction letter sent 3/20/2018				jn
11	Kenney	321 Trinidad	3/2/18	UP0-515/AD0-131	Addition to a nonconforming SFR and parking exception for tandem space	Under Initial Review				ig
12	Scott	2940 Hemlock	2/23/18	CP0-567	New 1,266 sq. ft. single-family residence	Under Initial Review. Waiting on PW comments. Correction Letter sent 3/22				ig
13	Frye	3400 Toro	2/21/18	CP0-566	New single-family residence with an attached accessory dwelling unit	Under Initial Review. Waiting on PW comments. Correction Letter sent 3/20				ig
14	Matson Bay	787 Main Street & 280 Morro Bay Blvd	1/17/18	S00-130	Lot Line Adjustment	Under initial review. Deemed incomplete, letter sent to applicant 2/16/18				nh
15	Matson Bay	271 Pacific	1/17/18	S00-131	Cert of Compliance	Under initial review. Approved, recording documents in process.				nh
16	Matson Bay	767 Main Street	1/17/18	S00-132	Cert of Compliance	Under initial review. Approved, recording documents in process.				nh
17	Kitzman	355 Quintana Place	1/26/18	A00-000-053	Lot Tie and modification to parking lot for Culligan Water	Under initial review. Deemed incomplete, letter sent to applicant 2/21/18				nh
18	Reeves	1169 West	2/9/18	UP0-514/CP0-565	New 3,901 sq. ft. single-family residence with detached 980 sq.ft. garage	Under Initial Review. Deemed imcomplete, letter sent to applicant 3/6/18. Resubmittal received 3/13/18. Under Review. Resubmitted 3/13/18, under review.				nh
19	Borchard	508 Blanca	2/9/18	CP0-564	New 1,800 sq. ft. single-family residence with 453 sq. ft. garage and 364 sq. ft deck	Under Initial Review. Deemed imcomplete, letter sent to applicant 3/8/18. Resubmitted 3/14/18, under review.				nh
18	DeGarimore	1001 Front St.	1/29/18	A00-054	CUP to amend UP0-284 to allow seasonal kiosk of Virg's Landing kiosk.	Under initial review. Virg's Landing kiosk previously permitted summer of 2017 for a temporary use permit of a seasonal kiosk. Applicant application is to allow permanent seasonal use.				cj

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19	DeGarimore	1001 Front St.		A00-026 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. CUP originally approved May 2012 for new dock system, retractable awning over public seating area, and permitting of an existing parking lot.	Conditional use permit UP0-284 approved by PC in May 16,2012. All work under this CUP was completed with exception of retractable awning system. Applicant has filed for an administration amendment to the CUP to modify project description to delete awning proposal. Seating area is currently partially covered with table umbrellas.		PN- Conditionally Approved 5/17/2017		cj
19	Wright	2996 Alder Ave	1/18/18	CP0-562	3 story, 3 unit apartment building in the R-4/SP zone	Under initial review. Deemed incomplete, letter sent to applicant 2/20/18. Resubmittal received 3/13/18. Under Review. Staff determined project needs PC approval. Applicant notified 3/19/18 to resubmit for PC approval.				nh
20	Johnson	128 Rennell	1/10/18	CP0-561	Demo/reconstruct 1,362 sq. ft. SFR with 496 sq. ft. garage, and 240 sq. ft. covered front porch	Incomplete letter mailed 2-9-18				nh
21	Stollmeyer	3310 Main	12/19/17	UP0-508	Conceptual review of residential development in the MCR/R-4/SP. Two SFRs with attached ADUs on two adjacent parcels	Under initial review. Pc review of concept plan at 1/16 PC hearing. After Action Letter sent 1/18. Waiting on full formal application submittal. Project submittal received 3/19 as two separate admin level CDPs (CP0-570 and CP0-563)				cg
22	TLC Family Enterprises	833 Embarcadero	1/2/18	UP0-509	Demo/reconstruction of existing Off the Hook Building.	Under Initial Review. Correction letter sent 2/13/18				cg
23	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. Resubmittal Received 3/12/18. Under Review				cg
24	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. Letter sent 12/14 regarding required information submittal not rcv'd to date. Applicant must remove cooking facilities in lower portion of existing SFR. Has not yet complied to date (2/13) Another Letter sent 2/26. Recorded deed restriction received 3/23. Still waiting on confirmation that the downstairs stove/cooking facilities have been removed.		PN- Conditionally approved 7/17/2017		cg
25	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 8/4/17. Plans still incomplete as of Nove 2017. Resubmittal received 1/5/18. Incomplete letter sent 2/6/18.		PN- Disapproved 7/5/17		nh
26	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		nh

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27	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). MND update in process. Draft initial study provided for staff review 3/16/18		PN- Not Approved per memo dated 3/16/17		nh
28	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. <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. Correction Letter sent 8/22. Resubmittal rcv'd 10/18/17. Applicant has chosen to again change the project. Permit expired. Applicant directed to resubmit application at meeting 12/14. Subdivision Review Committee tentatively scheduled for 1/30/18. Correction Letter sent 2/22.		PN- Disapproved per Memo dated 8/10/2017	jg	
29	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. Resubmittal received 8/11/15. Incomplete letter sent 9/4/15. Resubmitted 2/13/18. Under Review. Incomplete letter sent 3/13/18. Resubmittal received 3/26/18. Under Review.		PN-Conditionally Approved 2/28/2018		nh
Planning Commission Continued projects:										
30	Erlendson	299 Sienna	9/1/17	UP0-491/AD0-123-CP0-560	Application altered. Applicant now requests Coastal Development Permit for a secondary dwelling unit to be located within the existing 2-car garage.	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. Under Review. Correction Letter sent 1/24/18				jg
31	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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32	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		cj

Projects Appealed or Forwarded to City Council:

33	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
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Environmental Review

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
34	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. Draft MND available for public comment 2/28/18 to 3/30/18.		PN- Conditionally approved per memo dated 7/26/16		nh
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		jg
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:										
37	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. Documents resubmitted to City 3-12-18.		PN- Approved Public Imp. On 1/9/2018. Waiting on Final Map resubmittal/		cj
Projects requiring coordination with another jurisdiction:										
38	City of Morro Bay	Outfall			Original jurisdiction CDP for the outfall and for the associated wells	Coastal staff is working with staff. Coastal letter received 4/29/2013. Discussed project with Coastal staff in meeting 11-18-14.	No review performed.	City provided response to CCC on 7/12/13. Per Qtrly Conference Call CCC will take 30days to respond		
39	City of Morro Bay Desal Plant	170 Atascadero			Project requires a Coastal Development Permit for upgrades at the Plant. Final action taken Sent to CCC but pursuant to their request the City has rescinded the action.	Waiting for outcome from the CDP application for the outfall. Discussed project with Coastal staff in meeting 11-18-14.	No review performed.	BCR- Phase 1 Maint and Repair project is underway. Desal plant start-up scheduled for 10/15/13. Phase 1 complete and finalized. Phase 2 on hold as of 7/22/14.		

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Projects going forward to Coastal Commission for review (Pending LCP Amendments) / or State Department of Housing:										
40	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.				
41	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:										
42	Verizon / Knight	184 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

#	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
43	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											
44	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
45	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
46	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	Disapproved by jb (see memo) on 10-3-17	Emailed comments on 10-20-17.	
2	Hauck	206	Bradley Ave	1/5/18	B-31835	Remodel garage, frame new ceiling, drywall ceiling & walls, replace 8' x 6' 8"	Approved by jg on 1-26-18	Disapproved by hb on 1-17-18		2-5-18 - Emailed comments to property owner. PB	
3	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 Fire: Approved by mv on 1-22-18	Plans sent to Ca, Code Check 1-5-17.Sent CA code check 11/14/17.	PN- Disapproved per memo dated 1/18/17	1-17-18 - Received resubmittal and routed to BLDG (CA Code Ck), PW & FIRE. PB	
4	Mathias	2515 & 2525	Greenwood	2/16/18	B-31888	New SFR with ADU			PN- Disapproved per memo dated 3/5/18		
4	Bulatov	2980	Hemlock	9/11/17	B-31651	Remodel existing SFR, new 1st, & 2nd floor addition(1444sq.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.	1-24-18 - Received submittal & routed to BLDG (w/ soils), PLAN, PW. & FIRE (route when one is back). PB	

#	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
5	Warmerdam	2901 Juniper	12/15/17	B-31812	Single Family Alteration Remodel of existing home	Diapproved by jg 12-27-17	BLDG - CA Code Ck Disapproved on 1-16-18	PW- Disapproved by jb on 12/21/17.	1-16-18 Emailed all plan review comments & (waiver request on 1-19-18) to Trevor Miller PB	
6	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.	Approved by rr (constitutes the one time addition to a non conforming structure) 11/20/17 PZ	Disapproved by CA Code Ck on 12-27-17 PB	Conditional Approval (see memo) on 11/22/17. PZ	Resubmitted on 11-17-17. 1-3-8 - Emailed comments to Agent (Cody @ Ferriera)	
7	Goldstein	142 Kodiak	1/3/18	B-31817	Addition & Remodel	Disapproved by jg on 1-12-18	Disapproved by CA Code Ck (see memo) on 1-12-18	Disapproved by jbon 12-2-17	1-17-18 - Emailed all plan review comments to Architect (Goldstein) & advised of plans for p/u. PB	
8	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		
9	Cole	1030 Las Tunas	1/30/18	B-31852	Single Family Addition Permit	Disapproved with correction memo by nh on 2/1/18.	BLDG - Disapproved by hb on 2-1-18			
10	Sterkel	1115 Las Tunas	1/23/18	B-31845	368 sf addition, & 175 sf exterior deck	Disapproved with correction memo by nh on 2/6/18. Approved resubmittal 3/21/18. nh	Disapproved by hb on 1-24-18			
11	Moss	730 Luisita St	1/29/18	B-31850	Relocate bathroom light & fan switch & reroute same existing wiring to new junction					
12	Boisclair	900 Main	12/19/17	B-31810	Raise existing stage 6" to add additional sound deadning. Create front of stage perimeter		BLDG - Approved by ac on 12-26-17 PB			
13	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	
14	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.		
15	Robison	1185 Main St.	1/22/18	B-31842	Residential Elevator Installation	Disapproved by sg on 1-29-18	Disapproved by hb on 1-29-18			
16	Kinsinger	222 Main St.	11/22/17	B-31786	149 Sq. Ft. addition & interior remodel of kitchen, bath and living-room.	Disapproved by jg on 1-12-18	Approved by sg on 1-12-18	Approved by jb on 11-22-17.		
17	Millerstein	844 Main St.	11/17/17	B-31781	Com. Alteration Re-enclosed storage area & upgrade to allow for office space in addition to storage upgrade exterior to match surrounding	Approved by rr on 12-8-17	Disapproved by cdl on 11-27-17.	Approved by jb 11/22/17	1-25-18 - Received resubmittal and routed to BLDG ONLY. PB	RR
18	Sonic	1840 Main	10/17/17	B-31730	Sonic Drive-in Restaurant, 1395 sf building, 1020 sf covered patio, 2646 sf covered parking	Corrections sent 12-8-17. Resubmitted 3-2-18.	California Code Check reviewing for building code.	Disapproved by jb on 11-21-17.	1-2-18 - Emailed BLDG (code ck) comments to architect. PB	

#	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
19	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.		
20	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.	
21	Assembly of God Church	615 Monterey	1/24/18	B-31847	Interior remodel, restore converted garage back to original garage, repair framing & floorjoist, floorplan changes, upgrade plumbing & electrical to current code, new roof & exterior.		BLDG - Disapproved by hb on 1-29-18			
22	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 nh 2-7-18	Approved by cdl on 10-26-17.	Approved by jb on 10-17-17.	Emailed comments on 10/31/17	
23	Rangoussis	655 Morro Bay Blvd	2/2/18	B-31860	Remove deteriorated mansord roof edge from existing roof canopy, and replace with new mansard.	Disapproved by nh on 2-7-18. Approved by planning (nh) 2/20/18.				
24	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		
25		2584 Nutmeg Ave	2/2/18	B-31862	Retaining Wall - Approx 25' in length, staggard heights on slope at the southwest corner of property.					
26		401 Pico St.	12/27/17	B-31821	New single car garage & build addition		BLDG - Approved by ac on 1-3-18 PB	PW - Disapproved by jb (see memo) on 1-9-18 PB 1-22-18 provided comments to owner. PB		
27	Colmer	501 Quinn Ct,	11/16/17	B-31775	SFR- New	Disapproved by cj 12-21-17	Sent to CA code ck. 12-13-17	Approved by jb on 11-30-2017		
28	Colmer	505 Quinn Ct,	11/16/17	B-31774	SFR- New	Disapproved by cj 12-21-17	Sent to CA code ck. 12-13-17	Approved by jb on 11-30-2017		
29	Colmer	557 Quinn Ct,	11/16/17	B-31776	SFR- New	Disapproved by cj 12-21-17	Sent to CA code ck. 12-13-17	Approved by jb on 11-30-2017		
30	Giannini	750 Radcliff	9/15/17	B-31681	Remove & Replace antenna on tower,	Approved by JG ON 10-1-17	Approved by cdl on 9-19- 17. PZ	Approved by jb on 11-13-17		
31	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	
32	Sotelo	2101 Sunset	10/3/17	B-31698	Proposed detached accessory building 625 sq. ft.	Disapproved by jg on 10-16-17.	Approved by hb, when 3 items are completed (see memo) on 1-18-18	Disapproved by jb (see memo) on 1-23-18 PB	Emailed owner 10/20/17.	
33	Forde	564 Zanzibar	1/16/18	B-31837	Single Family Alteration	Disapproved by sg on 1-29-18	BLDG - Disapproved by hb on 1-19-18			

#	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
Planning Projects & Permits with Final Action:										
1	Branch	885 Embarcadero	1/8/18	UPO-511	Minor Use Permit to recognize allowable uses per Master Lease Agreement for City lease site	Under Initial Review. Correction letter sent 2/9/18. Resubmitted 2/13/18.				cj
2	Knisinger	220/222 Main Street	1/23/18	UPO-512/AD0-130	CUP - One time addition of less than 10% to an existing structure with a nonconforming use (duplex in R-1) and a parking exception	Under Initial Review. Correction letter sent. Waiting for resubmittal. Requires a parking exception. Resubmittal Rcv'd 2/26. Approved by the PC on 3/20/2018				ig
3	Kwai	2780 Main	9/15/17	UPO-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. Resubmittal rcv'd 1/5. Requires a parking exception. Application received 2/5. Minor corrections emailed to Agent 2/23. Noticed 3/9. Permit issued 3/20				ig
4	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 Intial Review. Correction Letter sent 12/14. Resubmittal rcv'd 2/1/18. Permit issued 3/23				ig



AGENDA NO: B-1

MEETING DATE: April 3, 2018

Staff Report

TO: Planning Commissioners

DATE: March 26, 2018

FROM: Joan Gargiulo, Assistant Planner

SUBJECT: **Sign Permit (SP0-216) and Minor Use Permit (UP0-513) Request** for a change in the existing sign program at 701 Embarcadero. The Applicant proposes to erect two internally illuminated surface signs; one 14.58 sq. ft. sign on the western façade and one 16.25 sq. ft. sign on the northern façade.

RECOMMENDATION:

Approve SP0-216 and UP0-513 by adopting Planning Commission Resolution 11-18 which includes the associated findings and conditions of approval (Exhibit A)

APPLICANT: Paul van Buerden

AGENT: Tracey Richey

LEASE SITES:

78-79/78W-79W and 80-81/80W-81W

SUMMARY:

The Applicant is proposing to install two internally illuminated signs at the Dutchman lease sites. The current ordinance allows for internally illuminated signs; however, they are no longer permitted in the updated sign ordinance which shall go into effect with the General Plan and Local Coastal Plan Update.



