



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 5, 2020 - 6:00 P.M.
Held Via Teleconference**

Vice-Chairperson Jesse Barron
Commissioner Michael Lucas

Chairperson Gerald Luhr

Commissioner Joseph Ingraffia
Commissioner Susan Stewart

ESTABLISH QUORUM AND CALL TO ORDER

PLANNING COMMISSIONER ANNOUNCEMENTS

Public Participation:

In order to prevent and mitigate the effects of the COVID-19 pandemic, and limit potential spread within the City of Morro Bay, in accordance with Executive Order N-29-20, the City will not make available a physical location from which members of the public may observe the meeting and offer public comment. Remote public participation is allowed in the following ways:

- *Community members are encouraged to submit agenda correspondence in advance of the meeting via email to the Community Development office at planningcommission@morrobayca.gov prior to the meeting and will be published on the City website with a final update one hour prior to the meeting start time. Agenda correspondence received less than an hour before the meeting start time may not be posted until after the meeting.*
- *Members of the public may watch the meeting either on cable Channel 20 or as streamed on the City [website](#).*
- *Alternatively, members of the public may watch the meeting and speak during general Public Comment or on a specific agenda item by logging in to the Zoom webinar using the information provided below. Please use the “**raise hand**” feature to indicate your desire to provide public comment. Each speaker will be allowed three minutes to provide input.*

Please click the link below to join the webinar:

➤ <https://us02web.zoom.us/j/82722747698?pwd=aWZpTzcwTHlRTk9xaTlmWVNWRWFUQT09>

Password: 135692

*Or Telephone Attendee: (408) 638-0968 or (669) 900 6833 or (346) 248 7799; Webinar ID: 827 2274 7698; Password: 135692; Press * 9 to “**Raise Hand**” for Public Comment*

PRESENTATIONS

A. CONSENT CALENDAR

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

B. PUBLIC HEARINGS

- B-1 **Case No.:** UP0-284
Site Location: 1001 Front St, Morro Bay, CA
Project Description: Review of Conditional Use Permit (UP0-284) that was approved by Planning Commission on May 16, 2012 and amended on June 24, 2018. Coastal Development Permit 3-11-031 was approved by Coastal Commission on December 12, 2012. Project includes review of public access components of project. Applicant is proposing minor amendments to site plan in order to improve public access circulation and establishment of master sign program for business signage and public access signage. Existing multi-building business signage proposed is approx. 191sf where approx. 123sf is allowed. All proposed public access improvements are consistent with conditional use permit and coastal development permit. The project zoning is WF/PD/S.4 and the site is partially located within the Coastal Commission original jurisdiction
CEQA Determination: Categorically Exempt, Section 15301, Class 1c and g; 15311, Class a.
Staff Recommendation: Conditionally Approve
Staff Contact: Cindy Jacinth, Senior Planner (805) 772-6577

C. NEW BUSINESS

D. UNFINISHED BUSINESS

E. PLANNING COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENTS

G. ADJOURNMENT

Adjourn to the next regular Planning Commission meeting on May 19, 2020 at 6:00 p.m. via teleconference.

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.

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 present testimony either in support of or in opposition to the proposal.
4. Finally, the Chair may invite the applicant/agent to respond to the public testimony. Thereafter, the Chair will close the public testimony portion of the hearing and limit further discussion to the Commission and staff prior to the Commission taking action on a decision.

APPEALS

If you are dissatisfied with an approval or denial of a project, you have the right to appeal this decision to the City Council up to 10 calendar days after the date of action. Pursuant to Government Code §65009, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Commission, at, or prior to, the public hearing. The appeal form is available at the Community Development Department and on the City's web site. If legitimate coastal resource issues related to our Local Coastal Program are raised in the appeal, there is no fee if the subject property is located within the Coastal Appeal Area. If the property is located outside the Coastal Appeal Area, the fee is a \$277 flat fee. If a fee is required, the appeal will not be considered complete if the fee is not paid. If the City decides in the appellant's favor then the fee will be refunded.

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

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.

Agenda No: A-1
 Meeting Date May 5, 2020

Approved projects are deleted on next version of log.

