



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, May 7, 2019
Veteran's Memorial Building – 6:00 P.M.
209 Surf Street, Morro Bay, CA**

Vice-Chairperson Michael Lucas
Commissioner Jesse Barron

Chairperson Gerald Luhr

Commissioner Joseph Ingraffia
Commissioner Susan Stewart

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 City business matters not on the agenda may do so at this time. For those desiring to speak on items on the agenda, but unable to stay for the item, may also address the Commission at this time.

Public comment is an opportunity for members of the public to provide input to the governing body. To increase the effectiveness of the Public Comment Period, the Commission respectfully requests the following guidelines and expectations be followed:

- When recognized by the Chair, please come forward to the podium to speak. Though not required, it is helpful if you state your name, city of residence and whether you represent a business or group. Unless otherwise established by the Chair, comments are to be limited to three minutes.
- All remarks should be addressed to Commission, as a whole, and not to any individual member thereof.
- The Commission respectfully requests that you refrain from making slanderous, profane or personal remarks against any 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 Planning Commission to carry out its meeting will not be permitted and offenders will be requested to leave the meeting.
- Your participation in Planning Commission meetings is welcome and your courtesy will be appreciated.
- The Commission in turn agrees to abide by its best practices of civility and civil discourse according to Resolution No. 07-19.

PRESENTATIONS

A. CONSENT CALENDAR

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

A-2 Approval of minutes from the Planning Commission and Water Reclamation Facility Citizen
ndaAdvisory Committee (WRFAC) meeting of July 3, 2018.
Staff Recommendation: Approve minutes as submitted.

- A-3** Approval of minutes from the Planning Commission meeting of April 2, 2019.
Staff Recommendation: Approve minutes as submitted.

B. PUBLIC HEARINGS

- B-1** **Case No.:** MIN19-001 (Minor Modification to CUP440 and CDP500)
Site Location: 3300 Panorama Drive, Morro Bay, CA
Proposal: Appeal of the Minor Modification Permit (MIN19-001) of the existing planning permits Conditional Use Permit UPO-440 and Coastal Development Permit CPO 500 to remove 3 small sheds and 3 fire hydrants that were not originally in the primary scope of work. One shed, and one fire hydrant are located within the ESH. The MIN19-001 Permit conditions of approval included all the conditions and mitigation measured applicable to the original permit work. The MIN19-001 permit work was completed prior to issuance of the Minor Modification Permit and prior to issuance of a building permit on or about February 26, 2019. The project site is in a (R-1) zone with a Planned Development (PD) Overlay. The site contains areas of environmentally sensitive habitat and is partially located in the Coastal Commission appeals jurisdiction.
CEQA Determination: This project is subject to the adopted Mitigated Negative Declaration of Environmental Impact (MND) dated February 2018. The MIN19-001 permit included conditions of approval based on recommendations provided by Pax Environmental specifically for this additional scope of work.
Staff Recommendation: Uphold Administrative approval of MIN19-001 and deny the appeal
Staff Contact: Nancy Hubbard, Contract Planner, (805) 772-6211
- B-2** **Case No.:** CDP19-004/CUP19-01
Site Location: 2790 Indigo Circle, Morro Bay, CA
Proposal: Coastal Development Permit and Conditional Use Permit approval request for construction of a 2,424 sf home with a 420 sf attached garage on a vacant lot in the Cloisters neighborhood. The property is zoned CRR/GC/PD (Coastal Resource Residential/Golf Course/Planned Development) and is located in the Coastal Commission Appeals Jurisdiction.
CEQA Determination: Categorically Exempt, Section 15303, Class 3a
Staff Recommendation: Conditionally Approve
Staff Contact: Willow Urquidi, Assistant Planner, (805) 772-6270

C. NEW BUSINESS - NONE

D. UNFINISHED BUSINESS - NONE

E. PLANNING COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS

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 May 21, 2019 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 805-772-6264 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 with 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.

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.



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 May 7, 2019

#	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	Morro94, LLC and Rhine, L.P.	3300 Panorama	2/24/19	MIN19-001	Minor modification of existing permit to remove small sheds and fire hydrants from the site.	Administratively reviewed, noticed and approved. Permit issued on 2/14/19. Project appealed to PC on 2/24/19. Pending hearing date - Appellant and applicant agreed to PC hearing date of May 7, 2019.				nh
2	Patel	2790 Indigo	1/31/19	CDP19-004 and CUP19-01	CDP / CUP for new 2,424 SFR, 420 sf garage	Under review. Incomplete letter sent 2/19/19. Resubmittal 3/6 currently under review. Correction letter sent 3/27. Resubmittal 4/8. Scheduled for PC May 7, 2019.				wu
3	U.S. Coast Guard	1279 Embarcadero	12/17/18	CUP18-10	Conditional Use Permit for 800sf addition to existing US Coast Guard Station	Incomplete letter sent 1/17/19. Resubmittal on 2/19/19. Project under review. PC reviewed on 4-16-19 and forwarded favorable recommendation to City Council. City Council hearing for approval scheduled for 5-14-19. .				cj
4	Griggs	495 Atascadero Ave	2/25/19	CUP19-03	Conditional use permit to approve as-built shed on RV park site.	Under review. Additional information requested 3/14/19. Project deemed complete 3-28-19, scheduled for PC hearing on May 21, 2019				nh
5	Martinez	978 Quintana	3/6/19	MIN19-003	Minor amendment to 2006 CUP/CDP approval for commercial complex	Submittal is under review. Deemed incomplete 3/29/19. Resubmittal received, deemed complete. Preparing for public notice (May 7-17) for administrative decision May 18, 2019.				nh
6	Hobab	982 Carmel	9/19/18	CDP 18-010/MUP 18-04/PKG 18-03	Coastal Development, Minor Use, and Parking Exception for the construction of an Accessory Dwelling Unit	Incomplete letter sent 10/17. Resubmittal rcv'd 11/27. Application deemed incomplete 12-21-18. Applicant to resubmit on or before April 3, 2019. Resubmittal received 3-21-19, under review. Deemed Complete and scheduled for Planning Commission June 4, 2019				nh
7	Tench	1001 Front St.	3/15/19	MUP19-02	Annual Waterfront Market	Submittal is under review. Deemed complete and noticing begins 4/30/19.				wu
8	Wilson	1141 Main Street	1/31/19	CUP19-02	Proposed Change in use; partial commercial retail & partial apartment	Deemed incomplete 3/1/19. Project requires CUP and CDP with Parking Exception, need resubmittal for additional planning permits. Resubmitted March 28, 2019, under review. Project deemed complete 4-16-19 and is scheduled for Planning Commission June 18, 2019 (date requested by applicant)				nh
30 -Day Review, Incomplete or Additional Submittal Review Projects:										
9	Ranat	2598 Main	2/19/19	VAR 19-001	Variance request to allow approval of an as-built bathroom partially within the site yard setback.	Submittal is under review. Deemed incomplete 2/4/19. Applicant considering alternative to resolve issues. Resubmittal received April 25, 2019 and is under review.				nh

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10	Naran	2172 Main St	4/23/19	MUP19-03	Request for approval for short term rental for residential apartment in MCR/R-4 zone	Submittal is under review				nh
11	Ryan	1170 Marengo	2/26/19	LLA19-001	Lot line adjustment to reconfigure 3 5000 sf residential lots into 2 larger residential lots.	Submittal is under review. Project deemed incomplete 3-21-19. Requires resubmittal . April 18 project deemed incomplete. Resubmittal requires an application for a Lot Merger to be process together with the LLA.				nh
12	Garcia	532 Kings Ave	2/22/19	CDP19-005	New SFR, 2474 sf of living space, 528 sf garage and 190 sf decking with shared driveway	Submittal is under review. Planning deemed incomplete 3/15/19				nh
12	Eisemann	535 Atascadero Road	3/7/19	PAR19-01	Final Parcel map	Submittal is under review. Planning disapproved 3/14/19				nh
14	Brebes	493 Oahu	1/16/19	CDP19-002	Admin. CDP for conversion of existing interior space to create a 561sf accessory dwelling unit.	Incomplete letter sent 2/1/19. Awaiting resubmittal.				wu
15	Najarian	1339 Berwick	11/30/18	CDP 18-014	Admin CDP for new construction of SFR and ADU with attached garage	Application deemed incomplete, comments sent to applicant on 12/27/18.				nh
16	Auerbach	3200 Beachcomber	3/29/19	CDP19-008	Regular CDP for drainage ditch bank stabilization project	Application deemed incomplete, comments sent to applicant on 4/25/19.				nh
17	Kenney	1130 Scott	9/7/18	CUP 18-06 and CDP 18-008 and PKG 18-01	Conditional Use and Coastal Developmetn permits for 1416 sf commercial garage/shop with 2200 sf caretaker's unit. Parking exception for increased driveway width for small lots	Incomplete letter sent 10/23. Resubmittal received 1/23/19, under review. Disapproval letter sent 2/25/19. Resubmittal March 12, 2019. Deemed complete 3/28/19, however applicant is redesigning and will resubmit revised plans. April 16, 2019 applicant informally submitted a revised design, comment letter returned on April 25, 2019, waiting for applicant decision on moving project forward.				nh
18	Henry	411 Trinidad	7/5/18	CP0-584	CDP for construction of a new single-family residence on a vacant lot	Under Intial Review. Correction letter sent 7/16/18. Additional review and correspondence with owners on March 7, 2019. Waiting for resubmittal		PN- conditionally Approved 7/19/2018		nh
19	Fields	731 Butte	6/14/18	CP0-582/UP0-534	CDP and CUP for Multi-Family residences. A 1,500 sq. ft. manufactured residence, a 448 sq. ft. studio unit above a 441 sq. ft. garage with an attached 220 sq. ft. carport	Under Initial Review. Correction letter sent 7/11/18. Resubmitted 10/22/18. Correction Letter sent 11/14				nh
20	Patel	233 Atascadero	6/13/18	CP0-581/UP0-533	CDP and CUP for New 83 room hotel on vacant 2 acre lot	Under Initial Review. Incomplete letter sent 7/13/18. Resubmitted 9/11/18. Comment letter sent 10/19/18. Environmental review required. Cj. Met with Applicant's Agents 11-8-18 to review flood plain and height requirements. Project currently overheight and does not meet parking requirements. Story poles erected on 1/3/19 and scheduled for Conceptual Review by PC to evaluate height, parking, and findings of significant public benefit as allowed under the Planned Development (PD) overlay zone. PC comments provided to Applicant after 1-15-19 meeting. Applicant considering project revisions. Environmental review in progress.				cj

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21	Held	205-215 Harbor St	5/4/18	CP0-578/ UP0-527	Coastal Development Permit & Conditional Use Permit for New construction of new 30 unit hotel, Merge existing 6 lots	Under initial review. Incomplete letter sent 6/4/18. Resubmittal received 7/3/18. Additional comments sent to Applicant's Agent 8/3/18, and 8/22/18. Proposals received for environmental review. Reimbursement agreement sent to applicant for environmental review on 10/15/18. Awaiting resubmittal.		PN- Conditionally Approved 7/17/2018		cj
22	Wood	361 Main	4/6/18	AD0-134 / UP0-526	Conditional Use Permit and Parking Exception for Addition to existing residence; 2nd floor addition 386 sq. ft.; 2nd floor deck 329 sq. ft. with variance AD0-134	Under Initial Review. Correction letter sent 5/1. Applicant notified 1-4-19 that Project requires a CUP and CDP, needs new application, fees and resubmittal for processing. Waiting for resubmittal.				nh
23	T-Mobile	1478 Quintana	2/26/18	A00-056	Modification to UP0-052/CP0-073 for upgrade to existing wireless site	Under initial review. Correction Letter sent 3/30. Unauthorized work completed by owner. Spoke with the agent 11/5 about process moving forward. Spoke with agent again 2/7. Resubmittal 2/26. Correction letter sent 3/13. Awaiting resubmittal.		JW approved		wu
24	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. Project Inactive as of 10/2018		PN-Conditionally approved 5/11/17		nh
25	Gambriel	405 Atascadero Rd.	5/13/15	CP0-475 / UP0-417	New construction of 10,000sf commercial retail on vacant lot	WM. Under review. Will need Arch and Traffic reports. 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. RFP for environmental consultant concluded. Consultant selected, preparing contract documentation. Consultant engaged and has begun work on initial study. Draft MND in staff review. Applicant reviewing site work changes to minimize site disturbance.		PN-Conditionally Approved 2/28/2018		nh
Projects Appealed to Planning Commission or PC Continued projects:										
26	State Parks - Mike Walgren	11 State Park Road	8/20/18	CDP 18-004, CUP18-04	Coastal Development Permit & Conditional Use Permit to install modular building for office space, parking and landscape improvements at Morro Bay State Park	Submitted on 8-20-18. Deemed incomplete 9.10.18. Applicant to resubmit plans. Plans resubmitted with additional information on 10-26-18. Project deemed complete. Scheduled for PC on December 18, 2018. Continued to date uncertain by PC on 12/18/18. Applicant to provide additional information.		PN- Approved 9/4/2018		nh

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27	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- 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:										
28	City of Morro Bay	Citywide	6/19/13	A00-015	Sign Ordinance Update. Text Amendment Modifying Section 17.68 "Signs"	Text Amendment Modifying Section 17.68 "Signs". Planning Commission reviewed 5/17/2010. Item heard at 5/24/11 City Council Meeting. Interim Urgency Ordinance approved to allow projecting signs. PC reviewed 2/7/2011. Workshops scheduled 9/29/11 & 10/6/11. City Council 12/13/11. Continued to 1/10/12 CC meeting. PC reviewed 5/2/2012. Update due to City Council in June 2013. Draft Sign Ordinance reviewed by PC on 6/19/13 & 7/3/13. PC has reviewed Downtown, Embarcadero, and Quintana Districts as well as the Tourist-Oriented Directional Sign Plan. 8/21/13 Final Draft of Sign Ordinance approved at 9/4/13 PC meeting with recommendation to forward to City Council. Council directed staff to do further research with local businesses. Business workshops held fall/winter 13/14. Result of sign workshops discussed at 11-3-15 PC mtg. Revised Public Draft of Sign Ordinance posted to City website on July 6, 2017	No review performed.	N/R		sg
Environmental Review										
29	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 - No pending applications currently.										

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Projects requiring coordination with another jurisdiction:										
30	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		
31	City of Morro Bay Desal Plant	170 Atascadero			Project requires a Coastal Development Permit for upgrades at the Plant. Final action taken Sent to CCC but pursuant to their request the City has rescinded the action.	Waiting for outcome from the CDP application for the outfall. Discussed project with Coastal staff in meeting 11-18-14.	No review performed.	BCR- Phase 1 Maint and Repair project is underway. Desal plant start-up scheduled for 10/15/13. Phase 1 complete and finalized. Phase 2 on hold as of 7/22/14.		
Projects going forward to Coastal Commission for review (Pending LCP Amendments) / or State Department of Housing:										
32	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. Public draft of combined General Plan/ LCP released May 2018 for review.				
33	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

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Projects Continued Indefinitely, No Response to Date on Incomplete Letter or inactive:										
34	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
Grants										
35	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
36	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
37	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	AJ Wright and Phil Davis	2996 Alder	9/28/18	B18-0033	New 3 story 3-unit apartment building, 2 story housing over ground level garage	Submitted 9-28-18. Not approved, comments sent on 10-11-18. Resubmitted March 6, 2019, under review. Planning disapproved submittal 3/19/19.	Bldg - Disapproved on 4/8/19			nh
2	Guesno	220 Atascadero Rd.	11/26/18	B18-0085	Commercial Alteration- parking lot reconfig, kitchen remod, install non bearing walls, add 2 restrms.	Submitted 11-26-18. Planning disapproved submittal 12/14/18.	BLDG - Disapproved 12/27/18			nh
3	Kudla	399 Beach	9/13/18	B18-0021	Commercial tenant improvement to Hungry Fisherman. Remodel, correct plumbing in bathroom and kitchen		Ready to issue			
4	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.	Approved 8-9-18. cj.	Ready to issue	PN - Approved 6/21/2018	Emailed comments on 10-20-17.	
5	Thayer	458 Bernardo Ave	4/17/19	B19-0070	Demo 1072 sf SFR and 460 sf garage and construct new single story SFR & detached garage - 1295 sf living, 462 sf garage, and 280 sf covered porch. Also 214 sf detached ADU (See B19-0071 for ADU permit).	Approved by planning 4/18/19.	Bldg - Plancheck			wu

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6	Thayer	458-A	Bernardo Ave	4/17/19	B19-0071	New detached 214 sf ADU at rear of property.	Approved by planning 4/18/19.	Plancheck			wu
7	Borchard	508	Blanca	9/5/18	B18-0015	New Single Family Residence-1800sq. Ft living, 453 sf garage + 364 decking	Approved by planning 10-4-18	Bldg - Disapproved on 9/20/18.			nh
8	Hobab	982-A	Carmel St.	3/22/19	B19-0049	409 sf attached ADU and 137 sf addition at rear of existing SFR. 112 sf second story deck at front of SFR, and new front door at entry.	No planning review before approval of CUP and Parking Exception - See CUP18-07 and PKG18-03.	Bldg - Disapproved 4/17/19			nh
9	Dutchman's	701	Embarcadero	4/18/19	B19-0060	Install one new 0.375" x 16" steel piling adjacent to existing failing wood pile, adding support to the existing beam under the Dutchman's outdoor deck.		Bldg - Approved on 4/25/19			cj
10	Redican	725	Embarcadero	11/29/18	B18-0086	Remodel existing two story commercial building, creating a 10 room hotel on upper floor with lobby on lower floor (adding 837 sf). Also repair/extension of the existing Harborwalk	Corrections sent 1-3-19. Resubmittal under review. Cj.	Bldg - 3/27/19			
11	Branch	885	Embarcadero	3/12/19	B19-0043	Addendum #1 to B18-0043 - Minor framing alterations (interior), confirm slopes per ADA requirements, and install siding at west elevation (previously stone).	Plng approved - cj.	Bldg - Disapproved 4/16/19			cj
12	Fowler	1215	Embarcadero	12/27/18	B18-0113	Tenant Improvement to new retail/office space in commercial bldg. T.I. will be completed during construction of new building. Business is Oyster depuration/ wet storage facility with retail sales and food facility (oyster bar).	Plng disapproved 1-14-19 - cj	Bldg - Disapproved on 2/4/19 Fire - Apporved on 2/5/19	Approved by pn on 1/17/19		cj
13	Mathias	2515 & 2525	Greenwood	2/16/18	B-31888	New SFR with ADU- 1384 sq. ft. living, 405 sq. ft. garage, 126 sf porch	Conditionally approved 2/27/18. Need COA attached to plan set	BLDG -Approved by co 1-2-19. mf	PN- Disapproved per memo dated 3/5/18		jg
14	Krull	2575	Greenwood	4/25/19	B19-0076	Remove existing non-conforming 261 sf shed, convert existing attached two-car garage into an accessory dwelling unit (ADU).	Under review.	Bldg - Plancheck			wu
15	Hoefner	125	Hatteras	4/11/19	B19-0065	SF Addition - 316 sf addition to existing SFR, 194 sf addition to existing attached garage, reduce size of entry porch to 22 sf (from 91 sf). Replace deck boards with composite decking on existing rear deck.		Bldg - Disapproved on 4/17/19			nh
16	Scott	2940	Hemlock	8/28/18	B18-0006	New Single Family Residence-1626sq. Ft living, 462 sf garage +500 decking	Disapproved 9/18/18. Resubmittal received 12/21/18. Under review. Disapproved 1/14/19. Awaiting resubmittal. Minor amendment to CDP under review.	Approved by co 1-7-19.			wu
17	Scott	2940-A	Hemlock	8/29/18	B18-0008	235 sq. ft attached ADU	Disapproved 9/18/18. Resubmittal received 12/21/18. Under review. Disapproved 1/14/19. Awaiting resubmittal. Minor amendment to CDP under review.	Approved by co 1/17/2019			

#	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
18	Gelman	2784	Indigo Circle	5/15/18	B - 32002	New SFR 2110 sq. ft., 663 sq. ft. garage, 275 sq. ft. patio	Approved 6/6/18	Ready to issue			
19	Bariel	491	Jamaica	4/25/19	B19-0080	Demo remnants of 1560 sf SFR after loss from fire. Includes removal of the foundation. Approved as Demo/Reconstruct, submitting separately for express approval to start demo, house plans to follow.	Under review.	Bldg - Approved on 4/26/19			wu
20	Barbis	440	Kings	4/4/19	B19-0059	Demo existing 204 sf detached garage and construct new 441 sf detached garage at rear of property	Planning disapproved 4/17/19.	Bldg - Disapproved on 4/15/19			wu
21	Smothers	570	Kings	2/5/19	B19-0019	Demo 988sfSFR, build 1000sf SFR	Disapproved 2/19/19.	Bldg - Disapproved 2/20/19			wu
22	Smothers	570-a	Kings Ave.	2/7/19	B19-0021	Add attached 430sq. Ft ADU	Disapproved 2/19/19.				wu
23	Linker	594	Kings Ave.	4/16/19	B19-0068	New two story SFR - 2996 sf living, 491 sf attached garage, 304 sf deck at front and 85 sf deck at rear.		Bldg - Ready to issue			nh
24	Hilton -Limited Partnership	430-A	LA Jolla	1/24/19	B19-0013	Enclose interior stairs to create ADU. Add closet on upper level, new french doors, new exterior door and new kitchen on lower level.	Planning approval 2/4/19.	BLDG- Disapproved by co on 1/30/19.			wu
25	Richardson	441	LA Jolla	3/8/19	B19-0040	Kitchen, bathroom and laundry room remodel in existing dwelling.	Submittal under review. Approved 3/19/19	Bldg - Disapproved 3/15/19			nh
26	Rogers	1127-A	Las Tunas	1/9/19	B19-0002	Demo garage and replace w/473 sq. ft ADU	Disapproved 2/4/19. Resubmittal 3/5/19. Disapproved 3/21/19. Resubmittal 4/3 Under review. Approved 4/10/19.	BLDG- Disapproved by co on 1/31/2019			wu
27	Vogal	948	Marina	9/5/18	B18-0014	Addition / construct new 400sf garage demo & replaced existing driveway.	Correction letter sent 10/15.	Bldg - Disapproved 9/20/18			jg
28	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.	Ready to issue	Approved by jb on 10-23-17.		
29	Verma	316-A	Main St.	3/22/19	B19-0051	Construct 724 sf ADU (attached addition) creating new upper level above existing SFR. Add 121 sf bathroom on main level and install elevator in existing garage.		Bldg - Disapproved 4/22/19			nh
30	Peter	890	Main St.	2/13/19	B19-0026	ADA and parking lot improvements. ADA stall to be relocated closer to street and make van accessible.	Approved on 3/1/19 - sg	Bldg - Approved 2/27/19 Fire - Approved 2/26/19	Disapproved on 3/14/19		
31	Dillon	1387	Main St.	4/25/19	B19-0079	Interior repairs to the Seabird room, in the Pacific Wildlife Care Clinic Building. Remove & replace plywood subfloor, spray foam insulation under floor, waterproof coating over new floors, replace floor drains, electrical, replace radiant wall heaters.		Bldg - Plancheck			sg
32	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. Application incomplete and corrections sent 4-5-18. Resubmittal received and unaddressed corrections sent back 7-19-18. Project required to underground utilities. Utility plan and coordination with public utilities in process. cj.	BLDG - Disapproved by California Code Check (contract building inspection services (see memo) on 7-23-18. PB	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
33	Kaishar	2460	Main	8/2/18	B32117	Comm. Alteration Remove Wall and expand lobby.		BLDG - Emailed comments to owner 12-28-18			nh
34	Birch	565	Mimosa	4/24/19	B19-0075	Installation of 13x27 foot Absolute Steel detached RV carport structure	Under review	Bldg - Plancheck			nh
35	Ogle	770	Morro Bay Blvd	12/17/18	B18-0102	Remove & replace 4,307 sf roof, remove and reconstruct a 541 sf vaulted roof, add three (3) new skylights, and replace existing skylights with dual glazed tempered glass skylights.	Approved on 12/26/18 - sg	Bldg - Approved 4/22/19- co Fire - approved 1/16/19 - mv	Disapproved by he on 12/26/18.		
36	Najarian	479	Nevis St.	3/22/19	B19-0050	New two story SFR, 1686 sf living, 507 sf garage, and 192 sf decking.	Disapproved 4/9. Awaiting resubmittal.	Bldg - Disapproved 4/15/19			wu
37	Jerkovich	2584	Nutmeg	4/25/19	B19-0077	Installation of stairs and concrete planters at front of lot. (Partially in ROW, will require an encroachment permit).	Under review.		Bldg - Plancheck		wu
38	Erb	2630	Nutmeg	2/14/19	B19-0029	Demo 195 sf third story deck at front of home and rebuild with 80 sf extension to allow for deck beam and column support. Remove 152 sf deck on south side of home, misc. construction to repair water damage.	Dissapproved 3/6/19. Disapproved 4/9.	Bldg - Approved 3/27/19			wu
39	Freisen	196	Panay St.	3/15/19	B19-0045	Additional 1000 sf to SFR	Disapproved 4/3/19.	Bldg - Disapproved 4/10/19			wu
40	Morro94 LP	3300	Panorama	2/11/19	B19-0023	Additional scope to remove small sheds and fire hydrants	Work was done without a permit. Post demo conditions applied. Project appealed - see MIN19-001.	Bldg - Disapproved 2/11/19			nh
41	Lewis	290	Piney Ln.	9/26/18	B32-151	Addendum - Adding stucco finish in lieu of ledgestone		Ready to issue			
42	Osborne	450	Piney Way	3/22/19	B-32176	Addendum to: B00-031-905 - Install elevator where approved plans only show the elevator shaft for a future elevator.	Planning approval 3/26	BLDG - Approved 3/13/19			wu
43	Johnson	128	Rennell	3/8/19	B9-0041	Demo existing home, build new SFR 1344 sf living space and 456 sf garage with covered front porch and roof top deck.	Submittal under review. Planning conditionally approved on 3/14/19	Bldg - Disapproved 4/22/19			nh
44	ABS-CA-O, LLC	730	Quintana Rd.	10/22/18	B18-0055	Remove & replace parking lot light poles and light fixtures on existing concrete bases. This permit includes 6 parcels in the Cypress Plaza, (600-780 Quintana Rd).		Ready to issue			
45	Erlendson	299-A	Sienna St.	1/22/19	B19-0005	Convert Garage to 435 sq. Ft. ADU	Planning approval 2/4/19	BLDG- Approve 4/15/19			nh
46	Coogan	175	Tahiti St.	3/21/19	B19-0048	Reconfigure existing floor plan & garage. Reduce 29 sf of garage and add to SFR.	Submittal under review. Approved 4/4.	Bldg -Disapproved 3/27/19			wu
47	Kenney	321	Trinidad	10/25/18	B18-0058	362 sf single story addition to existing SFR	Resubmittal disapproved 3/21/19 - wu	Bldg - Resubmittal approved 3/21/19	Resubmittal disapproved 3/21/19		wu
48	Stanton	351	Trinidad	3/26/19	B19-0054	Repairs to existing 200 sf rooftop deck. Replace all dry-rot structural members, install new waterproof membrane, new copper drip edge flashing, replace plaster, replace guardrail if needed.	Submittal under review.	Bldg - Approved 3/27/19			

#	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	Stavros	461 Fairview	9/14/18	CDP 18-009	Admin CDP for demo of existing non-conforming SFR (955SFR and 297sf garage) and construct new 2203sf 2-story residence with new 432 sf garage	Incomplete Letter Sent 10/10. Project resubmitted 10/26. Discussion with agent about project design 11/9. All required application submittal documents received 1/3 and project is under review. Action taken 1/31. Project appealed 2/8. Scheduled for PC on April 2, 2019. Appeal denied.				wu
2	Thayer	464 Bernardo	12/20/18	CDP18-018	Admin Coastal Development Permit for SFR & ADU	Under review. Correction letter sent 1/11/19. Resubmittal on 2/19/19 currently under review. Permit issued 4/3.				wu
3	Claasen	1700 Embarcadero	2/21/19	MAJ 19-002	Major modificaion of existing permit to add solar cover over stored RV's (on city owned property)	Submittal is under review. Project deemed complete and on the PC hearing agenda for April 16, 2019. PC approved the project and a permit was issued.				nh
13	Villalobos	625 Harbor St	2/28/19	TUP19-01	Touch-A-Truck Event @ Morro Bay Library	Correction letter sent 3/14. Resubmittal 3/15. Deemed complete and noticing began 3/25.				wu

MINUTES – PLANNING COMMISSION AND WATER RECLAMATION FACILITY CITIZEN ADVISORY COMMITTEE (WRFCAC)
SPECIAL MEETING – July 3, 2018
VETERAN’S MEMORIAL BUILDING – 3:00 to 5:45 P.M.

- | | | |
|----------|--|---|
| PRESENT: | Barbara Spagnola
Jesse Barron
Paul Donnelly
Valerie Levulet
Doug Rogers
Richard Sadowski
Steve Shively | Vice Chairperson
Board Member
Board Member
Board Member
Board Member
Board Member
Board Member |
| PRESENT: | Gerald Luhr
Jesse Barron
Joseph Ingraffia
Michael Lucas
Richard Sadowski | Chairperson
Commissioner
Commissioner
Commissioner
Commissioner |
| STAFF: | Joseph Pannone
Rob Livick
Scot Graham
Eric Casares
Janeen Burlingame | City Attorney
Public Works Director
Community Development Director
WRF Program Manager
Management Analyst |

ESTABLISH QUORUM AND CALL TO ORDER
The meeting was called to order at 3:01 p.m. and a quorum was present.