Vicinity Map

ENVIRONMENTAL DETERMINATION:

Environmental review was performed for this project and staff has determined that it meets the

Prepared By: ___JG___

Department Review: _____

requirements for a Categorical Exemption under CEQA Guidelines Class 1 Section 15301 for the minor alteration of an existing structure; therefore, the above mentioned CEQA exemption applies. Additionally, none of the Categorical Exemption exceptions, noted under Section 15300.2, apply to the project.

PROJECT SETTING:

The project is located on lease sites 78-79/78W-79W and 80-81/80W-81W where Pacific Street meets the Embarcadero, in Area 3 of the Waterfront Master Plan. The site is in the Waterfront Zoning District with a Planned Development and Special Design Criteria Overlay and is within the Coastal Commission Original Jurisdiction.

Adjacent Zoning/Land Use			
North:	WF/PD/S.4 Waterfront	South:	WF/PD/S.4 Waterfront
East:	WF/PD/S.4 Waterfront	West:	WF/PD/S.4 Waterfront

Site Characteristics	
Site Area	Approximately 27,600 square feet (0.64 acres)
Existing Use	Commercial restaurant and retail
Terrain	Virtually flat, graded, and developed extending to the water
Vegetation/Wildlife	Previously disturbed land site and water lease area
Archaeological Resources	N/A
Access	Pacific Street and Embarcadero

General Plan, Zoning Ordinance & Local Coastal Plan Designations	
General Plan/Coastal Plan Land Use Designation	Mixed-Use Harbor
Base Zone District	WF
Zoning Overlay District	PD
Special Treatment Area	S.4
Combining District	N/A
Specific Plan Area	N/A
Coastal Zone	Located in the Coastal Zone and within the Coastal Commission Original Jurisdiction

PROJECT DISCUSSION:

Section 17.40.030(J) of the MBMC stipulates that a change to a signage program located in a Planned Development Overlay Zone requires a discretionary Minor Use Permit. The Applicant applied for a sign permit and minor use permit to allow for a change in the existing signage

program at the Dutchman Lease site utilizing the development standards listed in the current sign ordinance which allows for internally illuminated signs. Based on multiple recent Public meetings, public workshops and specific direction provided by the Planning Commission to eliminate illuminated signage on the waterfront, the Draft Sign Ordinance no longer allows for internally illuminated signage. The updated ordinance will become effective upon adoption of the updated Zoning Ordinance as part of the overall General Plan and Local Coastal Plan update process. The Director has the authority to elevate this project to the Planning Commission and has done so based on recent commentary from the Planning Commission regarding the desire to eliminate lighted signage on the water side of Embarcadero Road.

It is important to note that, the Applicant has already had the light boxes fabricated based on the entirely reasonable assumption that the development standards as listed in Section 17.68 of the current iteration of the Zoning Ordinance are the development standards that the project would be held accountable to.



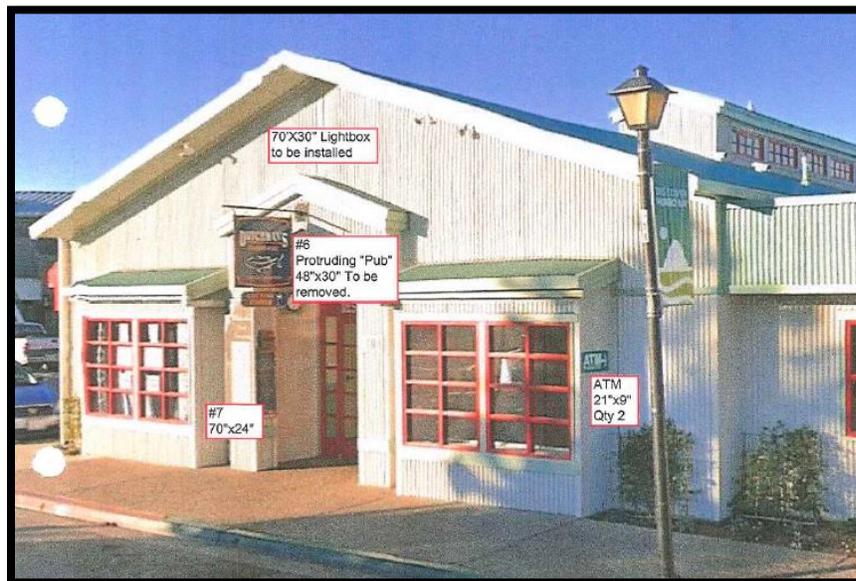
Northern Facade

The Applicant proposes two internally illuminated signs; one 16.25 sq. ft. sign on the northern elevation (see image above) and one 14.58 sq. ft. sign on the eastern elevation above the main

front entrance (See image below and plan pages and specification sheets included in Exhibit B).



The Applicant also proposes to remove the pub-type projecting sign shown as sign #6 in the plans and replace it with an internally illuminated surface sign on the eastern façade above the main entrance (See image below). It is important to note that the Waterfront Master Plan specifically encourages “Projecting signs perpendicular to the building...” (pg. 5-8). Resolution 11-18 (Exhibit A) includes a condition of approval requiring that the projecting pub sign remain. The project proposal also includes the removal of all unpermitted signage including, but not limited to the abundance of window signage at the Dolphin T-Shirt Company and the temporary banner sign for the Babylonia Soap Company.



Eastern Façade

The design of the internally illuminated sign also raises questions related to compliance with the Commercial Signage design guidelines included in the Downtown and Waterfront Strategic Plan (DWSP). See DWSP waterfront sign guidelines provided below:

VI. Commercial Signage

1. A nautical design theme is encouraged for commercial signage in the waterfront area. Nautical design features may include:
 - a. Shapes reminiscent of nautical elements such as boats, lighthouses, marine wildlife, ropes, anchors, waves, etc.
 - b. Rustic and wood materials.
 - c. Nautical font/type styles or hand-lettering. Examples of nautical font include Tognazzini's Dockside 3 sign. Boat name lettering on the back of vessels is often nautical in character.

The proposed signage does not appear to include “Rustic and wood materials” as the specification sheets identify the material as plastic, nor does it include nautical themed elements.

PUBLIC NOTICE:

Notice of this item was posted at the site and published in the San Luis Obispo Tribune newspaper on March 24, 2018 and all property owners and occupants within 500 feet of the subject site were notified of this evening’s public hearing and were invited to voice any concerns regarding this application.

CONCLUSION

With the Conditions of Approval included in Resolution 11-18, the project proposal is consistent with the development standards currently in effect in the Morro Bay Municipal Code. The Planning Commission has the discretion to deny use of internally illuminated signage based on the sign type being inconsistent with the waterfront character envisioned by both the

Waterfront Master Plan and Downtown Waterfront Strategic Plan. Should the Commission wish to deny the sign application, the item will need to be continued with direction to staff to return with a Resolution reflecting denial.

EXHIBITS:

Exhibit A – Planning Commission Resolution No. 11-18

Exhibit B – Project Plans

RESOLUTION NO. PC 11-18

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION APPROVING A SIGN PERMIT (SP0-216) AND A MINOR USE PERMIT (UP0-513) FOR A CHANGE TO THE EXISTING SIGNAGE PROGRAM AT 701 EMBARCADERO

WHEREAS, the Planning Commission of the City of Morro Bay conducted a public hearing at the Morro Bay Veteran's Hall, 209 Surf Street, Morro Bay, California, on April 3, 2018, for the purpose of considering approval of Minor Use Permit #UP0-513 and Sign Permit #SP0-216; and

WHEREAS, notices of said public hearing were made at the time and in the manner required by law; and

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

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

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

California Environmental Quality Act (CEQA)

- A. That for purposes of the California Environmental Quality Act, Case No. SPO-216 and UP0-513 is exempt under Class 1, Section 15301 for the minor alteration of an existing structure and will have no potentially significant environmental impacts. Furthermore, none of the exemptions to this Categorical Exemption set forth in CEQA Guidelines Section 15300.2 apply to this project.

Conditional Use Permit Findings

- A. The project will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood in that signage is an allowed and appropriate use in the Waterfront zoning district.
- B. The project will not be injurious or detrimental to property and improvements in the neighborhood and the general welfare of the City in that the proposed signage supports the visitor-serving commercial use which is consistent with the allowable uses on the waterfront.

Section 2. Action. The Planning Commission does hereby approve Minor Use Permit No. UP0-513 and Sign Permit No. SP0-216 for property located at 701 Embarcadero subject to the following conditions:

STANDARD CONDITIONS

1. This permit is granted for the land described in the staff report dated March 26, 2018 for the update to the signage program at 701 Embarcadero depicted on plans date stamped February 06, 2018, on file with the Community Development Department, as modified by these conditions of approval. Signage shall be located and designed substantially as shown on Planning Commission approved plans submitted for UP0-513 and SP0-216, unless otherwise specified herein.
2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this Resolution and is diligently pursued, thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Any extension may be granted by the City's Community Development 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.

Building Condition:

- 8. Prior to installation, the applicant shall submit a complete building permit application and obtain the required building permit.

Planning Condition:

- 9. The projecting sign perpendicular to the eastern facing building façade and currently located above the main entrance shall remain in its present form and location.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on a motion by Commissioner _____ and seconded by Commissioner _____ this 3rd day of April, 2018 on the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Gerald Luhr, Chairperson

ATTEST

Scot Graham, Planning Secretary

The foregoing resolution was passed and adopted this 3rd day of April, 2018.



#1
52"x 88"

#2
70"x30" Banner
to be removed.

#3 Top 48"x29" To be replaced
#4 Mid 36"x10" To be removed.
#5 Bot 24"x18" To be removed

N ↘



N
↙



#8
24"x18" To
be removed

#9
60"x39"
To be replaced
with Lightbox,
proof included

#10
44x33 To
be removed

#11
33"
x
10"

#12
10"x30"

#13
8"x10"

#14
Est at 4' Dia
= 12.5 SQ'

#15
14"x10"

#16
6"x15"

Window graphics
to be removed.

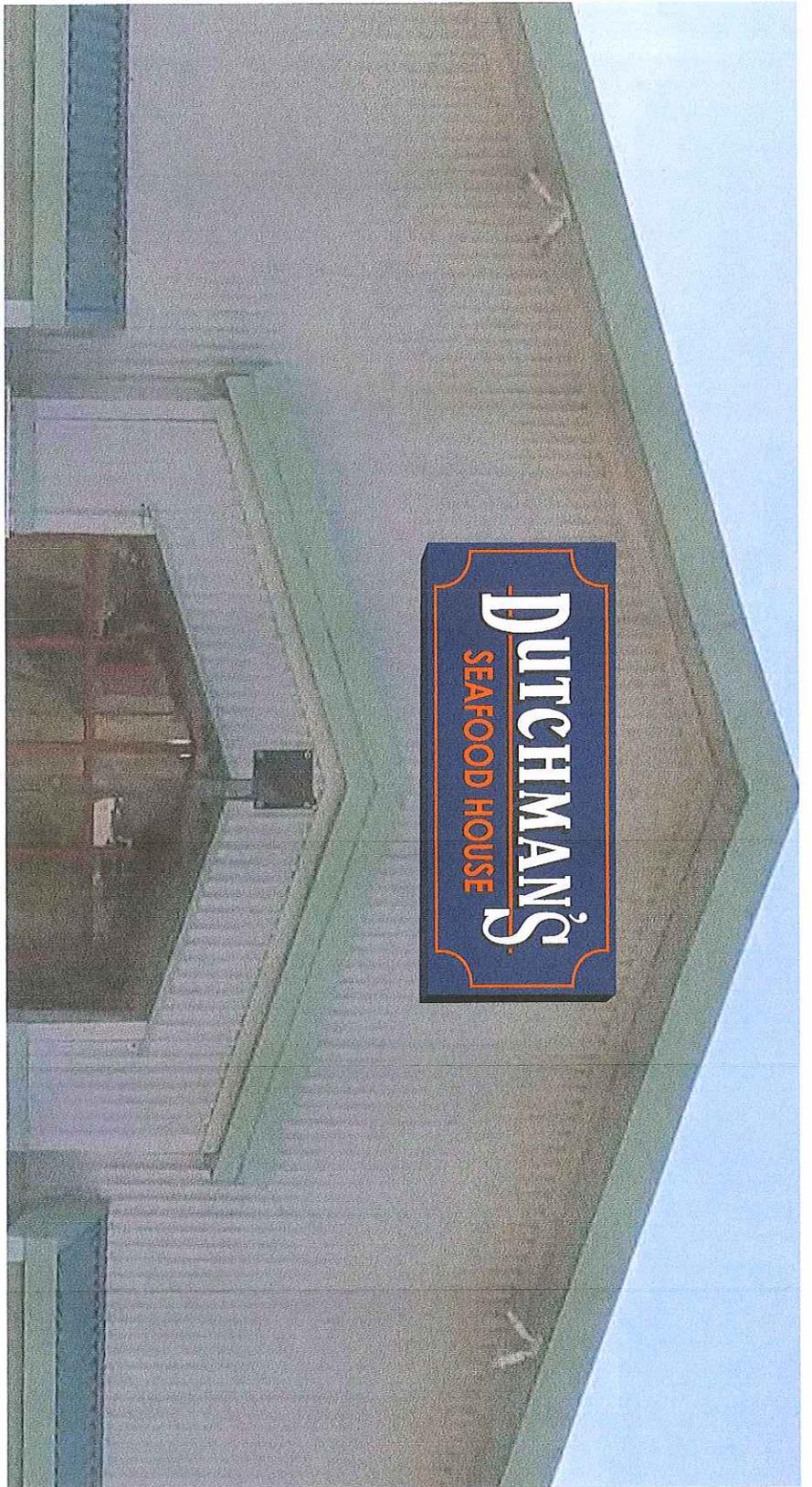


#17
Protruding "Pub"
24"x32"

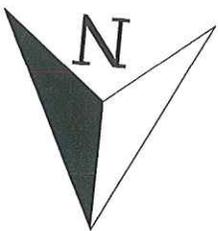
#18
38" Dia = 9 SQ Ft

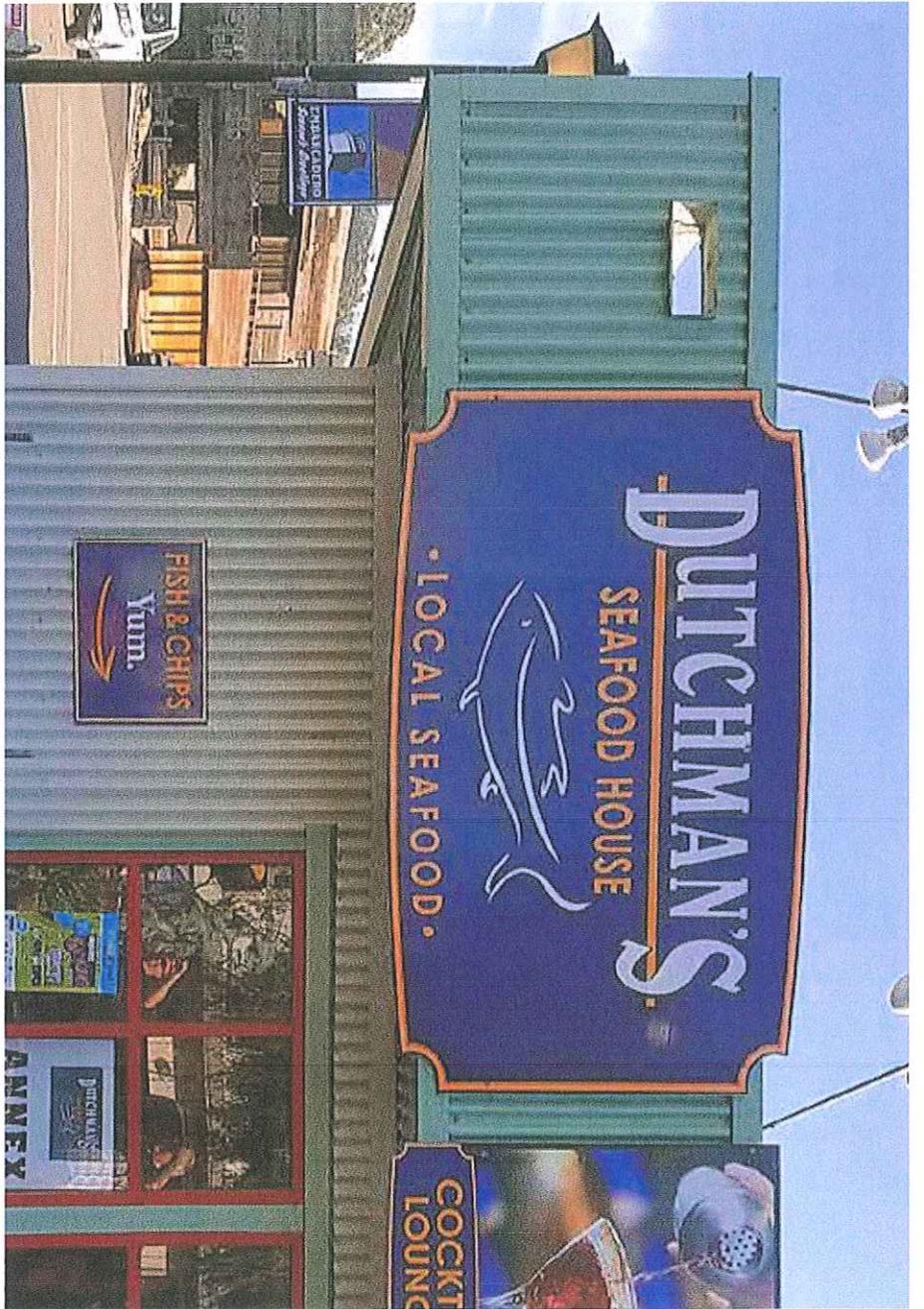
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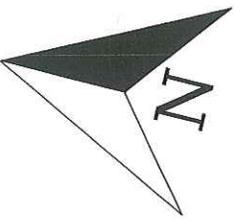


The proposed lightbox will be installed as pictured, using the pictured 1/2 in. - 13 tpi x 2 in. Zinc-Plated Hex Bolt with washers and nuts.