#	Applicant/ Property Owner	Project Address	Application 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	DeGarimore	1001 Front St	4/24/20	MIN 20-003	Minor Amendment to CUP #UP0-284	Reviewed by PC on 2/18/2020 for compliance with conditions of approval related to public access. UP0-284 was approved by PC on 5/16/2012 and amended on 6/24/2018. Applicant is proposing minor amendments to site plan to improve public access to be further in compliance with established conditions of approval. Project also proposes establishment of master sign program for existing signs on site and improved coastal access signage. PC reviewed with comments at 2/18/2020 meeting. Agendized as public				cj
2	HASLO	405 Atascadero Road	9/24/19	CUP19-12/ PKG19-05/ CDP	Conceptual review of a proposed 35 unit affordable housing project, with community space	Scheduled for Planning Commission for conceptual review 11/5/19. PC provided input, waiting for resubmittal. Project deemed complete. MND public draft circulation(3/6 through 4/6/2020) complete. Finalizing MND prior to scheduling PC hearing.		PN-Conditionally Approved 10/10/2019		NH
30 -Day Review, Incomplete or Additional Submittal Review Projects:										
3	Olsen	2290 Juniper	3/13/20	CDP20-004	Interior space conversion into a 468 sf ADU. No expansion of the existing home. Redesign of front stairway to provide better access to ADU.	Planning comment letter sent 4/2/20 requesting clarification of details. Resubmittal received, project deemed complete. Preparing for administrative public noticing.				nh
4	Shorey	1110 Marengo	12/20/19	CDP19-048	Coastal Development Permit for a new 2-story home behind an existing home which will be expanded by 450 sf.	Project deemed incomplete, comment letter sent January 7, 2020. Resubmittal received 3/10/20, under review. Applicant requested resubmittal to change classification of lower level living space as JADU for future use. Resubmittal received 4/10/20, under review.				nh
5	Bean	Unaddressed Main Street (AKA 199 Sandpiper Court)	12/19/19	CUP19-20, CDP19-047	CUP/CDP for new home on triangular small parcel on the bluff. Proposed home is 526 sf 2-stories with access easement to Main Street	Project deemed incomplete, comment letter sent January 7, 2020 Biological and ESHA setback reports received 3/9/20, under review.				nh
6	Brebes	495 Driftwood	6/14/19	CDP19-022/PKG19-07	New duplex residential units - attached 2 story buildings with 2 car garages.	Project deemed incomplete 12/31/19. Applicant changing project density, waiting for resubmittal.				nh
7	Lawrence	2590 Hemlock Ave	10/25/19	CDP19-040	Admin CDP for Demo of existing residence, rebuild new with ADU.	Submittal under review. Correction letter sent 11/25/19.				wu
8	Gambriel	571 Embarcadero	10/14/19	MAJ19-006	Major Modification to CUP Amendment for proposed public access improvements, dock and gangway realignment, conversion of 2nd floor to hotel units and request for 1st floor ADA accessible hotel unit.	CUP Amendment reviewed by PC on 12/18/18. Major Modification Request under review. Submitted correction response letter 11/13/19. cj		PN-Conditionally Approved 10/16/2019		cj
9	Rhine LP/Morro 94	3300 Panorama	8/20/19	MAJ 19-005	After the fact permit application for removal of 3 sheds and possible siding treatment for transformer building.	Submittal is under review. Deemed incomplete 8-29-19. Resubmitted information received, applicant to complete all close out requirements prior to scheduling PC hearing.				nh

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10	Cleary	1282 and 1290 Embarcadero Road	5/23/19	CDP19-016	CDP for removal of major vegetation.	Submittal is under review. Correction letter sent 6/10. Awaiting resubmittal.				wu
11	Eisemann	535 Atascadero Road	3/7/19	PAR19-01	Final Parcel map	Submittal is under review. Planning disapproved 3/14/19. Resubmittal disapproved on May 14, 2019. Resubmittal received, review comments provided 6-5-19. Disapproved 11-5-19. Waiting for revised submittal to remove improvements not requested by CalTrans		PN- Disapproved 11-6-2019		nh
12	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. Followed up with application 2/3/20, applicant is planning on a resubmittal.				nh
13	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. Followed up with applicant 2/3/20 - no response.				nh
14	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. Update: Project determined to only require building permit.		JW approved		wu
15	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. Followed up with applicant 2/3/20 to see if they want to continue this application, no response.		PN-Conditionally approved 5/11/17		nh