MOMENT OF SILENCE/PLEDGE OF ALLEGIENCE
ANNOUNCEMENTS

Richard Sadowski was concerned that a short period of time was given to review a copy of the Draft Final Environmental Report. He felt it was not enough time for this caliber of a project.

Barbara Spagnola mentioned that speaker slips should be filled out and bring to staff.

PUBLIC COMMENT
<https://youtu.be/Cbx1CUuI9Wk?t=1m25s>

The public comment period was opened, seeing none, the public comment period was closed.

1. Review of Draft Final Environmental Impact Report (FEIR) for the Morro Bay Water Reclamation Facility (WRF)
<https://youtu.be/Cbx1CUuI9Wk?t=3m34s>

Scot Graham introduced Jennifer Jacobus, with ESA who made a brief presentation.

Discussion, comments and questions continued amongst Committee members, staff, and consultants.

PUBLIC COMMENT
<https://youtu.be/Cbx1CUuI9Wk?t=33m15s>

The public comment period was opened.

Jeff Heller thanked the committees for their time. He expressed concern about why the South Bay Blvd location is the preferred sight and the impact it will have on businesses on Quintana Road during construction. He feels there is not a preferred pipeline route or a preferred lift station location yet. His last concern questioned the preferred location of the wells and the impacts for each of those locations.

Glenn Silloway thanked the committees for their long hours of work. He feels the project needs to move ahead citing time, interest rates and costs that could delay the project. He addressed some of the public's requests in the report asking that for an alternative site on the beach west of the highway. He then cited information from the Coastal Commission regarding their decision.

The Public comment period was closed.

Rob Livick, Committee Members and Staff addressed some of the specific comments from the public.

Discussion, comments and questions continued amongst Committee members, staff, and consultants.

MOTION: Vice Chairperson Barbara Spagnola made a motion that our Board (Water Reclamation Facility Citizen Advisory Committee) recommend adoption and certification of the Final Environmental Impact Report incorporating all the changes discussed and included in the appendix today for the Water Reclamation Facility and make that recommendation to City Council.

The motion was seconded by Steve Shively. The motion carried 5-2-0 by Vice Chairperson Spagnola, Commissioner's Shively, Levulett, Barron and Rogers voting yes and Commissioner Sadowski and Commissioner Donnelley voting no.

MOTION: Commissioner Lucas made a motion that we recommend certification.

The motion was seconded by Commissioner Barron. The motion carried 4-1-0 by Commissioner's Luhr, Barron, Lucas, and Ingraffia voting yes and Commissioner Sadowski voting no.

COMMITTEE MEMBER CLOSING COMMENTS

<https://youtu.be/Cbx1CUul9Wk?t=1h51m55s>

ADJOURNMENT

The meeting adjourned at 4:57 p.m.

Recorded by:

Gina Gregory
Office Assistant

AGENDA ITEM: A-3

DATE: MAY 7, 2019

ACTION: DRAFT

ACTION MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – APRIL 2, 2019
VETERANS MEMORIAL BUILDING – 6:00 PM

PRESENT:	Gerald Luhr Michael Lucas Jesse Barron Joe Ingraffia Susan Stewart	Chairperson Vice-Chairperson Commissioner Commissioner Commissioner
STAFF:	Scot Graham Willow Urquidi	Community Development Director Assistant Planner

ESTABLISH QUORUM AND CALL TO ORDER
MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE
PLANNING COMMISSIONER ANNOUNCEMENTS
<https://youtu.be/pvqp6QZa5Vc?t=1m23s>

Vice-Chairperson Lucas complimented the Inn at Morro Bay's tank project.

PUBLIC COMMENT PERIOD
<https://youtu.be/pvqp6QZa5Vc?t=1m51s>

Bill Martony, Morro Bay, spoke about zoning on Main Street and the maps which needed to be corrected.

Betty Winholtz, Morro Bay, spoke to the Commission about the Water Reclamation Facility. Winholtz asked the Commission if they could influence the City Council in moving the meeting back to San Luis Obispo in July so the public would have an opportunity to voice their concerns since there'll be no hearing in Morro Bay.

Commissioner Luhr closed the Public Comment period.
<https://youtu.be/oMKDq1Zvlos?t=6m25s>

Graham responded to the public comments.

PRESENTATIONS - NONE

A. CONSENT CALENDAR
<https://youtu.be/pvqp6QZa5Vc?t=9m44s>

- A-1** Current and Advanced Planning Processing List
Staff Recommendation: Receive and file.
- A-2** Approval of minutes from the Planning Commission meeting of February 19, 2019.
Staff Recommendation: Approve minutes as submitted.
- A-3** Approval of minutes from the Planning Commission meeting of March 5, 2019.
Staff Recommendation: Approve minutes as submitted.

MOTION: Commissioner Barron moved to accept the Consent Calendar. Commissioner Stewart seconded, and the motion passed 5-0.
<https://youtu.be/pvqp6QZa5Vc?t=1h17m57s>

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.: Appeal of CDP18-009

Site Location: 461 Fairview Avenue, Morro Bay, CA

Proposal: Appeal of the Director's approval of Administrative Coastal Development Permit (CDP18-009) at 461 Fairview for the demolition of the existing 922 sq. ft. residence and construction of a new two-story 2,203 sq. ft. single-family residence. The project includes a 432 sq. ft. attached garage and 432 sq. ft. of decking. The parcel is located within the R-1 district and outside the Coastal Commission Appeal Jurisdiction.

CEQA Determination: Categorically Exempt, Section 15303, Class 3.

Staff Recommendation: Deny the appeal and uphold Director's approval.

Staff Contact: Willow Urquidi, Assistant Planner, (805) 772-6270

<https://youtu.be/pvq6QZa5Vc?t=10m20s>

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS –
Commissioner Barron met with Ms. Bast at the project site.

Commissioner Stewart communicated by email with Ms. Bast but was unable to meet with her.

Urquidi notified she made a correction on the staff report.

Urquidi presented the staff report.

The Commissioners presented their questions to staff.

Chairperson Luhr opened the Public Comment period.

<https://youtu.be/oMKDq1Zvlos?t=28m13s>

Nancy Bast, appellant, spoke about the cons of an administrative permit and how it affects the neighborhood. Bast also spoke about issues with administrative appeals.

Chris, Jill and Nicolas Stavros, applicants, presented their report to the Commission.

Cynthia Holly spoke on behalf of Nancy Bast stating the reasons for opposing the project.

Roger Ewing, Morro Bay, stated he supports Nancy Bast's appeal, and noted if it wasn't for the appeal, a lot of the neighbors wouldn't have known about the project.

Betty Winholtz, Morro Bay, stated there are too many issues regarding the project, particularly the soil and retaining walls. Winholtz would like the Commission to hold off deciding until they have the information to make a safe decision.

Grant Cowl, Morro Bay, stated the city did not follow the guidelines and this is the reason for the appeal.

Kasey Caldwell, Morro Bay, stated she received the notice of the appeal but not the notice for the project. Caldwell noted the project meets the requirements on paper but doesn't fit in the neighborhood. Caldwell would like the Commission to gather more information before deciding.

Jamie Irons, Morro Bay, submitted comments and was hoping the Commission review them. Irons stated he supports the project and noted it met all the requirements. Irons asked the Commission to deny the appeal.

Emily Baranek, agent/architect for the applicant, stated the applicants wanted to work with the neighbors and be good neighbors themselves, therefore they fulfilled the requirements needed.

The Commissioners presented their questions to staff.

Chairperson Luhr closed the Public Comment period.

<https://youtu.be/pvgp6QZa5Vc?t=1h21m16s>

Discussion between the Commissioners and staff.

MOTION: Commissioner Barron moved to deny the appeal and uphold the Directors approval of administrative Coastal Development permit CDP18-009, at 461 Fairview Avenue, for the demolition of the 922 square feet residence and construction of a new 2-story 2,203 square feet Single-family residence. The motion included the adoption of the resolution. Commissioner Stewart seconded, and the motion passes 4-1, with Commissioner Ingraffia voting no.
<https://youtu.be/pvgp6QZa5Vc?t=1h49m42s>

C. NEW BUSINESS - NONE

D. UNFINISHED BUSINESS - NONE

E. PLANNING COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS

<https://youtu.be/pvgp6QZa5Vc?t=1h52m14s>

Commissioner Barron notified everyone the April (WRFCAC) meeting was canceled because the hydrology study and facility review were not complete. There will be more information on the City's website at the ending of the month.

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENT - NONE

G. ADJOURNMENT

The meeting adjourned at 7:53 p.m. to the next special scheduled Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on April 16, 2019 at 6:00 p.m.

Gerald Luhr, Chairperson

ATTEST:

Scot Graham, Secretary



AGENDA NO: B-1

MEETING DATE: May 7, 2019

Staff Report

TO: Planning Commissioners

DATE: May 2, 2019

FROM: Nancy Hubbard, Contract Planner

SUBJECT: Minor Modification (MIN19-001) to existing CPO-500 and UPO-440 to remove 3 small sheds and 3 fire hydrants from the property located at 3300 Panorama. One shed, and fire hydrant are in the ESH Buffer area. The site is zoned R-1/PD. A portion of the project is located within the Coastal Commission appeals jurisdiction.

RECOMMENDATION:

Deny the appeal and uphold the Director's approval of Minor Modification (MIN19-001) to existing CPO-500 and UPO-440 to remove 3 small sheds and 3 fire hydrants from the property located at 3300 Panorama by adopting Planning Commission Resolution 08-19.

ALTERNATIVES:

1. Uphold the appeal and provide direction to staff regarding desired action
2. Continue appeal and provide direction to staff regarding desired action

APPELLANTS: Carole Truesdale, Kristen Headland and Dan Sedley

APPLICANTS: Rhine LP and Morro94, LLC

LEGAL DESCRIPTION/APN: 065-038-001

SUMMARY:

An Administrative approval of a Minor Modification (MIN19-001) to an existing permit (CPO-500 and UPO-440) was granted on February 14, 2019 which included several conditions of approval and pre-requisite requirements for the removal of the 3 small sheds and 3 fire hydrants. Appeals of this action were filed on February 25, 2019 by Carole Truesdale, Kristen Headland and Dan Sedley. Each Appellant filed a separate appeal form, but all three included the same supporting documentation and the same grounds for appeal and the same requested relief or action.

Following staff notification to the Applicant that the permit had been appealed, staff was informed by neighbors that the sheds had been removed from the site (on or about February 26, 2019). When asked about the removal of the sheds and fire hydrants, the Applicant stated that they misunderstood the process and thought they had approval to proceed with the work. As Staff continued their investigation into the removal of the sheds, they learned that the fire hydrants had been removed in December 2018 by the contractor who was working on the primary scope of work (tank removal and related work permitted in 2018). The contractor said they thought the fire hydrant removal was part of the original scope of work (since they were capping the water lines that had been removed from the demolished private water tank, they believed they should cap both ends and remove the fire hydrants that were not connected to any water source). The fire hydrant removal and termination of the waterlines were done in conformance with the primary permit conditions of approval and mitigation and monitoring measures. Additionally, the work was done prior to nesting season. The 3 sheds were removed by a contractor who is licensed for asbestos abatement, including demo, removal and toxic waste transport services.

APPEAL REQUESTED ACTION:

The Appellants requested the following action from their list of issues/concerns, followed by staff response:

1. Immediately rescind Administrative Permit. **Staff response: The work was completed without a valid permit, so there is no valid permit to rescind.**
2. Encase all corrugated asbestos structures on site. **Staff response: The work is completed, however, the contractor who removed the sheds did encase the sheds appropriately prior to removal. The one remaining corrugated asbestos structure on the site has not been part of any requested permit for removal.**
3. Amend application to eliminate the 3 fire hydrants and capping of the related waterlines. **Staff Response: The fire hydrants were removed as part of the primary permitted scope of work.**
4. Hold the Applicant accountable for all permit violations. **Staff Response: This is not related to this appeal. There were no violations related to this permit at the time this appeal was filed. The City has taken all actions available for violations that have occurred following the date of this appeal plus violations unrelated to the subject of this appeal.**

AFTER-THE-FACT PERMIT REQUIREMENTS:

The following actions have been taken by staff to address the applicant's removal of the 3 sheds without a valid planning permit or building permit:

1. A stop work order was placed on the site.
2. Staff visually inspected the work area February 28, 2019 and found no

evidence of disturbance.

3. The applicant was notified that they were in violation and were required to provide the following documentation of the work that was done:
 - a. Paperwork/hazardous materials credentials for the contractor who removed the sheds and receipts from the disposal site confirming receipt. *Paperwork received, contractor confirmed to be qualified for asbestos handling, remediation and hazardous waste transport. Paperwork was provided to confirm the sheds were taken to a hazardous waste disposal site.*
 - b. Confirmation on the method of handling shed removal. *Contractor performing the work was qualified for demo and handling of hazardous waste. They confirmed that they wrapped the sheds, unbolted them manually and lifted them onto the truck for appropriate disposal.*
 - c. Visual examination around the shed locations to confirm no remaining hazardous materials on site. *An Industrial Hygienist visited the site and observed a minor amount of debris; however, it may have predated the removal of the sheds. Staff recommends adding the areas around the sheds to the final evaluation of the site required to close out the primary permit.*
 - d. Soil testing in vicinity of sheds to confirm no unacceptable levels of contamination in the area. *Soil testing around the sheds resulted in levels that exceed the residential limits. It cannot be determined if the lead readings resulted from the removal of the sheds or was existing prior to removal of the sheds. Additional testing and any necessary abatement will be done as part of the final close out testing required by SLO County Environmental Health, and that will include these areas as well as the area near the existing buildings.*
 - e. Report from Biologist confirming no nesting birds in the area and confirm that the ESH work areas had not been negatively impacted from the shed removal. *Report provided by Pax Environmental with findings of no apparent damage to the ESH or nesting birds in the area at the time the work was done.*

REGULATORY REQUIREMENTS FOR APPEALS TO PLANNING COMMISSION:

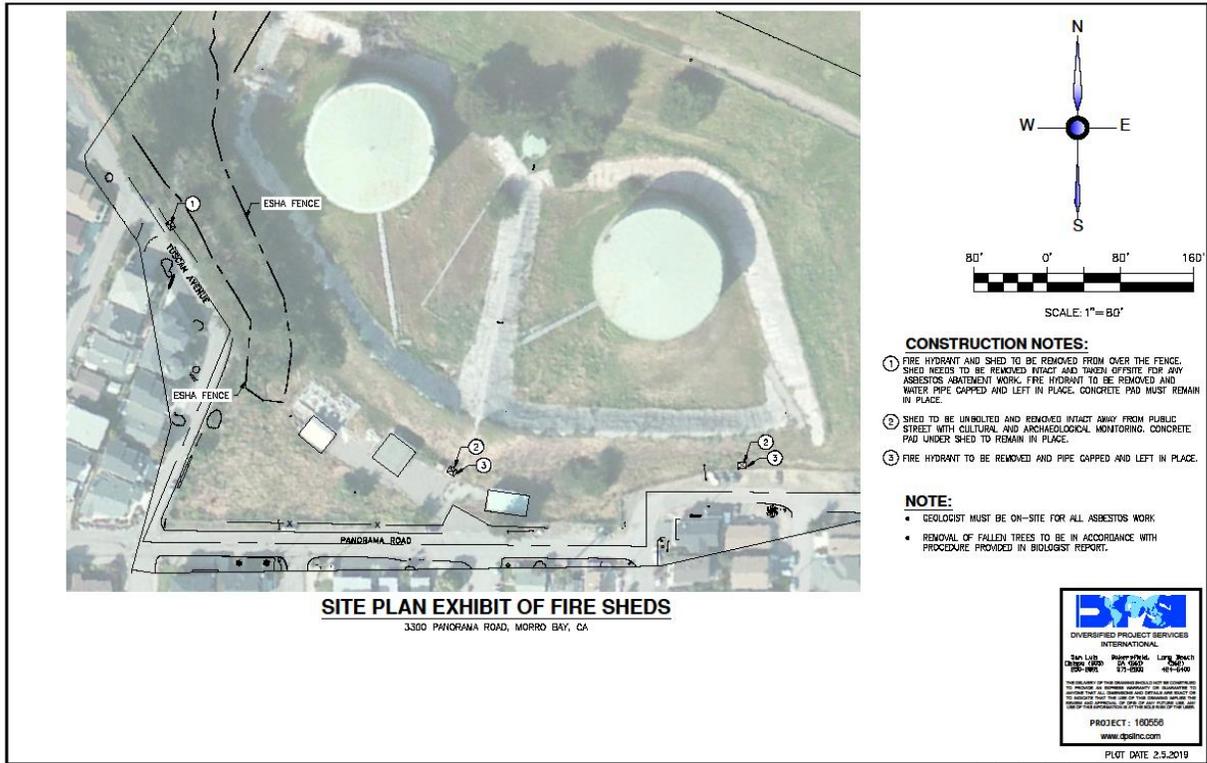
The function and duties of the Planning Commission as the appellant body are to review the appeal, administrative record and written correspondence received by staff and included in the staff report, and take one of the following actions:

- A. Conduct a public hearing considering the concerns raised by the appellant, and uphold or deny the appeal; or

- B. If new evidence comes to light at the hearing that was not previously reviewed by staff, remand the matter back to staff for further review and action.

The Planning Commission, under option A above, shall conduct a de novo review in that the appellant body shall consider only the same application, plans and related materials that were the subject of the original decision, and is not required to give any deference to the original determination of the Director.

PROJECT BACKGROUND:



The 10-acre project site is located at 3300 Panorama Drive, at the northeast corner of the City of Morro Bay (refer to Aerial above). The site was previously used by the Department of the Navy for jet fuel storage and distribution. The site is surrounded by single-family residential development and vacant agricultural land outside City limits. The site is within the R-1/PD/ESH zoning district (Single-Family Residential / Planned Development / Environmentally Sensitive Habitat) and designated by the General Plan and Coastal Land Use Plan as Moderate Density Residential / Planned Development. The site includes an ESH area surrounding a blue line stream on the United States Geologic Survey maps. The stream corridor and 100 feet on either side are in the

Coastal Commission's Appeals Jurisdiction.

The following is a general timeline of the permits issued for the primary scope of work (no longer appealable):

1. On June 19, 2018, Planning Commission approved CUP 440/CDP 500, subject to conditions of approval and Mitigation and Monitoring Plan requirements pursuant to the adopted Mitigated Negative Declaration.
2. On September 27, 2018, a building (demo) permit was issued for the primary scope of work.
3. As of April 25, 2019, the project is very close to having completed all the reporting and testing requirements necessary to get final sign-off on the original scope permit from the following jurisdictions and agencies:
 - a. SLO County Environmental Health (permit)
 - b. Air Pollution Control Board (reporting requirements)
 - c. U.S. & California Fish and Wildlife Service (notification/authorized project)
 - d. Regional Water Quality Control Board (compliance only)
 - e. California Department of Toxic Substances Control (compliance/soil testing)
 - f. City of Morro Bay (following sign off from all other agencies)

APPEAL ISSUES:

The Appellant bases the appeal of the project on the following grounds (See Exhibit B attached below for the full appeal form):

Appeal Issue #1:

That all asbestos containing structures be immediately wrapped and sealed by a Certified Asbestos Consultant to prevent any release of asbestos fibers.

Staff Response: The Minor Modification permit included a condition (#7) for the shed located in the ESH to be wrapped prior to removal. All 3 sheds were wrapped prior to removal. Additionally, the Mitigated Negative Declaration adopted in June 2018, included the following requirement and disclosure (page 12): The only hazardous waste anticipated to be generated during the demolition activities include non-friable asbestos, lead paint removal waste, lead paint debris, and petroleum-contaminated soil. The handling of hazardous materials is addressed on page 16 in accordance with the following documents: The Hazardous Waste Contingency Plan, the Asbestos Compliance Plan, the Lead Compliance Plan. The MND outlines all the pre-demo testing for hazardous materials on the site and identifies the buildings on the site as containing asbestos in the corrugated roof and siding panels, as well as in the office

carpet glue, floor tile mastic and likely in the metal window frames and electrical cable.

Appeal Issue #2:

That this permit be rescinded and a proper application to amend the permit be submitted to Planning Commission as required by MBMC 17.58.120.

Staff Response: In the original permit, the Standard Condition #3 states: *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 permit amendment subject to Planning Commission review.* The scope of the work proposed was considered minor and was intentionally processed as an amendment to the original permit to ensure that the work continued to be subject to all the conditions of approval and mitigation measures as the original permit.

Appeal Issue #3:

That the permit application immediately be heard by the Planning Commission for proper processing and decision making in accordance with the applicable laws to expedite removal of all asbestos structures.

Staff Response: The minor modification to the original permit was subject to all the original conditions of approval and mitigation measures that address possible hazardous material handling and treatment. Additionally, the approved Minor Modification to the original permits also included additional conditions. Since the work was completed without a valid permit, the pre-requisite conditions were not met, but the removal and handling of the sheds was done by a licensed qualified contractor using the prescribed methods of removal and responsible disposal.

Appeal Issue #4:

That the project be halted until all federal and state requirements for demolition of hazardous materials are carried out.

Staff Response: The work is done. This issue cannot be addressed; however, the removal of the sheds was performed by a licensed and qualified contractor.

Appeal Issue #5:

That the property owner be required to pay all fines for unpermitted removal of the trees and fire hydrants on the property.

Staff Response: The unpermitted removal of trees was addressed in the original permit through the requirement to replace the trees on a 1:2 basis with 15-gallon

replacement trees. Removal of the fire hydrants, while not a part of the original permit, was carried out in a manner consistent with the mitigation measures found in the Mitigated Negative Declaration. Additionally, the enforcement section of the City's Zoning Code, found in Chapter 17.61, refers to Title 1 of the Morro Bay Municipal Code (MBMC) for fines. Chapter 1.03 (Administrative Citation Program) of MBMC contains Section 1.03.030 (Warning of Administrative Citation), which requires a warning to be served as a prerequisite to the issuance of a fine. Warnings are also required to include a reference to the code section violated and description of both the violation and means by which the violation can be corrected. In this instance the violation can be corrected by obtaining approval of a minor modification. It is also worth noting the fine schedule identified in section 1.03.050 of the MBMC sets the fine for first violation at \$100. The fine cannot be issued until after the applicant is offered the opportunity to correct the violation.

Appeal Issue #6:

That the removal of all remaining structures be planned and supervised by a Certified Asbestos Consultant as required by state and federal law.

Staff Response: There are no longer any structures on the site proposed for removal.

Appeal Issue #7:

That no activity be allowed on the site during nesting season as required.

Staff Response: The permit included a requirement for a bird nesting survey prior to performance of the work. Additionally, the original CEQA review and resulting monitoring and mitigation programs was also applicable to this minor addition to the original scope of work. Since that pre-requisite condition was not met, staff required a biologist survey of the site to insure there was no harm to the ESH and any nesting birds on the site.

ENVIRONMENTAL DETERMINATION

This project remains subject to all the Conditions of Approval and Mitigation and Monitoring requirements in the Mitigated Negative Declaration adopted by Planning Commission on June 19, 2018.

PUBLIC NOTICE: Notice of this item was published in the San Luis Obispo Tribune newspaper on April 26, 2019 and all property owners of record within 1000 feet and occupants within 1000 feet of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application.

CONCLUSION: Staff review of the requested additional scope determined that the

proposed scope of work was minor in nature which was appropriately approved through an administrative process. Public notification although not always required, was done in this case because of the high level of public interest in the site and the work. Although the work was done without a valid permit after this appeal was filed, that is a City code enforcement matter, and not part of this appeal. As a result, staff has concluded that the grounds for an appeal of the project's approval are inadequate to repeal the Director's approval of the Minor Modification Permit based on the above staff analysis. The project submittal was sufficient to make the necessary findings for approval including that the project is consistent with the City's General Plan, Local Coastal Program and the Municipal Code.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission deny the appeal and uphold the Director approval of the Minor Modification subject to the findings and conditions of approval as specified by Planning Commission Resolution #08-19 attached below as Exhibit A.

EXHIBITS:

Exhibit A – Planning Commission Resolution 08-19

Exhibit B – Appeal received from Appellants dated 02/25/19

Exhibit C – Minor Modification (MIN 19-001) Permit with conditions of approval

Exhibit D - Amendment MIN19-001 to CP0-500 and UP0-440

EXHIBIT A

Planning Commission Resolution 08-19

Appeal of MIN 19-001

Page 1

RESOLUTION NO. PC 08-19

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION DENYING THE APPEAL OF MINOR MODIFICATION (MIN19-001) OF UPO-440 AND CPO-500 PERMITS ALLOWING REMOVAL OF SHEDS, FIRE HYDRANTS AND RELATED TERMINATION OF WATER LINES AT 3300 PANORAMA DRIVE

WHEREAS, Rhine LP and Morro94, LLC applied for a minor modification of the existing CPO-500 and UPO-440 permit on January 14, 2019 for removal of 3 small sheds and 3 fire hydrants; and

WHEREAS, The City of Morro Bay administratively approved the minor modification (MIN19-001) on February 14, 2019, following the end of the 10-day public notification period; and

WEREAS, Carole Truesdale, Kristen Headland and Dan Sedley submitted an appeal of the City's approval of the minor modification permit MIN19-001 on February 25, 2019; and

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 May 7, 2019, for the purpose of considering the appeal of Minor Modification Permit MIN19-001 for removal of 3 small sheds, fire hydrants and termination of related waterlines; 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 appellant, 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)

1. For purposes of the California Environmental Quality Act, the project is subject to all requirements of the final MND, prepared in February 2018 and adopted in June 2018, which outlines mitigation measures to be incorporated into the project to ensure the project will have a less than significant impact on the environment, the project applicants agreed to all mitigations, and such

EXHIBIT A

mitigations are provided for in a Mitigation and Monitoring Program which is available on request.

Minor Modification of Coastal Development Permit findings

1. The project is small in scale and is consistent with the type of work approved in the original scope of work. All original permit conditions of approval and mitigation and monitoring program requirements apply. The proposed work is consistent with applicable provisions of the Local Coastal Program (LCP) because, as conditioned and through mitigation measures, the demolition will not have any substantial adverse impacts on the environment or coastal resources.

Minor Modification of Conditional Use Permit Finding

1. As conditioned, the project is in compliance with the General Plan and certified Local Coastal Program and will not be detrimental to the health, safety, and general welfare of persons residing or working in the surrounding neighborhood.

Section 2: Action. The Planning Commission does hereby deny the appeal of Minor Modification of the existing UPO-440 and CPO-500 for the property located at 3300 Panorama Drive subject to the following conditions:

STANDARD CONDITIONS:

1. Permit: Minor Amendment to existing CPO-500 and UPO-440 to remove 3 small sheds, 3 fire hydrants and terminate related private waterlines from the property located at 3300 Panorama. One shed, and fire hydrant are in the ESH Buffer area. The site is zoned R-1/PD. A portion of the project is located within the Coastal Commission appeals jurisdiction.
2. Inaugurate Within Two Year: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this approval and is diligently pursued thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Said extensions may be granted by the Director, upon finding that the project complies with all applicable provisions of the Morro Bay Municipal Code, General Plan and Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.
3. Changes: Any minor change may be approved by the Community Development Director. Any substantial change will require the filing of an application for an amendment.
4. Compliance with the Law: All requirements of any law, ordinance or regulation of the State of California, City of Morro Bay, and any other governmental entity shall be complied with in the exercise of this approval.

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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. This condition and agreement shall be binding on all successors and assigns.
6. Compliance with Conditions: Compliance with and execution of all conditions listed hereon shall be necessary, unless otherwise specified, prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Planning and Building Director and/or as authorized by the Planning Commission. Failure to comply with these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the Morro Bay Municipal Code and is a misdemeanor.
7. 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.
8. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the Morro Bay Municipal Code and shall be consistent with all programs and policies contained in the certified Coastal Land Use plan and General Plan for the City of Morro Bay.

PLANNING CONDITIONS:

1. Construction Hours: Construction Hours: Pursuant to section 9.28.030.I, Construction or Repairing of Buildings. The erection (including excavating), demolition, alteration or repair of any building or general land grading and contour activity using equipment in such a manner as to be plainly audible at a distance of fifty feet from the building other than between the hours of seven a.m. and seven p.m. on weekdays and eight a.m. and seven p.m. on weekends except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the community development department, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for a period of three days or less while the emergency continues.
2. Dust Control: That prior to issuance of any grading permit, a method of control to prevent dust and windblown earth problems shall be submitted for review and approval by the Building Official.
3. Conditions of Approval on Building Plans: Prior to the issuance of a Building Permit, if any is required, the final Conditions of Approval shall be attached to the set of approved plans. The sheet containing Conditions of Approval

EXHIBIT A

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shall be the same size as other plan sheets and shall be the last sheet in the set of Building Plans.

4. Biologist Report: All work must be completed in strict compliance with the means and methods as well as the monitoring requirements stated in the Pax Environmental report dated 12-13-18
5. Lead Based Paint Analysis: Prior to the start of the permitted work, applicant shall provide the City with a copy of a report analyzing the paint on the three sheds. If there are any traces of lead paint found, the contractor shall follow the protocol established in the original demo permit (Monitoring AQ-2)
6. Pre-Construction meeting: Prior to the start of the permitted work, a pre-construction meeting shall be held with the Biologist, the contractor and a representative of the Community Development Staff.
7. Work in the ESH: The removal of the shed located in the ESH shall include wrapping the shed prior to the equipment lifting the shed off the concrete foundation to ensure that no paint chips or other materials fall off the shed into the sensitive area of the ESH.
8. Hazardous Material handling: Applicant shall insure that all materials are removed from the site by a licensed waste disposal transport service to a permitted disposal site. Licenses and disposal ticket shall be provided to the City.