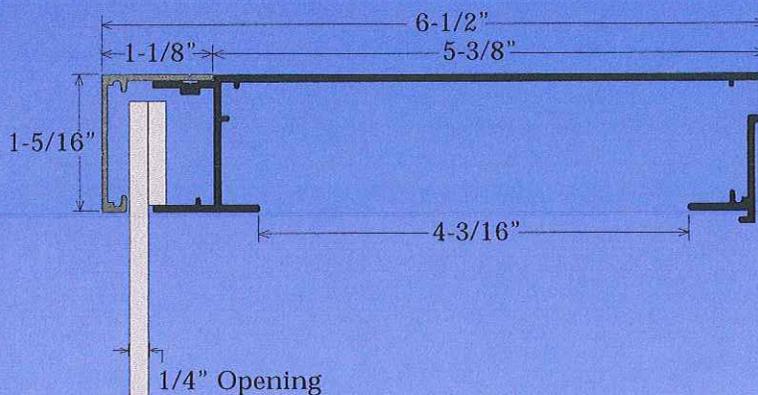
The proposed lightbox will be installed as pictured, using the pictured 1/2 in. -13 tpi x 2 in. Zinc-Plated Hex Bolt with washers and nuts.



North Facing Internally lit Lightbox to replace existing. Fish and Chips and Cocktail Lounge signs to be removed.



Single Face Filler - Part #2034
 Econo Molding - Part#2056
 Kit Designation - K2034/56



Features & Benefits

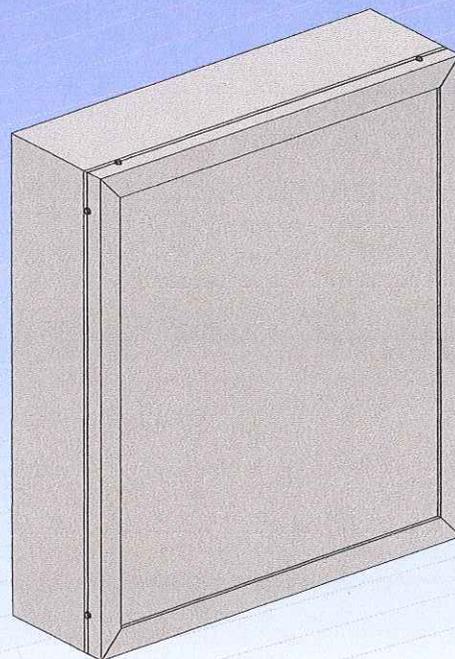
The EconoComp Line is engineered for fast, easy assembly. The filler is extruded with large inner body flanges to provide for the attachment of internal structure and simple attachment of raceway covers. Hanging bar tabs are designed into the filler to hang the face from, giving the face a flat appearance and assisting in the prevention of the face blowing out. Available in Mill Finish & Dark Quaker Bronze.

Answers to FAQ's

- The cabinet accepts up to 3/16" thick face material.
- Face trim size - Deduct 3/8" from the cabinet height & width.
- Add 1" in the direction of the lamp to allow for Standard T12 bulbs to fit.
- Recommended lamp spacing for flat faces is 7" on center.

Optional Items

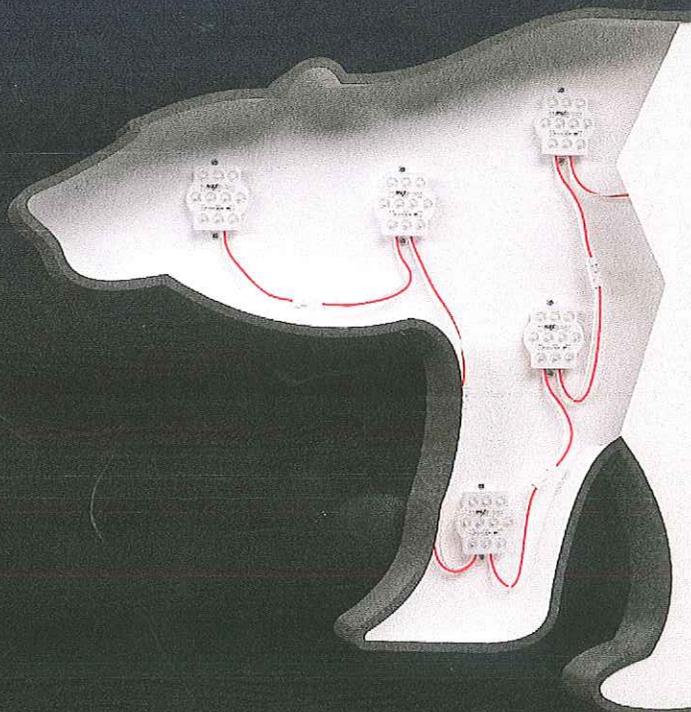
- Raceway Cover 7" On Center Part #5082
- Raceway Cover Blank Part #5084
- Socket Raceway
- Econo Divider - Part #2140



MAXBrite®

High Power Sign Module

POLAR  Series



950 Lumens Per Module

- Constant Current Technology
- Easy Plug-n-Play with Molex Connector
- Versatile Lighting for a Variety of Applications
- Illuminates Evenly for Uniform Light Distribution
- Super Wide Pitch with No Hot Spots
- 180° Wide Angle Optical Lens



IP67

CE FC



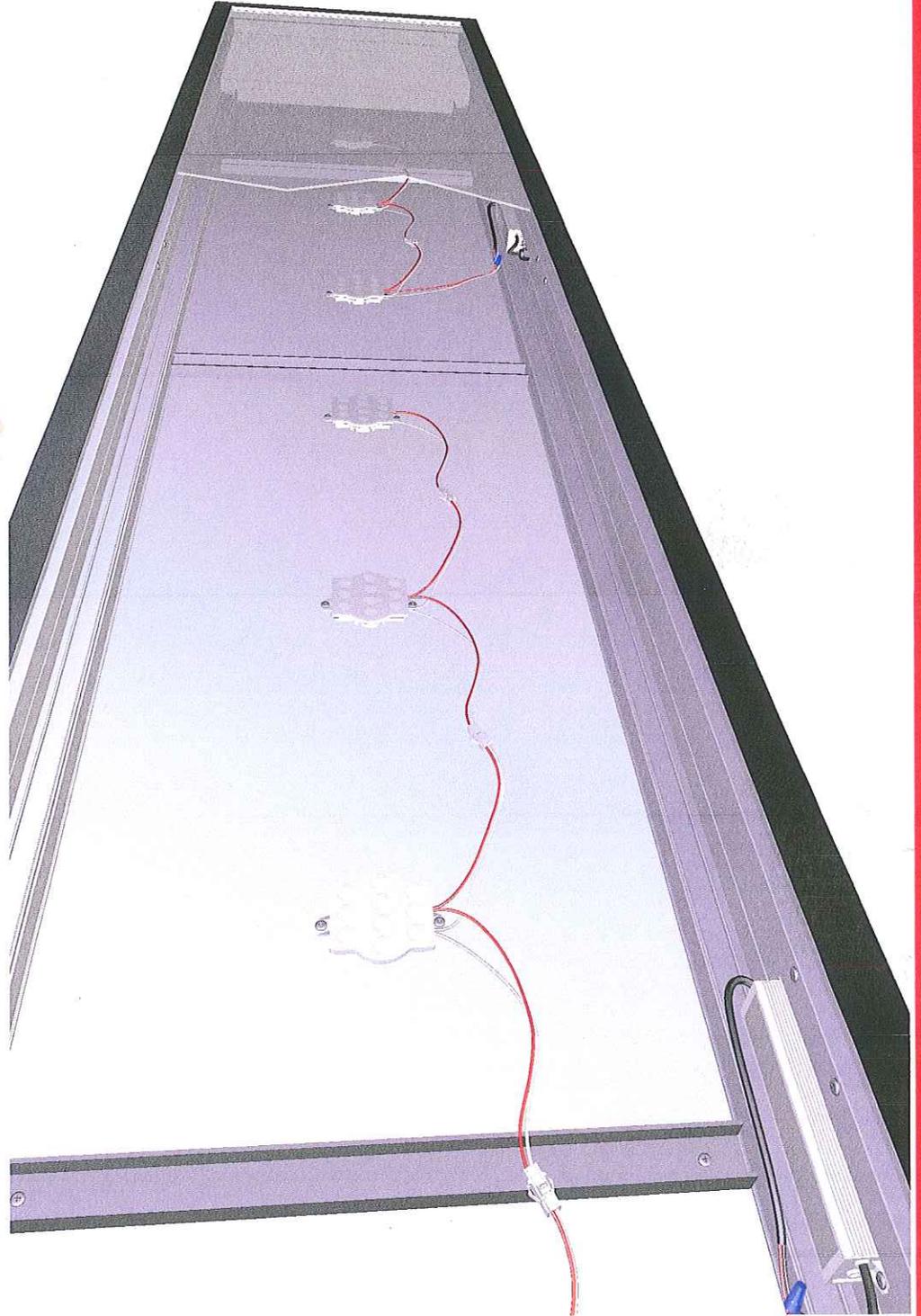
5 YEAR
WARRANTY



High Power Sign Module

POLAR Series

This model represents a single-faced cabinet that is approximately 2ft x 10ft. Module spacing may vary depending on cabinet depth and face material.



Rotate: Left Click + Drag

Pan: Ctrl + Left Click + Drag

Zoom: Shift + Left Click + Drag
(3D Rotation May Not Function on Mobile Devices)

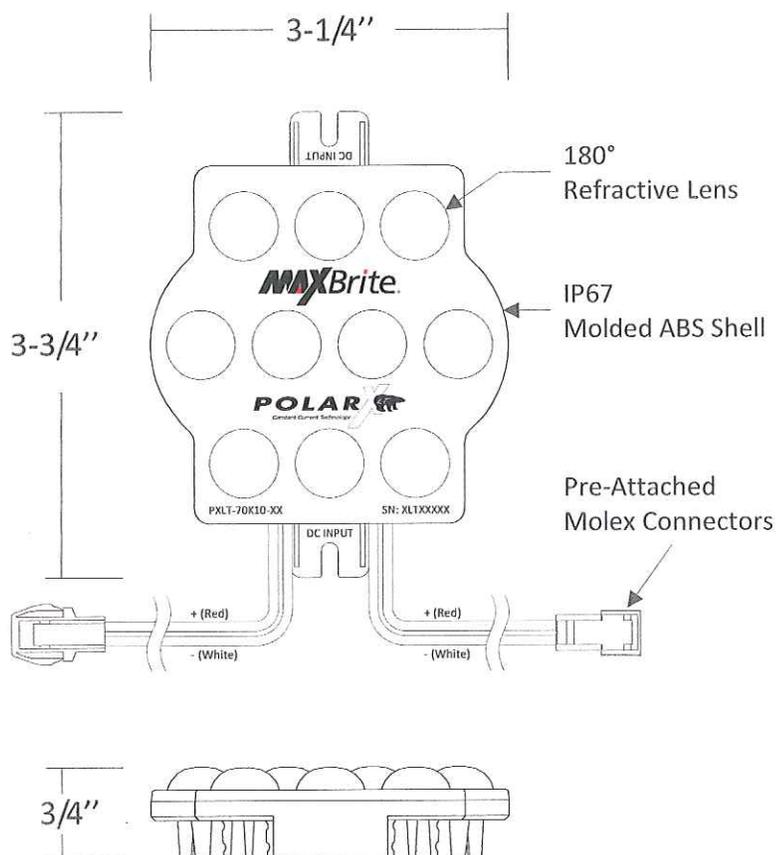
MAXBrite®

Specifications:

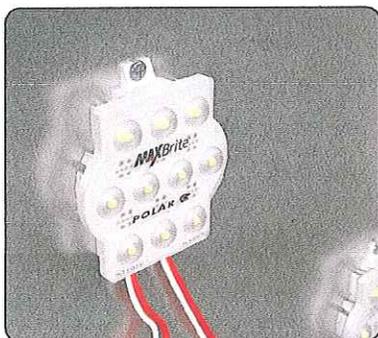
Power Consumption	10W Constant Current
Input Voltage	12V DC
CCT	7,000K
Luminous Flux	950 lm
CRI	>80
Light Source	Epistar 2835 (1W per diode)
Viewing Angle	180°
Operating Temp.	-20° to +158°F
LED Quantity	10 LEDs
LED Lifespan	50,000 hours
IP Rating*	IP67
Wire Connector	16 AWG (pre-attached Molex Connectors)
Housing	Molded ABS
Lens	Panlite Polycarbonate

*IP rated for dry, damp, and wet locations. Not for marine/submerged or direct to rain or snow installations.

Dimensions:

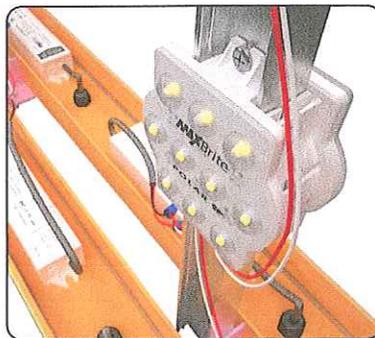


MOUNTING METHODS:



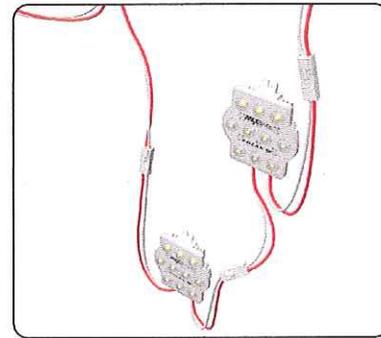
Use the pre-applied tape to temporarily mount modules to the back of your cabinet, then mechanically secure together.

OR



Snap module onto our Polar Extrusion, then fasten with self tapping screws for extra starrhth.