Projects Appealed to Planning Commission or PC Continued projects:

16	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. Followed up with applicant 2/3/20 - they are waiting for reports prior to resubmittal.		PN- Approved 9/4/2018		nh
17	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:

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18	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										
19	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										
Projects requiring coordination with another jurisdiction:										
20	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		
21	City of Morro Bay Desal Plant	170 Atascadero			Project requires a Coastal Development Permit for upgrades at the Plant. Final action taken Sent to CCC but pursuant to their request the City has rescinded the action.	Waiting for outcome from the CDP application for the outfall. Discussed project with Coastal staff in meeting 11-18-14.	No review performed.	BCR- Phase 1 Maint and Repair project is underway. Desal plant start-up scheduled for 10/15/13. Phase 1 complete and finalized. Phase 2 on hold as of 7/22/14.		

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Projects going forward to Coastal Commission for review (Pending LCP Amendments) / or State Department of Housing:										
22	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 2019. Public draft of combined General Plan/ LCP released May 2018 for review. Working with Coastal staff on CCC input.				
23	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	No review performed.			wm
Projects Continued Indefinitely, No Response to Date on Incomplete Letter or inactive:										
24	Verizon / Knight	484 Main new location, Corner of Main and Cabrillo	11/19/14	UP0-394 and CP0-512	Coastal Development Permit and Conditional Use Permit for installation of new Wireless Facility/Verizon antennas on existing pole.	Under Review. JG. Incomplete. Waiting on response from Tricia Knight. Wants to keep project open and figure out the parking situation or move location. 1/26. JG. Applicant looking to move location to pole across the street. resubmittal rcv'd 5/26. Deemed Complete, waiting for Applicant to confirm PC meeting date. PC hearing held on 9/6/16 and continued for further review to 11-1-16 PC hearing. Continuance requested. Continued to a date uncertain		PN- Conditionally approved 6/14/16		ig
Grants										
25	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
26	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

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27	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:										
28	Gulley	679	Atascadero	2/27/20	B20-0042	Add 135 sq. ft. bathroom addition.	Bldg - Approved 3/12/20			sg
29	LaPlante	3093	Beachcomber	4/29/17	B-31487	New SFR: 3,495 sf w/ 500 sf garage on vacant land. No activity on this project. Remains in plan check.	Approved 8-9-18. cj. Requested permit extension.	PN - Approved 6/21/2018	Emailed comments on 10-20-17.	cj
30	Auerbach	3200	Beachcomber Dr.	12/30/19	B19-0277	Convert 100 sf of enclosed sun-room area to living space and add 67 sq ft of new living area. Demo kitchens and add 3 beams, new windows, siding, update electrical, water heater and forced air unit, misc, clean up.	Disapproved Jan 14, 2020, additional information provided and Planning approved building permit 4/7/20	Bldg - Disapproved 1/31/20		nh
31	Voss	3303	Beachcomber Dr.	4/20/20	B20-0070	New 120 s.f. 1-story addition to existing 1200 s.f. 1-story residence.		Bldg - Plancheck		sg
32	Jones	1362	Berwick Dr	8/5/19	B19-0169	Interior remodel, remove existing roof over existing garage and replace with 352 sf deck.	Disapproved 9/11/19. Awaiting resubmittal.	Bldg - Disapproved 9/4/19		wu
33	Diaz	365	Driftwood	1/6/20	B19-0280	328 sq ft addition to master bedroom and bath on second flr. Convert covered patio to living space 50 sq ft enclosed covered porch 30 sq ft	Under review. Planning disapproved 1/31/20.	Bldg - Disapproved 1/15/20		wu
34	Brebes	495	Driftwood	12/20/19	B19-0269	New 3778 sf duplex homes including garages on lot with existing SFH	Pending approval of planning permits, applicant changing potential density on the site in CDP permit process.	Bldg - Disapproved 2/7/20		nh
35	City of Morro Bay	595	Embaracadero	12/31/19	B19-0278	Commercial T.I. to former Aquarium building to meet accessibility requirements, remove asbestos from 1st floor, update electrical, mechanical and plumbing, new structural shear wall, repair concrete columns, new raised deck, stairs & railing for tasking room & brewery (Three stacks & A Peak Brewing Company)	Approved. Cj.	Bldg - Disapproved 1/29/20		sg
36	Wilkie	476-A	Hill	3/26/20	B20-0057	ATTACHED ADU - Convert existing attached garage to 344 sf Accessory Dwelling Unit.	Pending planning permit approval.	Bldg. - 4/8/20		wu
37	Olson	2290	Juniper	3/16/20	B20-0053	Convert existing workshop into ADU, repair upper level deck due to dry rot and construct new entry landing w/stairs.	CDP 20-004 approval pending noticing. Building permit conditionally approved 4/26/2020	Bldg. Disapproved - 4/2/20		nh
38	Friesen	2390	Juniper	3/5/20	B20-0043	Build new observation deck over existing roof top.		Bldg - Approved 3/12/20		sg
39	Richardson	441	LaJolla	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
40	Wood	361	Main St	12/30/19	B19-0276	395 sf 2nd floor addition to existing SFR, with 183 sf of 2nd floor deck	Planning approved 1/2/20	Bldg - Disapproved 1/29/20		nh