NO FURTHER NEW CONDITIONS OF APPROVAL. ALL CONDITIONS OF APPROVAL AND MONITORING PLAN REQUIREMENTS ASSOCIATED WITH PERMITS UP0 440 and CP0 500 REMAIN IN FULL FORCE AND EFFECT.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 7th day of May 2019 on the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson Gerald Luhr

ATTEST

Scot Graham, Planning Secretary

The foregoing resolution was passed and adopted on this 7th day of May 2019.

EXHIBIT B

ATTACHMENT TO APPEAL OF ADMINISTRATIVE PERMIT AMENDMENT OF CPO-500 UPO-440

By

Kristen Headland, Carole Truesdale, and Dan Sedley

Background and introduction

On June 19, 2018 the Morro Bay Planning Commission approved a regular coastal development permit for the demolition and removal of one water tank, two jet fuel tanks, pipelines, pumping equipment, tank foundations, and shotcrete at 3300 Panorama Drive. According to the City's February 2018 Mitigated Negative Declaration, "The project site is identified as a U.S. Environmental Protection Agency (EPA) Superfund Site."

Objections to this highly controversial project included the fact that the demolition was segmented from the foreseeable residential development for which the site is zoned. As a result, the preliminary analysis of the possible impacts the future development might cause – required under the California Environmental Quality Act (CEQA) – and the possible impacts remaining contaminants might have on future residents of that development were evaded.

On February 14, 2019 the Morro Bay Community Development Director issued an "administrative" permit for amendment of the June 2018 permit to allow a second segment of demolition project on the site. The amended permit allows removal of "three small sheds and three fire hydrants". The permit includes "construction notes" stating that a shed will be "...removed intact and taken offsite for any asbestos abatement work" and that a "geologist must be on-site for all asbestos work." (See exhibit A) The existence of asbestos to be abated has been omitted from the record and concealed until this minimal reference to it on the site plan for the second segment of the proposed demolition.

On February 19, 2019 we were informed that the sheds to be moved "are made" of asbestos.

What the permit refers to as a "minimal" project is in reality a permit for the removal of three fire hose structures made of deteriorating corrugated asbestos panels (Exhibit B).

In addition, the fire hydrants permitted for removal were removed and capped off prior to issuance of this permit – and therefore without a permit. A nearby resident reported that the hydrants had been removed before the property owner applied for the permit amendment to remove them. (See Exhibit C) We request information as to why removal of the three fire hydrants were included in the permit when they had already been removed. One of the hydrants was removed from an environmentally sensitive habitat area.

EXHIBIT B

A closer inspection shows a fourth deteriorating corrugated asbestos building on the site. (See Exhibit D)

It has been exactly three years since the property owner submitted the first application for a demolition permit – three years during which the nearby residents and wildlife have been wrongly subjected to exposure to airborne asbestos fibers released from deteriorating corrugated asbestos structures that should have, under the law, been abated immediately upon discovery of them. We are shocked that the City would allow these deteriorating asbestos structures to remain on the site instead of requiring them to be properly abated prior to any demolition activities as mandated by federal law. (See below)

Worse yet, the existence of this danger to the health and safety of members of this community was withheld and not disclosed to us for three years – from all residents in the neighborhood, and the public. The deteriorating asbestos structures were not mentioned in any staff report or the Negative Declaration.

Two hazardous waste storage containers remain on the site for disposal of hazardous wastes and we request information as to whether they are there for disposal of the three corrugated asbestos fire hose structures.

Based on the facts discussed in this appeal we request the following:

1. that all asbestos containing structures be immediately wrapped and sealed by a Certified Asbestos Consultant to prevent any release of asbestos fibers;
2. that this permit be rescinded and a proper application to amend the permit be submitted to the Planning Commission as required by Municipal Code section 17.58.120;
3. that the permit application immediately be heard by the Planning Commission for proper processing and decision making in accordance with the applicable laws in order to expedite removal of all the asbestos structures;
4. that the project be halted until all federal and state requirements for demolition of hazardous materials are carried out;
5. that the property owner be required to pay all fines for unpermitted removal of trees and fire hydrants on the property;
6. that the removal of all remaining structures be planned and supervised by a Certified Asbestos Consultant as required by state and federal law; and,
7. that no activity be allowed on the site during nesting season as required.

EXHIBIT B

The City has allowed the demolition project to be unlawfully segmented and has evaded environmental review of the whole project as required by the California Environmental Quality Act (CEQA).

This development is on a single parcel. Even though demolition and removal of all structures is a foreseeable necessity to prepare the site for future residential development, the City allowed the demolition to be segmented into phases in terms of timing and in terms of delayed disclosure of the deteriorating asbestos structures on the site. The plan for demolition approved on June 19, 2018 by the Planning Commission explicitly excluded the three fire hose structures and the fire hydrants - and the fact that the structures are made of corrugated asbestos. The site plan for the tank demolitions states that the fire hose structures are to “remain”. (See Exhibit E)

Now this permit amendment represents another segment which explicitly omits the concrete bases under the corrugated asbestos structures and obviously does not include demolition of the other structures on the site including a garage and fourth, larger, deteriorating asbestos building. As a result of these segmentations:

- the old asbestos structures, which are significantly deteriorating (Exhibits A and D), were knowingly left to continue to degrade for three years and potentially harm public health and safety by release of asbestos fibers into the air during that time;
- analysis of potential harmful effects and requirements for proper removal of the structures were omitted / excluded from the environmental review of the project;
- the existence of the toxic asbestos structures was concealed from the public; and
- a full environmental impact report (EIR) was illegally evaded.

Under CEQA regulations section 15065 the City was required to prepare an EIR because removal of the asbestos structures has the potential to substantially degrade the quality of the environment.

The record shows that improper and unlawful procedures involving denial of due process, improper permitting procedures, withholding and concealing information about the asbestos structures, false information in public record documents, evasion of environmental procedures and protections, failure to adhere to federal requirements for asbestos abatement during demolitions, threats to the environment and protected species, and threats to the public’s health, safety, and welfare, related to this project have occurred and are still occurring.

As shown below, the permit was improperly issued as an “administrative” permit and, according to the Morro Bay Municipal Code, may be approved only by the Planning Commission or the City Council on appeal.

EXHIBIT B

The permit unlawfully allows removal of asbestos structures without inspection and oversight by a Certified Asbestos Consultant as required by federal law under National Emission Standards for Hazardous Air Pollutants Regulation.

All non-residential demolitions of any kind of structure or asbestos-containing material is required to be approved in advance by the San Luis Obispo Air Pollution Control District (APCD). Demolition requirements include conducting a thorough inspection for the presence of asbestos by a Certified Asbestos Consultant (CAC) and written notification to the APCD of the demolition at least 10 working days prior to the start of the job.

We are appealing this project in part because the permit allows removal of the asbestos structures without any precautions and without any inspection of the structures by a Certified Asbestos Consultant.

Airborne asbestos is extremely harmful to human health.

According to the San Luis Obispo APCD¹, materials containing asbestos are a health hazard once they are disturbed, and airborne fibers are a “significant health threat because asbestos fibers are microscopic and invisible to the unaided eye.” Human lungs do not filter these fibers and “exposure to asbestos allows the fibers to reach deep within the lungs” causing serious health problems including:

- asbestosis,
- mesothelioma,
- lung cancer, and
- other serious lung problems.

The U.S. Department of Health and Human Services, the EPA and the International Agency for Research on Cancer have classified asbestos as a known carcinogen.

The National Emission Standards for Hazardous Air Pollutants Regulation (NESHAP) require that the following must be completed before a demolition project begins:²

1. Inspect the area for Asbestos Containing Materials (ACM). This inspection must be performed by a Certified Asbestos Consultant (CAC).

While we have not seen the report, a contracted “Industrial Hygienist” was to have inspected the area for the presence of asbestos before the demolition began (see February 2018 Negative Declaration, page 81). However, the existence of the corrugated asbestos structures was not disclosed by him or the City to the public. The presence of the four deteriorating corrugated asbestos structures on the site was excluded from the project description, the City staff report, and the analysis of possible environmental impacts within the Negative Declaration for the demolition project.

¹ <https://www.slocleanair.org/rules-regulations/asbestos/health>

² https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/DEMOGUID_pub.pdf

EXHIBIT B

- 2. Submit the written notification, asbestos report, and applicable fees to the APCD at least ten (10) working days prior to demolition or ACM removal.**

To our knowledge these requirements have not been carried out. No notification or asbestos report has been provided to the appellants.

- 3. Any ACM identified that may be disturbed during demolition must be removed prior to disturbance by a Licensed Asbestos Contractor, and must follow all of the requirements listed in the asbestos NESHAP regulation.**

The asbestos structures were not removed before the demolition and were subjected to the disturbance caused by the demolition even though this disturbance threatened the release of airborne asbestos fibers from these deteriorating asbestos structures.

- 4. It is strongly recommended that your asbestos inspection be completed during the planning stages of your project in order to avoid costly delays and change orders.**

The existence of the asbestos structures was not disclosed – was withheld – during the planning stages of the demolition project.

We are extremely concerned that local, state, and national requirements for protection of our health and safety from microscopic asbestos fibers migrating from these asbestos structures into our neighborhoods and sensitive habitat areas have been concealed and evaded and that the City of Morro Bay has put us and our neighbors and wildlife in harms way by not adhering to the law. (See Exhibit F which shows dust blowing from site.)

These structures should have been removed immediately after the first inspection by the Industrial Hygienist in order to protect public health and safety but they were not. The law required removal of the structures before the demolition even started but the City did not require the property owner to do so. The City should have enforced federal and state law by requiring the asbestos structures to be removed prior to the initial demolition but it did not. Today the deteriorating asbestos structures – disturbed by the heavy demolition on the site and months of weather – remain in place to continue releasing asbestos fibers into the environment.

Now, the permit we are appealing allows removal of the structures without any inspection, without any oversight and without any explicit procedures for protections of the workers, the public, the sensitive habitats, and the protected species that live on the site.

Our intent has been, and still is to ensure that this project is carried out with proper legal procedures including due process of disclosure, open decision-making, and protection of the public health and safety and of habitats and animal species. Now that we know that the “sheds” mentioned in the Negative Declaration – one described as having “corrugated metal sides” – are really corrugated asbestos structures that are releasing asbestos fibers into the environment, we want immediate protection for ourselves, our neighbors, the people who work on that site, and the habitat and animals who live there.

EXHIBIT B

We ask that the structures be immediately encased by a Certified Asbestos Consultant to prevent any release of asbestos fibers and that the permit application immediately be given to the Planning Commission for proper processing and decision making in accordance with the applicable laws in order to expedite removal of all the asbestos structures.

As discussed below, the permit amendment for this second segment of the demolition on this site should have been presented immediately to the Planning Commission in the first place for Planning Commission review and decision.

An administrative permit cannot be issued for a project that is appealable to the Coastal Commission.

Section 17.58.040 of the City's Municipal Code authorizes the Community Development Director to issue an administrative coastal development permit for specific kinds of developments "... provided that the development and/or use is not located in the coastal development permit appeal area."³

It is undisputed that the permit amendment is appealable to the Coastal Commission and therefore, it may not be approved by the administrative permit which should be rescinded.

This is a proposed amendment of a regular coastal development permit which must be approved or denied by the Planning Commission.

On June 19, 2018 the Morro Bay Planning Commission approved a regular coastal development permit for demolition on the site at 3300 Panorama Drive. Under the Morro Bay Municipal Code "Regular" CDPs are approved after a noticed public hearing by the Planning Commission or the City Council on appeal, and "administrative" permits may be approved by the Community Development Director without a public hearing for certain listed projects.

Since the Planning Commission approved a regular CDP for this demolition project, the Planning Commission must decide upon amendment of that permit – not the Community Development Director.

³ 17.58.040 - Administrative coastal development permits.

Developments and/or Uses Requiring an Administrative Coastal Development Permit. The director may process as an administrative permit any coastal development permit application specifically for the following developments and/or uses and provided that the development and/or use is not located in the coastal development permit appeal area.

EXHIBIT B

Both regular and administrative permits may be amended. However, the Community Development Director approves or disapproves amendments to administrative permits (footnote 3) and the Planning Commission and the City Council on appeal decide upon amendments of regular coastal development permits.⁴

The appealed permit is cast as an “administrative” amendment based on the ground that the amendment of this regular permit is “minimal”. However, the category of a “minimal” permit amendment applies only to an amendment of an administrative permit – not, as here, to an amendment of a regular permit which, again, must be issued by the Planning Commission.⁵

This permit should be rescinded and an application to amend the permit to allow the proposed phase 2 of demolition at the site should be made to the Planning Commission as required by section 17.58.120.

The environmental effects of this second phase of demolition were not examined in the prior Negative Declaration and an environmental impact report is required.

Because the existence of asbestos structures on the site was concealed and excluded from the Negative Declaration, environmental effects of proposed abatement of the asbestos structures were not examined in the Negative Declaration. Consequently, no mitigation measures have been provided and no conditions of approval exist to protect the nearby residents, the public, the protected habitat, or the species that live in that habitat including the protected red-legged frogs.

The photographic exhibits attached to this appeal, now in the administrative record of this project, show the existence of the deteriorating corrugated asbestos structures which are also referred to on the site plan for this second phase of demolition on this site. When an administrative record contains substantial evidence to support a fair argument that a project may cause significant adverse effects on the environment, an environmental impact report is required. Airborne asbestos fibers affect human health and under California Code of Regulations section 15065 an environmental impact report is required where “The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.”

⁴ 17.58.120 - Amendments to permits.

..... Application for amendments to coastal development permits issued by the city shall be made to the planning commission. The planning commission or city council on appeal shall, consistent with the provisions of this chapter, determine whether the proposed development, with the proposed amendment(s), is consistent with the requirements of the certified local Coastal program.

⁵ Section 17.58.040 Amendments to Administrative Permits: Minor Amendments. Minor Amendments involving incidental floor, roof, exterior treatment, or plan revisions deemed minor, may be approved by the director.

EXHIBIT B

This EIR was evaded because the existence of the asbestos structures and the effects of airborne asbestos on the environment and on humans were concealed and because the removal of the asbestos structures was segmented for separate review. This is exactly why CEQA prohibits segmentation of environmental review of projects – or piecemealing – which was contested by the Morro Bay Stakeholders in the beginning of this project.

The property owner violated the terms of the existing permit without being held accountable by the City.

The property owner has unlawfully cut down trees on the site without a permit and without supervision for protection of habitat and staff decided not to impose the fine for it. In addition, the three fire hydrants, one of which was in ESHA, were removed prior to issuance of this permit, with no plan for protection of the ESHA, and no oversight of the removal, and without any penalty imposed by the City.

We ask that the project be halted and that the property owner be required to pay fines for unpermitted and unsupervised removal of trees on the property and of the removal of the three fire hydrants.

The amendment permit issued by staff violates the condition placed on the project that demolition will not occur during nesting season.

Instead of complying with the restriction against demolition during the bird nesting season, City staff proposes to allow demolition if nests are not found in the area by a biologist. This is not an equivalent protection because not all birds may build their nests at any specific time during the nesting period and demolition would disturb and prevent birds from building their nests in the ESHA on the site.

The ban against demolition during the nesting season is a condition of approval applied by the Planning Commission to mitigate identified impacts and staff should not be given the unilateral authority to eliminate conditions of approval. To do so would make a mockery of the California Environmental Quality Act.

The amendment permit provides no procedural constraints for protection of ESHA and threatened species such as red-legged frogs.

While the permit requires removal of the asbestos structure that is in ESHA by lifting it out of the ESHA (apparently) by a crane there is no requirement to cover it, or the other two structures, to prevent release of asbestos fibers in the surrounding habitat relied on by red-legged frogs and other species. We ask that the removal of these structures be planned and overseen by a Certified Asbestos Consultant as required by state and federal law and that all structures are covered completely before and during removal.

EXHIBIT B

The proposed permit amendment was not properly noticed because the fact that it involves demolition of hazardous deteriorating corrugated asbestos structures was not disclosed.

If this were simply the breaking down and disposing of three sheds made of wood or metal, the notice may have been adequate. The entire purpose of the project is demolition of structures made of asbestos and that purpose was withheld from public notice.

Please note Exhibit G showing two hazardous waste containers remaining on the property presumably for disposal of the asbestos structures. We request that the purpose of these containers be included in the information provided for notice of any future permit.

EXHIBIT B

RECEIVED
City of Morro Bay
FEB 25 2019



CITY OF MORRO BAY

Public Services Department
Planning Division

955 Shasta Avenue
Morro Bay, CA 93442
(805) 772-6577

APPEAL FORM

In CCC Appeals Jurisdiction?

YES - No Fee
 NO - Fee Paid: Yes No

Project Address being appealed: CPO-500 UPO-400; 3300 Panorama Drive, Morro Bay, CA	
Appeal from the decision or action of (governing body or City officer): <input type="checkbox"/> Administrative Decision <input checked="" type="checkbox"/> Planning Commission <input type="checkbox"/> City Council	
Appeal of action or specific condition of approval: Appeal of Action	
Permit number and type being appealed (ie. coastal permit, use permit, tentative subdivision): Amendment of CPO-500 UPO-4400 3300 Panorama Drive, Morro Bay CA	
Date decision or action rendered: February 14, 2019	
Grounds for the appeal (attach additional sheets as necessary): See Attached Documents	
Requested relief or action: Immediately rescind Administrative Permit; Encase ALL corrugated asbestos structures on site; Amend application to eliminate three (3) Fire Hydrants and capping of water lines that have already been removed from the site without a permit. Hold the applicant accountable for all permit violations.	
Appellant (please print): KRISTEN HEADLAND	Phone: [REDACTED]
Address: [REDACTED]	
Appellant Signature: <u>Kristen Headland</u>	Date: <u>2-24-2019</u>

FOR OFFICE USE ONLY	
Accepted by:	Date appeal filed:
Appeal body:	Date of appeal hearing:

EXHIBIT B



CITY OF MORRO BAY

Public Services Department
Planning Division

955 Shasta Avenue
Morro Bay, CA 93442
(805) 772-6577

APPEAL FORM

In CCC Appeals Jurisdiction?

YES - No Fee
 NO - Fee Paid: Yes No

Project Address being appealed: CPO-500 UPO-400; 3300 Panorama Drive, Morro Bay, CA	
Appeal from the decision or action of (governing body or City officer): <input type="checkbox"/> Administrative Decision <input checked="" type="checkbox"/> Planning Commission <input type="checkbox"/> City Council	
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Requested relief or action: Immediately rescind Administrative Permit; Encase ALL corrugated asbestos structures on site; Amend application to eliminate three (3) Fire Hydrants and capping of water lines that have already been removed from the site without a permit. Hold the applicant accountable for all permit violations.	
Appellant (please print): CAROLE A. TRUESDALE	Phone: [REDACTED]
Address: [REDACTED]	
Appellant Signature: <i>Carole A. Truesdale</i>	Date: <i>2/24/2019</i>

FOR OFFICE USE ONLY

Accepted by:	Date appeal filed:
Appeal body:	Date of appeal hearing:

EXHIBIT B



CITY OF MORRO BAY

Public Services Department
Planning Division

955 Shasta Avenue
Morro Bay, CA 93442
(805) 772-6577

APPEAL FORM

In CCC Appeals Jurisdiction?

- YES - No Fee
 NO - Fee Paid: Yes No

Project Address being appealed: CPO-500 UPO-400; 3300 Panorama Drive, Morro Bay, CA	
Appeal from the decision or action of (governing body or City officer): <input type="checkbox"/> Administrative Decision <input checked="" type="checkbox"/> Planning Commission <input type="checkbox"/> City Council	
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Permit number and type being appealed (ie. coastal permit, use permit, tentative subdivision): Amendment of CPO-500 UPO-4400 3300 Panorama Drive, Morro Bay CA	
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Grounds for the appeal (attach additional sheets as necessary): See Attached Documents	
Requested relief or action: Immediately rescind Administrative Permit; Encase ALL corrugated asbestos structures on site; Amend application to eliminate three (3) Fire Hydrants and capping of water lines that have already been removed from the site without a permit. Hold the applicant accountable for all permit violations.	
Appellant (please print): DAN Sedley	Phone: [REDACTED]
Address: [REDACTED]	
Appellant Signature: [Signature]	Date: 2-24-19

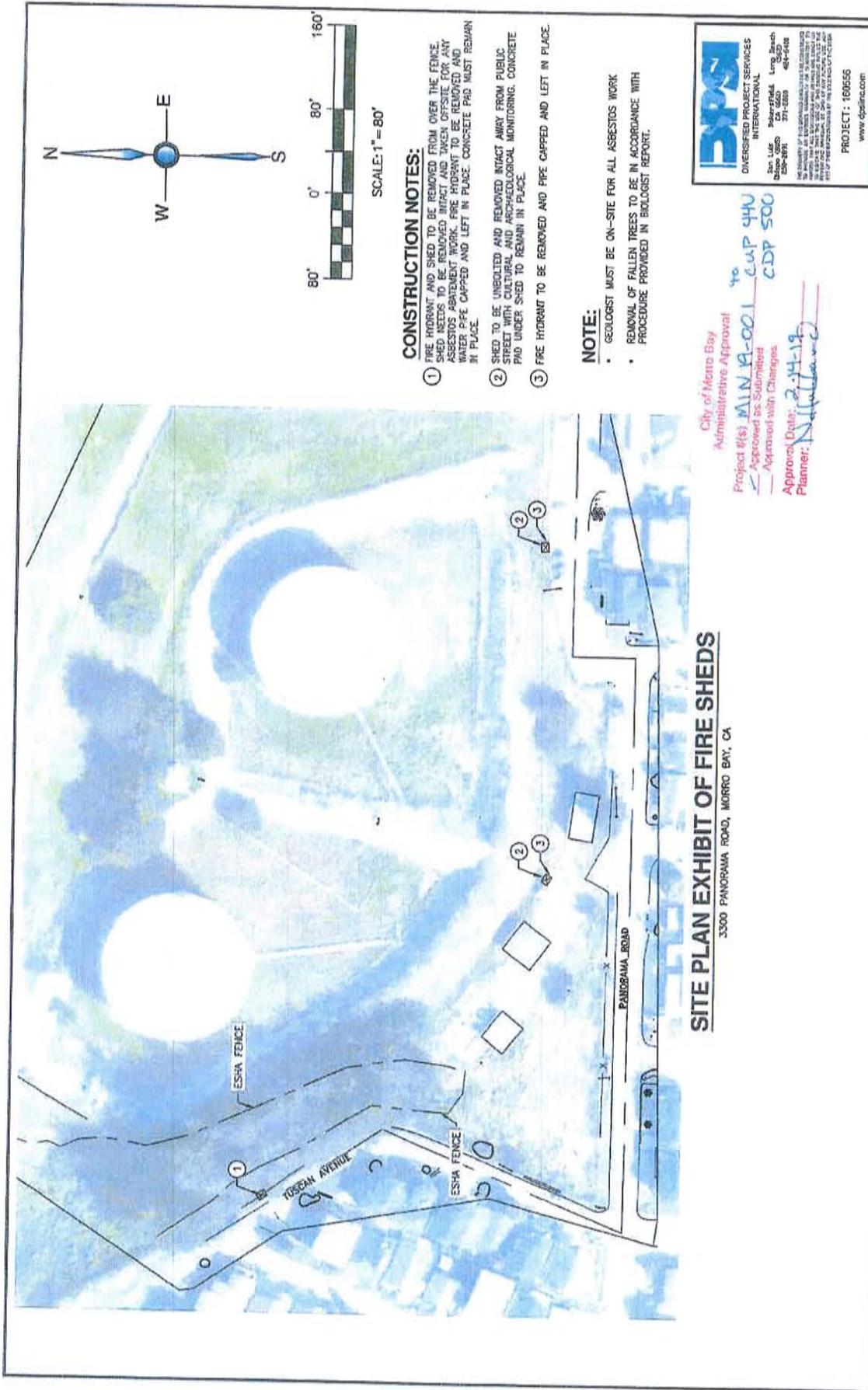
FOR OFFICE USE ONLY

Accepted by:	Date appeal filed:
Appeal body:	Date of appeal hearing:

EXHIBIT B

**CPO-500 UPO-440 3300 Panorama Street, Morro Bay, CA
EXHIBIT A – SITE PLAN**

EXHIBIT B



16160556(001_02) (001) - 001 (FIRE SHED EXHIBIT) V2 (160556_03) (001).DWG
 PLOT DATE: 2.5.2019

EXHIBIT B

CPO-500 UPO-440 3300 Panorama Street, Morro Bay, CA
Exhibit B Structures Identified by Numbers



EXHIBIT B

CPO-500 UPO-440 3300 Panorama Street, Morro Bay, CA
Exhibit B Structures Identified by Numbers



EXHIBIT B

CPO-500 UPO-440 3300 Panorama Street, Morro Bay, CA
Exhibit B Structures Identified by Numbers

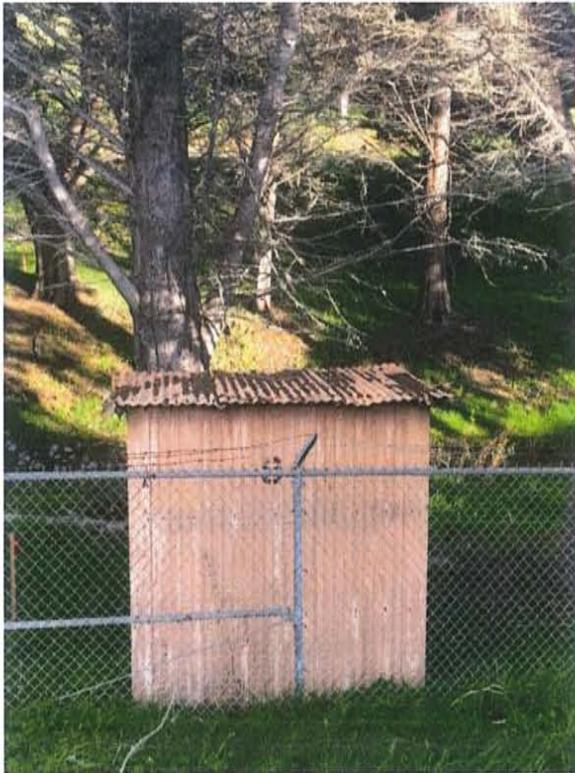


EXHIBIT B

CPO-500 UPO-440 3300 Panorama Street, Morro Bay, CA
Exhibit B Structures Identified by Numbers



EXHIBIT B

CPO-500 UPO-440 3300 Panorama Street, Morro Bay, CA
Exhibit B Structures Identified by Numbers



EXHIBIT B

CPO-500 UPO-440 3300 Panorama Street, Morro Bay, CA
Exhibit B Structures Identified by Numbers



EXHIBIT B

CPO-500 UPO-440 3300 Panorama Street, Morro Bay, CA
Exhibit B Structures Identified by Numbers