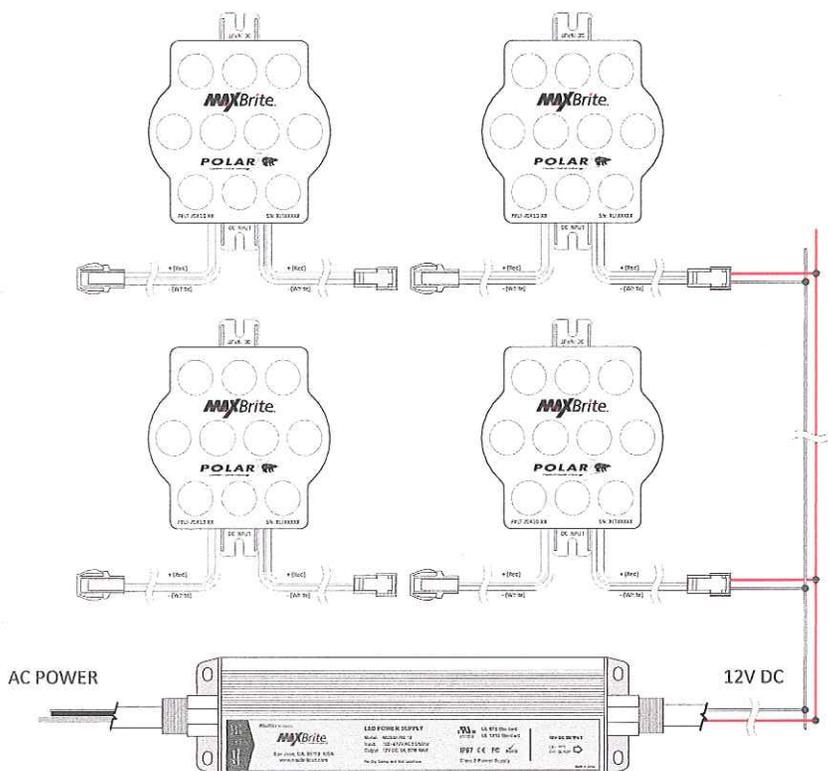
&



"Daisy-chain" multiple modules together with their pre-attached Molex connectors.

MAXBrite®

Wiring Diagram:



Maximum driver quantity per serial connection is limited. Using more quantity per run will cause overload from Power Supply which damages all connected products. This will cause voltage drop and dimmed lighting output.

Power Supply Loading:

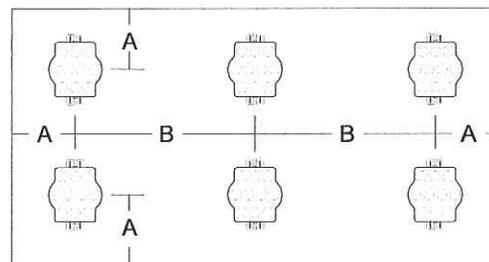
Output (W)	20W	30W	40W	45W	60W
Max. Quantity Of Modules*	1	2	3	3	4
Max. Recommended Extension Wire Length	15 ft 18AWG	30 ft 18AWG	50 ft 16AWG	75 ft 14AWG	100 ft 12AWG

* Maximum quantity for MAXBRITE POLAR XLT is based on approximately 75% of specified capacity of power supplies for extended lifespan. Equip with protective box for outdoor use and the box should have ventilating holes.

CAUTIONS

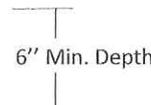
- USE 12V DC CONSTANT VOLTAGE INPUT ONLY
- DO NOT USE AC INPUT!
- Do not cut or rejoin wires while product is connected with live power source.
- DO NOT PERFORM ACTION LISTED BELOW
 - ◆ Alter or modify Modules
 - ◆ Touch LED lamps with sharp objects
 - ◆ Put glue or silicone over the LED lamps
- Not for marine/submerged installations
- Avoid performing installation under rain or high humidity and only install in temperatures above 50°F (10°) to allow for better mounting tape adhesion
- Maximum driver quantity per serial connection is limited to available power supply wattage, failure causes overload of current and damages to the product

Recommended Layout Density:



Distance "A"
6-7" Recommended
9" Maximum

Distance "B"
12-14" Recommended
18" Maximum



Use recommended length for pitch between each module to achieve optimum lighting output while maintaining lowest unit cost. Failure or misplacing will cause dimmed spots or uneven appearance of light on the surface. 6" minimum depth.



AGENDA NO: B-2

MEETING DATE: April 3, 2018

Staff Report

TO: Planning Commissioners

DATE: April 3, 2018

FROM: Nancy Hubbard, Contract Planner

SUBJECT: 458 Dunes Street; Applicant: Patrick and Libby Madding; Conditional Use Permit (#UP0-503 and Parking Exception (#AD0-126) Request to allow an addition to an existing single-family residence with a nonconforming side-yard setback, front yard setback, and parking situation at 458 Dunes Street, located in the R-4 Residential Zoning District and outside of the Coastal Commission Appeal Jurisdiction.

RECOMMENDATION:

CONDITIONALLY APPROVE THE PROJECT by approving Planning Commission **Resolution 9-18** that includes Findings and Conditions of Approval for the above noted project, as depicted on site development plans dated March 13, 2018 (Title sheet) and February 27, 2018 (plan sheets).

LEGAL DESCRIPTION/APN:

066-063-009

PROJECT DESCRIPTION:

The Applicant is requesting Conditional Use Permit and Parking Exception approval for a ground floor expansion and a partial second floor addition to their existing single-family home. This application does not include any changes to the existing garage or storage building. The Applicant proposes to demo a small portion of the existing home to allow for a stairway to a new second floor. The proposed project is an expansion of 245 sf to



Prepared By: NTH

Department Review: SG

the back of the existing home for an expanded kitchen area and dining room and creation of a new 373 sf second floor which will include a new bedroom, bathroom and west-facing deck. The existing home is 651 total square feet and following the proposed improvements, the home will be a total of 1,269 sf. The project plans are shown in Exhibit B. The parking exception is required to allow the parking requirement to be met with the existing single car garage together with a tandem parking space in the existing driveway. The driveway is approximately 68 feet long from the back of the sidewalk to the existing garage. The existing residence is considered nonconforming due to the original single car garage, an insufficient front yard setback due to the front supporting posts for the front entry roof overhang and an insufficient side-yard setback. The new additions are set back to meet the side yard setback requirements. There is no proposed work at the front of the home. See also 'Project Analysis' section.

PROJECT SETTING:

The project, located in the Central Morro Bay residential neighborhood, designated as Planning Area 7 in the Local Coastal Plan. The parcel at 458 Dunes Street lies on the south side of Dunes Street, between Napa Ave on the east and Monterey Ave on the west. The mostly flat, narrow rectangular-shaped 3,872 sq. ft. lot is located within the R-4 Multiple Residential – Hotel – Professional Use Zoning District. In this section of Dunes Street there is a mix of single story and 2 story homes with a few 2 story duplexes and apartments. The site is located outside of the Coastal Commission Appeals Jurisdiction.

Adjacent Zoning/Land Use						
North:	R-4	Multiple	Residential,	Hotel,	South:	G-O/S.4 General Office Use
East:	R-4	Multiple	Residential,	Hotel,	West:	R-4 Multiple Residential, Hotel, Professional Use

Site Characteristics	
Site Area	3,872 square feet
Existing Use	Single Family Residential
Terrain	Developed and virtually flat
Vegetation/Wildlife	Ornamental landscaping
Archaeological Resources	N/A
Access	Dunes Street

General Plan, Zoning Ordinance, & Local Coastal Plan Designations	
General Plan/Coastal Plan Land Use Designation	High-Density Residential
Base Zone District	R-4
Zoning Overlay District	None
Special Treatment Area	n/a
Combining District	n/a
Specific Plan Area	n/a
Coastal Zone	Located outside the Coastal Commission Appeal Jurisdiction

PROJECT ANALYSIS:

Background

The existing 651 s.f. home with a detached single-car garage were built in 1935. The applicant provided a Historical Resource Evaluation, dated February 26, 2018, that determined the home was not eligible for inclusion in the California Register of Historical Resources. The residential use and the proposed addition of a second story is consistent with the surrounding development, but the neighborhood provides less development and density than the goals of the General Plan designation of High-Density Residential or with the Multiple Residential-Hotel-Professional (R-4) Zoning District.



Residential Design Guidelines

The Residential Design Guidelines, reauthorized by the City Council in October of 2016, have a stated purpose to maintain the high quality of the City’s neighborhoods by developing reasonable, sound, and objective guidance in identifying key design features and components of new development. The Guidelines are an implementation tool for the neighborhood compatibility policies set forth in the General Plan and the Local Coastal Plan.

- Relationship to Homes in Immediate Neighborhood.

The proposed improvements are visually compatible with the immediate neighborhood and replicate the original architectural style of the home. The exterior materials used for the addition will match the facade of the original home.

- Scale and Mass: The proposed second-story addition to a single-story home is consistent with the development pattern existing in the immediate neighborhood.

The expansion on the ground floor is not visible from the street and the addition of the second floor is set back from the street and neighboring single-story homes, in accordance with Design Guidelines

- Surface Articulation – The proposed improvements have increased setbacks from the side yards and front yard, provide for a variation in roofline and a west facing deck to further break up the wall plane visible from the street.

- Building Orientation – The existing residence provides a visible front entryway and porch, and is placed on the lot in a similar manner as adjacent homes. The proposed improvements do not change the front façade.

- Garage Placement and Design – The existing home is the most predominant feature and the existing garage is set at the back of the lot. The proposed improvements will not alter this criterion.

- Building Materials – The proposed improvements will be consistent and harmonious with existing exterior colors and materials used on the existing home.

- Architectural Elements – The architectural elements are proportional to the overall home design and balanced while achieving the goals of surface articulation and visual interest.

- Additions to Existing Homes – The materials and architectural elements used in the design of the proposed addition are consistent with the existing structure and blend seamlessly into the overall design of the home and the character of the neighborhood.

- Privacy – The potential impact to the privacy of adjacent homes has been mitigated by increased side yard setbacks and providing for a modest second floor addition.



R-4 Zoning Ordinance Standards			
	Standards	Existing	Proposed Addition
Front Setback	15 feet	Posts for front entry roof are 10 feet back. Home is at 15 feet	Second floor will be placed on the back portion of the home (28 feet from the front property line)
Side-Yard Setback	5 feet	4 feet 2.5 inches	West side: 5 feet ground floor, 11 feet second story. East side: 13 feet both floors.
Rear Setback	5 feet	42.5 feet	37.5 feet
Height	30 Feet	14 feet	25 feet
Lot Coverage	Max. 60%	33%	49%
Parking	2 Car Garage	1 Car Garage and tandem spaces in driveway	No change

Zoning Ordinance Consistency – Nonconforming structures

Current requirements of the Morro Bay City Zoning Ordinance (the “Zoning Ordinance”) pertaining to side-yard setbacks, front-yard setbacks, and parking render the existing structure nonconforming. However, additions to nonconforming structures may be permitted with approval of a conditional use permit, subject to certain findings (Morro Bay Municipal Code (MBMC) section 17.56.160.

A. Side-yard and Front-yard Setback

The existing side-yard setback on the west side of the property of 4’2.5” does not conform to the current 5 ft. setback requirement as set forth in Section 17.40.050 of the Zoning Ordinance. Additionally, the front-yard setback requirement of 15 feet is not met because of the support posts for the front door roof over-hang, which is at 10 feet from the property line. The proposed addition shall be in conformance will all provisions set forth in the MBMC.

B. Parking

The existing residence does not conform to the current parking requirement of two covered and enclosed parking spaces for single-family dwellings (MBMC 17.44.020 C.1.c.) because it pre-dates the requirements. The Applicant is not proposing any construction or changes to the existing garage or driveway. The parking exception is to allow the parking requirement to be met with the existing conditions of one garage

parking space and one tandem space in the driveway. The proposed improvements do not increase the required parking for a single-family residence.

Zoning Ordinance, subsection 17.44.050, allows for an exception to the parking standards provided that certain findings are 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 site all parking needs to be generated by the use.

Single-family residences are required to provide two covered and enclosed parking spaces. If tandem parking is approved, the project will meet that requirement.

2. The exception will not adversely affect the health, safety, or general welfare of person working or residing in the vicinity and that no traffic safety problems will result from the proposed modification of parking standards.

Tandem parking will not result in traffic safety problems at this location because there is adequate space to accommodate a parked car in the driveway and adequate sight distance 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 configuration 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 any structure that is nonconforming with any provision of this title. The project proposes to add a 641 square-foot addition to a nonconforming structure. As noted above, the structure is nonconforming with regard to the side-yard setback, front-yard setback, and parking. 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 a single-family dwelling, which is an allowed use in the R-4 zone. The surrounding neighborhood is developed with one and two-story homes.

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, front-yard setback and parking.

PUBLIC NOTICE:

Notice of this item was published in the San Luis Obispo Tribune newspaper on March 24, 2018, 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 additions to existing facilities not more than 10,000 square feet for projects in an area where all public services and facilities are available to allow maximum development. 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 establishes 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 High-Density land use designation and the Zoning Ordinance allows 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-503 and Parking Exception #AD0-126 for the proposed addition to a nonconforming structure for the project at 458 Dunes Street, as shown on plans date stamp received February 28, 2018, by adopting Planning Commission **Resolution 09-18** which includes the Findings and Conditions of Approval for the project.

EXHIBITS:

Exhibit A – Planning Commission Resolution 09-18

Exhibit B – Graphics/Plan Reductions

EXHIBIT A

RESOLUTION NO. PC 09-18

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT (UP0-503) TO ALLOW AN ADDITION TO A NONCONFORMING RESIDENTIAL STRUCTURE AND PARKING EXCEPTION (AD0-126) TO ALLOW A SECOND OPEN UNCOVERED PARKING SPACE IN THE DRIVEWAY AT 458 DUNES STREET

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 April 3, 2018 to considering Conditional Use Permit UPO-503 for a proposed addition to a nonconforming single-family residence and parking exception AD0-126 for a second open, tandem parking space in the driveway at 458 Dunes Street; 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 for additions to existing single-family residences in a residential zone of less than 10,000 s.f. for projects in an area where all public services and facilities are available to allow maximum development permissible in the General Plan. 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 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 a 2-story addition to a single-family dwelling, which is an allowed use in the R-4 zone and the surrounding neighborhood is developed with a mix of one and two-story homes, duplexes and apartments.
5. It is not feasible to make the existing structure conforming without major reconstruction. Major reconstruction would be necessary to meet the required setbacks 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-503 and Parking Exception AD0-126 for the property located at 458 Dunes Street subject to the following conditions:

STANDARD CONDITIONS

1. This permit is granted for the land described in the staff report dated April 3, 2018, for the project at 458 Dunes Street depicted on plans date stamped received February 28, 2018, 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 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.

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. Parking Exception Reevaluation: Any future proposed addition of habitable floor area shall require a reevaluation of the parking exception by the Planning Commission.
6. West Side Yard: The west side of the existing home (the non-conforming portion of the existing home located within the side yard setback area) cannot be structurally altered and no new supports or footings can be installed within the area of the non-conforming side-yard setback (west side yard).

BUILDING CONDITIONS

A. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

1. The Title sheet of the plans shall include:
 - a. Street address, lot, block, track and Assessor Parcel Number.
 - b. Description of use.
 - c. Type of construction.
 - d. Height of the building.
 - e. Floor area of the building(s).
 - f. Vicinity map.

All construction will conform to the 2016 California Building Code (CBC), 2016 California Residential Code (CRC), 2016 California Fire Code (IFC), 2016 California

Mechanical Code (CMC), 2016 California Plumbing Code (CPC), 2016 California Electrical Code (CEC), 2016 California Energy Code, 2016 California Green Code (CGBC), and Accessibility Standards where applicable and all City codes as they apply to this project.

(Code adoption dates are subject to change. The code adoption year is established by application date of plans submitted to the Building Division for plan review.)