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41	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 4/15/19		sg
42	Sonic	1840	Main St.	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. Requested permit extension. Awaiting resubmittal. Requested Permit Extension. Planning permit extension requested and granted to allow new permit expiration of April 2021.	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	cj
43	Michie	2940	Main St.	3/5/20	B20-0045	Interior (T.I.) to existing bar/restaurant. Layout to remain, install new flooring, sinks, upgrade finishes, new FRP in bathrooms and kitchen areas. New tenant to serve coffee and beer products (Dark Nectar Coffee Saloon). Exterior upgrades completed on separate permit (B19-0255).		Bldg - Approved 4/1/20			sg
44	Shorey	1110	Marengo Dr	12/20/19	B19-0270	450 sq ft addition to guesthouse.	Disapproved pending approval of CDP19-048	Bldg - Disapproved 1/14/20			nh
45	LifePoint Church	615	Monterey	1/6/20	B19-0279	Remodel/upgrade current building	Planning disapproved 1/27/20.	Bldg - Disapproved 1/30/20			wu
46	Davis	780	Monterey	1/9/20	B20-0004	Tenant improvement, adding walls and re configuring lighting. Add 4 Solar tubes, paint, flooring, and insulation.		Bldg - Disapproved 2/25/20			sg
47	NHC-MB LLC.	495	Morro Bay Blvd	12/31/19	B19-0275	Commercial remodel for Medical Cannabis dispensary		Bldg - Approved 4/13/20			sg
48	Moss Lane Ventures, LLC	839	Morro Bay Blvd	3/4/20	B20-0046	New modular building for commercial coffee drive-through (Human Bean)	Under review, missing a planning requirement, expect to received 3/10/20. Planning approved.	Bldg - Disapproved 3/18/20			nh
49	Erb	2630	Nutmeg Ave	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.	Disapproved 3/6/19. Disapproved 4/9. Variance application approved. Awaiting building permit resubmittal.	Bldg - Approved 3/27/19			wu
50	Tabrizi	1000	Quintana	12/29/20	B19-0274	Commercial remodel for cannabis dispensary to include new interior walls, doors, ceilings, casework, mechanical, electrical and plumbing.		Bldg - Disapproved 1/24/20			sg

#	Applicant/ Property Owner	Project Address		Application 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
51	Giannini	750	Radcliff Ave.	7/22/19	B19-0156	Remove three existing panel antennas, three radio and replace with three radio intergrated antennas and assoicated cabling. Install equipment expansions to the top of existing cabinets (approx 1'2') with associated electrical	Approved 9/26/19.	Ready to issue			cj
52	Kennedy	1130	Scott Street	12/20/19	B19-0271	New commercial project with residential security unit above	Conditionally approved 1/3/20	Bldg - Disapproved 1/7/20			nh
53	Irons	598	Shasta Ave.	4/22/20	B20-0073	Eliminate retention basin and add drains. 1) Driveway to street 2) Roof of main house to street.		Bldg - Approved 4/28/20			co
54	Anouck Ce Bris	516-A	Shasta	12/9/19	B19-0261	520 sf st ADU with studio below; addition to SFR	Planning permits issued. Waiting for resubmittal	Bldg - Disapproved 12/26/19			nh
55	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.	Disapproved 4/11/19. Awaiting resubmittal.	Bldg - Approved 3/27/19			wu
56	Davis	1149	West Ave	7/8/19	B19-0145	Construct lower level 360 sf enclosed patio (12' x 30') at rear of existing SFR.	Disapproved, proposed enclosed patio extended into the 25 foot bluff setback.	Bldg - Approved 7/10/19			nh
57	Weaver	448	Yerba Buena	1/10/20	B20-0007	Rebuild existing deck & add 48 sq ft existing deck-85 sq ft. New deck 48 sq ft. Total 133 sq ft.		Bldg - Disapproved 2/3/20			sg