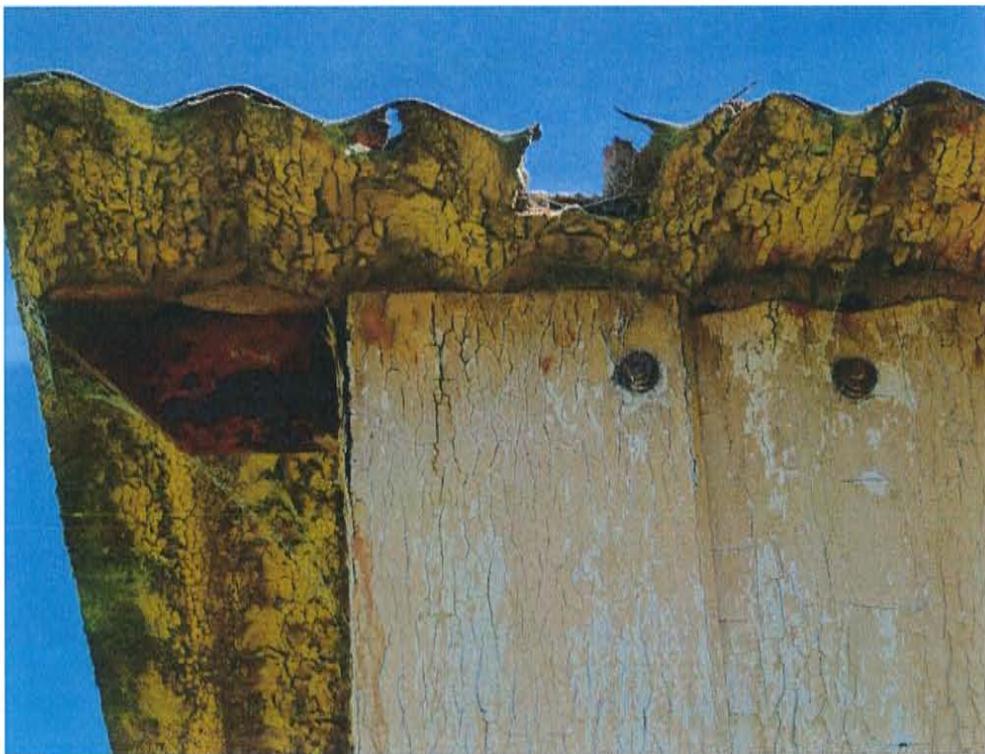


EXHIBIT B

**CPO-500 UPO-440 3300 Panorama Street, Morro Bay, CA
Exhibit C Hydrants Existing & Not Existing**

EXHIBIT B

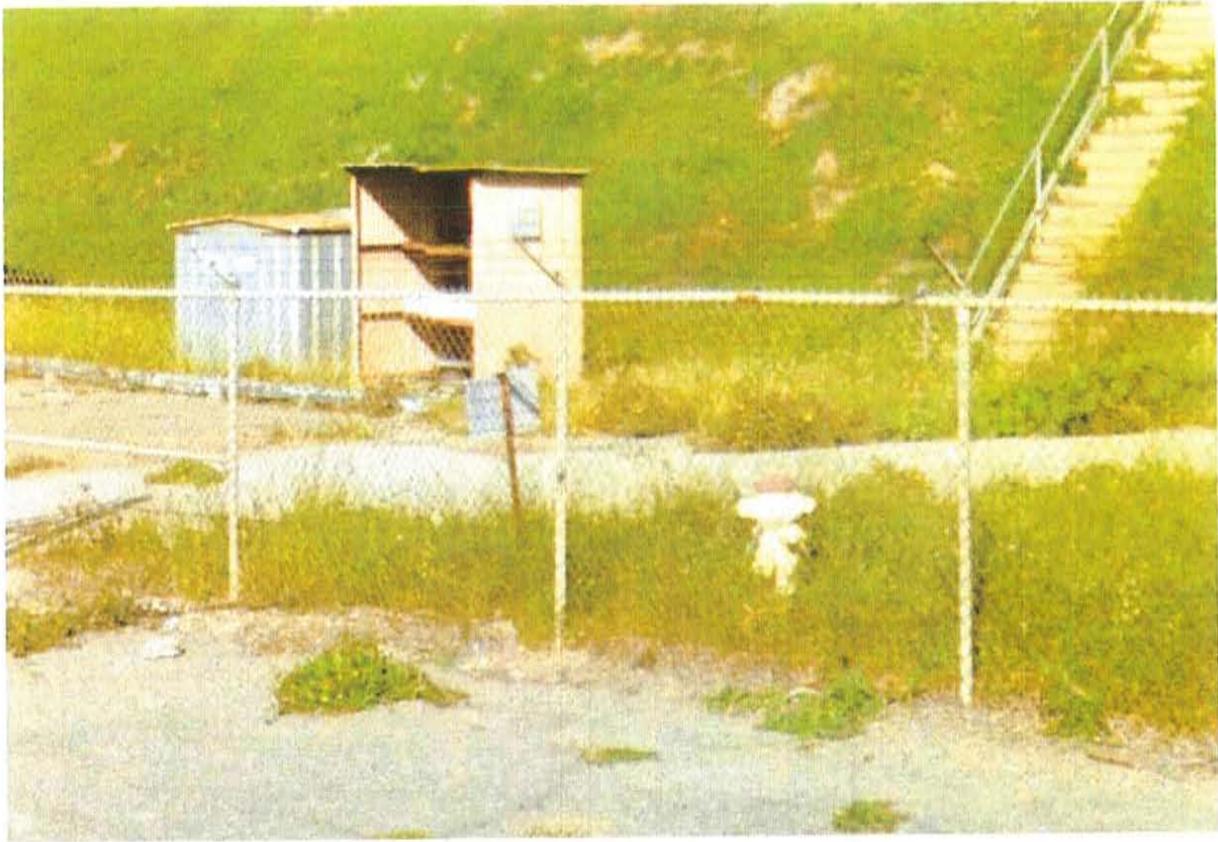


EXHIBIT B



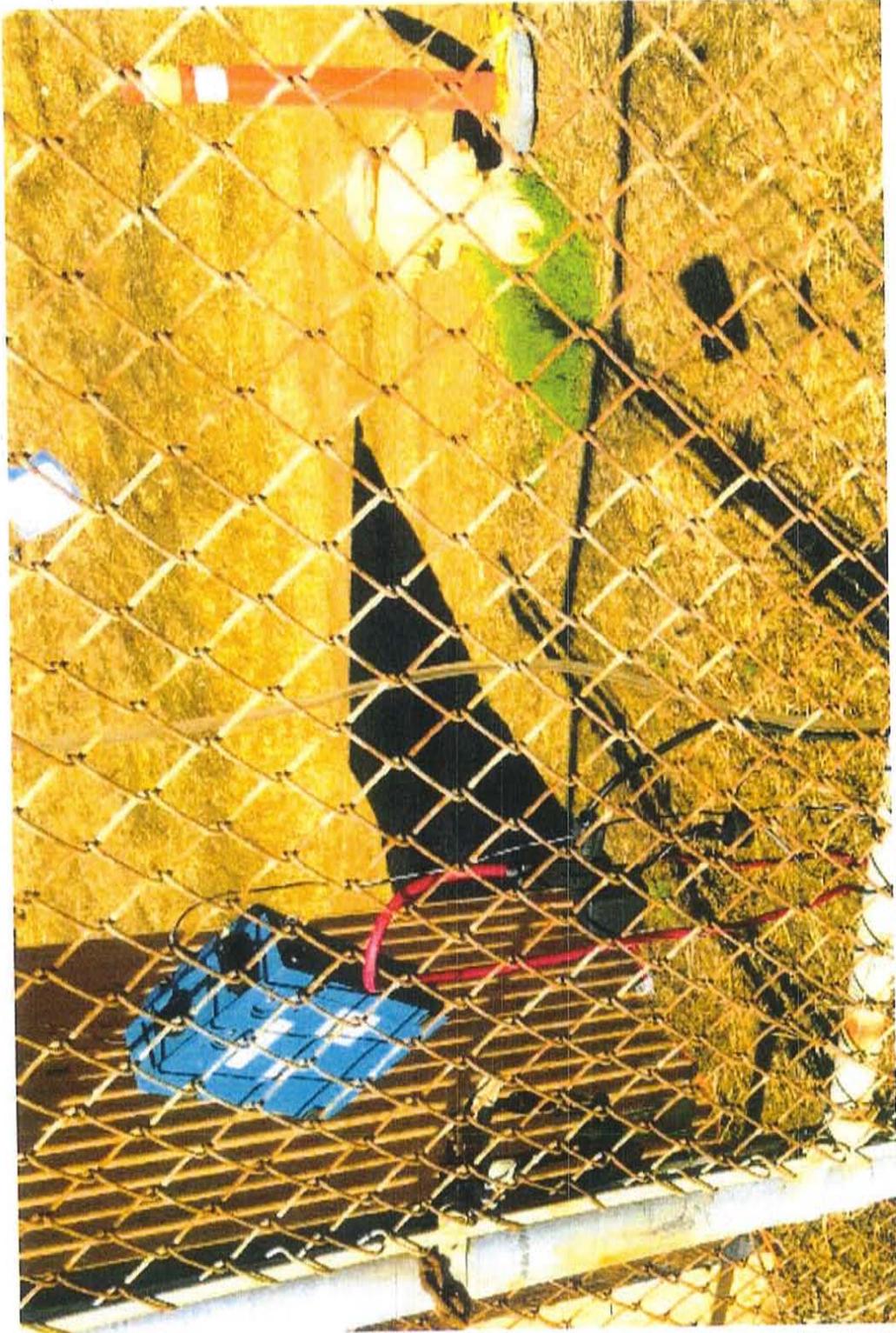
EXHIBIT B



EXHIBIT B



EXHIBIT B



11/06/2018

EXHIBIT B



EXHIBIT B

CPO-500 UPO-440 3300 Panorama Street, Morro Bay, CA
Exhibit D Deteriorating Structures

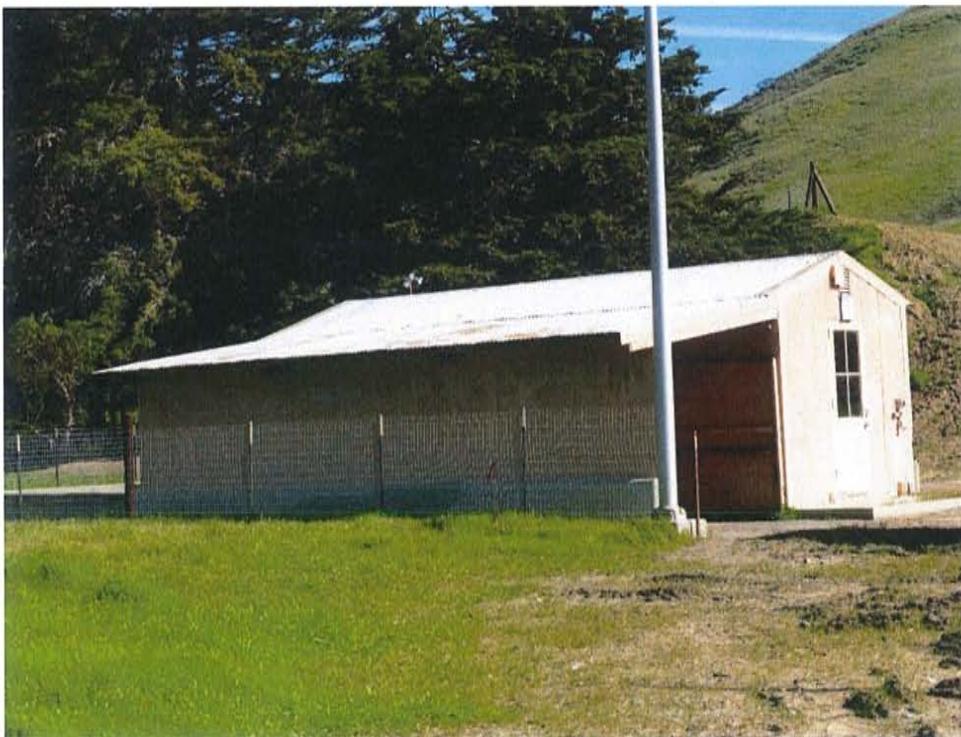


EXHIBIT B

CPO-500 UPO-440 3300 Panorama Street, Morro Bay, CA
Exhibit D Deteriorating Structures

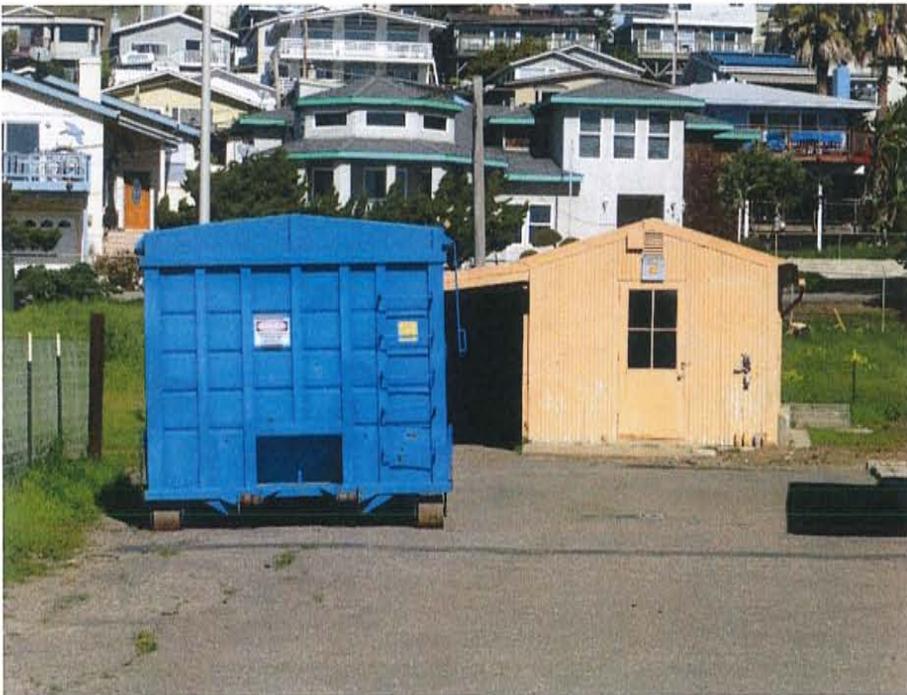


EXHIBIT B

**CPO-500 UPO-440 3300 Panorama Street, Morro Bay, CA
Exhibit E – Structures That Were To Remain**

EXHIBIT B

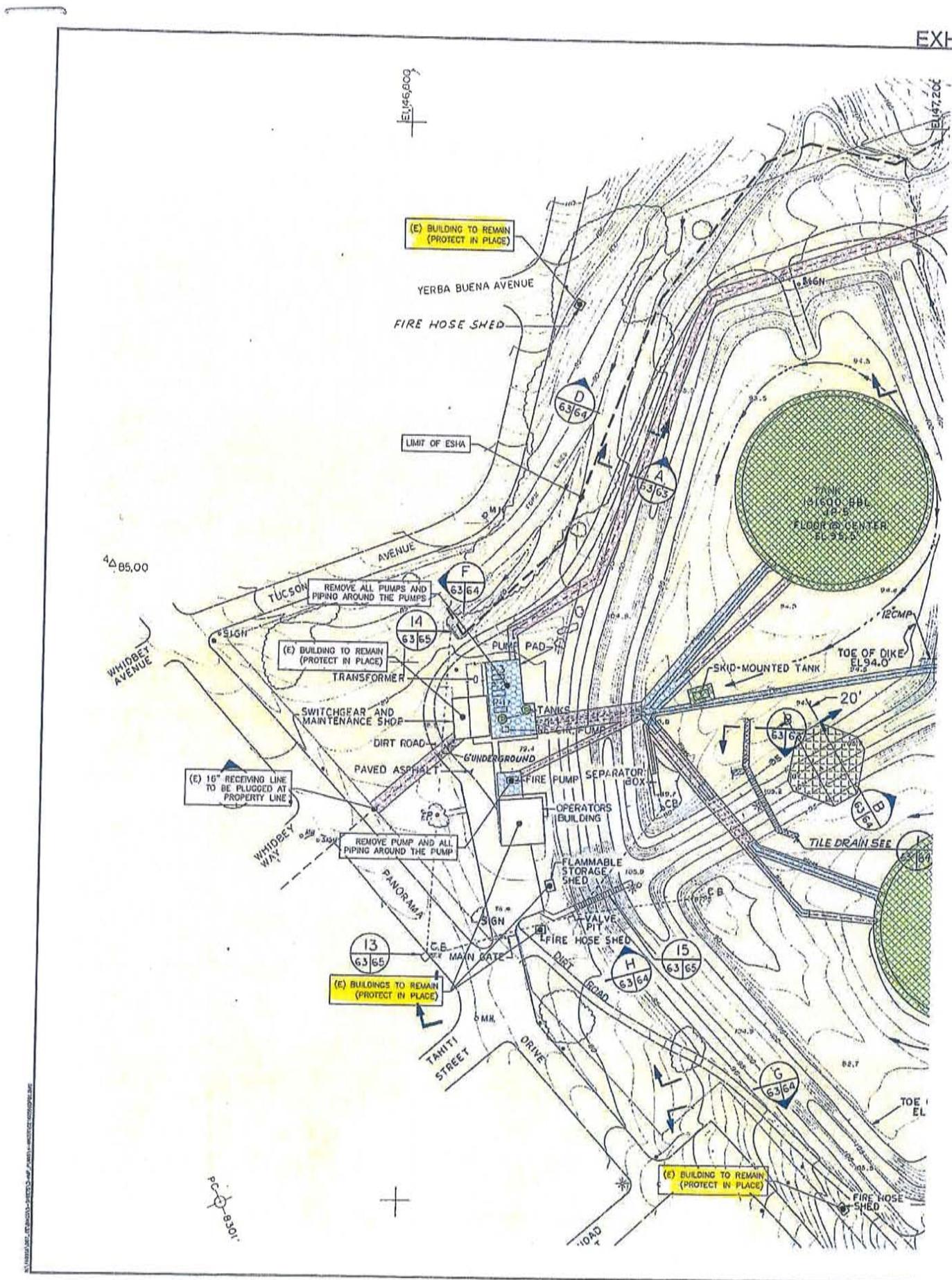


EXHIBIT B

CPO-500 UPO-440 3300 Panorama Street, Morro Bay, CA
Exhibit F – Dust Blowing from Demolition Site



EXHIBIT B

CPO-500 UPO-440 3300 Panorama Street, Morro Bay, CA
Exhibit F – Dust Blowing from Demolition Site



EXHIBIT B

CPO-500 UPO-440 3300 Panorama Street, Morro Bay, CA
Exhibit F – Dust Blowing from Demolition Site



EXHIBIT B

CPO-500 UPO-440 3300 Panorama Street, Morro Bay, CA
Exhibit G – Two (2) Hazard Waste Containers remaining on property
as of January 2019:



EXHIBIT B

CPO-500 UPO-440 3300 Panorama Street, Morro Bay, CA
Exhibit G – Two (2) Hazard Waste Containers remaining on property
as of January 2019:





CITY OF MORRO BAY

COMMUNITY DEVELOPMENT DEPARTMENT

955 Shasta Avenue
Morro Bay, CA 93442

February 14, 2019

Chris Mathys
Rhine LP
Morro94, LLC
2304 Shaw Ave, Suite 102
Fresno, CA 93711

Subject: Minor Amendment (Min 19-001) to #CPO-500 Coastal Development Permit & #UPO-440 Conditional Use Permit for 3300 Panorama Drive, Morro Bay (065-038-001)

Description: Minor Modification to existing CPO-500 and UPO-440 to remove 3 small sheds and 3 fire hydrants from the property located at 3300 Panorama. One shed, and fire hydrant are in the ESH Buffer area. The site is zoned R-1/PD. A portion of the project is located within the Coastal Commission appeals jurisdiction.

Dear Mr. Mathys:

The City of Morro Bay Community Development Department conditionally approved your request. This action does not constitute a building permit. Any further processing of this project must be initiated by the applicant, subject to the applicable rules and regulations of the Morro Bay Municipal Code. ***Please be advised that you must return the enclosed Acceptance of Conditions form, signed, to this department or the action is null and void.***

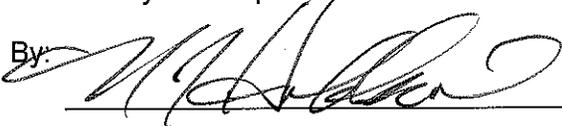
The Morro Bay Municipal Code provides for an appeal of the action by the Community Development Director within ten (10) days of adoption and anyone wishing to appeal may do so in writing by delivering such letter to the office of the City Clerk. There is a fee for processing appeals except for those coastal development permits located in the coastal appeals jurisdiction.

Please also find enclosed the Notice of Exemption for your project. The City of Morro Bay no longer files notices of exemptions. You may file the Notice of Exemption with the County Clerk's office located in the County Government Building in San Luis Obispo. The filing Fee is \$50.00, and the County requires the original Notice of Exemption and at least one copy.

Section 15062 (d) of The California Environmental Quality Act (CEQA) provides:

"The filing of a Notice of Exemption and the posting on the list of notices start a 35-day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. If a Notice of Exemption is not filed, a 180-day statute of limitations will apply."

Sincerely,
Scot Graham
Community Development Director

By: 

Nancy Hubbard, Contract Planner



**CITY OF MORRO BAY
COMMUNITY DEVELOPMENT DEPARTMENT**

**MINOR MODIFICATION OF
CDP and CUP**

This approval is based upon the attached findings and is valid only if the attached conditions are met and only after the applicable appeal period. Failure to comply with the conditions of this permit shall, at the discretion of the Community Development Director pursuant to Municipal Code Section 17.60.150, render this entitlement null and void.

CASE NO: MIN 19-001(CP0-500 and UP0-440)

THIS PERMIT IS HEREBY APPROVED AND ISSUED FOR:

SITE ADDRESS: 3300 Panorama Drive

APPLICANT: Chris Mathys, Rhine LP, Morro 94, LLC

APN/LEGAL: 065-038-001

DATE APPROVED: February 14, 2019

APPROVED BY: Community Development Director

CEQA DETERMINATION: Mitigated Negative Declaration

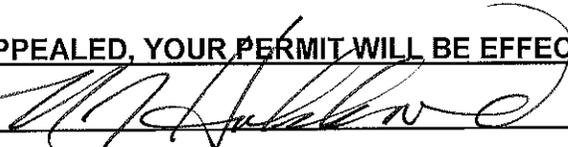
DESCRIPTION OF APPROVAL:

Minor Modification to existing CPO-500 and UPO-440 to remove 3 small sheds and 3 fire hydrants from the property located at 3300 Panorama. One shed, and fire hydrant are in the ESH Buffer area. The site is zoned R-1/PD. A portion of the project is located within the Coastal Commission appeals jurisdiction.

YOUR PROPERTY IS LOCATED IN THE CITY of Morro Bay JURISDICTION, THERE IS AN APPEAL PERIOD OF TEN (10) Calendar days, WITHIN WHICH TIME YOUR PERMIT IS APPEALABLE TO THE CITY COUNCIL/PLANNING COMMISSION.

YOUR PROPERTY IS LOCATED in the COASTAL COMMISSION APPEALS JURISDICTION: THE FOLLOWING COASTAL COMMISSION APPEAL PERIOD APPLIES TO YOUR PROJECT: This City decision is appealable to the California Coastal Commission pursuant to the California Public Resource Code, Section 30603. The applicant or any aggrieved person may appeal this decision to the Coastal Commission within TEN (10) *Working days* following Commission receipt of this notice and after expiration of the City of Morro Bay appeal period. Appeals must be in writing and should be addressed to: California Coastal Commission, 725 Front Street, Ste. 300, Santa Cruz, CA 95060, Phone: 415-427-4863. If you have any questions, please call the City of Morro Bay Community Development Department, 772-6264.

IF NOT APPEALED, YOUR PERMIT WILL BE EFFECTIVE: On or about February 26, 2019.

ATTEST:  DATE: 2/14/2019

**THIS IS A DISCRETIONARY APPROVAL AND DOES NOT
CONSTITUTE A BUILDING PERMIT**



**CITY OF MORRO BAY
COMMUNITY DEVELOPMENT DEPARTMENT**

**NOTICE OF FINAL ACTION ON COASTAL
DEVELOPMENT PERMIT**

DATE OF NOTICE: FEBRUARY 26, 2019

NOTICE OF FINAL CITY ACTION on Coastal Development Permit No. MIN19-001 (OF CP0-500 & UPO-440) _____

THE FOLLOWING PROJECT IS LOCATED IN THE MORRO BAY COASTAL ZONE AND A COASTAL PERMIT APPLICATION HAS BEEN ACTED ON BY THE CITY.

Applicant: Chris Mathys, Rhine LP, Morro94, LLC

Address: 2304 Shaw Ave, Suite 103, Fresno, CA 93711

Project Description: Minor Amendment to existing CPO-500 and UPO-440 to remove 3 small sheds and 3 fire hydrants from the property located at 3300 Panorama. One shed, and fire hydrant are in the ESH Buffer area. The site is zoned R-1/PD. A portion of the project is located within the Coastal Commission appeals jurisdiction.

Project Location: 3300 Panorama Drive, Morro Bay, CA

APN: 065-038-001

Zoning: R-1/PD/ESH

Land Use Plan/General Plan: Medium Density Residential/ Planned Development

Lot Area: 10.06 Acres

Filing Date: 1/14/19

Approval Body: Community Development Director

Action Taken: Approve with conditions

Action Date: February 14, 2019

THIS SITE IS OUTSIDE OF THE COASTAL COMMISSION APPEAL JURISDICTION

This City decision is appealable to the California Coastal Commission pursuant to the California Public Resource Code, Section 30603. The applicant or any aggrieved person may appeal this decision to the Coastal Commission within TEN (10) working days following Commission receipt of this notice. Appeals must be in writing and should be addressed to: California Coastal Commission, 725 Front Street, #300, Santa Cruz, CA 95060, 531-427-4863.

APPLICANT'S ACCEPTANCE
OF
CONDITIONS OF APPROVAL

CASE NO. MIN 19-001 (CP0-500 & UP0-440)

SITE LOCATION: 3300 PANORAMA DRIVE, MORRO BAY, CA

APPLICANT NAME: Chris Mathys, Rhine LP, Morro94, LLC

APPROVAL BODY: COMMUNITY DEVELOPMENT DIRECTOR

DATE OF ACTION: 2/14/19

I, CHRIS MATHYS AS AGENT FOR RHINE LP AND MORRO94, LLC, the undersigned, have read and reviewed the conditions of approval imposed by the Approval Body in its action

approving Case Number: MIN 19-001 (CP0-500 & UP0-440)

I UNDERSTAND AND ACCEPT SAID CONDITIONS AND AGREE TO FULLY COMPLY WITH THEM.

APPLICANT'S SIGNATURE

DATE

MINOR MODIFICATION
OF
CONDITIONAL USE PERMIT AND COASTAL DEVELOPMENT PERMITS
CASE NO. (MIN 19-001) OF UP0-440
SITE LOCATION: 3300 PANORAMA DRIVE

I. FINDINGS OF APPROVAL

The Community Development Director has reviewed this Minor Modification to the existing UP0/CDP permits and finds the following:

California Environmental Quality Act (CEQA)

1. For purposes of the California Environmental Quality Act, the project is subject to all requirements of the final MND, prepared in February 2018 and finalized in June 2018, which outlines mitigation measures to be incorporated into the project to ensure the project will have a less than significant impact on the environment, the project applicants agreed to all mitigations, and such mitigations are provided for in a Mitigation and Monitoring Program which is available on request.

II. CONDITIONS OF APPROVAL

STANDARD CONDITIONS:

1. Permit: Minor Amendment to existing CPO-500 and UPO-440 to remove 3 small sheds and 3 fire hydrants from the property located at 3300 Panorama. One shed, and fire hydrant are in the ESH Buffer area. The site is zoned R-1/PD. A portion of the project is located within the Coastal Commission appeals jurisdiction.
2. Inaugurate Within Two Year: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this approval and is diligently pursued thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Said extensions may be granted by the Director, upon finding that the project complies with all applicable provisions of the Morro Bay Municipal Code, General Plan and Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.
3. Changes: Any minor change may be approved by the Community Development Director. Any substantial change will require the filing of an application for an amendment.
4. Compliance with the Law: All requirements of any law, ordinance or regulation of the State of California, City of Morro Bay, and any other governmental entity shall be complied with in the exercise of this approval.
5. 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. This condition and agreement shall be binding on all successors and assigns.

EXHIBIT C

6. Compliance with Conditions: Compliance with and execution of all conditions listed hereon shall be necessary, unless otherwise specified, prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Planning and Building Director and/or as authorized by the Planning Commission. Failure to comply with these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the Morro Bay Municipal Code and is a misdemeanor.
7. 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.
8. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the Morro Bay Municipal Code and shall be consistent with all programs and policies contained in the certified Coastal Land Use plan and General Plan for the City of Morro Bay.

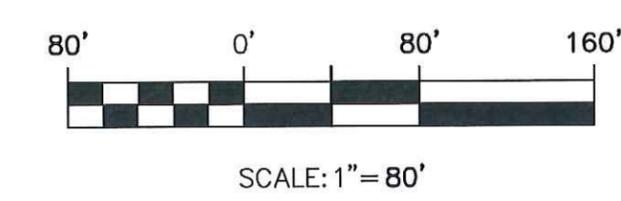
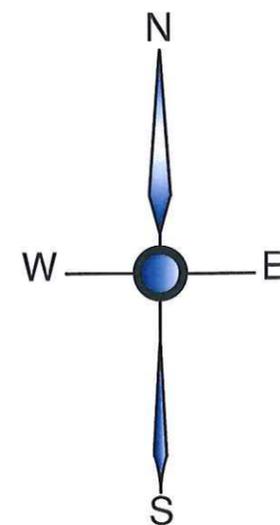
PLANNING CONDITIONS:

1. Construction Hours: Construction Hours: Pursuant to section 9.28.030.I, Construction or Repairing of Buildings. The erection (including excavating), demolition, alteration or repair of any building or general land grading and contour activity using equipment in such a manner as to be plainly audible at a distance of fifty feet from the building other than between the hours of seven a.m. and seven p.m. on weekdays and eight a.m. and seven p.m. on weekends except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the community development department, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for a period of three days or less while the emergency continues.
2. Dust Control: That prior to issuance of any grading permit, a method of control to prevent dust and windblown earth problems shall be submitted for review and approval by the Building Official.
3. Conditions of Approval on Building Plans: Prior to the issuance of a Building Permit, if any is required, 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.
4. Biologist Report: All work must be completed in strict compliance with the means and methods as well as the monitoring requirements stated in the Pax Environmental report dated 12-13-18
5. Lead Based Paint Analysis: Prior to the start of the permitted work, applicant shall provide the City with a copy of a report analyzing the paint on the three sheds. If there are any traces of lead paint found, the contractor shall follow the protocol established in the original deno permit (Monitoring AQ-2)
6. Pre-Construction meeting: Prior to the start of the permitted work, a pre-construction meeting shall be held with the Biologist, the contractor and a representative of the Community Development Staff.

EXHIBIT C

7. Work in the ESH: The removal of the shed located in the ESH shall include wrapping the shed prior to the equipment lifting the shed off the concrete foundation to ensure that no paint chips or other materials fall off the shed into the sensitive area of the ESH.
8. Hazardous Material handling: Applicant shall insure that all materials are removed from the site by a licensed waste disposal transport service to a permitted disposal site. Licenses and disposal ticket shall be provided to the City.

NO FURTHER NEW CONDITIONS OF APPROVAL. ALL CONDITIONS OF APPROVAL AND MONITORING PLAN REQUIREMENTS ASSOCIATED WITH PERMITS UP0 440 and CP0 500 REMAIN IN FULL FORCE AND EFFECT.



CONSTRUCTION NOTES:

- ① FIRE HYDRANT AND SHED TO BE REMOVED FROM OVER THE FENCE. SHED NEEDS TO BE REMOVED INTACT AND TAKEN OFFSITE FOR ANY ASBESTOS ABATEMENT WORK. FIRE HYDRANT TO BE REMOVED AND WATER PIPE CAPPED AND LEFT IN PLACE. CONCRETE PAD MUST REMAIN IN PLACE.
- ② SHED TO BE UNBOLTED AND REMOVED INTACT AWAY FROM PUBLIC STREET WITH CULTURAL AND ARCHAEOLOGICAL MONITORING. CONCRETE PAD UNDER SHED TO REMAIN IN PLACE.
- ③ FIRE HYDRANT TO BE REMOVED AND PIPE CAPPED AND LEFT IN PLACE.

NOTE:

- GEOLOGIST MUST BE ON-SITE FOR ALL ASBESTOS WORK
- REMOVAL OF FALLEN TREES TO BE IN ACCORDANCE WITH PROCEDURE PROVIDED IN BIOLOGIST REPORT.