2. Building permit plans shall be submitted by a California licensed architect or engineer when required by the Business & Professions Code, except when otherwise approved by the Chief Building Official.
3. The owner shall designate on the building permit application a registered design professional who shall act as the Registered Design Professional in Responsible Charge. The Registered Design Professional in Responsible Charge shall be responsible for reviewing and coordinating submittal documents prepared by others including phased and staggered submittal items, for compatibility with design of the building.
4. The owner shall comply with the City's Structural Observation Program. The owner shall employ the engineer or architect responsible for the structural design, or another engineer or architect designated by the engineer of record or architect responsible for the structural design, to perform structural observation as appropriate. Observed deficiencies shall be reported in writing to the owner's representative, special inspector, contractor and the building official. The structural observer shall submit to the building official a written statement that the site visits have been made and identify any reported deficiencies that, to the best of the structural observer's knowledge, have not been resolved.
5. The owner shall comply with the City's Special Inspection Program. Special inspections will be required by Section 1704 of the California Building Code. All Special Inspectors shall first be approved by the Building Official to work in the jurisdiction. All field reports shall be provided to the City Building Inspector when requested at specified increments in order for the construction to proceed. All final reports from Special Inspectors shall be provided to the Building Official when they are complete and prior to final inspection.
6. Mitigation measures for natural occurring asbestos require approval from San Luis Obispo County Air Pollution Control District.
7. Deferred submittals are not allowed, unless otherwise permitted by the Building Official, i.e. fire sprinkler plans and calculations, and truss calculations.

8. Site retaining walls require a separate building permit. Please provide a separate soils report and engineering calculations for the site walls at the time of permit application.
9. Fire sprinklers, shall be required by City Codes.

B. CONDITIONS TO BE MET DURING CONSTRUCTION:

1. SITE MAINTENANCE. During construction, the site shall be maintained so as to not infringe on neighboring property, such as debris and dust.
2. A licensed surveyor or engineer shall verify pad elevations and setbacks, prior to foundation inspection, and roof elevations, prior to roof sheeting inspection, when determined necessary by the Planning Division.

C. CONDITIONS TO BE MET PRIOR TO FINAL INSPECTION AND ISSUANCE OF CERTIFICATE OF OCCUPANCY:

BUILDING DIVISION:

1. Prior to building division final approval all required inspections from the other various divisions must have been completed and verified by a city inspector. All required final inspection approvals must be obtained from the various departments and documented on the permit card.

CONDITIONS SUBJECT TO ONGOING COMPLIANCE:

2. COMPLIANCE WITH APPLICABLE LAWS: All applicable requirements of any law or agency of the State, City of Morro Bay and any other governmental entity at the time of construction shall be met. The duty of inquiry as to such requirements shall be upon the applicant.

PUBLIC WORKS CONDITIONS

1. 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). Alternatively, verify the lateral elevation, at edge of building footprint, is higher than nearest upstream sewer manhole.
2. Sewer Maintenance: Provide a sewer maintenance agreement between residences sharing the sewer lateral connecting to Monterey.
3. Sewer Connection: Sewer lateral connection to sewer main (Monterey) is shown as a break-in tap in sewer video. Replace break-in tap with factory tap connection to sewer main.

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 locations and types of BMPs to be installed.
5. Utilities: Show existing locations of the sewer lateral on the building plans. Mark any sewer easements or connection to neighboring laterals.
6. Encroachment Permits: A standard encroachment permit shall be required for any working 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 caused by 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 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). Applicant shall submit sprinkler plans to Morro Bay Community Development Department for review.
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).
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.

4. Address identification: All new and existing single-family residences and ADU's shall have their own approved address numbers or building numbers placed in a position plainly legible from the street or road affronting the property (CFC 505). Provide approved address numbers 4 inches high with ½ inch stroke in contrasting numbers.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 3rd day of April 2018 on the following vote:

AYES:

NOES:

ABSENT:

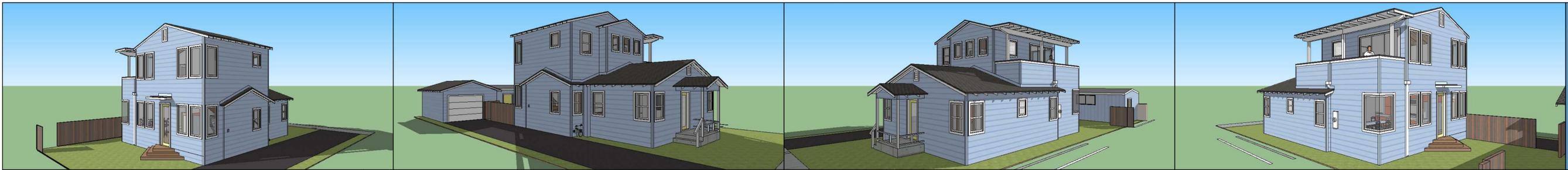
ABSTAIN:

Gerry Luhr, Chairperson

ATTEST

Scot Graham, Planning Secretary

The foregoing resolution was passed and adopted this 3rd day of April 2018.



Required Proposed Setbacks:
 Front: 15'
 Back: 5'
 Sides: 5'

Existing Non-conforming Setbacks:
 West side of (E) House: 4'-2 1/2"
 Back of (E) Garage: 0'-0"
 East Side of (E) Garage: 1'-11"
 Back of (E) Workshop: 2'-0"
 West Side of (E) Workshop: 1'-11"
 (E) Garage & (E) Workshop separation: 1'-10"

Height Calculations:
 085.63' average natural grade (ANG)
 110.63' new peak above ANG
 110.63' height limit (25' above ANG)

Existing Building Lot Coverage Calculation:

(E) Building Footprints:	1278 SF
(E) Impermeable Surface:	1278 SF or 33%
(E) Permeable Surface:	2594 SF or 67%

Proposed Building Lot Coverage Calculation:

(N) Building Footprints:	0896 SF
(N) Impermeable Surface:	0896 SF or 23%
(N) Permeable Surface:	2976 SF or 77%

Allowable Lot Coverage:
 Impermeable Surface: 2323 SF or 60%
 Permeable Surface: 1549 SF or 40%

Demolition Scope:
 12% of floor area to be removed.
 48% of roof area to be removed.
 Foundation work to be determined by Structural Engineer at time of Building Permit Phase.

The Madding House

458 Dunes St. Morro Bay, CA 93442

Project Data

Area Square Footages:

(E) Detached Garage:	0291 SF
(E) Detached Shop:	0336 SF
(E) Floor:	0651 SF +
(N) 1st Floor Addition:	0245 SF +
(N) 2nd Floor Addition:	0373 SF =
(N) Total:	1269 SF
(E) Interior Remodel:	0175 SF
(N) Decks:	0130 SF
Site Size:	3872 SF

Occupancy:
 Single Family Dwelling: R-4

Construction Type: V

APN: 066-063-009

Legal Description: CY MB TN MORRO TR 2 BL 40 LT 4

Project Description:
 Request for conditional use permit and parking exception.

Project Scope:
 First floor addition of 245 square feet and a second floor addition of 373 square feet to an existing 651 square foot home.

Easements: None

Sheet Index

A1	Title Sheet
A2	Existing 1st Floor Demo Site Plan
A3	Proposed 1st Floor Site Plan
A4	Proposed 2nd Floor Plan
A5	Existing Roof Demo Plan
A6	Proposed Roof Plan
A7	Proposed Elevations

APPLICABLE CODES
 2016 California Building Code
 2016 California Residential Code
 2016 California Electric Code
 2016 California Mechanical Code
 2016 California Plumbing Code
 2016 California Energy Code
 2016 California Green Building Standards Code (Cal Green)

Consultants

Client Group:
 Patrick & Libby Madding
 458 Dunes St.
 Morro Bay, CA 93442
 (805) 234-7932

Building Designer:
 Crizer Design Company, Inc.
 Nicholas Huston, Associate AIA
 PO Box 6952
 Los Osos, CA 93412
 Office: (805) 528-4812
 Mobile: (805) 704-5775
 Nick@CrizerConstruction.com

Vicinity Map
 Not To Scale

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 Nick@CrizerConstruction.com

OWNER
 Patrick & Libby Madding
 458 Dunes St.
 Morro Bay, CA 93442

PROJECT
 MADDING
 PROJECT NO.
 MB 17 10 54

ISSUE
 11/7/17, 2/27/17,
 3/13/18
 DRAWN BY
 Nicholas B. Huston

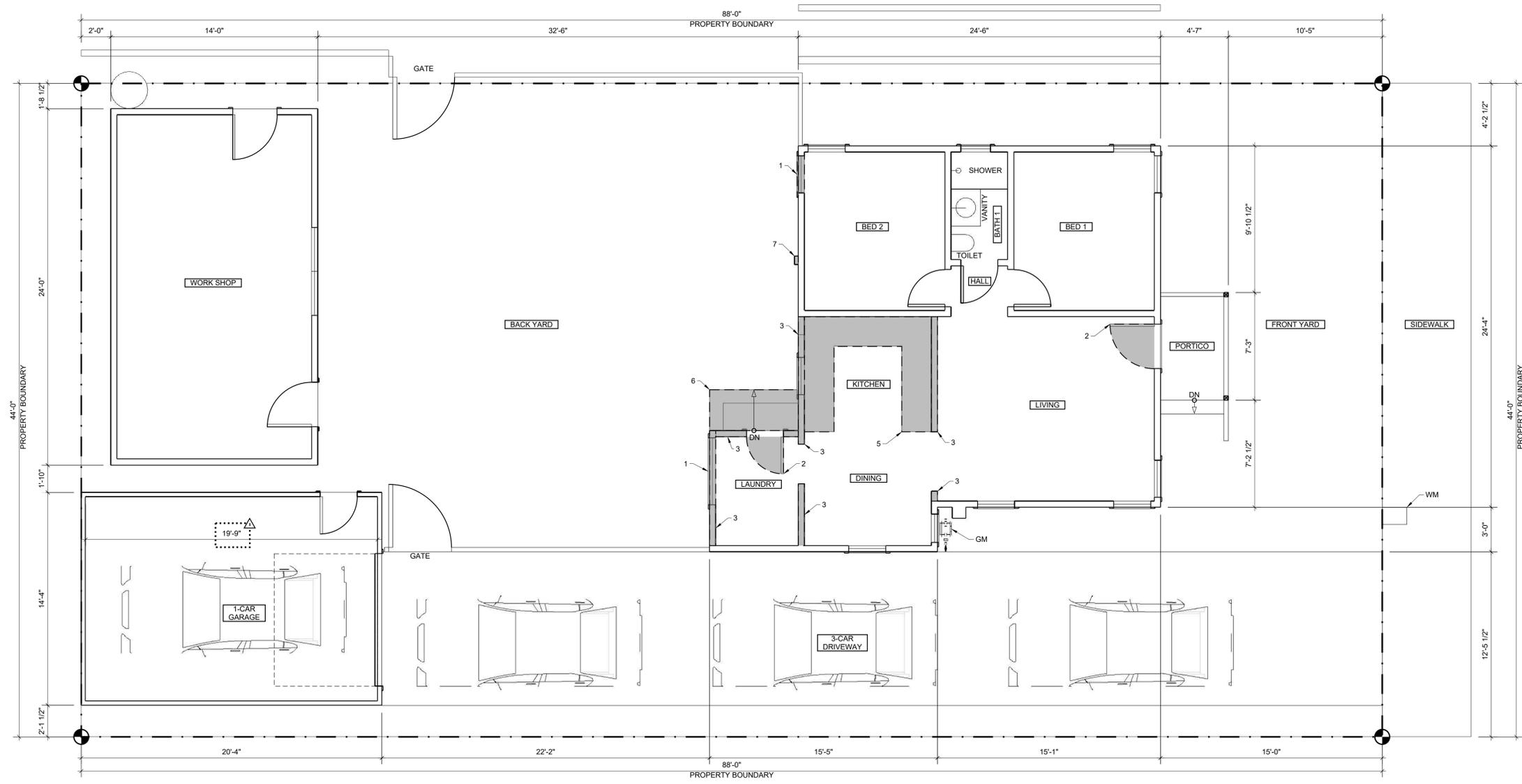
Title Sheet

A1

EXHIBIT B

DEMO KEYNOTES:

1. (E) WINDOWS TO BE REMOVED
2. (E) DOORS TO BE REMOVED
3. (E) WALLS TO BE REMOVED
4. (E) CABINETS, APPLIANCES AND FIXTURES TO BE REMOVED OR RELOCATED
5. (E) ROOF FRAMING TO BE REMOVED
6. (E) CONCRETE STAIR TO BE REMOVED OR ABANDONED
7. (E) ELECTRICAL METER TO BE REMOVED AND RELOCATED
8. (E) ROOF FRAMING TO BE REMOVED, TYP.



DUNES STREET

EXISTING 1ST FLOOR DEMO SITE PLAN
1/4" = 1'-0"

ABBREVIATIONS

- LV LOUVERED DOOR
- ED ENTRY DOOR
- TD TRACK DOOR
- SSD SLIDING GLASS DOOR
- SD GLASS SHOWER DOOR
- CS CASEMENT WINDOW
- FX FIXED PICTURE WINDOW
- AW AWNING WINDOW
- SH SINGLE HUNG WINDOW
- DBL DOUBLE MULLED WINDOW
- OBS OBSCURE GLASS
- x ACTIVE WINDOW SASH
- o INACTIVE WINDOW SASH
- GM GAS METER
- WH WATER HEATER
- EM ELECTRICAL METER
- WM WATER METER
- DN HEAD OF STAIRS LEADING DOWN
- UP FOOT OF STAIRS LEADING UP
- RG RAIN GUTTER
- DS DOWN SPOUT

WALL LEGEND

- EXISTING
- TO BE REMOVED
- NEW WALL

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PROJECT
MADDING
PROJECT NO.
MB 17 10 54

ISSUE
11/17/17
DRAWN BY
Nicholas B. Huston

**Existing 1st Floor
Demo Site Plan**

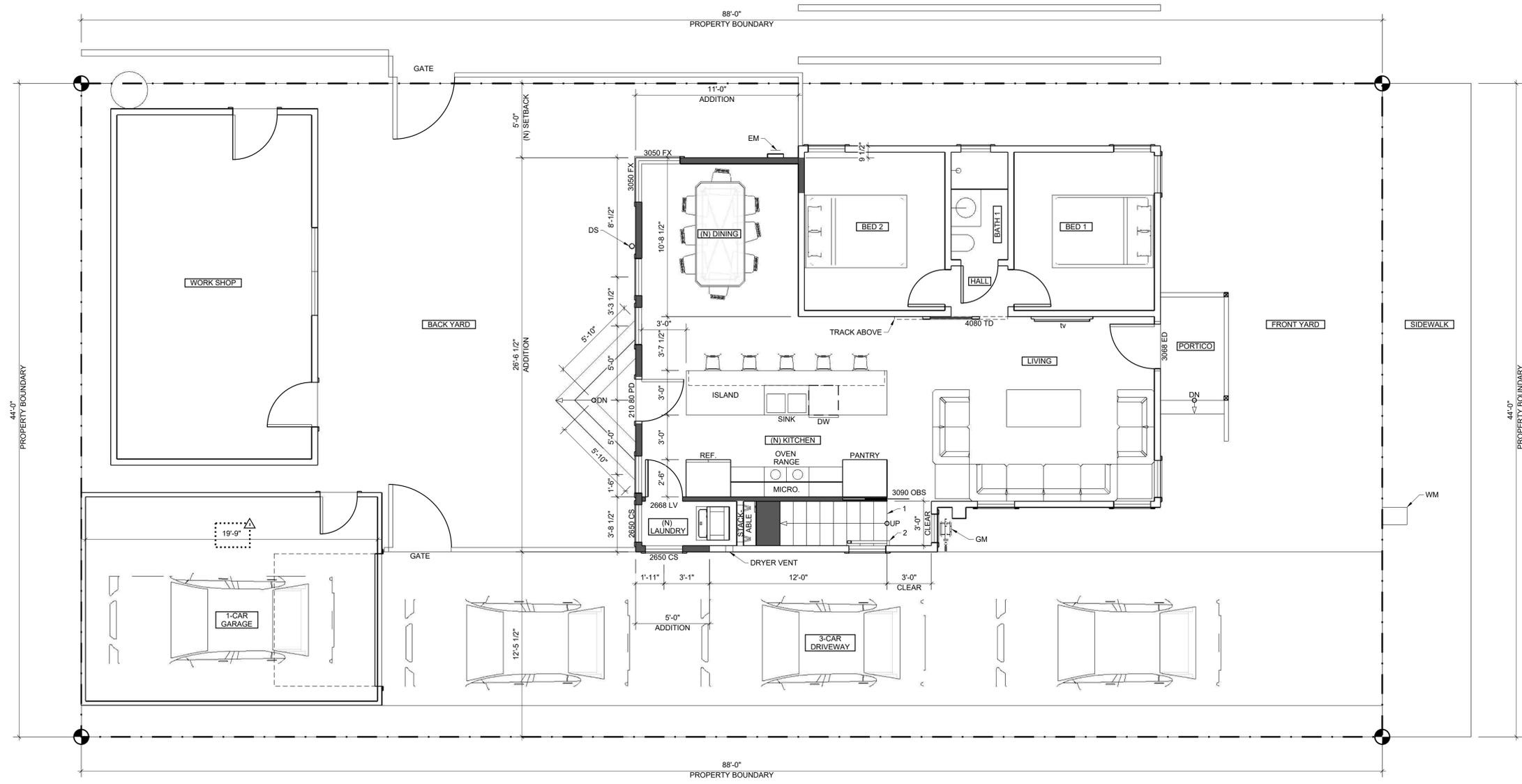
EXHIBIT B

PROPOSED GENERAL NOTES

A. GLAZING TO BE TEMPERED WHERE THE NEAREST EXPOSED EDGE OF THE GLASS IS WITHIN A 24" ARC OF EITHER VERTICAL EDGE OF THE DOOR IN A CLOSED POSITION AND THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 60" ABOVE WALKING SURFACE. GLAZING TO BE TEMPERED WHERE THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 18" ABOVE THE WALKING SURFACE.