SITE PLAN EXHIBIT OF FIRE SHEDS

3300 PANORAMA ROAD, MORRO BAY, CA

City of Morro Bay
 Administrative Approval
 Project #(s) MIN 19-001 ^{to} CUP 440
 Approved as Submitted CDP 500
 Approved with Changes
 Approval Date: 2-14-19
 Planner: N. Hubbard



DIVERSIFIED PROJECT SERVICES INTERNATIONAL

San Luis Obispo (805) 250-2891	Bakersfield, CA (661) 371-2800	Long Beach (562) 424-6400
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THE DELIVERY OF THIS DRAWING SHOULD NOT BE CONSTRUED TO PROVIDE AN EXPRESS WARRANTY OR GUARANTEE TO ANYONE THAT ALL DIMENSIONS AND DETAILS ARE EXACT OR TO INDICATE THAT THE USE OF THIS DRAWING IMPLIES THE REVIEW AND APPROVAL OF DPSI OF ANY FUTURE USE. ANY USE OF THIS INFORMATION IS AT THE SOLE RISK OF THE USER.

PROJECT: 160556
 www.dpsiinc.com

PLOT DATE 2.5.2019

EXHIBIT D



City of Morro Bay

Community Development Department
955 Shasta Ave
Morro Bay, CA 93442
(805) 772-6261
www.morro-bay.ca.us

AMENDMENT
to CUP/CDP

MIN19-001 - Amendment to

CPO 500
UPO 440

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

Case Number:	UPO 440
Building Permit:	000-033-003

Note To Applicants:

- This document is intended to provide minimum requirements for most zoning projects. Some projects may require additional information not listed here, as determined by the project planner within 30 days of application submittal.
- You are responsible for the accuracy and completeness of all application materials. Incorrect or incomplete information may result in delay or denial of you application
- All application materials become the property of the City of Morro Bay and are subject to public review.
- All applications materials must be clear and legible. Faxes, poor reproductions, and cluttered or confusing drawings will not be accepted.

Project Address: 3300 Panorama Drive, Morro Bay

Assessor's Parcel Number (APN): 065-038-001 Lot: _____ Block: _____ Tract: _____

Existing Use: Demolition of holding tanks, water tank and piping.

Proposed Project Title (attach a narrative detailing project): Additional Work - CPO-500 and UPO-440 Remove 3 Sheds + Fire hydrant

Applicant: Chris Mathys, Rhine LP, Morro94, LLC

Applicant Address: 2304 W. Shaw #102 City: Fresno State: CA Zip: 93711

Applicant Phone number: 559-264-9200 Email: office.cuigroup@gmail

Agent (if applicable): _____

EXHIBIT D

Agent Address: _____ City: _____ State: _____ Zip: _____

Agent Phone Number: _____ Email: _____

Property Owner: Rhine LP

Property Address: 3300 Panorama Dr. City: Morro Bay State: Ca Zip: _____

Property Phone Number: 559-264-9200 Email: office.cvigroup@gmail

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

Applicant's signature: [Signature] Date: 12/20/18

Property Owner's signature: _____ Date: _____

Submittal requirements see page 3 – 5. If located in a PD overlay zone refer to pages 6 – 8.

THIS SECTION FOR DEPARTMENT USE ONLY

List of additional changes:	Conditional Use Permit:
	Minor Use Permit:
Receipt No.:	Coastal Development Permit:
Date:	Environmental Fees:
	Other Charges:
	Total:

EXHIBIT D

Agent Address: _____ City: _____ State: _____ Zip: _____

Agent Phone Number: _____ Email: _____

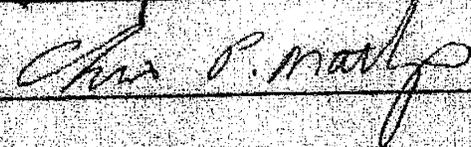
Property Owner: Rhine LP + Morro 94, LLC

Property Address: 3300 Panorama Dr. City: Morro Bay State: CA Zip: _____

Property Phone Number: 559-264-9800 Email: office.rvigroup@gmail

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

Applicant's signature:  Date: 12/20/18

Property Owner's signature:  Date: 12/20/2018

Submittal requirements see page 3 - 5. If located in a PD overlay zone refer to pages 6 - 8.

THIS SECTION FOR DEPARTMENT USE ONLY

List of additional changes:	Conditional Use Permit:
Receipt No.:	Minor Use Permit:
Date:	Coastal Development Permit:
	Environmental Fees:
	Other Charges:
	Total:



AGENDA NO: B-2

MEETING DATE: May 7, 2019

Staff Report

TO: Planning Commissioners **DATE:** April 30, 2019

FROM: Willow Urquidi, Assistant Planner

SUBJECT: 2790 Indigo Circle; Coastal Development Permit (CDP19-004) and Conditional Use Permit (CUP19-01) Coastal Development Permit and Conditional Use Permit approval request for construction of a 2,424 sf single-family residence and a 420 sf attached garage on a vacant lot in the Cloisters Subdivision. The property is zoned CRR/GC/PD (Coastal Resource Residential/Golf Course/Planned Development) and is located in the Coastal Commission Appeals Jurisdiction.

RECOMMENDATION:

CONDITIONALLY APPROVE THE PROJECT by approving Planning Commission Resolution 09-19 (Exhibit A) which includes the Findings and Conditions of Approval for the project depicted on site development plans dated April 8, 2019.

APPLICANT:

Shilpa Patel

AGENT:

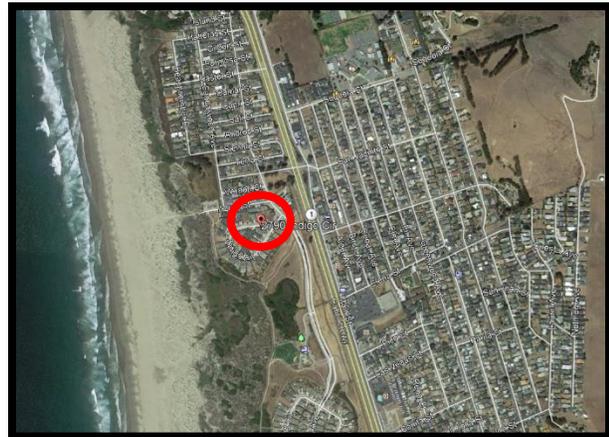
Will Ruoff

ADDRESS/APN:

2790 Indigo Circle; 065-387-007

PROJECT DESCRIPTION:

The Applicant is requesting approval to construct a 2,424 sf single-family residence and 420 sf attached garage on a vacant lot in the northern cluster of the Cloisters Subdivision.



Prepared By: WU

Department Review:

PROJECT SETTING:

The project is located on Lot 7 in the north cluster of the Cloisters Subdivision, designated as Planning Area 2, Atascadero Beach, in the Local Coastal Plan. The project site lies within the CRR/GC/PD (Coastal Resource Residential/Golf Course/Planned Development) Zoning District within the Coastal Commission Appeal Jurisdiction. This 7,291 sq. ft. lot is not visible from scenic Highway 1.



View of vacant parcel



Photosimulation

Adjacent Zoning/Land Use			
North:	R-2/S.2A (Duplex Residential/Special Treatment Overlay)	South:	CRR/GC/PD (Coastal Resource Residential/Golf Course/Planned Development)
East:	CRR/GC/PD (Coastal Resource Residential/Golf Course/Planned Development)	West:	CRR/GC/PD (Coastal Resource Residential/Golf Course/Planned Development)

Site Characteristics	
Site Area	7,291 square feet
Existing Use	Vacant parcel
Terrain	Level and undeveloped
Vegetation/Wildlife	N/A
Archaeological Resources	N/A
Access	Indigo Circle

General Plan, Zoning Ordinance, & Local Coastal Plan Designations	
General Plan/Coastal Plan Land Use Designation	Mixed Use Area 'G' / Area 2 Atascadero Beach
Base Zone District	(CCR) Coastal Resource Residential
Zoning Overlay District	(GC) Golf Course
Special Treatment Area	(PD) Planned Development
Combining District	n/a
Specific Plan Area	n/a
Coastal Zone	Located within the Coastal Commission Appeal Jurisdiction

Zoning Ordinance Standards		
	Standards	Proposed
Front Setback	20 feet	20 feet
Side-Yard Setback	6 feet	East = 6 feet West = 6 feet
Rear Setback	10 feet	13' 9 1/2"
Height	14 feet	13.12'
Lot Coverage	Max. 45%	39%
Parking	2 Car Garage	2 Car Garage

PROJECT DISCUSSION:

Background

The proposed residence is located within the Cloisters Subdivision. The final map for this project was recorded in October 1996. The Cloisters project consists of 120 clustered residential lots and three open space lots that include a public park dedicated to the City and dune area dedicated to the State (California Department of Parks and Recreation). An assessment district was formed to maintain the public park (including the parking lot and restrooms) and open space areas. Public streets and street lighting are maintained by the City.

The Cloisters Subdivision went through a lengthy public review process, including review and approval by the California Coastal Commission on July 9, 1992 (A-4-MRB-91-44). The Planning Commission gave final approval of the Conditional Use Permit (CUP 28-90 Precise Plan) and Tentative Tract Map (TM 01-90) on August 16, 1993. The City Council accepted the public improvements for this subdivision on January 26, 1998.

In accordance with the Conditions of Approval for the overall subdivision, the Planning Commission is required to perform design review of each proposed residence as part of the Coastal Development Permit review.

Although no particular design style is required, homes with a Bungalow, Craftsman, or Cape Cod character are in keeping with the established design criteria (See photosimulations in Exhibit E). Three different height limits were established to preserve views and minimize visual impacts while complementing adjacent neighborhoods and providing for a variety of skylines. Lot 7 allows for a maximum building height of 14 feet above average natural grade. Garage structures should be set behind the front of the house a minimum of 4 feet and must be at least 25 feet from the front property line and must not dominate the street façade.

Cloisters Design Guidelines

Design Criteria		
	Proposed	Standards
Architectural Character	Consistent with common craftsman elements. This design has been approved by the Cloister's Design Review Committee (Exhibit C)	Bungalow, Craftsman, or Cape Cod character
Building Form and Massing	<ul style="list-style-type: none"> Horizontal and vertical articulation Variable ridge heights and wall planes Covered, recessed front entry 	<ul style="list-style-type: none"> Horizontal and vertical articulation Variable ridge heights & wall planes Use features such as porches, balconies, arbors, and trellises Define entry
Roof Forms	<ul style="list-style-type: none"> Low pitched gabled roof Dimensional Composite Shingles 	<ul style="list-style-type: none"> Gable, shed, hip forms with dormers are encouraged Detailed overhangs and eaves Flat, unglazed concrete tile, clay tile, slate, dimensional asphalt shingles
Garage	<ul style="list-style-type: none"> 662.5 sq. ft. two-car garage Recessed 5 ft. from front 	<ul style="list-style-type: none"> Garages located behind the house preferred Driveways should not dominate the landscape Staggered/recessed doors recommended
Exterior Materials/Finishes	See materials page (Exhibit D) <ul style="list-style-type: none"> Horizontal siding Stone veneer 	Natural materials such as brick, stone, wood, light textured stucco, and split faced concrete block consistent with the chosen architectural style
Colors	See color page (Exhibit D)	Simple color schemes using a maximum of three colors

Residential Design Guidelines

1. Relationship to Homes in Immediate Neighborhood

The visual elements and overall design of the home is consistent with the surrounding homes in the Cloisters neighborhood.

2. Scale and Mass

The development is limited to one-story and meets all applicable development standards for the Coastal Resource Residential Zone.

3. Surface Articulation

The front façade of the building contains horizontal and vertical elements, a recessed entrance, varying materials and a simple color palette.

4. Building Orientation

The front entryway is recessed but still visible from the street.

5. Garage and Driveway Design

The garage is set back from the front of the building by five feet, and the dark paint color works well with the overall design of the home.

6. Building Materials

The project utilizes building materials such as stone and textured stucco that are suggested in the Cloisters Design Guidelines.

7. Architectural Elements

The doors, windows, and other architectural elements are designed to be consistent with common elements of Craftsman style homes, an encouraged design in this neighborhood.

Project Evaluation

The project meets all of the Morro Bay Municipal Code requirements. The property is located within the Golf Course (GC) district and the Planned Development (PD) overlay district. The GC district is no longer applicable to the subdivision.

The project is located within the Coastal Commission's appeal jurisdiction, thus requiring the CDP's for development of each lot to be reviewed and approved at a noticed public hearing. As the Cloisters project was fully considered for the impacts of the future homes that would be built on the new lots, there are no significant issues to be resolved related to coastal impacts. The view corridors, non-use areas, boardwalks and fenced off areas were all designed in accordance with the tract conditions of approval to protect and enhance coastal resources and provide coastal access consistent with the policies of Chapter 3 of the California Coastal Act. Development of single-family residential homes on these newly created lots, consistent with approved Design Guidelines and conditions of approval, will have no adverse impact on coastal resources or coastal access.

The individual project review is intended to ensure that the development of each of the lots within the tract continues to comply with the provisions of the Coastal Act. The various height limitations, setbacks and design criteria were established with the intent to create a built environment that will be in harmony with the natural surroundings. As proposed, the project appears consistent with the design criteria,

architectural, use restrictions as contained in the approved CC&R's, and Residential Design Guidelines as summarized above.

The Cloisters Design Review Committee has also reviewed and approved the project plans for consistency with the Cloister's Design Guidelines (See Cloisters Design Review Committee approval letter provided in Exhibit C).

PUBLIC NOTICE:

Notice of this item was posted at the site and published in the San Luis Obispo Tribune newspaper on April 26, 2019, and all property owners and occupants of record within 500 feet of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application.

ENVIRONMENTAL DETERMINATION:

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

CONCLUSION:

The proposed project is consistent with all applicable development standards of the Zoning Ordinance, Cloisters Tract Conditions, CC&R's and Design Guidelines, the City's Residential Design Guidelines and applicable provisions of the General Plan and Local Coastal Plan. No modifications or exceptions to City development requirements are proposed. The project has been found to be exempt from CEQA.

RECOMMENDATION:

Staff recommends the Planning Commission approve the requested Coastal Development Permit (CDP19-004) and Conditional Use Permit (CUP19-01) for the proposed project at 2790 Indigo, as shown on plans dated April 8, 2019 by adopting Planning Commission **Resolution 09-19** which includes the Findings and Conditions of Approval for the project.

EXHIBITS:

- Exhibit A – Planning Commission Resolution 09-19
- Exhibit B – Plan Reductions
- Exhibit C – Cloisters Design Review Committee Letter
- Exhibit D – Color and Materials Page
- Exhibit E – Photosimulations

EXHIBIT A

Planning Commission Resolution 09-19

CDP19-004/CUP19-01

Page 1

RESOLUTION NO. PC 09-19

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION APPROVING COASTAL DEVELOPMENT PERMIT (CDP19-004) AND CONDITIONAL USE PERMIT (CUP19-01) TO ALLOW THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 2790 INDIGO CIRCLE IN THE CLOISTERS SUBDIVISION

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 May 7, 2019, for the purpose of considering Coastal Development Permit CDP19-004 and Conditional Use Permit CUP19-01 for construction of a new 2,424 sf single-family residence at 2790 Indigo Circle (APN 065-387-007); 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 appellant, 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)

1. The project is exempt from the California Environmental Quality Act, under Class 3(a), Section 15303 for the construction of a single-family residence in an urbanized area. Additionally, none of the Categorical Exemption exception, noted under Section 15300.2 apply to the project.

Coastal Development Permit findings

1. That the project is the construction of a Single-Family Residence in a residential zone. Specifically, the permit is Coastal Development Permit and Conditional Use Permit for the construction of a 2,424 sf single-family residence and a 420 sf attached garage on a vacant lot in the Cloisters Neighborhood. The project is consistent with the certified Local Coastal Program (LCP) and the General Plan for the City of Morro Bay.

Conditional Use Permit findings

1. The project will not be detrimental to the health, safety, comfort and general welfare of the persons residing or working in the neighborhood because the

EXHIBIT A

single-family residence and associated attached garage are permitted uses within the zoning district applicable to the project site and said structures will be constructed in accordance with all applicable project conditions and City regulations.

2. The project will not be injurious or detrimental to property and improvements in the neighborhood because the single-family residence and associated attached garage are designed to be consistent with the Design Guidelines, project conditions, and City regulations applicable to this development.
3. The project will not be injurious or detrimental to the general welfare of the City because the single-family residence and associated attached garage are permitted uses within the zone district and plan designation applicable to the site and said structures are designed to be constructed in accordance with all applicable project conditions and City regulations.
4. The project is an allowable use in the zoning district and is also in accordance with the certified Coastal Land Use plan for the City of Morro Bay, and is in conformance with the coastal access policies of Chapter 3 of the California Coastal Act.
5. The project is in conformance with the applicable conditions of approval for Tract 1996 (Case No. CUP 28-90/TM 01-90) as indicated in the attached staff report dated April 30, 2019.
6. The project design is consistent with the elements contained in the Cloisters Design Guidelines, approved CC&R's for Tract 1996, the Cloisters, that are intended to create a unified architectural and aesthetic consistency and tone so that each residence will harmonize with the beauty and natural surroundings and coastal nature of the property.
7. The project design is consistent with the elements contained in the City Council approved Residential Design Guidelines, as indicated in the attached staff report dated April 30, 2019.

Section 2: Action. The Planning Commission does hereby approve Coastal Development Permit (CDP19-004) and Conditional Use Permit (CUP19-01) subject to the following conditions:

STANDARD CONDITIONS:

1. Permit: This permit is granted for the land described on Assessor Parcel Number 065-387-007 for the construction of a single-family residence as depicted on plans date stamped April 8, 2019, and on file with the Community Development Department, as modified by these conditions of approval. Site development, including all buildings and other features, shall be located and designed substantially as shown on plans, unless otherwise specified herein.

EXHIBIT A

2. Inaugurate Within Two Year: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this approval and is diligently pursued thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Said extensions may be granted by the Director, upon finding that the project complies with all applicable provisions of the Morro Bay Municipal Code, General Plan and Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.
3. Changes: Any minor change may be approved by the Community Development Director. Any substantial change will require the filing of an application for an amendment.
4. Compliance with the Law: All requirements of any law, ordinance or regulation of the State of California, City of Morro Bay, and any other governmental entity shall be complied with in the exercise of this approval.
5. 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. This condition and agreement shall be binding on all successors and assigns.
6. Compliance with Conditions: Compliance with and execution of all conditions listed hereon shall be necessary, unless otherwise specified, prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Planning and Building Director and/or as authorized by the Planning Commission. Failure to comply with these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the Morro Bay Municipal Code and is a misdemeanor.
7. 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.
8. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the Morro Bay Municipal Code, and shall be consistent with all programs and policies contained in the certified Coastal Land Use plan and General Plan for the City of Morro Bay.

EXHIBIT A

PLANNING CONDITIONS:

1. CEQA Exemption: If the applicant elects to post the Categorical Exemption with the County Clerk's Office then a required fee of \$50 fee shall be made payable to "County of San Luis Obispo" and delivered to the County Clerk along with the Categorical Exemption form attached to the coastal development permit. This filing has the effect of starting a 35-day statute of limitations period for challenges to the decision in place of the 180-day period otherwise in effect.
2. Construction Hours: Construction Hours: Pursuant to section 9.28.030.I, Construction or Repairing of Buildings. The erection (including excavating), demolition, alteration or repair of any building or general land grading and contour activity using equipment in such a manner as to be plainly audible at a distance of fifty feet from the building other than between the hours of seven a.m. and seven p.m. on weekdays and eight a.m. and seven p.m. on weekends except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the community development department, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for a period of three days or less while the emergency continues.
3. Dust Control: That prior to issuance of any grading permit, a method of control to prevent dust and windblown earth problems shall be submitted for review and approval by the Building Official.
4. Boundaries and Setbacks: The property owner is responsible for verification of lot boundaries. Prior to requesting foundation inspection, a licensed land surveyor shall verify lot boundaries and building setbacks to the satisfaction of the Community Development Director. A copy of the surveyor's *Form Certification* based on a boundary survey shall be submitted with the request for foundation inspection.
5. Building Height Verification: Prior to foundation inspection, a licensed land surveyor shall measure and inspect the forms and submit a letter to the Community Development Director certifying that the tops of the forms are in compliance with the finish floor elevations as shown on approved plans. Prior to either roof nail or framing inspection, a licensed surveyor shall submit a letter to the building inspector certifying that the height of the structures is in accordance with the approved plans and zoning ordinance standard.
6. Conditions of Approval on Building Plans: Prior to the issuance of a Building Permit, the final Conditions of Approval shall be attached to the set of approved plans. The sheet containing Conditions of Approval shall be the same size as other plan sheets and shall be the last sheet in the set of Building Plans.
7. Architecture: Building color and materials shall be as shown on plans approved by the Planning Commission and specifically called out on the plans submitted for a Building Permit to the satisfaction of the Community Development Director.

EXHIBIT A

8. The Cloisters Architectural Review Committee: The Cloisters Architectural Review Committee shall be notified at the time of final occupancy to verify that the completed project complies with the approved plans
9. The Cloisters Architectural Review Committee: The Cloisters Architectural Review Committee shall be notified of any modifications or revisions to the approved plans, prior to any installation or construction of the same.

BUILDING CONDITIONS:

A. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

BUILDING DIVISION:

1. 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.
2. 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.
3. 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 defined in Section 220. 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.
4. 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.
5. Mitigation measures for natural occurring asbestos require approval from San Luis Obispo County Air Pollution Control District.

EXHIBIT A

Planning Commission Resolution 09-19

CDP19-004/CUP19-01

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6. A soils investigation performed by a qualified professional shall be required for this project. All cut and fill slopes shall be provided with subsurface drainage as necessary for stability; details shall be provided. Alternatively, submit a completed City of Morro Bay soils report waiver request.
7. **BUILDING PERMIT APPLICATION.** To apply for building permits, submit three (3) sets of construction plans to the Building Division.
8. 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. Maximum Height of the building allowed and proposed.
 - e. Floor area of the building(s).
 - f. Vicinity map.
 - g. Minimum building set back per zoning designation or conditional use approval.

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.)

B. CONDITIONS TO BE MET DURING CONSTRUCTION:

BUILDING DIVISION:

1. **SITE MAINTENANCE.** During construction, the site shall be maintained so as to not infringe on neighboring property, such as debris and dust.
2. **ARCHAEOLOGICAL MATERIALS.** In the event unforeseen archaeological resources are unearthed during any construction activities, all grading and or excavation shall cease in the immediate area and the find left untouched. The Building Official shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, Native American, or paleontologist, whichever is appropriate. The qualified professional shall evaluate the find and make reservations related to the preservation or disposition of artifacts in accordance with applicable laws and ordinances. If discovered archaeological resources are found to include human

EXHIBIT A

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remains, or in any other case when human remains are discovered during construction, the Building Official shall notify to county coroner. If human remains are found to be of ancient age and of archaeological and spiritual significance, the Building Official shall notify the Native American Heritage Commission. The developer shall be liable for costs associated with the professional investigation.

3. A licensed surveyor or engineer shall verify pad elevations, setbacks, prior to foundation inspection, and/or building height prior to framing 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.
2. Title 24 form(s) 2F-6R (Certificate of installation) for building, mechanical, electrical and plumbing systems.

FIRE CONDITIONS:

1. 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.
2. Automatic fire sprinklers. An automatic fire sprinkler system, in accordance with NFPA 13-D, California Fire Code (Section 903) and Morro Bay Municipal Code (Section 14.08.090). Applicant shall submit sprinkler plans to Morro Bay Community Development Department for review
3. 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)
4. Address identification. All new and existing single family residence and ADU's shall have their own approved address numbers or building numbers placed in a position to be plainly legible from the street or road fronting the property

EXHIBIT A

(CFC 505). Provide approved address numbers 4 inches high with ½ inch stroke in contrasting numbers.

PUBLIC WORKS CONDITIONS:

1. **Stormwater Management:** The City has adopted Low Impact Development (LID) and Post Construction requirements to protect water quality and control runoff flow from new and redevelopment projects. Projects with more than 2,500sf of new or redeveloped impervious area are subject to these requirements. Submitted “SFR Performance Requirement Determination Form” identifies Performance #1 is required. Requirement has been submitted and will be reviewed for accuracy.
2. **Sewer Lateral:** Indicate and label new or existing sewer lateral and connection. If an existing lateral or portion is used, perform a video inspection of the lateral and submit to Public Works via flash drive or DVD, prior to building permit plan approval. Lateral shall be repaired as necessary and all repairs shall be noted on approved set of plans. Our records indicate a partial sewer lateral exists from a factory tap connection to the property line.
3. **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. Show on plans the 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.
4. **Water Meter:** Indicate and label new or existing water meter with size, on plans.
5. **Grading and Drainage:** Indicate on plans the existing and updated contours, drainage patterns, spot elevations, finish floor elevation and all existing and proposed drainage pipes and structures.
6. **Utilities:** Show all existing and proposed locations of the sewer lateral, water service, and water and sewer mains on the building plans. Include sizes where appropriate. Note the location of all overhead utilities and construction underground service entrances per the CBC.

Add the following Notes to the Plans:

1. Any damage, as a result of construction operations for this project, to City facilities, i.e. curb/berm, street, sewer line, water line, or any public improvements shall be repaired at no cost to the City of Morro Bay.
2. No work shall occur within (or use of) the City’s Right of Way without an

EXHIBIT A

Planning Commission Resolution 09-19

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encroachment permit. Encroachment permits are available at the City of Morro Bay Public Works Office located at 955 Shasta Avenue. A sewer encroachment permit shall be required for any repairs or installation of a sewer lateral within the City right-of-way or within a utility easement. 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.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 7th day of May 2019 on the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson Gerald Luhr

ATTEST

Scot Graham, Planning Secretary

The foregoing resolution was passed and adopted on this 7th day of May 2019.

PATEL RESIDENCES

Exhibit B

2790 INDIGO CIRCLE, MORRO BAY, CALIFORNIA 93442



Issue	date
PRELIMINARY	NOVEMBER 27, 2018
2ND CLOISTERS	DECEMBER 17, 2018
PLANNING REVIEW	JANUARY 30, 2019
PLANNING REV 2	APRIL 03, 2019

RECEIVED

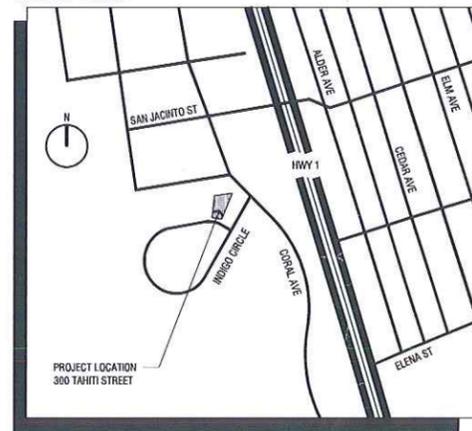
APR 08 2019

City of Morro Bay
Community Development Dept.

DRAWING SYMBOLS

	KEYNOTE	
	DOOR NUMBER	
	WINDOW NUMBER	
	ROOM TAG	
	DETAIL REFERENCE:	DETAIL NUMBER & SHEET NUMBER
	DETAIL TARGET	
	ELEVATION MARKER	ELEV NUMBER & DIRECTION OF VIEW
	SECTION MARKER	SECTION NUMBER & DIRECTION OF VIEW
	ROOF / GROUND SLOPE:	INDICATES SLOPE AND DIRECTION OF SLOPE
	HEIGHT / ELEVATION MARKER	
	NORTH ARROW	
	REVISION MARKER	

VICINITY MAP



DEFERRED SUBMITTALS

DEFERRALS:	FIRE SPRINKLER DESIGN	NFPA 13D
------------	-----------------------	----------

BUILDING CODE DATA

SPRINKLERS:	REQUIRED:	YES
CONSTRUCTION TYPE:	PROPOSED:	YES
OCCUPANCY GROUP:	TYPE VB	
	R-3	

PROJECT DATA

PROJECT DESCRIPTION
THIS PROJECT PROPOSES BUILD A NEW THREE BEDROOM THREE AND A HALF BATH RESIDENCE ON AN EMPTY LOT IN THE CLOISTERS SUBDIVISION. THE PROJECT IS DESIGNED TO CONFORM TO THE CLOISTERS ARCHITECTURAL DESIGN GUIDELINES. THE PROJECTS NARROW STREET FRONTAGE DID NOT ALLOW FOR THE GARAGE TO BE PLACED IN THE BACK OF THE LOT, SO THE EMPHASIS WAS PLACED ON THE ENTRY CANOPY WHICH CONFORMS TO THE CLOISTERS DESIGN GUIDELINES BY USING STONE AND WOOD TO MATCH THE CONTEXT OF THE SURROUNDING NEIGHBORHOOD. STUCCO WAS USED AS THE PRIMARY BUILDING MATERIAL WHICH IS AN APPROVED MATERIAL UNDER THE CLOISTERS DESIGN GUIDELINES. THE DOOR AND WINDOWS HAVE HORIZONTAL LINES WITH MULLIONS WHICH IS CONSISTENT WITH THE COMMON CRAFTSMAN ELEMENTS.

PROJECT ADDRESS 2790 INDIGO CIRCLE, MORRO BAY, CA

APN 065-387-007

ZONING	CRV/GC/PD, IN THE COASTAL COMMISSION APPEALS JURISDICTION
CURRENT USE	R-3 (RESIDENTIAL)
LOT SIZE	7,291 SQ FT
LOT COVERAGE	2,845 SF (39%)

CALIFORNIA CODE REFERENCES

THIS PROJECT SHALL COMPLY WITH CURRENT APPLICABLE CODES & ORDINANCES

- 2016 CALIFORNIA BUILDING STANDARDS ADMINISTRATIVE CODE
- 2016 CALIFORNIA BUILDING CODE
- 2016 CALIFORNIA RESIDENTIAL BUILDING CODE
- 2016 CALIFORNIA ELECTRICAL CODE
- 2016 CALIFORNIA MECHANICAL CODE
- 2016 CALIFORNIA PLUMBING CODE
- 2016 CALIFORNIA ENERGY CODE
- 2016 CALIFORNIA HISTORICAL BUILDING CODE
- 2016 CALIFORNIA FIRE CODE
- 2016 CALIFORNIA EXISTING BUILDING CODE
- 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE
- 2016 CALIFORNIA REFERENCE STANDARDS CODE

CITY OF MORRO BAY MUNICIPAL CODE

LIVING AREA SQ FOOTAGE

TOTAL LIVING SPACE:	2,424 SQ FT
GARAGE AREA:	420 SQ FT
LOT COVERAGE	2,845 SQ FT

PROJECT DIRECTORY

OWNER:	SHELPA PATEL 17431 BROOKLYN YORBA LINDA, CA 92886	CONTACT:	SHELPA PATEL 805 215 9435 PHARMACYGIRL83@GMAIL.COM
ARCHITECT:	WILL RUOFF 1302 6TH STREET LOS OSOS CA, 93402	CONTACT:	WILL RUOFF 805 235 5333 RUOFFWILL@GMAIL.COM

BUILDING SETBACKS

PROPOSED FRONT YARD:		GARAGE:	20'
PROPOSED SIDE YARD:	6'	BUILDING:	15'
PROPOSED BACK YARD:	10'		

BUILDING HEIGHTS

HEIGHT LIMIT ALLOWED	14'-0"
HIGHEST POINT ON LOT COVERED BY BUILDING	24.95
LOWEST POINT ON LOT COVERED BY BUILDING	23.70
AVERAGE NATURAL GRADE	24.32
FINISHED FLOOR ELEVATION	25.20
MAXIMUM BUILDING HEIGHT	38.32' (14'-0" FROM AVERAGE NATURAL GRADE)
BUILDING HEIGHT	13.12 TALL

SHEET INDEX

TITLE / CODE	TITLE SHEET
T1.0	TITLE SHEET
ARCHITECTURAL	
A1.0	SITE PLAN
A1.1	LANDSCAPE SITE PLAN
A2.0	FLOOR PLAN
A2.1	ROOF PLAN
A3.0	EXTERIOR ELEVATIONS
C-1	TITLE SHEET
C-2	NOTE SHEET
C-3	GRADING, DRAINAGE, AND EROSION CONTROL PLAN

PATEL RESIDENCE
NEW SINGLE FAMILY RESIDENCE
2790 INDIGO CIRCLE, MORRO BAY CA 93442
PROJECT NO. 2018-009

TITLE SHEET

T1.0

SITE PLAN GENERAL NOTES

Exhibit B

1. VERIFY ADEQUACY OF SEWER LATERAL PRIOR TO NEW CONSTRUCTION.
2. WATER PRESSURE IN EXCESS OF 80 PSI REQUIRES A PRESSURE REGULATOR.
3. BUILDINGS SHALL HAVE APPROVED ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION THAT IS PLAINLY LEGIBLE AND VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. THESE NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND. ADDRESS NUMBERS SHALL BE ARABIC NUMERALS OR ALPHABETICAL LETTERS. NUMBERS SHALL BE A MINIMUM OF 4" HIGH WITH A MINIMUM STROKE WIDTH OF 1/8". VERIFY MINIMUM HEIGHT REQUIREMENTS WITH LOCAL FIRE DEPARTMENT AND USE MORE RESTRICTIVE.
4. SLOPE GROUND IMMEDIATELY ADJACENT TO FOUNDATION AWAY FROM BUILDING AT A SLOPE OF NOT LESS THAN 1:20 (5%) FOR A MINIMUM OF 10' MEASURED PERPENDICULAR TO FACE OF WALL OR AT A 2% SLOPE WHEN A SWALE IS PROVIDED. IMPERVIOUS SURFACES WITHIN 10' OF BUILDING FOUNDATION SHALL BE SLOPED A MINIMUM OF 2% AWAY FROM BUILDING.
5. DURING CONSTRUCTION/GROUND DISTURBING ACTIVITIES, THE APPLICANT SHALL IMPLEMENT THE FOLLOWING PARTICULATE (DUST) CONTROL MEASURES. THE CONTRACTOR OR BUILDER SHALL DESIGNATE A PERSON OR PERSONS TO MONITOR THE DUST CONTROL PROGRAM AND TO ORDER INCREASED WATERING, AS NECESSARY, TO PREVENT TRANSPORT OF DUST OFF SITE. THEIR DUTIES SHALL INCLUDE HOLIDAY AND WEEKEND PERIODS WHEN WORK MAY NOT BE IN PROGRESS. THE NAME AND TELEPHONE NUMBER OF SUCH PERSONS SHALL BE PROVIDED TO THE APCD PRIOR TO COMMENCEMENT OF CONSTRUCTION.
 - 5.1. REDUCE THE AMOUNT OF DISTURBED AREA WHERE POSSIBLE.
 - 5.2. USE OF WATER TRUCKS OR SPRINKLER SYSTEM IN SUFFICIENT QUANTITIES TO PREVENT AIRBORNE DUST FROM LEAVING THE SITE. RECLAIMED (NONPOTABLE) WATER SHOULD BE USED WHENEVER POSSIBLE.

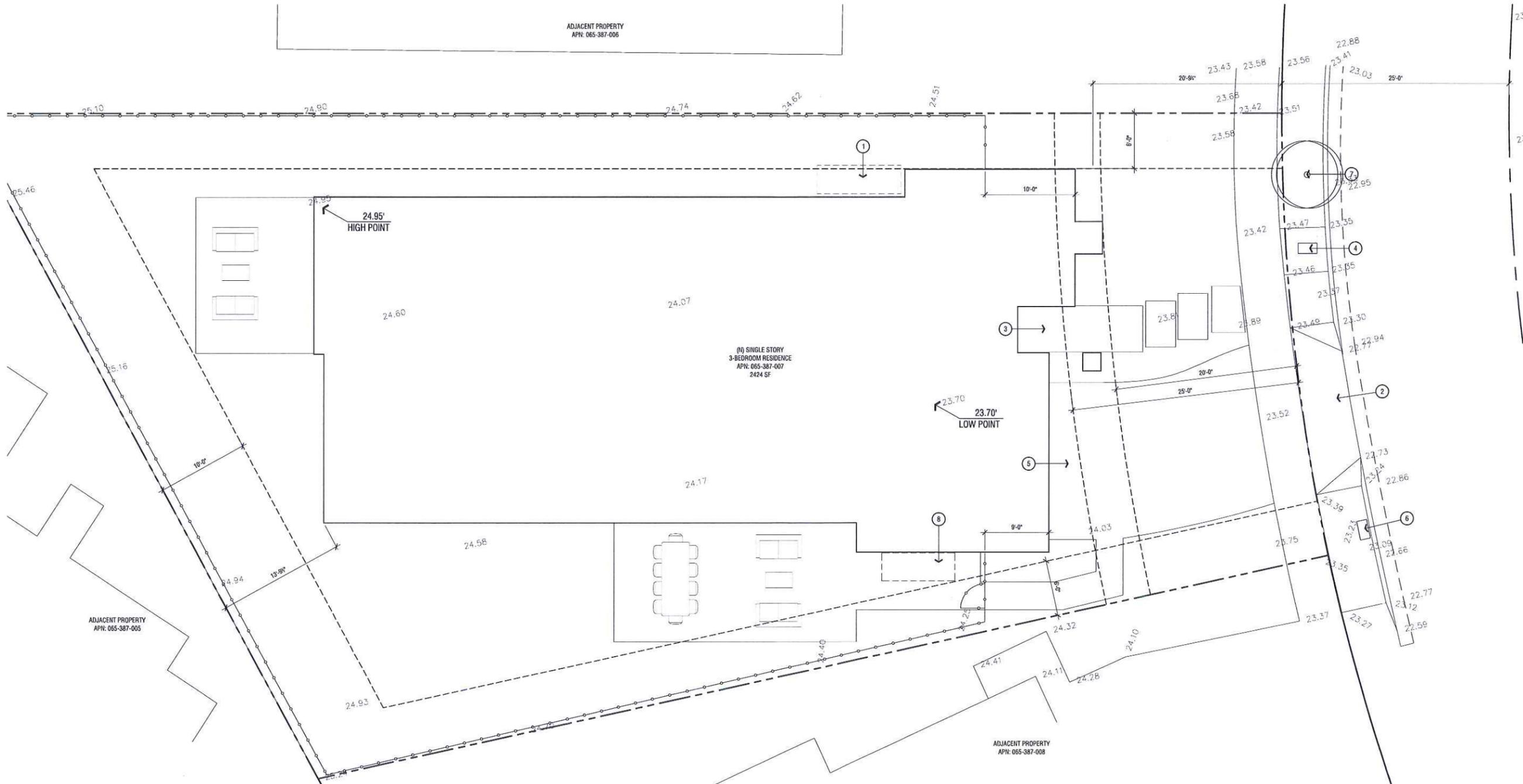
- 5.3. VEHICLE SPEED FOR ALL CONSTRUCTION VEHICLES SHALL NOT EXCEED 15 MPH ON ANY UNPAVED SURFACE AT THE CONSTRUCTION SITE.
- 5.4. ALL TRUCKS HAULING DIRT, SAND, SOIL, OR OTHER LOOSE MATERIALS ARE TO BE COVERED OR SHOULD MAINTAIN AT LEAST TWO FEET OF FREEBOARD (MINIMUM VERTICAL DISTANCE BETWEEN TOP LOAD AND TOP OF TRAILER) IN ACCORDANCE WITH CALIFORNIA VEHICLE CODE.
- 5.5. SWEEP STREETS AT THE END OF EACH DAY IF VISIBLE SOIL MATERIAL IS CARRIED ONTO ADJACENT PAVED ROADS. WATER SWEEPERS WITH RECLAIMED WATER SHOULD BE USED WHERE FEASIBLE.
- 5.6. ALL DIRT STOCK-PILE AREAS SHOULD BE SPRAYED DAILY AS NEEDED.
6. ANY PORTION OF A FENCE OR OTHER STRUCTURES WITHIN 5' OF THE BUILDING SHALL BE CONSTRUCTED OF NON-COMBUSTIBLE MATERIAL OR APPROVED EXTERIOR FIRE-RETARDANT WOOD OR MATERIAL THAT MEETS THE SAME FIRE-RESISTIVE STANDARDS AS THE EXTERIOR WALLS OF THE BUILDING.
7. EROSION CONTROL MEASURES SHALL BE IMPLEMENTED AND MAINTAINED DURING ALL DEMOLITION, CONSTRUCTION AND GRADING.

KEYNOTES

- 1 LOCATION FOR UTILITIES AND MECHANICAL EQUIPMENT
- 2 EXISTING CURB CUT TO REMAIN
- 3 NEW FRONT DOOR LOCATION
- 4 EXISTING WATER METER TO REMAIN
- 5 NEW GARAGE DOOR LOCATION
- 6 EXISTING MAIL BOXES TO REMAIN
- 7 EXISTING TREE TO REMAIN
- 8 LOCATION OF TRASH AREA

ARCHITECTURAL SITE PLAN LEGEND

- (E) PROPERTY LINE
- FLOW DIRECTION OF FLOW
- (N) PROPERTY FENCE
- CONCRETE WORK (E) AND (N)



PRELIMINARY	NOVEMBER 27, 2018
2ND CLOSERS	DECEMBER 17, 2018
PLANNING REVIEW	JANUARY 30, 2019
PLANNING REV 2	APRIL 03, 2019
ISSUE DATE	

PATEL RESIDENCE
NEW SINGLE FAMILY RESIDENCE
 2790 INDIGO CIRCLE, MORRO BAY CA 93442
 PROJECT NO. 2018-0009

SITE PLAN

A1.0

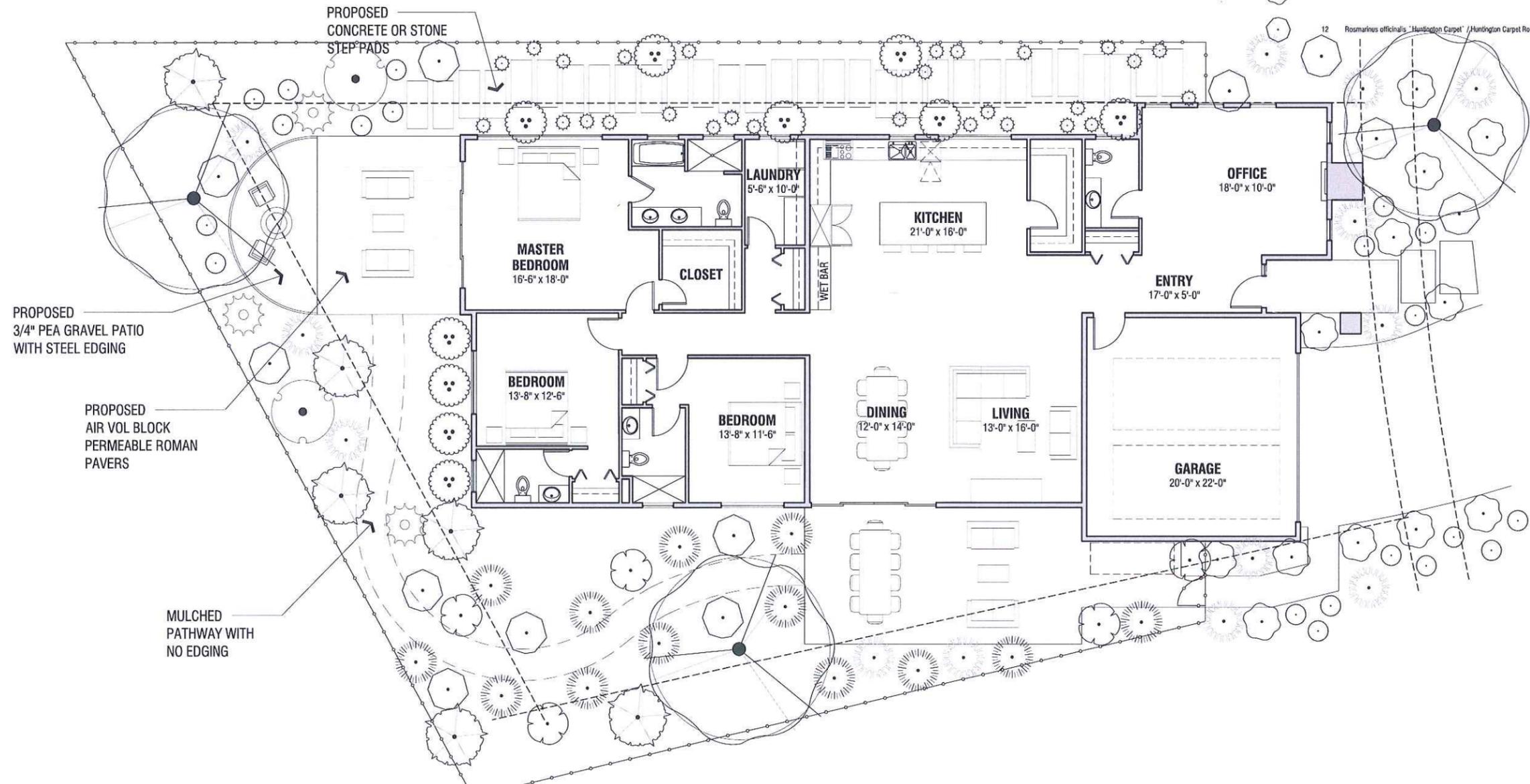
Exhibit B

LANDSCAPING FEATURES IMPLEMENTED ON PROJECT

ALL PROPOSED LANDSCAPE PLANTING IS TO BE DROUGHT TOLERANT WITH A LOW "A" PLANT FACTOR AS DEFINED BY WUCOLS. LANDSCAPING PLANTING SHALL BE IRRIGATED WITH AN IRRIGATION CONTROLLER AND WEATHER SENSORS AND CONTROL VALVES. ALL PLANTS SHALL BE IRRIGATED WITH POINT SOURCE DRIP EMITTERS TO REDUCE WATER CONSUMPTION.
MULCH WILL BE USED FOR GROUND COVER FOR ALL PLANTING AREAS

PLANT SCHEDULE

TREES	QTY	BOTANICAL NAME / COMMON NAME	CONT	REMARKS
	4	Lagerstroemia indica x faurei "Natchez" / Natchez Crape Myrtle	15 gal	Size: 30" tall x 18" wide WUCOLS PF: 1 - 4
SHRUBS	QTY	BOTANICAL NAME / COMMON NAME	SIZE	REMARKS
	3	Agave attenuata "Nova" / Blue Clione	5 gal	Size: 3'-4" tall and wide WUCOLS PF: 1 - 3
	28	Carex glauca / Blue Sedge	5 gal	Size: 1'-2" tall and wide WUCOLS PF: 1-3
	2	Dodonaea viscosa "Purpurea" / Purple Leaved Hopseed Bush	5 gal	Size: 12" tall x 6'-8" wide WUCOLS PF = 1 - 3
	21	Helictotichon sempervirens / Blue Oat Grass	1 gal	Size: 1'-2" tall and wide WUCOLS PF = 1-3
	5	Leucadendron meridianum "More Silver" / Limestone Conebush	5 gal	Size: 6" to 8" tall and wide WUCOLS PF = 1 - 3
	13	Muhlenbergia rigens / Deer Grass	5 gal	Size: 4" tall and wide WUCOLS PF: 1 - 3
	14	Perovskia atriplicifolia / Russian Sage	5 gal	Size: 3'-4" tall and wide WUCOLS PF: 1-3
	10	Pittosporum crassifolium "Compactum" / Dwarf Karo	5 gal	Size: 2'-3" tall and 4'-6" wide WUCOLS PF: 4-6
	12	Rosa x "Noaschnee" / Flower Carpet White Groundcover Rose	5 gal	Size: 2" tall and 3' wide WUCOLS PF: 1-3
	12	Rosmarinus officinalis "Huntington Carpet" / Huntington Carpet Rosemary	1 gal	Size: 1'-2" tall and spreading WUCOLS PF: 1-3



PRELIMINARY	NOVEMBER 27, 2018	ISSUE	DATE
2ND CLOISTERS	DECEMBER 17, 2018		
PLANNING REVIEW	JANUARY 30, 2019		
PLANNING REV 2	APRIL 03, 2019		

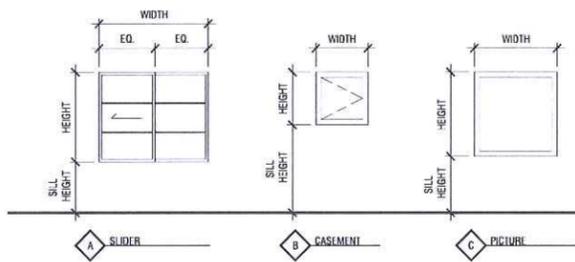
PATEL RESIDENCE
NEW SINGLE FAMILY RESIDENCE
 2780 INDIGO CIRCLE, MORRO BAY CA 93442
 PROJECT No. 2018-009

LANDSCAPE PLAN

A1.1

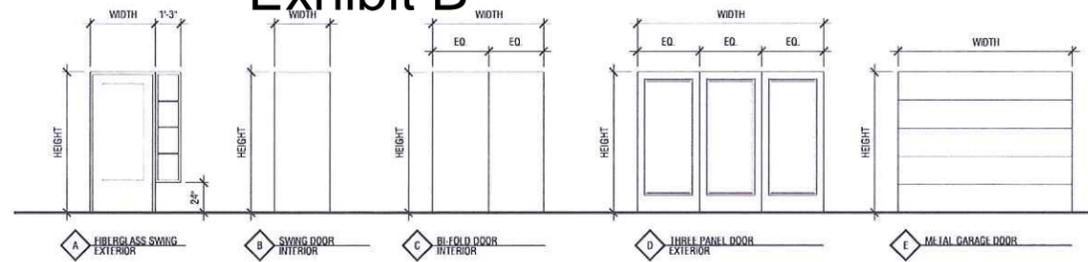


Exhibit B



WINDOW SCHEDULE						
OPENING TAG	OPENING SIZE		WINDOW		FINISH	#
	WIDTH	HEIGHT	TYPE	SILL HEIGHT		
001	5'-0"	4'-0"	A	2'-8"	V	2
002	3'-0"	3'-0"	B	3'-8"	V	5
003	12'-0"	1'-6"	C	6'-0"	V	1
004	5'-0"	1'-6"	C	7'-6"	V	2
005	2'-0"	4'-8"	A	2'-0"	V	5
006	12'-0"	1'-6"	C	7'-6"	V	2
007	12'-0"	1'-6"	C	6'-0"	V	2

WINDOW ABBREVIATIONS: V = VINYL

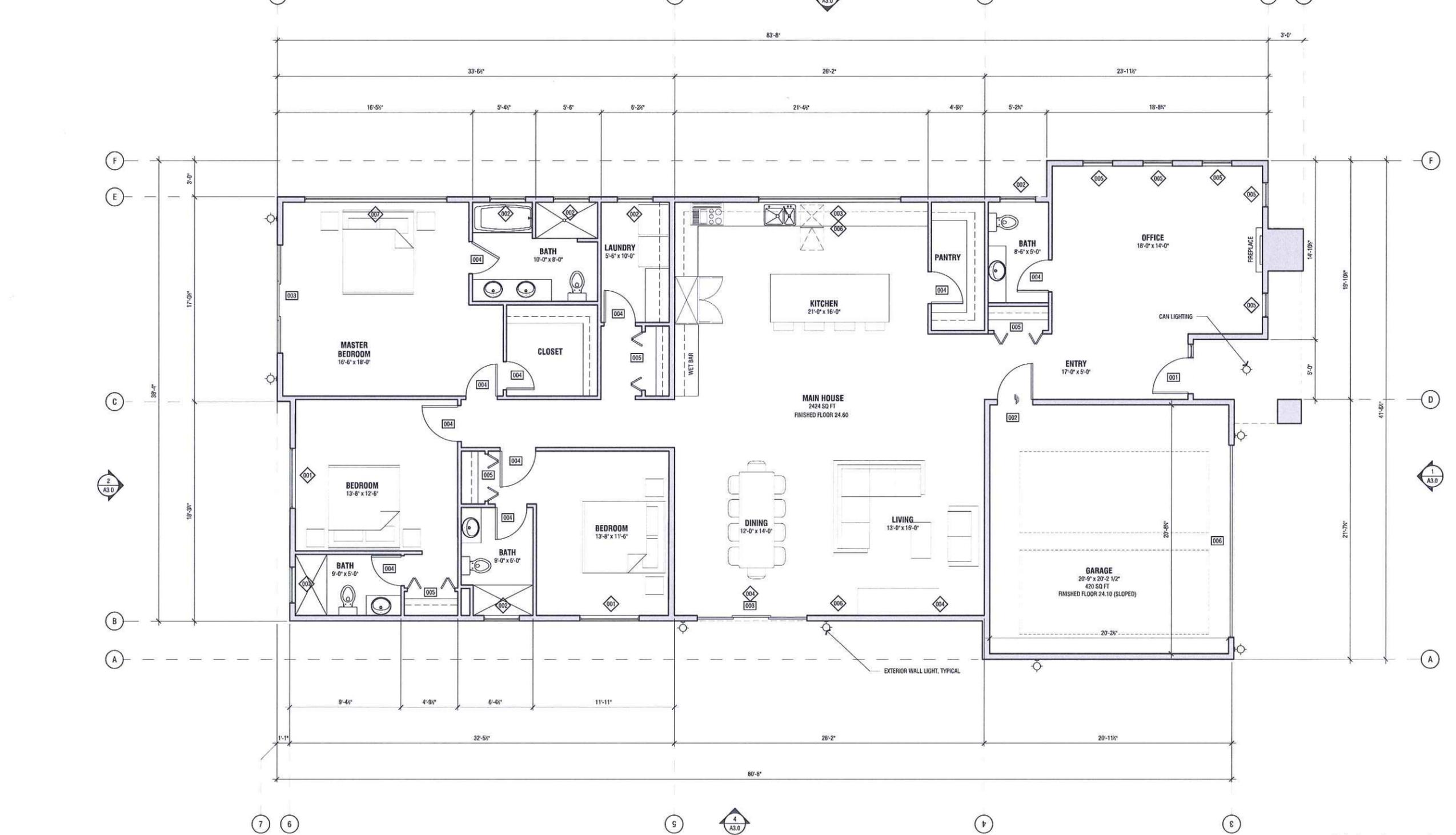


DOOR SCHEDULE							
OPENING TAG	OPENING SIZE		DOOR			TEMP	#
	WIDTH	HEIGHT	TYPE	MAT	RN		
001	3'-0"	6'-8"	A	V	FF	YES	1
002	3'-0"	6'-8"	B	WD	FF		1
003	9'-0"	7'-6"	D	V	FF	YES	2
004	2'-6"	6'-8"	B	WD	FF		10
005	5'-0"	6'-8"	C	WD	FF		4
006	3'-0"	6'-8"	E	MTL	FF		1

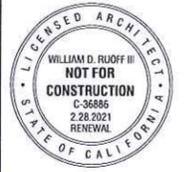
DOOR ABBREVIATIONS: V = VINYL, WD = WOOD, MTL = METAL

2 WINDOW TYPES

3 DOOR TYPES



1 FLOOR PLAN



PRELIMINARY NOVEMBER 27, 2018
 2ND CLOISTERS DECEMBER 17, 2018
 PLANNING REVIEW JANUARY 30, 2019
 PLANNING REV 2 APRIL 03, 2019

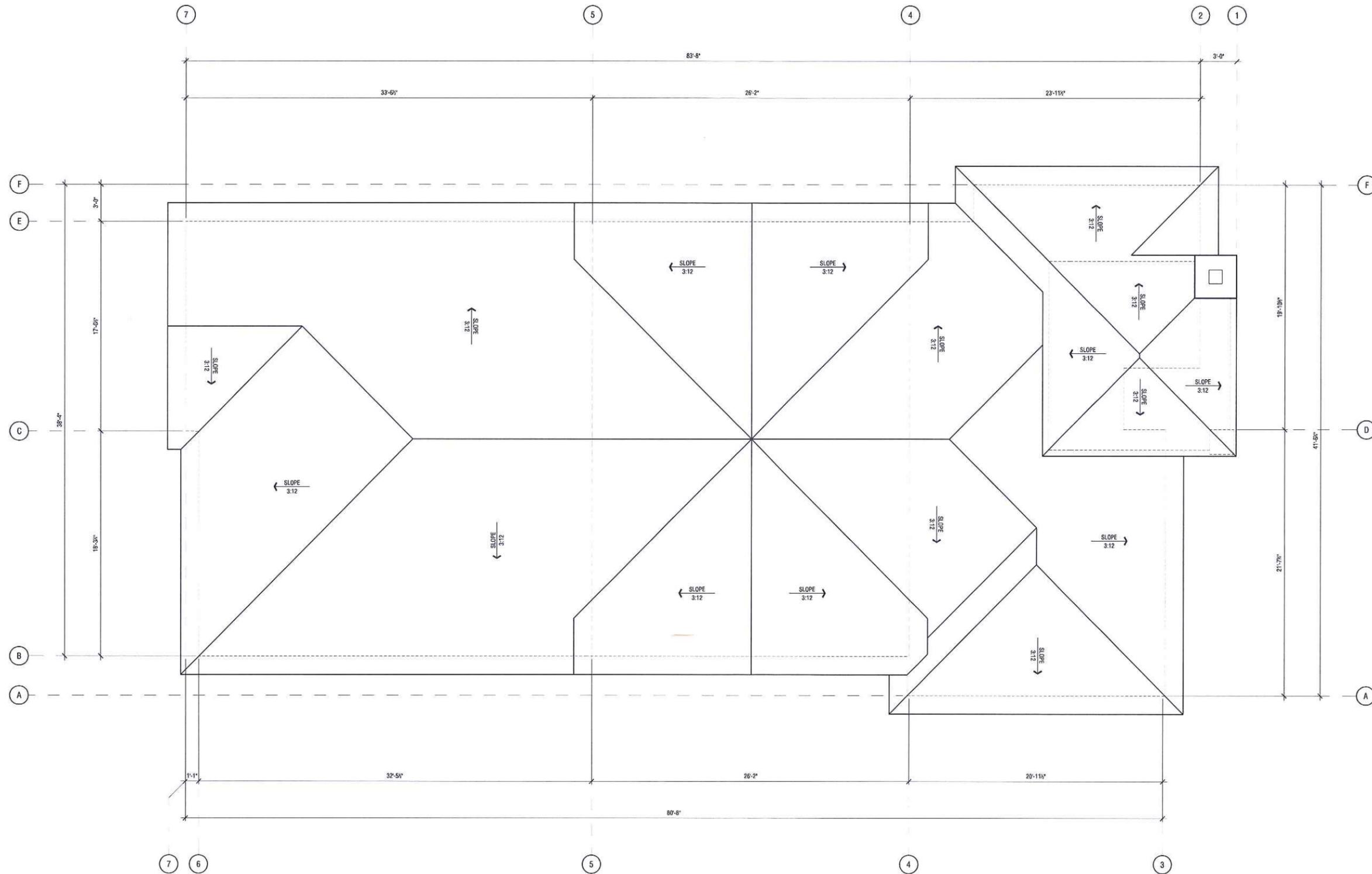
ISSUE DATE

PATEL RESIDENCE
NEW SINGLE FAMILY RESIDENCE
 2790 INDIGO CIRCLE, MORRO BAY CA 93442
 PROJECT NO. 2018-009

FIRST FLOOR PLAN

A2.0

Exhibit B



PRELIMINARY	NOVEMBER 27, 2018
2ND CLOISTERS	DECEMBER 17, 2018
PLANNING REVIEW	JANUARY 30, 2019
PLANNING REV 2	APRIL 03, 2019
ISSUE DATE	