PROPOSED FLOOR KEYNOTES

1. STAIR RISE = 7 1/16". STAIR RUN = 10 7/8", TYP.
2. HANDRAILS ARE TO BE INSTALLED PER CRC R311.7.8:
-BETWEEN 34 AND 38 INCHES ABOVE THE NOSING OF THE TREAD AND LANDINGS.
-CIRCULAR HANDGRIPS SHALL BE BETWEEN 1-1/4" TO 2".
-THERE SHALL BE A MINIMUM 1-1/2" CLEARANCE FROM THE WALL.
3. PARAPET GUARDRAIL. FLASH AND SLOPE TOP AT 42" AFF. MIN. TYP.
4. 42" PONY WALL.
5. WATERPROOF DECKING
Decks & balconies that are sealed underneath are to be waterproofed and have a minimum 2% slope for drainage.



PROPOSED 1ST FLOOR SITE PLAN
1/4" = 1'-0"

ABBREVIATIONS

- LV LOUVERED DOOR
- ED ENTRY DOOR
- TD TRACK DOOR
- SDD SLIDING GLASS DOOR
- SD GLASS SHOWER DOOR
- CS CASEMENT WINDOW
- FX FIXED PICTURE WINDOW
- AW AWNING WINDOW
- SH SINGLE HUNG WINDOW
- DBL DOUBLE MULLED WINDOW
- OBS OBSCURE GLASS
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- o INACTIVE WINDOW SASH
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- WH WATER HEATER
- EM ELECTRICAL METER
- WM WATER METER
- DN HEAD OF STAIRS LEADING DOWN
- UP FOOT OF STAIRS LEADING UP
- RG RAIN GUTTER
- DS DOWN SPOUT

WALL LEGEND

- EXISTING
- - - TO BE REMOVED
- NEW WALL

DUNES STREET

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Nicholas B. Huston

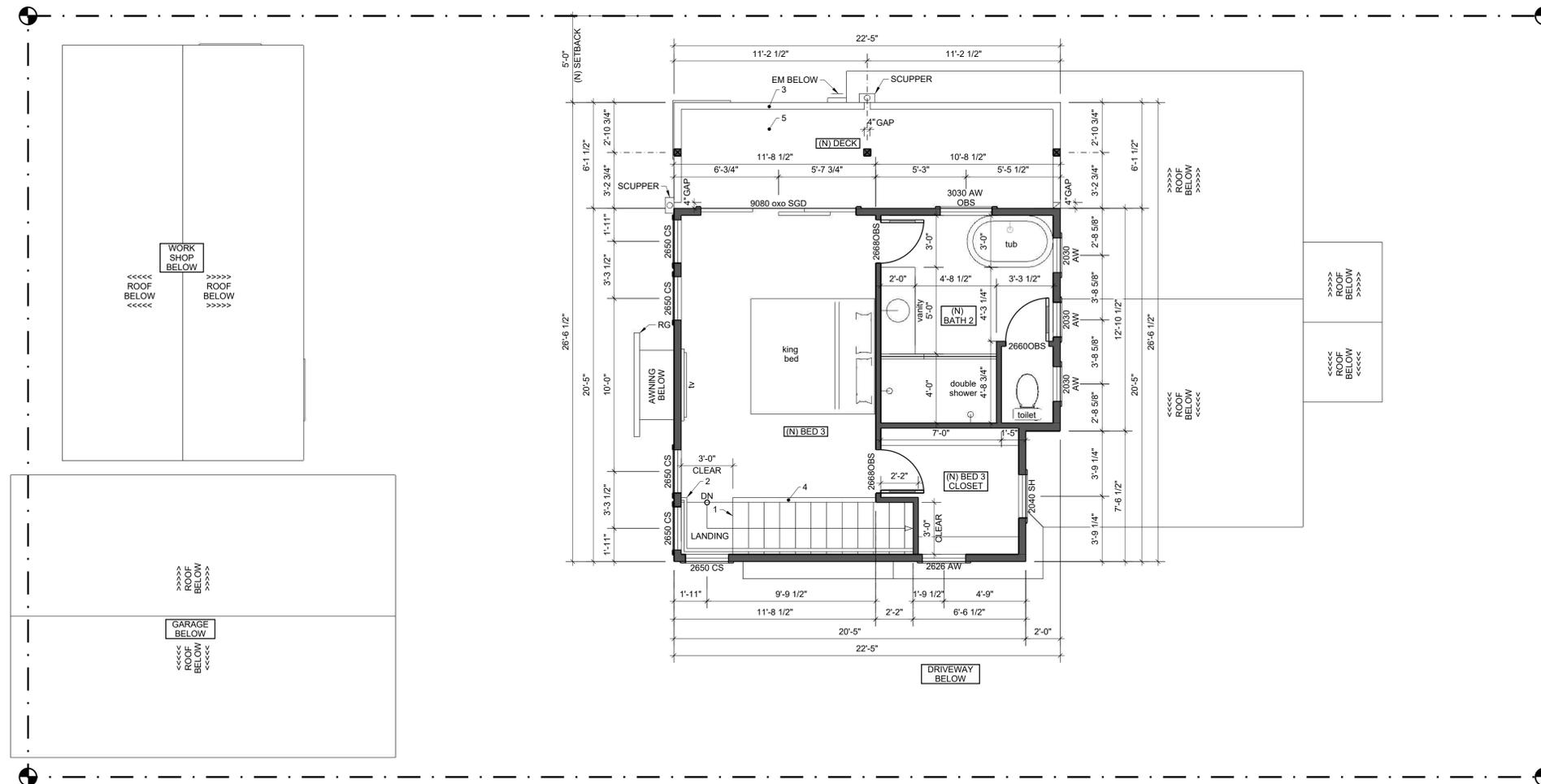
Proposed 1st
Floor Site Plan

PROPOSED GENERAL NOTES

A. GLAZING TO BE TEMPERED WHERE THE NEAREST EXPOSED EDGE OF THE GLASS IS WITHIN A 24" ARC OF EITHER VERTICAL EDGE OF THE DOOR IN A CLOSED POSITION AND THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 60" ABOVE WALKING SURFACE. GLAZING TO BE TEMPERED WHERE THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 18" ABOVE THE WALKING SURFACE.

PROPOSED FLOOR KEYNOTES

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-THERE SHALL BE A MINIMUM 1-1/2" CLEARANCE FROM THE WALL.
3. PARAPET GUARDRAIL. FLASH AND SLOPE TOP AT 42" AFF. MIN. TYP.
4. 42" PONY WALL.
5. WATERPROOF DECKING
Decks & balconies that are sealed underneath are to be waterproofed and have a minimum 2% slope for drainage.



PROPOSED 2ND FLOOR PLAN
1/4" = 1'-0"

DUNES STREET

ABBREVIATIONS

- LV LOUVERED DOOR
- ED ENTRY DOOR
- TD TRACK DOOR
- SSD SLIDING GLASS DOOR
- SD GLASS SHOWER DOOR
- CS CASEMENT WINDOW
- FX FIXED PICTURE WINDOW
- AW AWNING WINDOW
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- DS DOWN SPOUT

WALL LEGEND

- EXISTING
- TO BE REMOVED
- NEW WALL

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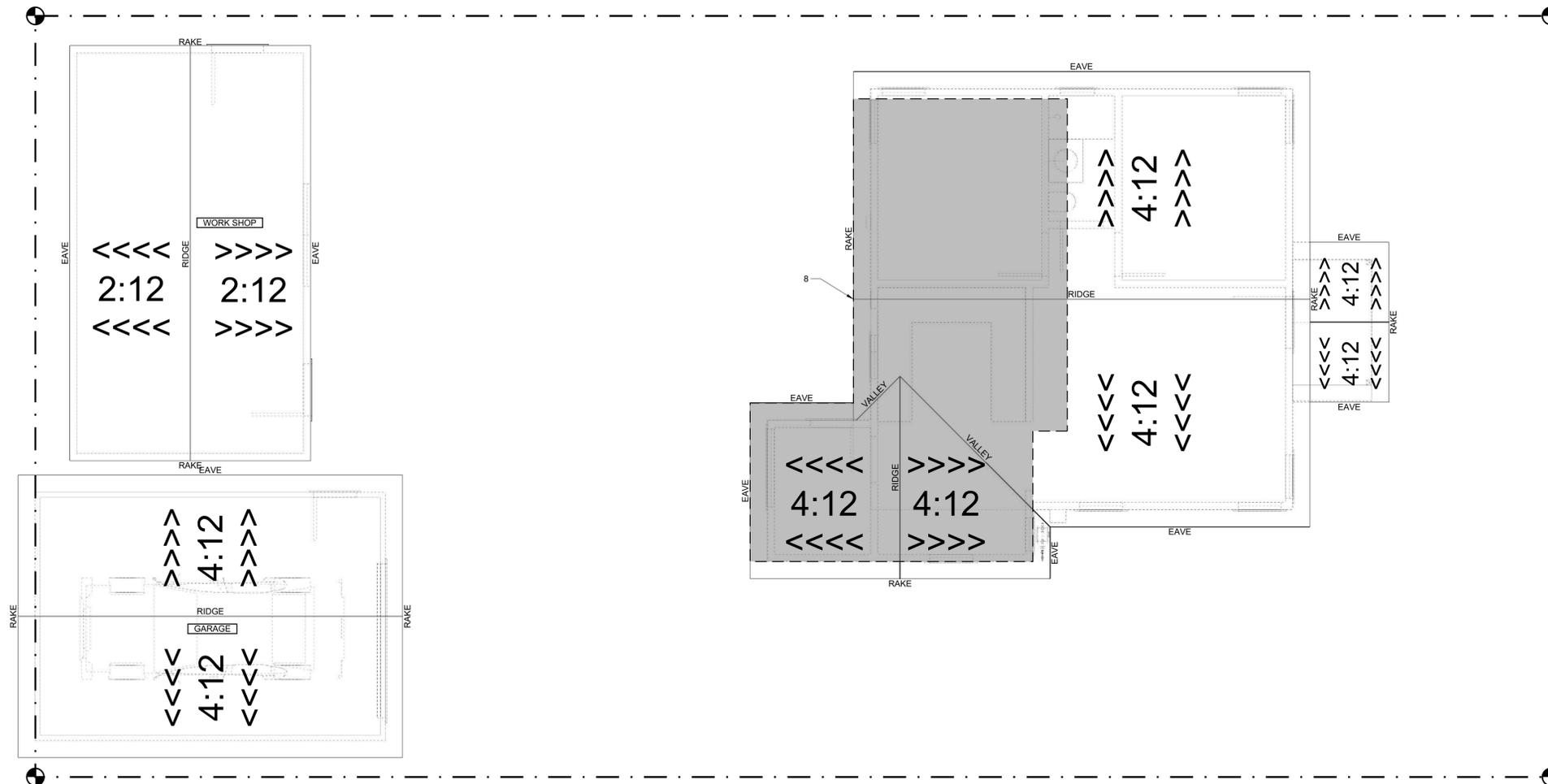
PROJECT
MADDING
PROJECT NO.
MB 17 10 54

ISSUE
11/17/17
DRAWN BY
Nicholas B. Huston

Proposed
2nd Floor Plan

DEMO KEYNOTES:

1. (E) WINDOWS TO BE REMOVED
2. (E) DOORS TO BE REMOVED
3. (E) WALLS TO BE REMOVED
4. (E) CABINETS, APPLIANCES AND FIXTURES TO BE REMOVED OR RELOCATED
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8. (E) ROOF FRAMING TO BE REMOVED, TYP.



DUNES STREET



EXISTING ROOF DEMO PLAN

1/4" = 1'-0"

ABBREVIATIONS

LV	LOUVERED DOOR
ED	ENTRY DOOR
TD	TRACK DOOR
SSD	SLIDING GLASS DOOR
SD	GLASS SHOWER DOOR
CS	CASEMENT WINDOW
FX	FIXED PICTURE WINDOW
AW	AWNING WINDOW
SH	SINGLE HUNG WINDOW
DBL	DOUBLE MULLED WINDOW
OBS	OBSCURE GLASS
x	ACTIVE WINDOW SASH
o	INACTIVE WINDOW SASH
GM	GAS METER
WH	WATER HEATER
EM	ELECTRICAL METER
WM	WATER METER
DN	HEAD OF STAIRS LEADING DOWN
UP	FOOT OF STAIRS LEADING UP
RG	RAIN GUTTER
DS	DOWN SPOUT