PATEL RESIDENCE
NEW SINGLE FAMILY RESIDENCE
 2790 INDIGO CIRCLE, MORRO BAY CA 93442
 PROJECT NO. 2018-0009

ROOF PLAN

A2.1

1 ROOF PLAN

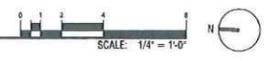
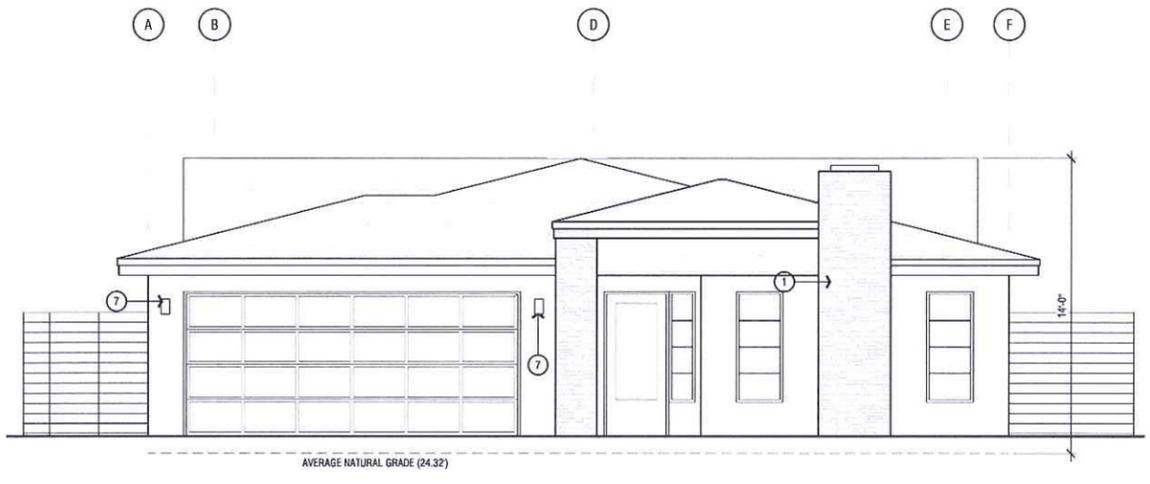
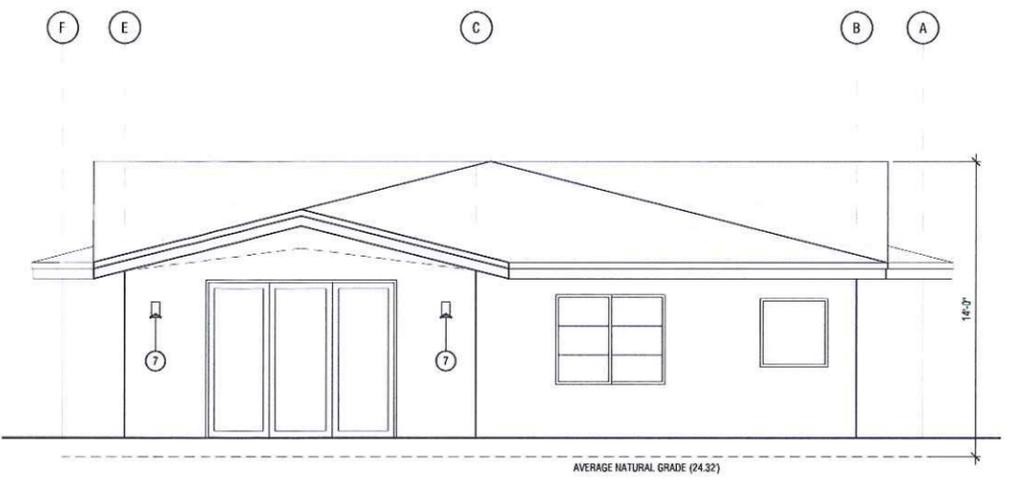


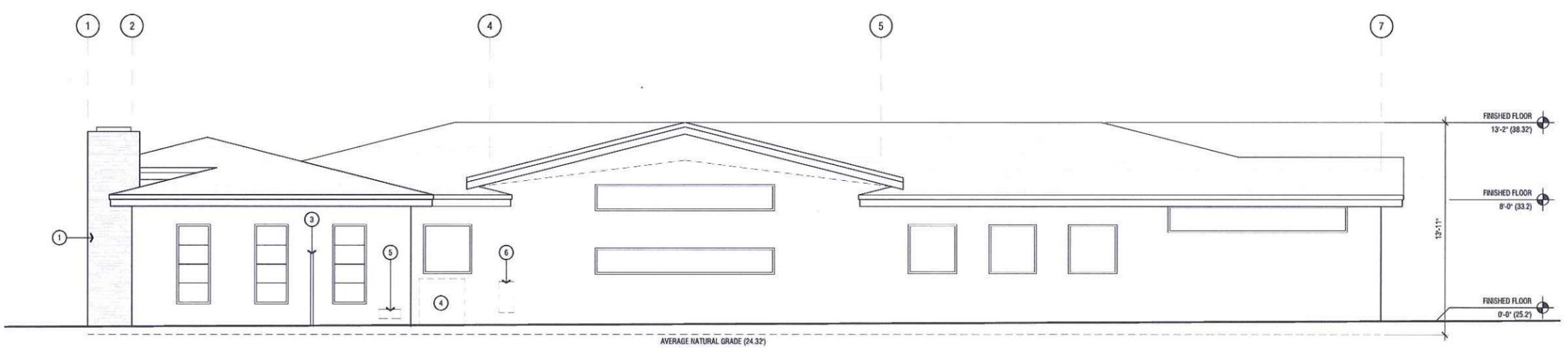
Exhibit B



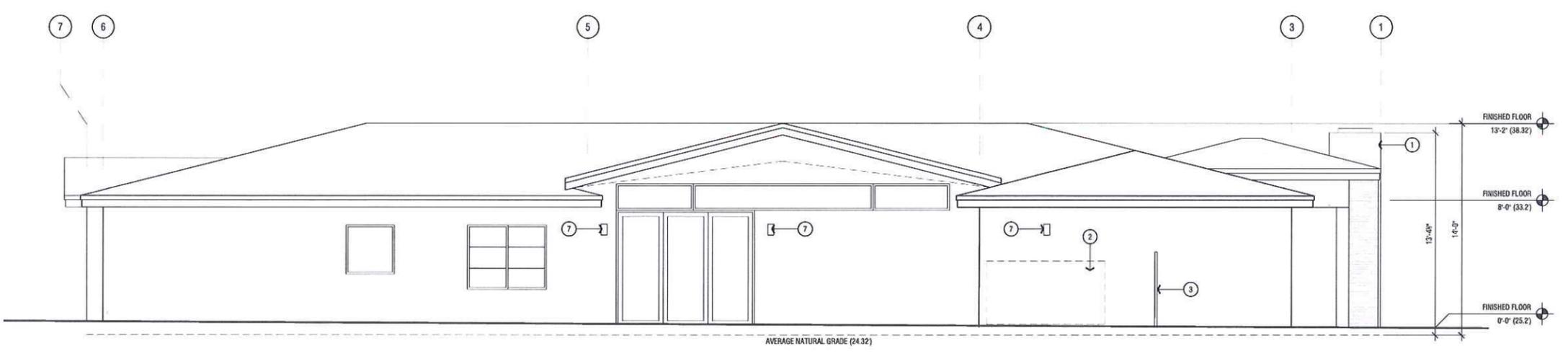
1 SOUTH ELEVATION
FRONT SCALE: 1/4" = 1'-0"



2 NORTH ELEVATION
BACK SCALE: 1/4" = 1'-0"



3 EAST ELEVATION SCALE: 1/4" = 1'-0"



4 WEST ELEVATION SCALE: 1/4" = 1'-0"

EXTERIOR ELEVATIONS LEGEND

-  BLACK MOUNTAIN CULTURED STACKED STONE
-  MERLEX P-505 AGATE STUCCO SIDING, SANTA BARBARA FINISH
-  MALARKEY STORM GREY LEGACY XL ASPHALT SHINGLE

- KEYNOTES**
- 1 STONE VENEER CHIMNEY
 - 2 LOCATION OF TRASH BINS - TO BE SCREENED BY NEW FENCE
 - 3 NEW 5'-0" TALL WOODEN FENCE
 - 4 LOCATION OF AIR HANDLER UNIT - TO BE SCREENED BY NEW FENCE
 - 5 LOCATION OF GAS METER - TO BE SCREENED BY NEW FENCE
 - 6 LOCATION OF ELECTRICAL PANEL - TO BE SCREENED BY NEW FENCE
 - 7 HAMPTON BAY BLACK OUTDOOR LED WALL LANTERN



DATE	ISSUE	DESCRIPTION
NOVEMBER 27, 2018	PRELIMINARY	
DECEMBER 17, 2018	2ND CLOISTERS	
JANUARY 30, 2019	PLANNING REVIEW	
APRIL 03, 2019	PLANNING REV 2	

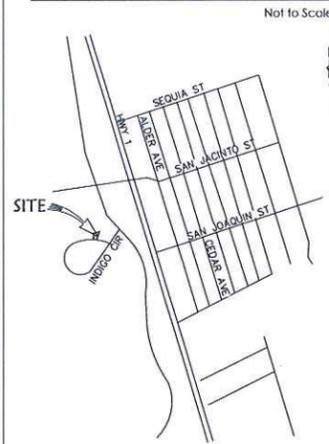
PATEL RESIDENCE
NEW SINGLE FAMILY RESIDENCE
 2790 INDIGO CIRCLE, MORRO BAY CA 93442
 PROJECT NO. 2018-0009

EXTERIOR ELEVATIONS

A3.0

Exhibit B

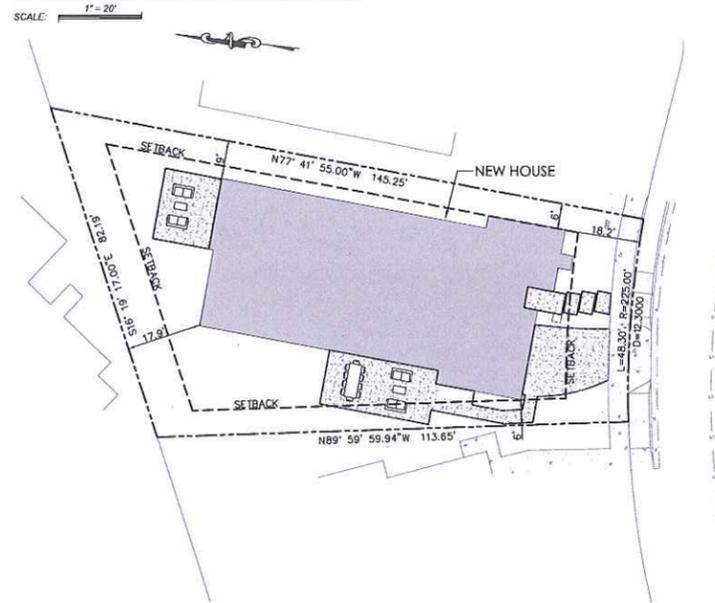
VICINITY MAP



Patel - 2790 Indigo Circle, Morro Bay, CA - Grading, Drainage, & Erosion Control Plan

PROJECT DESCRIPTION: Single family residence

SITE MAP



BENCHMARK

THE ELEVATION IS BASED ON A GPS OBSERVATION AS SHOWN ON THE CENTER OF THE SEWER MAN HOLE.

BASIS OF BEARINGS

THE BASIS OF BEARINGS IS N19-45-22E ALONG THE WEST LINE OF THE PROPERTY PER 17-MB-83 PAGE 4 OF 9.

SURVEYOR

HORN LAND SURVEYS
566 SPRING STREET
PASO ROBLES, CA 93446
(805) 239-0355

OWNER

SHILPA PATEL
17431 BROOKLYN
YORBA LINDA, CA 92886

APPLICABLE CODES

- 2016 Building Standards Codes
 - California Energy Code
 - California Building Code, Vols 1 & 2
 - California Electrical Code
 - California Fire Code
 - California Green Building Code
 - California Mechanical Code
 - California Plumbing Code
 - California Reference Standards Code
 - California Residential Code County Building and Construction Ordinance - Title 19
 - County Coastal Zone Land Use Ordinance - Title 23
 - County Fire Code Ordinance - Title 16
 - County Land Use Ordinance - Title 22

PROJECT STATISTICS

Cut 45 CY±, Fill 37CY±, Total 82 CY±
Max. cut = 1 ft, Max. fill = 1 ft
Average slope > 10 %
Parcel Area = 0.18 ac±
Pre-Project [sf ±]
Impervious Area = 0, Total Project Area = 7,922
Post-Project [sf ±]
Total Impervious Area = 3,942, Pervious Area = 3,980
New Imp. Area = 3,942, Removed Imp. Area = 0
Replaced Imp. Surface = 0
Total Site Disturbance = 7,922

* Quantities shown are unadjusted. When subsidence and losses are considered, the earthwork will balance on site.

GENERAL NOTES

- No construction shall be started without plans and/or permits approved by the city engineering department. The city engineering department shall be notified at least 24 hours prior to starting construction. Any construction done without approved plans or prior notification to the city's engineering department will be rejected and will be at the contractor's and/or owner's risk and expense.
- All construction work and installations shall conform to the City of Morro Bay Standard and Specifications and all work shall be subject to the approval of the City Engineer.
- Soils tests shall be done in accordance with City of Morro Bay Standards and Specifications. All tests must be done within 15 days prior to placing material. Testing results shall clearly indicate the location and source of the material.
- Compaction tests shall be done on subgrade material and material placed as specified by the city engineering department. Said tests shall be completed by a certified soils engineer and approved by the city engineering department prior to the placing of the next material.
- Subgrade material shall be compacted to a relative compaction of 95% (ASTM D1557) in the roadway prior to finished subgrade elevation and one foot below. All material in fill sections below the zone mentioned above and in the sidewalk sections shall be compacted to 90% (ASTM D1557) relative compaction.
- A registered civil engineer must certify that the improvements, when completed, are in conformance with the approved plans prior to the request for final inspection. Record drawings are to be prepared after construction is completed. The civil engineer certifying the improvements and preparing the record drawings shall be present when the final inspection is made.
- An effort has been made to define the location of underground facilities within the job site. However, all existing utility and other underground structures may not be shown on this plan and their location where shown is approximate. The construction contractor agrees that he shall assume sole and complete responsibility for locating or having located all underground utilities and other facilities and for protecting them during construction.
- All utility companies must be notified prior to the start of construction. The construction contractor shall contact underground service alert (USA) at 811 two to ten days prior to the start of excavation and shall verify the location of any known utilities and whether or not a representative of each company will be present during excavation.
- A city encroachment permit is required for any work within the public right-of-way, for both sewer and road construction and the inspection card shall be posted on the job site prior to the start of construction.
- The city inspector, acting on behalf of the city engineering department, may request revisions in the plans to solve unforeseen problems that may arise in the field. Revisions shall be reviewed by the design engineer prior to implementation. The inspector may alert the contractor to deviations in the work from the plans. The contractor shall remedy the work to comply with the plans to the satisfaction of the inspector.
- The construction contractor shall maintain a current, complete, and accurate record of all changes which deviate from the construction as proposed in these plans and specifications for the purpose of providing the engineer with a basis for record drawings. No changes shall be made without prior approval of the city engineering department and the design engineer.
- The structural section shall be based upon soils tests to determine the R-value of existing soil and a traffic index designated by the city engineering department and shown on each road section.
- All fresh cut and fill slopes shall be provided with a method of erosion control approved by the city community development and engineering departments prior to the final inspection.
- All utility relocations and/or alterations shall be the sole responsibility of the developer at his expense.
- In the event that the contractor notices irregularities in the line or grade he shall bring it to the immediate attention of the design engineer and the city engineering department. If he fails to do so, the contractor shall be responsible for any error in the grade and necessary reconstruction to correct such error.
- Existing pavement shall be saw-cut in accordance with the city/county standards and specifications to reveal a competent structural section and new paving shall be joined at this point. The structural section shall be inspected by the city engineering department prior to the placement of base.
- Any survey monuments within the area of construction shall be preserved or reset by a registered civil engineer or licensed land surveyor in accordance with city standards and as required by state law, land surveyors

act and subdivision map act.

- All grading or other construction work outside of the right-of-way shall not be permitted without written permission from the off-site property owner.
- No trees shall be removed without permission from the city community development department. All work within a drip line of a protected tree shall be consistent with the tree protection plan.
- The contractor agrees that in accordance with generally accepted construction practices the contractor shall be required to assume sole and complete responsibility for the condition of the job site during the course of construction for this project, including the safety of all persons and property, and that this requirement shall be made to apply continuously and not be limited to normal working hours. The contractor further agrees to defend, indemnify and hold harmless the City of Morro Bay and the design professional from any and all liability, real or alleged in connection with the performance of work on the project, excepting liability arising from negligence of the design professional.
- The contractor shall maintain two-way traffic at all times. Traffic control shall be in accordance with the current caltrans manual for traffic control and work area traffic control handbook. No street or lane closure shall be permitted unless previously arranged for and granted by the city engineering department.
- Construction grade stakes shall be set by a registered civil engineer or a licensed land surveyor registered in the State of California.
- Any disturbed mail boxes shall be replaced in a manner approved by the postmaster and the city community development department.
- Plans and Construction shall be in conformance with the 2012 California Building Code, 2012 California Plumbing Code, and the Morro Bay Municipal Code.
- A public works encroachment permit is required for all work within the public right-of-way.
- All work within the public right-of-way shall be constructed in accordance with City Standards/Specifications.

GRADING NOTES

- All grading construction shall conform to the applicable codes as noted under "Applicable Codes" heading.
- The developer shall be responsible for scheduling a pre-construction meeting with the City and other affected agencies. The contractor shall notify the City Building Department at least 24 hours prior to any work being performed, and arrange for inspection.
- Grading shall comply with the recommendations of the preliminary soils report by PENDING, soils report # PENDING, dated PENDING.
- Estimated earth quantities: Cut: 45 CY Fill: 37 CY
Note: exact shrinkage, consolidation, and subsidence factors and losses due to clearing operations are not included. Estimated earthwork quantities are based upon the difference between existing ground surface and proposed finish grades, or sub grades as shown on the plan, and should vary according to these factors. The contractor shall be responsible for site inspection and quantity take off, and shall bid accordingly.
- Soils engineer to determine the soil is suitable to support the intended structure. Such report including progress and/or compaction reports shall be submitted to the field inspector prior to final inspection when a soils report is obtained. The City policy regarding pad certification shall be followed. When applicable the engineer shall observe the grading operation(s) and provide the field inspector with required compaction reports and a report stating that the grading performed has been observed and is in conformance with the UBC and City ordinances.
- No cut or fill slopes will be constructed steeper than two horizontal to one vertical (2:1).
- Dust control is to be maintained at all times during construction.

ABBREVIATIONS

AC	Asphalt Concrete Paving
AP	Angle Point
CO	Clean-out
CL	Centerline
CONC	Concrete
CONST	Construction
DIA & Ø	Diameter
ELEV	Elevation
(E) & (I)	Existing
FF	Finished Floor
FS	Finished Surface
FH	Fire Hydrant
FL	Flow Line
G	Gas
GB	Grade Break
CR	Finished Grade
HDPE	Hi-density Polyethylene
HP	High Point
INV	Invert Elevation
LI	Left
LF	Linear Feet
LP	Low Point
MH	Manhole
P	Power
PC	Point Of Curvature
PL	Property Line
PRC	Point Of Reverse Curvature
PT	Point Of Tangency
PUE	Public Utility Easement
PVC	Polyvinyl Chloride
R	Radius
RT	Right
RP	Radius Point
RW	Right-of-way
S	Slope
SD	Storm Drain
SS	Sanitary Sewer
STA	Station
T	Telephone
TW	Top Of Wall
TYP	Typical
W	Water

LEGEND

---	Property Line
---	Centerline
---	Existing Ground Contour
---	Finish Grade Contour
---	Concrete
---	Edge of Pavement
---	Water Line
---	Water Valve
---	Fire Hydrant
---	Sanitary Sewer Main
---	Electrical Line
---	Overhead Line
---	Utility Pole
---	Guy Anchor
---	Telephone Line
---	Fence
---	Gas Main
---	Flowline
---	Proposed Grade & Direction
---	Construction Note Reference
---	Spot Elevation
---	Proposed Slope

UNDERGROUND UTILITY NOTES

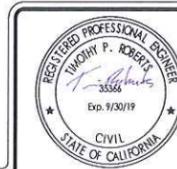
- An effort has been made to define the location of underground facilities within the job site. However, all existing utility and other underground structures may not be shown on this plan and their location where shown is approximate. The construction contractor agrees that he shall assume sole and complete responsibility for locating or having located all underground utilities and other facilities and for protecting them during construction.
- All utility companies must be notified prior to the start of construction. The construction contractor shall contact underground service alert (USA).



Roberts Engineering, Inc.
2790 Indigo Circle, Morro Bay, CA

Title Sheet

Design/Drawn TR / SEB	City Plan Checker	Approved for City Requirements
Job # 18-112	City W.O. No.	Development Services Engineer Date 02/25/2019
California Coordinates (CCS83, Zone 5)	City Road #	SHEET 3
2340968 N 5710574 E		1



Roberts Engineering
Timothy P. Roberts
Civil Engineer - RCE 35366
2015 Vista de la Vina
Templeton, CA 93465
Phone (805) 239-0664
Fax (805) 238-6148
Email: tim@robertsenginc.com
Website: robertsenginc.com

Record Drawings

Timothy P. Roberts, RCE 35366 exp 09/30/19	Date
Revisions This Sheet:	
1	
2	
3	
4	
5	
6	

EROSION CONTROL NOTES

- The site shall be maintained as to prevent flow of sediments from the project.
- All areas over 5% grade which are disturbed by grading activities shall be hydroseeded with an approved perennial mix prior to final acceptance. Areas with established growth of the time of final acceptance need not be hydroseeded.
- Erosion control and sediment control measures shall be provided for any site work.
- Erosion control and sediment control measures shall be provided after construction is completed until permanent measures are in place.
- During rainy season, all paved areas shall be kept clear of soil and debris.
- All erosion protection measures shall be inspected and repaired as necessary at the end of each work day, and after each rainfall event.
- An erosion control plan shall be prepared and approved by the City Engineer.
- All projects involving site disturbance of one acre or greater shall comply with the requirements of the National Pollution Discharge Elimination System (NPDES). The Developer shall submit a Notice of Intent (NOI) to comply with the General Permit for Construction Activity with the Regional Water Quality Control Board (RWQCB). The Developer shall provide the City with the Waste Discharge Identification Number (WDID #) or with verification that an exemption has been granted by RWQCB.

WDID No.: n/a less than one acre site disturbance
 Person to contact 24 hours a day in the event there is an erosion control/sedimentation problem (Storm Water Compliance Officer):
 Name: Shipa Patel, (805) 215-9436

SPECIAL INSPECTIONS

- All construction & inspections shall conform to 2010 California Building Code (CBC) Chapter 17.
- Special inspection requirements are required for this project, the owner or registered design professional in responsible charge acting as the owner's agent shall employ one or more special inspectors to provide inspections during construction on all tasks identified below.
- Special inspectors shall be a qualified person who shall demonstrate competence, to the satisfaction of the City Building Department. Names and qualifications of special inspector(s) shall be submitted to the City Building Department for approval.
- Each contractor responsible for the construction of components listed in the special inspections shall submit a written statement of responsibility to the City Building Department and the owner prior to the commencement of work. The statement shall contain the items listed in CBC 1706.1.
- A final report prepared by a soil or civil engineer shall be submitted to the field inspector during the work performed in substantial conformance with the approved plans, applicable codes, and is found to be suitable to support the intended structure. Such report shall include any field progress reports, compaction data etc.

Section 1705. Statement of Special Inspections:

- 1705.1 General. Where special inspection or testing is required by Section 1704, 1707 or 1708, the registered design professional in responsible charge shall prepare a statement of special inspections in accordance with Section 1705 for submittal by the permit application (see Section 1704.1.1).
- 1705.2 Content of statement of special inspections. The statement of special inspections shall identify the following:
 - The materials, systems, components and work required to have special inspection or testing by the building official or by the registered design professional responsible for each portion of the work.
 - The type and extent of each special inspection.
 - The type and extent of each test.
 - Additional requirements for special inspection or testing for seismic or wind resistance as specified in Section 1705.3, 1705.4, 1707 or 1708.
 - For each type of special inspection, identification as to whether it will be continuous special inspection or periodic special inspection.

Section (Table) 1705.4 Required Verification and Inspection of Soils

- Verify materials below footings are adequate to achieve the design bearing capacity shall be performed periodically during task.
- Verify excavations are extended to proper depth and have reached proper material, shall be performed periodically during task.
- Perform classification and testing of controlled fill materials, shall be performed periodically during task.
- Verify use of proper materials, densities and lift thicknesses during placement and compaction of controlled fill, shall be performed continuously during task.
- Prior to placement of controlled fill, observe subgrade and verify that site had been prepared properly, shall be performed periodically during task.

Observation & Testing Program

The project soils engineer shall perform the inspection & testing for the following tasks:

- Final plans
- Stripping and clearing of vegetation
- Recompaction of scarification soils
- Fill placement and compaction
- Over excavating
- Verification of soils type & depth
- Final report

The project engineer of work shall perform the inspection for the following tasks:

- Rough grading & site preparation
- Final grading inspection prior to final City inspection

The project engineer of work shall be Tim Roberts of Roberts Engineering, Inc., RCE 35366, 2015 Vista de la Vina, Templeton, CA 93465, phone (805) 239-0664

The Engineer or work shall state in writing the work is in substantial conformance with the approved plans.

The person responsible for BMP inspection is Shipa Patel, (805) 215-9436

TREE PROTECTION NOTES

- Two Oak Trees will be removed, 22 Oak Trees will be planted.
- Trees within 20 feet of grading or trenching shall be protected by placement of protective fencing as indicated.
- Protective fencing shall be four feet high chain link or safety fence, and shall be placed at the dripline unless otherwise indicated.
- Trenching and excavation within tree driplines shall be hand dug or bored to minimize root disturbance. Any root encountered 1" diameter or greater, shall be hand cut and appropriately treated.
- Pruning of lower limbs in the construction area shall occur prior to construction activities to minimize damage.
- Tree protection fencing shall remain in place until the completion of construction.
- No vehicle parking or storage of materials under oak canopies.

MANDATORY SITE DESIGN MEASURES (SELECT AT LEAST ONE)		SELECTED	REASON, IF NOT SELECTING	HANDBOOK SECTION
a.	Roof runoff directed into cisterns or rain barrels for reuse?	optional	At owner's discretion	5.2.1
b.	Roof runoff directed into vegetated areas (safely away from building foundations and footings)?	yes		5.2.2
c.	Runoff from sidewalks, walkways, and/or patios directed onto vegetated areas (safely away from the building foundations and footings)?	yes		5.2.3
d.	Runoff from driveways and/or uncovered parking lots onto vegetated areas (safely away from the building foundations and footings)?	yes		5.2.4
e.	Construct bike lanes, driveways, uncovered parking lots, sidewalks, walkways, and patios with permeable surfaces?	N/A		5.2.5

Hydroseeding EC-4



Description and Purpose
 Hydroseeding typically consists of applying a mixture of a hydrozole mulch, seed, fertilizer, and stabilizing condition with a hydraulic applicator, to temporarily protect exposed soils from erosion by water and wind. Hydrozole-seeding, or hydroseeding, is simply the method by which temporary or permanent seed is applied to the soil surface.

Suitable Applications
 Hydroseeding is suitable for disturbed areas requiring temporary protection until permanent stabilization is established, for disturbed areas that will be re-disturbed following an extended period of inactivity, or to apply permanent stabilization measures. Hydroseeding is suitable for other uses (e.g., EC-2, Erosion Control Blanket) in a stand-alone erosion control BMP and should be combined with additional measures until vegetation establishment.

- Typical applications for hydroseeding include:
- Disturbed soil/gravel areas where permanent stabilization or continued earthwork is not anticipated prior to final gradation.
 - Cleared and graded areas exposed to seasonal rains or temporary irrigation.
 - Areas not subject to heavy wear by construction equipment or high traffic.

EC-4

Categories
 EC Erosion Control
 SE Sediment Control
 TC Tracking Control
 WE Waste/Debris Control
 NS Non-Surface Management Control
 WM Material Placement Control

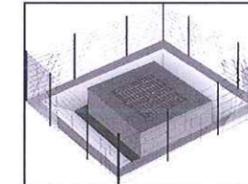
Legend:
 [] Primary Category
 [] Secondary Category

Targeted Constituents
 Sediment
 Turbidity
 Trash
 Metals
 Bacteria
 Oil and Grease
 Organics

Potential Alternatives
 EC-3 Straw Mats
 EC-5 Soil Bio-coat
 EC-6 Straw Mats
 EC-7 Geotextile Matting
 EC-8 Woodchips
 EC-14 Geotextile
 EC-15 Rock/Gravel
 EC-16 Rock/Gravel
 EC-17 Rock/Gravel
 EC-18 Rock/Gravel
 EC-19 Rock/Gravel
 EC-20 Rock/Gravel
 EC-21 Rock/Gravel
 EC-22 Rock/Gravel
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 EC-100 Rock/Gravel



Storm Drain Inlet Protection SE-10



Description and Purpose
 Storm drain inlet protection consists of a sediment filter or an impeding area in front of a storm drain, curb inlet, or curb inlet. Storm drain inlet protection measures temporarily pond runoff before it enters the storm drain, allowing sediment to settle. Some filter configurations also remove sediment by filtering, but usually the ponding action results in the greatest sediment reduction. Temporary geotextile storm drain inserts attach underneath storm drain grates to capture and filter storm water.