WALL LEGEND

	EXISTING
	TO BE REMOVED
	NEW WALL

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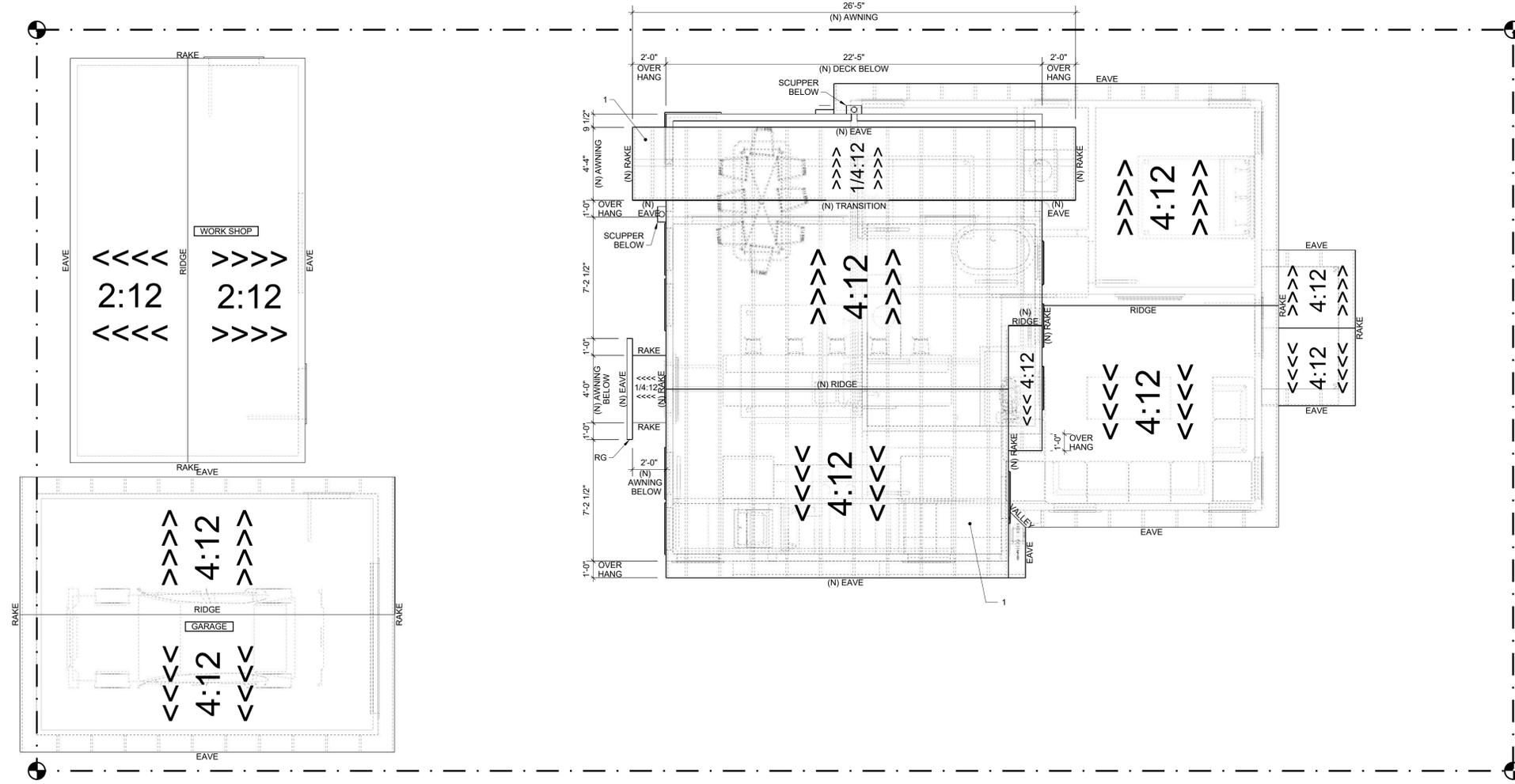
PROJECT

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ISSUE

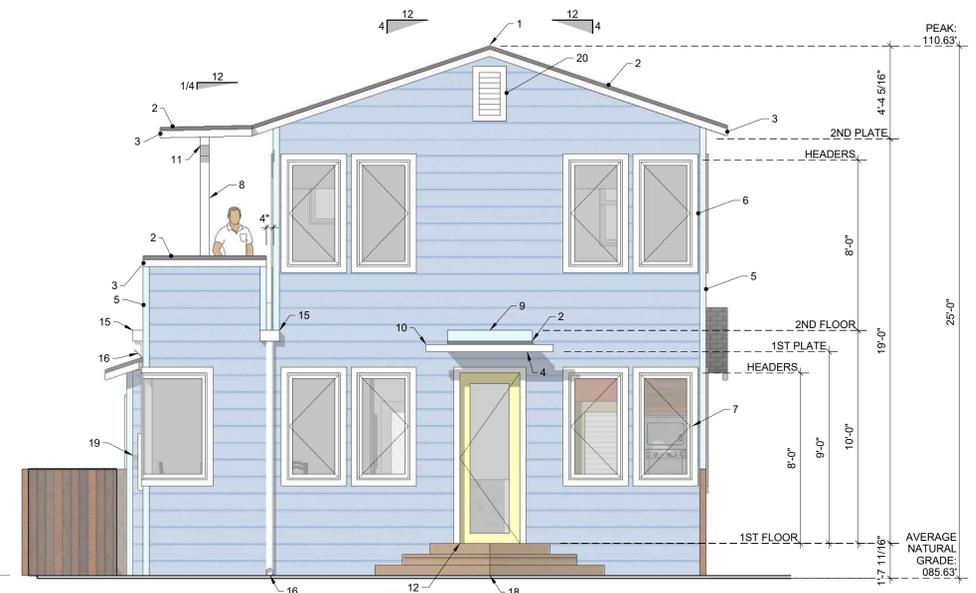
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Existing
Roof Demo Plan

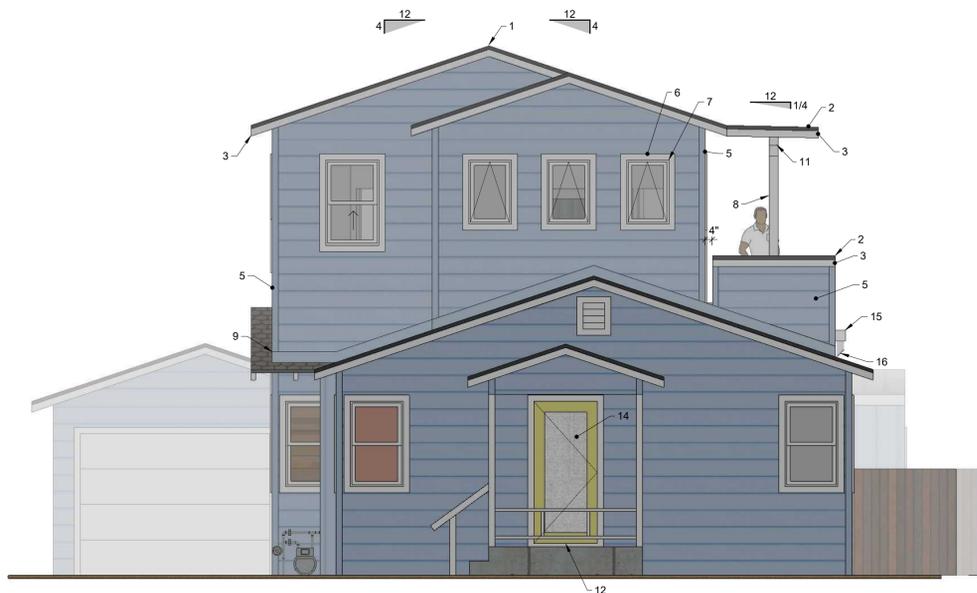


 PROPOSED ROOF PLAN
1/4" = 1'-0"

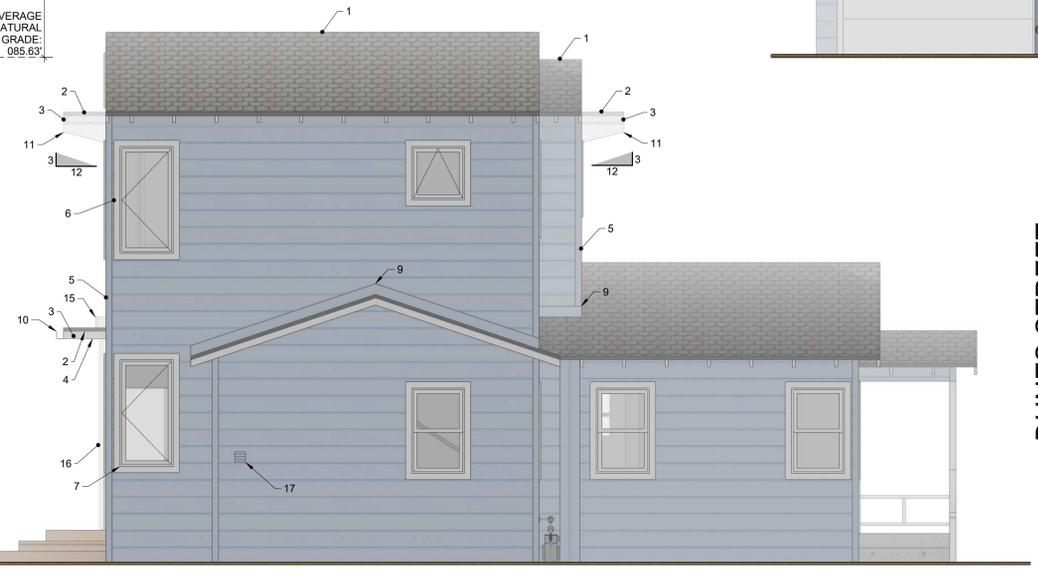
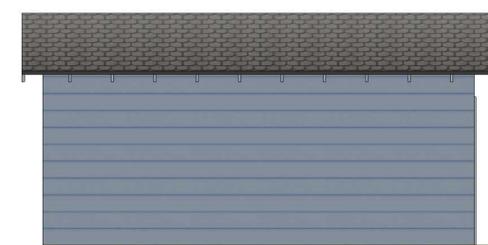
DUNES STREET



SB: SOUTH BACK ELEVATION
1/4" = 1'-0"



NF: NORTH FRONT ELEVATION
1/4" = 1'-0"

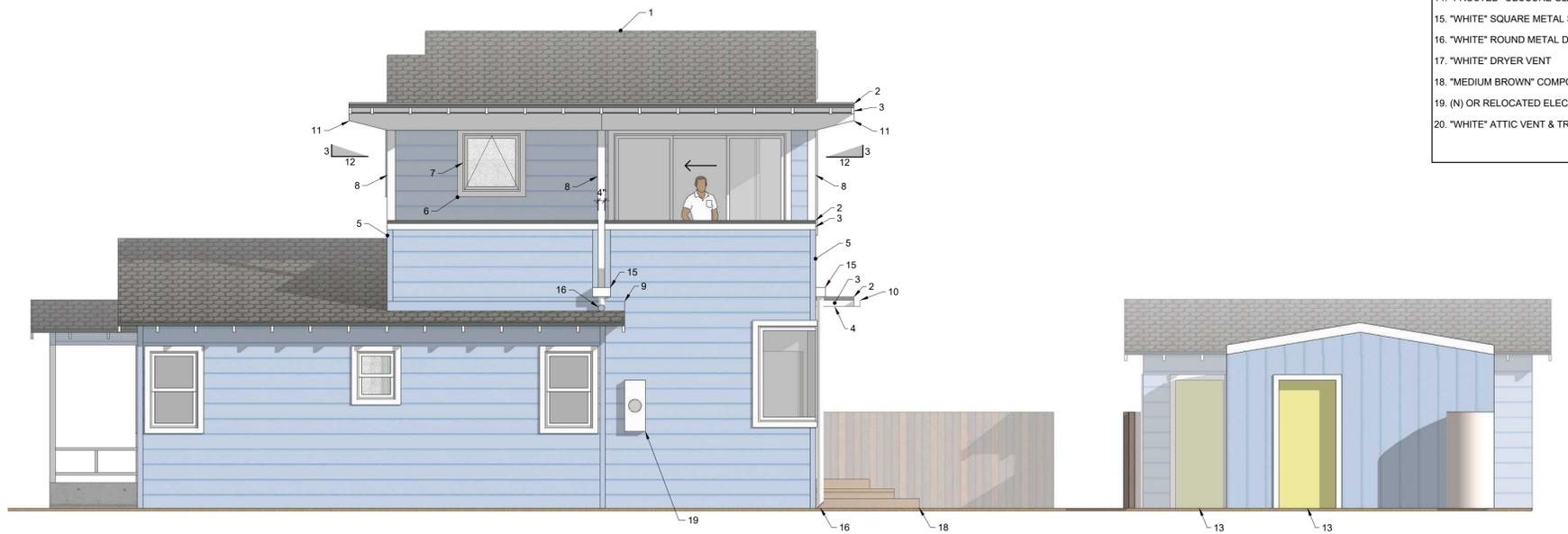


EL: EAST LEFT ELEVATION
1/4" = 1'-0"

DUNES STREET

- ELEVATION KEYNOTES**
1. "BLACK" COMPOSITION SHINGLES TO MATCH (E), TYP.
 2. "BLACK" METAL FLASHING TO MATCH (E), TYP.
 3. "WHITE" FASCIAS, EXPOSED RAFTER TAILS & BLOCKING TO MATCH (E), TYP.
 4. "RICH BROWN" BAMBOO HARDWOOD SOFFITS, TYP. VENT AS REQUIRED.
 5. "LIGHT STEEL BLUE" HORIZONTAL SIDING & TRIM TO MATCH (E), TYP.
 6. "WHITE" TRIM ABOUT DOORS AND WINDOWS TO MATCH (E), TYP.
 7. "WHITE" VINYL SLIDING GLASS DOORS AND WINDOWS TO MATCH (E), TYP. (8' HEADERS AT ADDITION, TYP.)
 8. "WHITE" POSTS TO MATCH (E), TYP.
 9. "LIGHT STEEL BLUE" ROOF-TO-WALL METAL FLASHING TO MATCH SIDING, TYP.
 10. "WHITE" SQUARE METAL, OPEN-ENDED RAIN GUTTERS TO EXTEND 1" BEYOND RAKES, TYP.
 11. "WHITE" WOOD BEAM(S) WITH TAPERED ENDS, TYP.
 12. "PASTEL YELLOW" FIBERGLASS DOOR
 13. PAINT (E) EXTERIOR DOORS "PASTEL YELLOW"
 14. "FROSTED" OBSCURE GLASS
 15. "WHITE" SQUARE METAL SCUPPER
 16. "WHITE" ROUND METAL DOWN SPOUT
 17. "WHITE" DRYER VENT
 18. "MEDIUM BROWN" COMPOSITE DECK STAIRS:
 19. (N) OR RELOCATED ELECTRICAL METER
 20. "WHITE" ATTIC VENT & TRIM

DUNES STREET



WR: WEST RIGHT ELEVATION
1/4" = 1'-0"

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PROJECT
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PROJECT NO.
MB 17 10 54

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11/17/17
DRAWN BY
Nicholas B. Huston

Proposed
Elevations

EXHIBIT B



Proposed addition to existing home



AGENDA NO: _B-3

MEETING DATE: April 3, 2018

Staff Report

TO: Planning Commissioners

DATE: April 3, 2018

FROM: Nancy Hubbard, Contract Planner

SUBJECT: On January 19, 2016, Planning Commission, through Resolution 5-16, approved CP0-469/UP0-414 for a new home on 1149 West Street, with conditions. The owner of the new home has requested an amendment to Planning Commission Resolution 5-16, Planning Condition #19 which states: No Driveway Gate: A driveway gate is prohibited at this location. *Planning Commission added Condition at 1/19/16 meeting.* The applicant requests that the Planning Commission reconsider this condition and allow a 6-foot-high open style fence with a 4-5-foot-high, arched open style automated driveway gate along the front property line for the newly constructed single-family home **1149 West Street**.

RECOMMENDATION:

Staff recommends the Planning Commission consider the following action:

1. Deny Project A00-055, by adopting Resolution No. 10-18

APPLICANTS/AGENT:

Phillip Davis, Applicant

Chuck Stevenson, Agent

LEGAL

DESCRIPTION/APN:

066-034-022:

1149 West Street



Prepared By: __NH__

Department Review: __SG__

PROJECT DESCRIPTION:

The recently completed home at 1149 West Street is set back 42 feet from the edge of the sidewalk. The property owner purchased the home in April 2017 and was not aware of the fencing or driveway gate restrictions and has installed a 6-foot high fence along the edge of the public sidewalk. No driveway gate has been installed. The property owner would like a fenced front yard, with an automated gate across the driveway, for security purposes. Staff will require that the fencing installed within the front yard setback be removed or modified to comply with the 36"/48" height limitations if the amendment request is not granted.

PROJECT SETTING:

The section of West Street between Beach Street and Surf Street includes single family homes on the west side of the street and commercial uses with or without accompanying residential on the east side of the street. Directly across the street from 1149 West is the fenced back yard for Bear Metal Kustoms, a car repair shop with frontage and an entry from Scott Street.



There are 9 parcels on the west side of West Street, 8 of which are single-family homes; one is a vacant parcel with an application for a single-family home under review. Three of the 8 homes have front yard fencing and driveway gates, 1125 West Street was built in 1986, and 1155 West Street (home with 4-foot high open style front yard fencing approved by Planning Commission in 2006), was built in 2010, both with open-style iron fence and gates. The third is the 1925 home on the corner of West Street and Surf surrounded by a 5-foot high solid block wall with several solid wood gates. The home immediately north of 1149 West Street has a solid block 3-foot wall at the property line with 5-6-foot-high columns, but no fencing above the 3-foot wall.

<u>Adjacent Zoning/Land Use</u>	
West side of West Street	R-2/PD/SP Residential
East side of West Street	C-2/PD/SP and C-VS/PD/SP Custom auto body and second floor residential and (near Beach Street) C-VS/S-4/SP Restaurant and Motel

PROJECT ANALYSIS:

Background

Current home was completed in early 2017 and sold to the current owner in April 2017.

APPLICANT ARGUMENT

Applicant Argument #1: West Avenue is unique and functions in part as a commercial alley and many residents are concerned for security based on the transient nature of non-resident vehicles and pedestrians passing through the neighborhood daily.

STAFF RESPONSE: There are a few commercial uses on the block; however, the predominate use on the street is residential.

Applicant Argument #2: Site distance while backing out of the driveway is not impaired because the proposed fence/driveway gate are an open design.

STAFF RESPONSE: Staff agrees that an open style fence along the back of the sidewalk will not impair visibility while backing out onto the street.

Applicant Argument #3: Other property owners along the west side of West Avenue have installed driveways gates and fences over three-feet in height for the same security reasons as the applicant.

STAFF RESPONSE: Staff received a call from the owner of 1125 West Street, one of the other homes with an existing fence and gate, who is in support of this request. Mr. Smith said that they have a big problem with transients and he has found homeless people sleeping or hiding in his yard. Staff suggests that with the existing 42-foot setback of the home, a driveway gate at or beyond the front yard setback line would provide the necessary additional security.

Applicant Argument #4: The condition for ‘no driveway gate’ was added without much

discussion as to why it was prohibited.

STAFF RESPONSE: The site zoning is R-2/PD/SP. The overlay zones in this area are intended to provide additional guidelines because of the unique location/view corridors/mixed use within this immediate neighborhood. The PD allows modifications from the development standards to result in a better design or compatibility. Additionally, the 2016 Residential Design Guidelines: encourage development designs that create entryways that are visible from the street and are not blocked by tall walls or fences.

Development Standards

Title 17 of the Morro Bay Municipal Code (MBMC) establishes land use and zoning permit requirements. The Planning Commission approved a coastal development permit and a conditional use permit with conditions, one of which was “no driveway gate”. The following provisions of the zoning code relate to residential fencing requirements. Driveway gates are not specifically addressed.

- Section 17.48.100 Standards for fencing and screening are established by this section for the following purposes: to protect certain uses from intrusion, to protect the public from uses which may be hazardous, to mitigate incompatibility of differing adjacent land uses by visual screening and to identify site boundaries.
- Section 17.48.100 D.1. Fences, Walls and Hedges 50% or more open to the passage of air and light, not exceeding 4 feet in height may occupy and required street yard area.
- Section 17.48.100 D.2. Solid fences, walls, hedges not exceeding 3 feet in height may occupy any required street yard area.

The subject property is also subject to the requirements of a PD overlay, which includes the following additional guidelines for design and development standard modifications:

- Section 17.40.030 A. Purpose of PD overlay zone: “. ...allows for modifications or exemption from development standards of the primary zone if such action would result in better design or other public benefit.”
- Section 17.40.030 D. “Allows for Planning Commission or City Council to modify standards as they relate to building height, yard requirements....”

2016 Residential Design Guidelines: (paraphrased) intended to implement neighborhood compatibility policies found in the General Plan and Local Coastal Plan. Entryways should be

visible from the street, not blocked by tall walls or fences.

CONCLUSION:

Staff recommends that the Planning Commission deny the amendment request for PC 5-16, Planning condition #19 for 1149 West Street.

EXHIBITS:

- A. Resolution No. 10-18
- B. Applicant supporting argument documentation

EXHIBIT A

RESOLUTION NO. PC 10-18

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION TO DENY THE AMENDMENT REQUEST (A00-055) OF PLANNING COMMISSION RESOLUTION 5-16, PLANNING CONDITION #19 PROHIBITING INSTALLATION OF A DRIVEWAY GATE AT PROPOSED SINGLE-FAMILY RESIDENCE AT 1149 WEST STREET.

WHEREAS, on January 19, 2016, the Planning Commission approved UP0-414 and CP0-469 in Resolution 5-16 with conditions of approval to allow new construction of a single-family home to be located at 1149 West Street; and

WHEREAS, on January 19, 2016, Planning Commission included a condition prohibiting a driveway gate along the front property line as requested by the applicant (Planning Condition #19); and

WHEREAS, the new single-family home approved by Resolution 5-16, has been constructed and upon completion, was purchased by Phillip Davis in April 2017; and

WHEREAS, Phillip Davis would like approval for a 6-foot open style fence and driveway gate along the front property line and has applied for an amendment of the above condition prohibiting the driveway gate;

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:

Amendment Request finding for Denial:

1. The proposed amendment is inconsistent with Resolution 5-16, Planning Condition #19, prohibiting installation of a gate across the driveway.
2. The amendment would allow fencing within the front yard setback at a height exceeding the height limits called out in Section 17.48.100 D.1. Fences, Walls and Hedges 50% or more open to the passage of air and light, not exceeding 4 feet in height may occupy and required street yard area and Section 17.48.100 D.2. Solid fences, walls, hedges not exceeding 3 feet in height may occupy any required street yard area.
- 3. The amendment is inconsistent with the 2016 Residential Design Guideline that are intended to implement neighborhood compatibility policies found in the General Plan and Local Coastal Plan. Specifically, entryways should be visible from the street, and not blocked by tall walls or fences.**

California Environmental Quality Act (CEQA)

Pursuant to the California Environmental Quality Act Guidelines Section 15270, CEQA does not apply to projects that are disapproved or denied by the approval body.

Section 2. Action. The Planning Commission does hereby deny the Amendment Request A00-055.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 3rd day of April 2018 on the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gerry Luhr, Chairperson

ATTEST

Scot Graham, Planning Secretary

The foregoing resolution was passed and adopted this 3rd day of April 2018.

Date: March 19, 2018

To: Nancy Hubbard, Project Planner
Scot Graham, Planning Director, City of Morro Bay

From: Chuck Stevenson, AICP, on behalf of Phillip Davis, applicant/owner

Subject: 1149 West Ave. – Amendment to CUP UP0-414 and CDP CP0-469 to modify a condition prohibiting a driveway gate.

Amendment Request:

The property owner, Phillip Davis, requests modification of a condition for the above referenced CUP/CDP that prohibits a driveway gate for the residence.

Mr. Davis is the new owner of the subject home but was not the applicant at the time the CUP/CDP was approved. Having learned that a driveway gate was not allowed after he purchased the property and after he began to install a fence and gate, he stopped work. He is now submitting an amendment request for reconsideration of the driveway gate. Mr. Davis is also requesting permission for a six-foot high open style fence in the front setback area that complements and adjoins the gate.

Condition 19:

Condition 19, that prohibits a driveway gate, was added to the staff's recommended conditions by the Commission at the meeting. As an aside, the resolution approving the home did not include a finding articulating reasons why an otherwise allowable driveway gate should not be allowed at this site.

The applicant's purpose for this driveway gate is specifically for security purposes. West Avenue is a very unusual local street because its predominant use is that of an alley for businesses that front on Scott Avenue.

Neighborhood conditions:

On the west side of West Avenue are eight mostly large single family homes - several of which are new. Another new home is proposed on the last remaining vacant lot. Properties on the east side of West Avenue are zoned Commercial Service and Commercial Visitor Service. Activities on the west side include outdoor auto repair and fabrication, outdoor storage, shipping and delivery of business related products, trash dumpster pickup, and parking for employees and some residents. As a result, there are many cars, trucks, business customers, and pedestrians that use West Avenue on a daily basis to access the commercial area. Because most traffic is transient in nature the applicant and other property owners on West Avenue are concerned about security and trespass. Several homes have already installed driveway gates with fences higher than four feet. A robbery at Carlas' Kitchen nearby the subject site in late 2017 caused additional concern of the residents on West Avenue.

Design:

The applicant has designed a gate and fence that enables full visual access from the street through to the home. The gate's design included decorative wrought iron features that will complement the architecture of the home and those that adjoin the site.

In addition, the open style fence with full visual access to the garage will prevent any sight distance problem while backing a vehicle out of the driveway. In conjunction with the gate, the applicant requests approval for a six-foot open style fence that will adjoin the gate. We have contacted the Morro Bay Police Department about access via the closed gate and were advised that gate security codes are provided for use by Police and Fire staff in gaining access to the site in case of need.

Background:

Because little was said at the Commission hearing for prohibiting the driveway gate, we are curious why an open style driveway gate, particularly at this location, was an issue. Perhaps there is an ordinance, adopted guideline, or policy that prohibits a driveway gate that we are not aware of. Or, was the decision based on a public safety purpose? If so, that was not articulated. Lastly, have other driveway gates in the city been prohibited for similar projects and site characteristics by the Commission?

Most importantly, we are not aware of another street in the city that has the same function, zoning pattern and business activity as West Avenue does, and that generates security concerns for home owners. If not, the Commission could easily make findings in support of a driveway gate based on unique conditions found on this street without concern for precedent if that is an issue.

Requested Action:

Based on the above, the applicant respectfully requests that the Commission modify condition 19 and that a driveway gate and a six-foot high open-style fence be approved.

Here is suggested language for a revised condition 19:

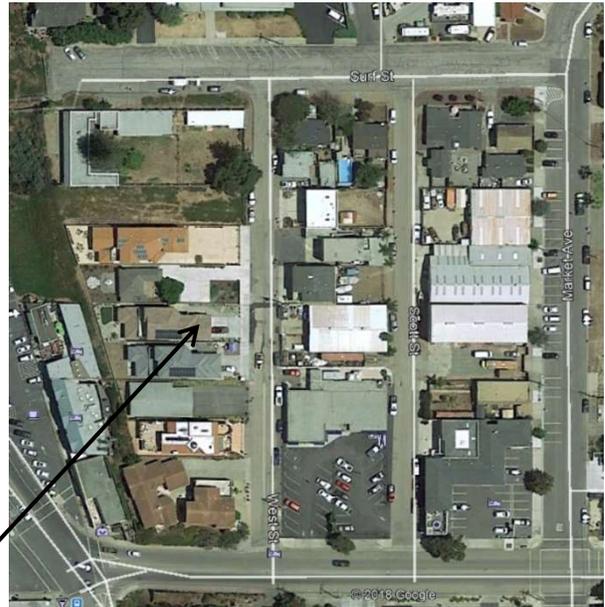
19. Driveway Gate: A driveway gate and fence of up to six-feet high may be installed within the front setback area along the street frontage under the following conditions:
- a) The gate and fence are designed and constructed so as to permit complete visual access to the home at any point above three feet from the sidewalk.
 - b) The fence is not covered with vegetation at any location above three feet;
 - c) The gate and fence are made of high quality materials and construction.
 - d) Design and use of materials and color for the gate and fence are complimentary to the architecture of the existing home.
 - e) Plans for the fence, driveway gate and lighting must first be submitted to the Planning Director for review and possible approval if they meet the required criteria. The Director may use discretion in approving the gate and fence or may forward the matter to the Planning Commission.

Also, here are some possible findings in support of approval:

1. West Avenue is unique and functions in part as a commercial alley and many residents are concerned for security based on the transient nature of non-resident vehicles and pedestrians passing through the neighborhood on a daily basis.
2. West Avenue divides single family residential uses with busy commercial businesses. The east side of West Avenue attracts visitor, customer, service vehicles, employee activity in outdoor yard areas, pickup and delivery of commercial items, storage, and trash dumpster pickup, which creates significant daily non-resident vehicle activity.
3. The difference in land use activity along West Avenue creates security and trespass concern by residents that could be lessened with a driveway gate and fence.
4. Site distance while backing a vehicle out of the driveway is not impaired because the fence design is completely open to view from the street to the house.
5. Other property owners along the west side of West Avenue have installed driveway gates and fences over three feet high in their front yards for the same security reasons as the applicant.
6. The proposed gate will be an attractive compliment to the architecture of the existing newly constructed home.
7. A driveway gate and fence would protect the health, safety and welfare of persons residing on the site and possibly on other sites.



1149 West Avenue



Vicinity Map



1149 West Avenue

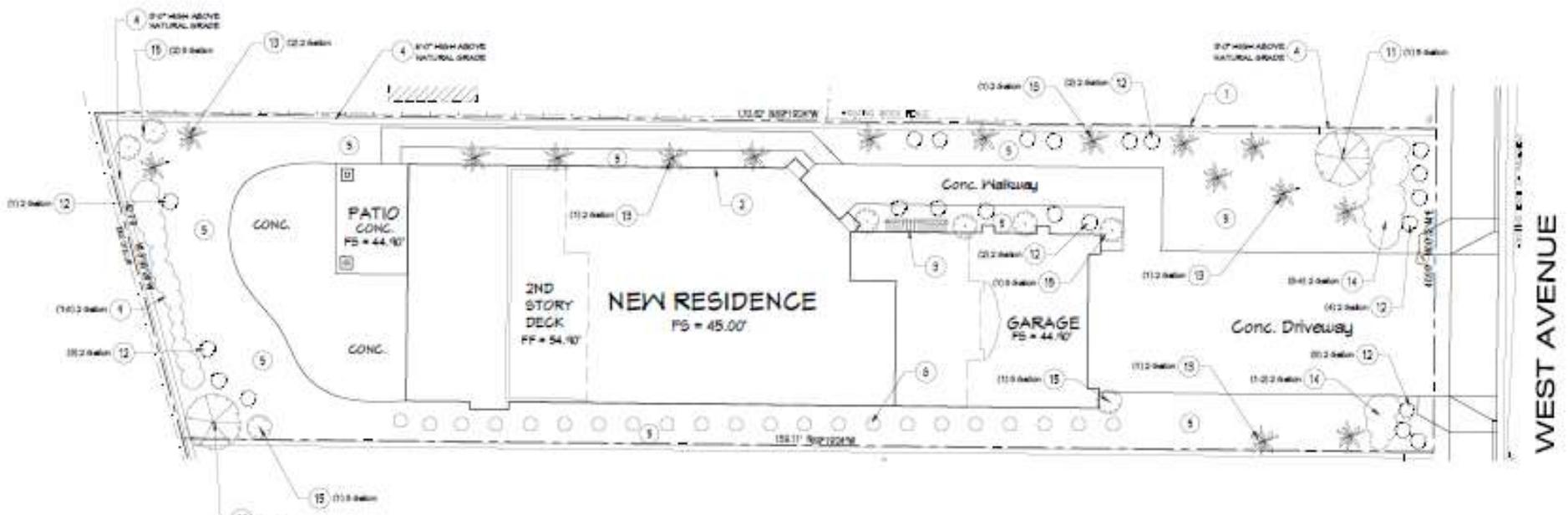
AMENDMENT TO CONDITIONAL USE PERMIT AND
COASTAL DEVELOPMENT PERMIT - UPO-414 & CP0-469

PHILLIP DAVIS, OWNER AND APPLICANT



Block View

Site Plan



Subject Site



Subject Site



Subject Site



Proposed Driveway Gate



West Avenue Looking South



West Avenue Looking North



Other Homes on West Avenue with Driveway Gates





Other Homes on West Avenue with Driveway Gates



Other Homes on West Avenue with Driveway Gates



Mixed-Use Commercial on West Avenue



Mixed-Use Commercial on West Avenue



Summary and Request

- ▶ West Avenue presents a unique set of property, street and traffic conditions that can support justification for a driveway gate for security purposes for residential property on the west side of the street
- ▶ Applicant requests your Commission's approval of proposed modification to condition 19 of CUP UP0-414 and CDP CP0-469 to allow a driveway gate and open fence up to six-feet high in the front yard setback area
- ▶ Thank you