Suitable Applications
 Every storm drain inlet receiving runoff from an undisturbed or otherwise active work areas should be protected. Inlet protection should be used in conjunction with other erosion and sediment controls to prevent sedimentation, siltation, and non-stormwater discharges from entering the storm drain system.

- Limitations**
- Drainage area should not exceed 1 acre.
 - In general straw bales should not be used as inlet protection.
 - Requires an adequate area for water to pond without encroaching into portions of the roadway subject to traffic.
 - Sediment removal may be inadequate to prevent sediment discharges in high flow conditions or if runoff is highly sediment laden. If high flow conditions are expected, use

SE-10

Categories
 EC Erosion Control
 SE Sediment Control
 TC Tracking Control
 WE Waste/Debris Control
 NS Non-Surface Management Control
 WM Material Placement Control

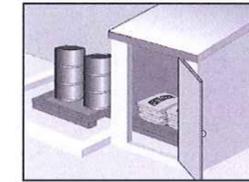
Legend:
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 [] Secondary Category

Targeted Constituents
 Sediment
 Turbidity
 Trash
 Metals
 Bacteria
 Oil and Grease
 Organics

Potential Alternatives
 SE-11 Straw Mats
 SE-12 Straw Mats
 SE-13 Straw Mats
 SE-14 Straw Mats
 SE-15 Straw Mats
 SE-16 Straw Mats
 SE-17 Straw Mats
 SE-18 Straw Mats
 SE-19 Straw Mats
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 SE-99 Straw Mats
 SE-100 Straw Mats



Material Delivery and Storage WM-1



Description and Purpose
 Prevent, reduce, or eliminate the discharge of pollutants from material delivery and storage in the stormwater system or watercourses by minimizing the storage of hazardous materials, concrete, stone, materials in water-tight containers and/or a completely enclosed designated area, installing secondary containment, conducting regular inspections, and training employees and subcontractors.

This best management practice covers only material delivery and storage. For other information on materials, see WM-2, Material Use, or WM-4, Spill Prevention and Control. For information on water, see the waste management BMPs in this section.

- Suitable Applications**
 These procedures are suitable for use at all construction sites with delivery and storage of the following materials:
- Soil stabilizers and binders
 - Pesticides and herbicides
 - Fertilizers
 - Detergents
 - Paints
 - Petroleum products such as fuel, oil, and grease

WM-1

Categories
 EC Erosion Control
 SE Sediment Control
 TC Tracking Control
 WE Waste/Debris Control
 NS Non-Surface Management Control
 WM Material Placement Control

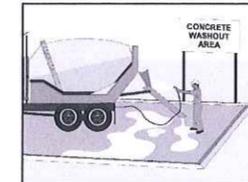
Legend:
 [] Primary Category
 [] Secondary Category

Targeted Constituents
 Sediment
 Turbidity
 Trash
 Metals
 Bacteria
 Oil and Grease
 Organics

Potential Alternatives
 None



Concrete Waste Management WM-8



Description and Purpose
 Prevent the discharge of pollutants to stormwater from concrete waste by conducting washout onsite or offsite in a designated area, and by employee and subcontractor training.

The General Permit incorporates Numeric Action Levels (NAL) for pH for Section 3 of this handbook to determine user project risk level and if you are subject to these requirements.

Many types of construction materials, including mortar, concrete, stucco, cement and block and their associated waste have basic chemical properties that can raise pH levels outside of the permitted range. Additional care should be taken when managing these materials to prevent them from coming into contact with stormwater flows and raising pH to levels outside the permitted range.

- Suitable Applications**
 Concrete waste management procedures and practices implemented on construction projects where:
- Concrete is used as a construction material or where concrete dust and debris result from construction activities.
 - Situations containing portland cement concrete (PCC) are generated, such as from saw cutting, sawing, grinding, grinding, and hydro-concrete demolition.
 - Concrete trucks and other concrete-related equipment are washed onsite.

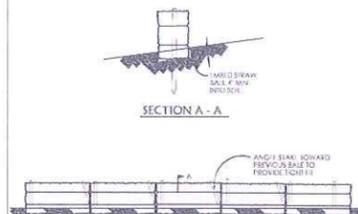
WM-8

Categories
 EC Erosion Control
 SE Sediment Control
 TC Tracking Control
 WE Waste/Debris Control
 NS Non-Surface Management Control
 WM Material Placement Control

Legend:
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Targeted Constituents
 Sediment
 Turbidity
 Trash
 Metals
 Bacteria
 Oil and Grease
 Organics

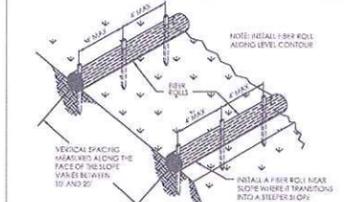
Potential Alternatives
 None



SECTION A - A
SECTION B - B
PLAN

STRAW BALE DIKE

- NOTE:**
- THE STRAW BALES SHOULD BE PLACED ON SLOPE DOWNWARD.
 - BALES TO BE PLACED IN A ROW WITH THE BUNDLES POINTING UPWARD. STRAW BUNDLES OR PLASTIC FILM TO BE PLACED BETWEEN THE BALE AND BALE TO BE PLACED NEXT TO IT. PLASTIC FILM SHOULD BE PLACED AROUND BALE.

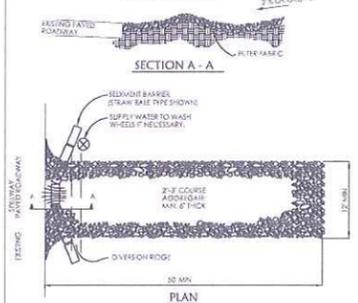


TYPICAL FIBER ROLL INSTALLATION

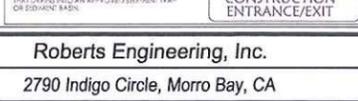


ENTRENCHMENT DETAIL

- NOTE:**
- INSPECT AND REPAIR FIBER ROLL AFTER EACH STORM EVENT AND REPAIR EXISTING WHEN NECESSARY.
 - REMOVE EXCESSIVE SEDIMENT FROM AN AREA THAT WILL NOT CONTRIBUTE SEDIMENT OFF SITE AND CAN BE TEMPORARILY REUSED.
 - FIBER ROLL SHOULD BE PLACED ALONG LEVEL SLOPE CONTIGUOUS TO MAINTAIN FIBER ROLL INTEGRITY.



FIBER ROLLS



TEMPORARY GRAVEL CONSTRUCTION ENTRANCE/EXIT

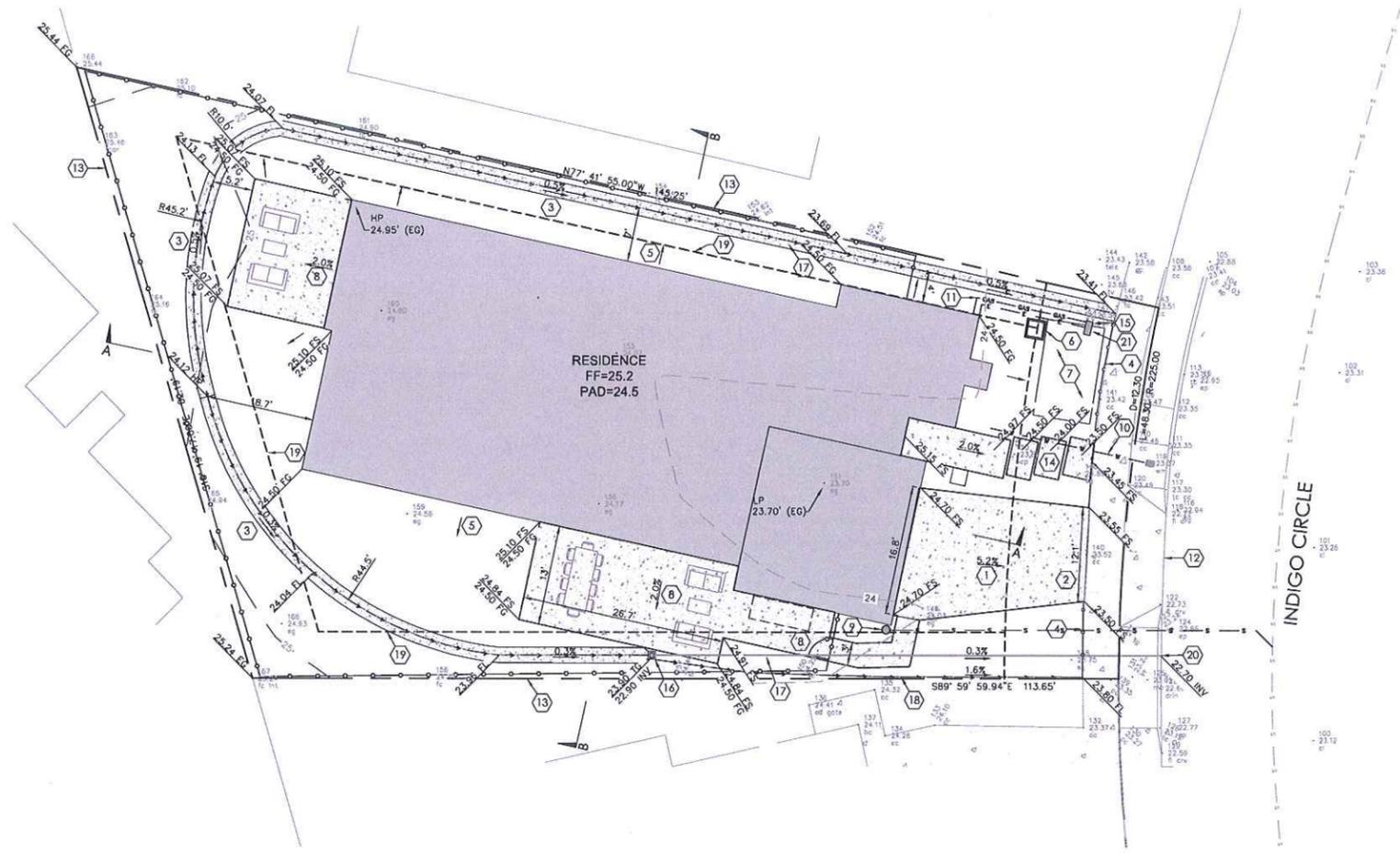
NOTE:

- THE ENTRANCE SHALL BE MAINTAINED BY A CURBSTONE THAT WILL PREVENT TRACKING OR TRACKING OF SEDIMENT FROM THE CURBSTONE OF WAY. THIS MAY REQUIRE TOP EROSION, EROSION AND CLEANING OF ANY MATERIALS UP TO THE CURBSTONE.
- WHEN NECESSARY, WHEELS SHALL BE CLEANED. PATCH TO ENHANCE TO PROTECT FRONT OF WAY. WHEN PATCHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CAULKED STONE OR CONCRETE AND AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.

Roberts Engineering, Inc.
 2790 Indigo Circle, Morro Bay, CA
 Note Sheet

		Roberts Engineering Timothy P. Roberts Civil Engineer - RCE 35366 2015 Vista de la Vina Templeton, CA 93465 Phone (805) 239-0664 Fax (805) 238-6148 Email tim@robertsenginc.com Website robertsenginc.com		Record Drawings Timothy P. Roberts, RCE 35366 exp 09/30/19 Date Revises This Sheet: 1 2 3 4 5 6	
Design/Drawn TR/SEB	City Plan Checker .	Approved for City Requirements Development Services Engineer Date 02/25/2019 Timothy P. Roberts, RCE 35366 exp 09/30/19 Date		Job # 18-112	City W.D. No. .
Calloma Coordinates (CCS83, Zone 5) 2340968 N 5710574 E		City Road # .	SHEET 2 3		

Exhibit B



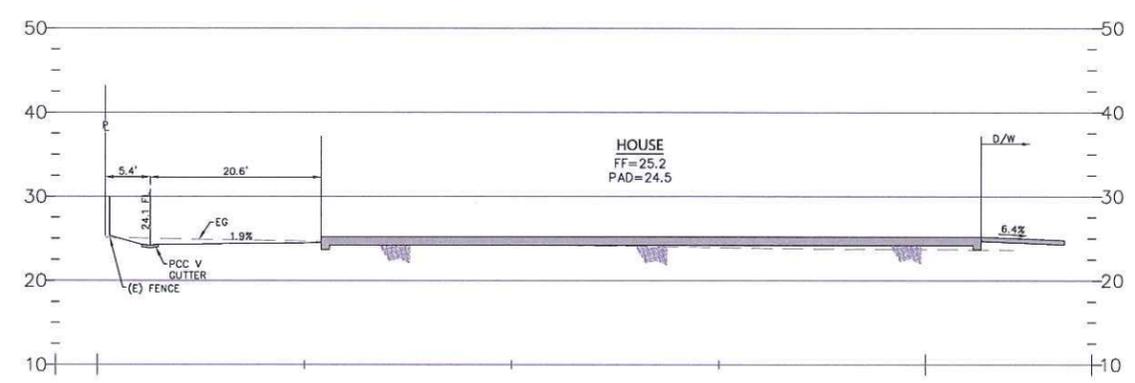
GENERAL NOTES

1. ANY DAMAGE AS A RESULT OF CONSTRUCTION OPERATIONS FOR THIS PROJECT, TO CITY FACILITIES, I.E. CURB/BERM, STREET, SEWER LINE, WATER LINE, OR ANY PUBLIC IMPROVEMENTS SHALL BE REPAIRED AT NO COST TO THE CITY OF MORRO BAY.
2. NO WORK SHALL OCCUR WITHIN (OR USE OF) THE CITY'S RIGHT OF WAY WITHOUT AN ENCROACHMENT PERMIT. ENCROACHMENT PERMITS ARE AVAILABLE AT THE CITY OF MORRO BAY PUBLIC WORKS OFFICE LOCATED AT 955 SHASTA AVE.. THE ENCROACHMENT PERMIT SHALL BE ISSUED CONCURRENTLY WITH THE BUILDING PERMIT.

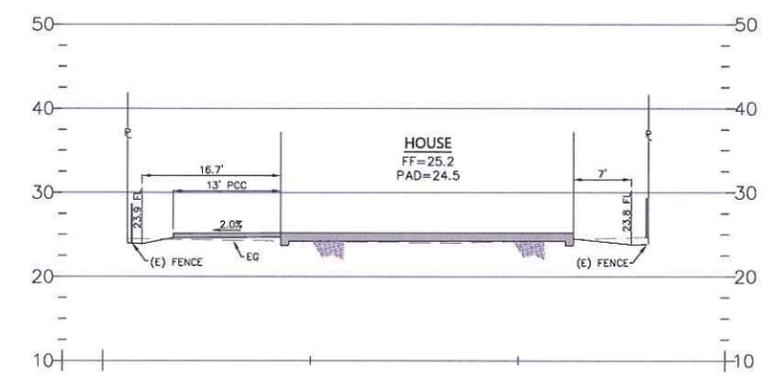
CONSTRUCTION NOTES

THE FOOTPRINT OF THE RESIDENCE SHOWN HEREON IS BASED UPON A GRAPHIC EXHIBIT PROVIDED BY THE OWNER. WHILE ASSUMED ACCURATE FOR PURPOSES OF THIS PLAN, IT IS NOT INTENDED FOR PRECISE BUILDING LAYOUT.

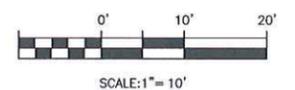
1. CONSTRUCT 12" WIDE 6" PCC DRIVEWAY OVER 8" CLASS II AB, 24" SCARIFIED NATIVE COMPACTED TO 95%. SEE ARCHITECTURAL PLAN FOR FINISH.
2. CONSTRUCT TEMPORARY CONSTRUCTION ENTRANCE PER DETAIL, SEE SHEET 2.
3. CONSTRUCT 2" WIDE X 4" THICK X 1" DEEP PCC DRAINAGE SWALE.
4. INSTALL STRAW WATTLES, TYPICAL.
5. GRADE TO DRAIN AWAY FROM PROPOSED STRUCTURE AT 5% FOR 10 FEET MIN. TYPICAL.
6. CONSTRUCT CONCRETE WASHOUT STRUCTURE PER DETAIL SHEET 2.
7. CONSTRUCT TEMPORARY MATERIAL STORAGE AREA PER DETAIL SHEET 2. INSTALL 10 LF - 4" PVC PIPE AT 5% ±.
8. CONSTRUCT 4" PCC FLATWORK, S= 2.0% MIN. SEE ARCHITECTURAL PLAN FOR FINISH.
9. INSTALL SEWER CLEAN OUT.
10. INSTALL NEW PVC WATER LINE FROM EXISTING WATER METER. WATERLINE SIZE PER FIRE SPRINKLER DESIGNER.
11. CONSTRUCT ELECTRICAL LINE PER PG&E SERVICE TRENCH STANDARDS.
12. EXISTING DRIVE APPROACH.
13. AREA OF DISTURBANCE WILL BE EQUAL TO THE AREA OF THE PROPERTY. SEE SITE STATISTICS, SHEET 1.
14. CONSTRUCT 4" THICK PCC STAIRS, SEE ARCHITECTURAL PLAN FOR FINISH.
15. EXTEND 1" POLY GAS SERVICE TO NEW RESIDENCE AND INSTALL METER, PER SO CAL GAS STANDARDS.
16. INSTALL 12"x12" AREA DRAINS, NDS OR APPROVED EQUIVALENT.
17. INSTALL 3" DUCTILE IRON DRAIN PIPE.
18. STORM WATER OVERLAND PATH SHOULD THE CATCH BASIN BECOME OBSTRUCTED.
19. BUILDING SETBACK LINE.
20. CORE AND GROUT DUCTILE IRON PIPE AT THE FACE OF CURB.
21. RELOCATE EXISTING PG&E SERVICE TO THE LOCATION SHOWN.



SECTION A-A
HORIZONTAL AND VERTICAL SCALE: 1"=10'



SECTION B-B
HORIZONTAL AND VERTICAL SCALE: 1"=10'



Roberts Engineering, Inc. 2790 Indigo Circle, Morro Bay, CA		
Grading, Drainage, and Erosion Control Plan		
Design/Drawn TR / SEB	City Plan Checker	Approved for City Requirements
Job # 18-112	City W.O. No.	Development Services Engineer Date 02/25/2019
California Coordinates (CCS83, Zone 5)	City Road #	
2340968 N 5710574 E		3 of 3

Roberts Engineering
 Timothy P. Roberts
 Civil Engineer - RCE 35366
 2015 Vista de la Vina
 Templeton, CA 93465
 Phone (805) 239-0664
 Fax (805) 238-6148
 Email tim@robertsengine.com
 Website robertsengine.com

Record Drawings	
Timothy P. Roberts, RCE 35366 exp 09/20/19	Date
1	
2	
3	
4	
5	
6	

3/28/2019 12:25 PM

the Cloisters

DATE: December 28, 2018

TO: Mrs. Shilpa Patel
1743 Brooklyn
Yorba Linda, CA 92886
% Will Ruoff, Architect

RE: New Single Family Residence
2790 Indigo Circle
Morro Bay, CA 93442

RECEIVED
FEB 22 2019
City of Morro Bay
Community Development Dept.

Dear Mrs. Shilpa,

We have reviewed the submitted plans developed by Will Ruoff, dated December 17, 2018. We have found the proposed design is in satisfactory compliance to the Cloisters Design Guidelines. This approval also states the following as conditions of approval to the proposed and submitted design:

1. That the architectural review committee be notified at the time of final occupancy to verify that the completed project complies with the approved plans.
2. That the proposed design be constructed in accordance to the approved plans.
3. That the architectural review committee be notified of any modifications or revisions to the approved plans, prior to any installation or construction of the same.

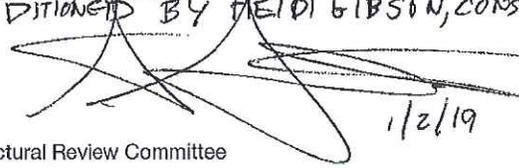
Should you have any questions, regarding this review, please contact me at your convenience.

Sincerely,



Digitally signed by Heidi Gibson
DN: cn=Heidi Gibson, o=studio2G
Architects, LLP, ou,
email=heidi@studio-2g.com, c=US
Date: 2019.01.03 09:50:02 -08'00'

STEVE STEVENS ON BEHALF OF THE
DESIGN COMMITTEE OF THE CLOISTERS, APPROVAL,
AS CONDITIONED BY HEIDI GIBSON, CONSULTANT ARCHITECT,



1/2/19

Heidi Gibson, AIA, LEED NC
Architectural Design Consultant to the Cloisters Architectural Review Committee
%
studio 2G Architects, LLP
1540 Marsh street, suite 230
san luis obispo, ca 93401

P : 805.594.0771 ext 111
W : <http://www.studio-2g.com>
E : heidi@studio-2g.com
FB : studio2G Architects

Exhibit C
the Cloisters

RECEIVED

MAR 06 2019

City of Morro Bay
Community Development Dept.

DATE: March 05, 2019

TO: Mrs. Shilpa Patel
1743 Brooklyn
Yorba Linda, CA 92886
% Will Ruoff, Architect

RE: New Single Family Residence
2790 Indigo Circle
Morro Bay, CA 93442

Dear Mrs. Shilpa,

We have reviewed the submitted revision to the plans developed by Will Ruoff, dated February 25, 2019. We have found the proposed design is in satisfactory compliance to the Cloisters Design Guidelines. This approval also states the following as conditions of approval to the proposed and submitted design:

1. That the architectural review committee be notified at the time of final occupancy to verify that the completed project complies with the approved plans.
2. That the proposed design be constructed in accordance to the approved plans.
3. That the architectural review committee be notified of any modifications or revisions to the approved plans, prior to any installation or construction of the same.

Should you have any questions, regarding this review, please contact me at your convenience.

Sincerely,



Heidi Gibson, AIA, LEED NC
Architectural Design Consultant to the Cloisters Architectural Review Committee
%
studio 2G Architects, LLP
1540 Marsh street, suite 230
san luis obispo, ca 93401

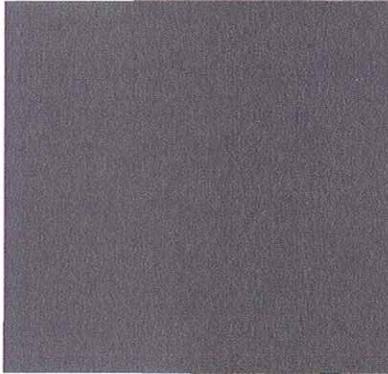
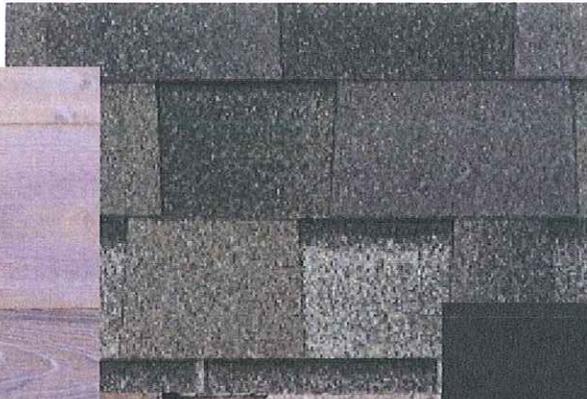
P : 805.594.0771 ext 111
W : <http://www.studio-2g.com>
E : heidi@studio-2g.com
FB : studio2G Architects

Exhibit D

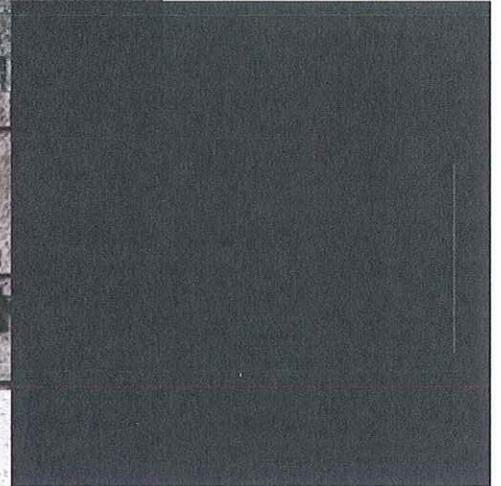
DARK MAHOGANY STAIN
AND WHITE WASHED CEDAR



MALARKEY STORM GREY
LEGACY XL ASPHALT
SHINGLE



SHERWIN
WILLIAM SW
7674 ACCENT
PAINT



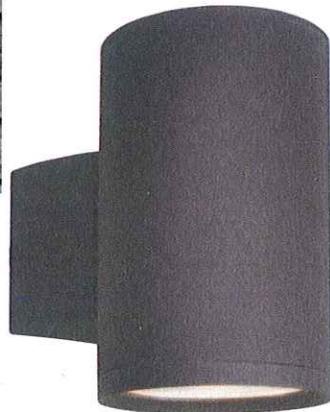
MILGARD
ESPRESSO
VINYL
WINDOW



BLACK MOUNTAIN
CULTURED
STACKED STONE



MERLEX P-505 AGATE STUCCO
SIDING, SANTA BARARA FINISH
PAINTED DET617 WINTER MORN



LIGHTRAY PLAIN OUTDOOR WALL
LIGHT BY MAXIM LIGHTING

PATEL RESIDENCE

NEW SINGLE FAMILY RESIDENCE

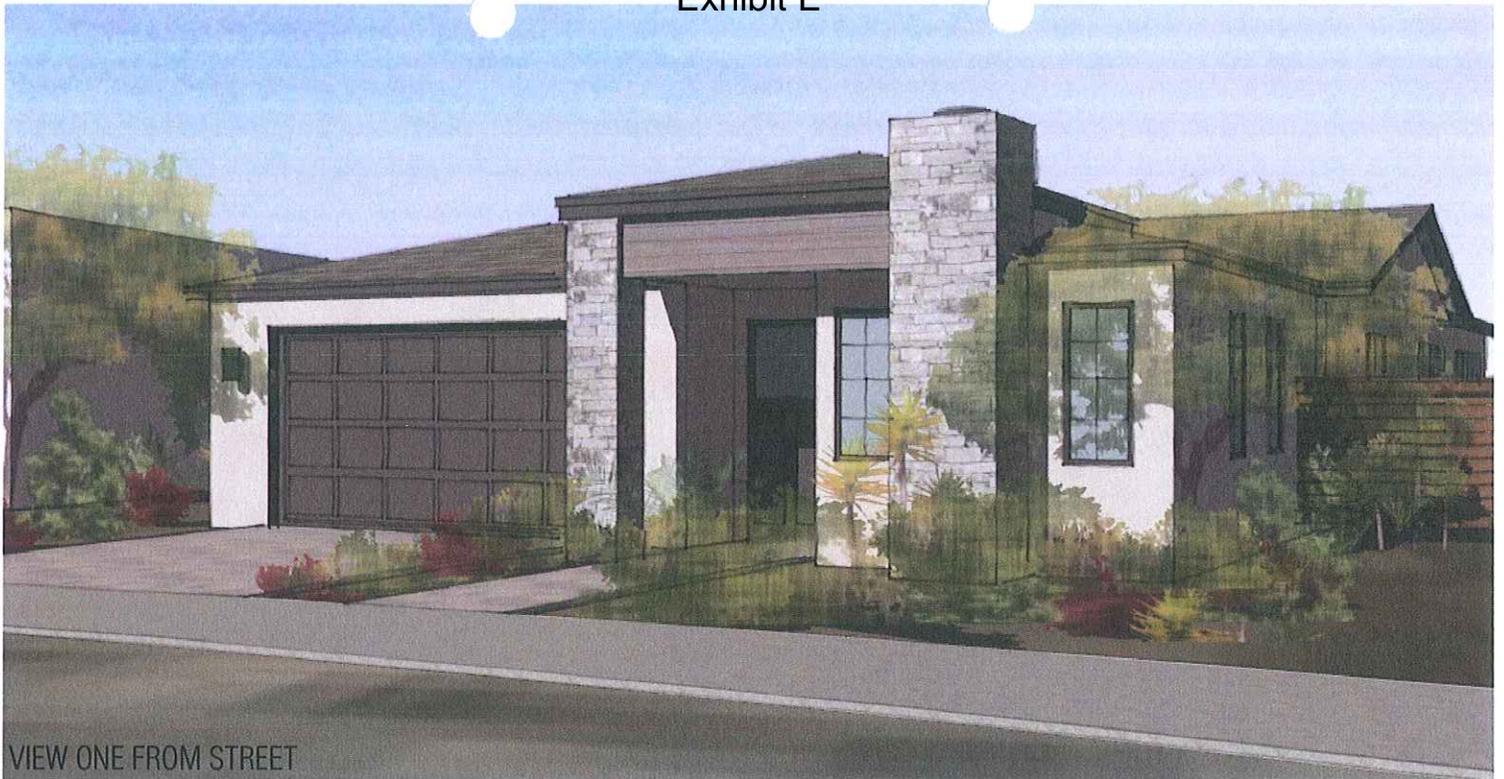
2790 INDIGO CIRCLE, MORRO BAY CA 93442

PROJECT No. 2018-0009

RECEIVED

JAN 31 2019

City of Morro Bay
Community Development Dept.



VIEW ONE FROM STREET



VIEW TWO FROM STREET

PATEL RESIDENCE

NEW SINGLE FAMILY RESIDENCE

2790 INDIGO CIRCLE, MORRO BAY CA 93442

PROJECT No. 2018-0009

RECEIVED

JAN 31 2019

City of Morro Bay
Community Development Dept.