Planning Projects & Permits with Final Action:

58	Redican	725 Embarcadero		2/21/20	MIN20-001	Minor Modification to UP0-359/A00-041 planning permit. Relocation of lower floor hotel lobby from south to north elevation. Modification to bayside roof (west elevation) and redesign of pilings and mechanical system.	Under review. Project does not change any existing conditions and is consistent with original approvals. Request noticed for pending administrative action on 3-19-20. Permit approved 3/31/2020.				cj
59	Cleath	2790 Main Street		12/5/19	CUP19-17 / CDP19-044	CDP and CUP for New 8 unit hotel	Correction letter sent December 20, 2019. Resubmittal received January 9 2020, under review. Scheduled for PC on April 21, 2020. Project approved 4/21/2020, permit issued.				nh
60	Simmons	3029 Beachcomber		12/17/19	CDP19-045	New single family home adjacent to the dunes. Home is 2078 sf with a 713 sf garage on an L shaped lot	Completeness letter sent 3/12/20. Scheduled for PC hearing on April 21, 2020. Project approved 4/21/2020, permit issued.				nh
61	Wilkie	476 Hill Street		3/25/20	CDP20-005	ADU - Conversion of existing attached garage to a 344 sf Accessory Dwelling Unit.	Submittal under review. Deemed complete. Admin noticing to begin as Staff time allows.				wu
62	Angelucci	953 Pacific		8/20/19	CUP19-10	459 sf 2nd story addition, new 246 sf detached garage with auto lift, 167 sf 2nd story deck, and 87 sf 2nd story view deck off of garage.	Submittal under review. Correction letter sent 9/19/19. Resubmittal under review. Discussed issues with garage setback with Applicant. Letter from soils engineer under review. Resubmittal 12/5/19 under review. Deemed complete. Project requires additional environmental review. Scheduled for 4/21/20 PC Meeting. PC Approved.		PN- Conditionally Approved 9/10/2018		wu

Staff Directory:
 Scot Graham - sg Chad Ouimet - co
 Cindy Jacinth - cj Pam Newman - pn
 Willow Urquidi - wu Herb Edwards - he
 Nancy Hubbard - nh



AGENDA NO: B-1

MEETING DATE: May 5, 2020

Staff Report

TO: Planning Commissioners

DATE: April 27, 2020

FROM: Cindy Jacinth, Senior Planner

SUBJECT: 1001 Front St: Conditional Use Permit (#UP0-284) CUP minor modification (MIN20-003) to site plan to improve public access circulation and establishment of master sign program to allow approximately 236sf where 120sf is allowed.

RECOMMENDATION:

CONDITIONALLY APPROVE THE PROJECT by approving Planning Commission **Resolution 10-20** (Exhibit A) which includes the Findings and Conditions of Approval for the CUP amendment (MIN 20-003) depicted on the site plan dated April 14, 2020

PERMITTEE/AGENT: Giovanni DeGarimore / Cathy Novak Consulting

LEGAL DESCRIPTION/APN: City lease sites 105.1W and 105.2W / 066-352-054

PROJECT DESCRIPTION: Conditional Use Permit #UP0-284 was approved as Precise Plan by Planning Commission on May 16, 2012 and amended on June 24, 2018. The project was also reviewed by PC on February 18, 2020. The Applicant is proposing minor amendments to the site plan in order to improve public access circulation and establishment of master sign program for business signage and coastal access signage. Existing multi-building business signage is approximately 236 sf where 120sf is allowed. All proposed public access improvements are consistent with conditional use permit and coastal development permit (#3-11-031).

INTRODUCTION:

At the February 18, 2020 Planning Commission meeting, the PC reviewed Conditional Use Permit #UP0-284 for 1001 Front. The PC discussed concerns regarding public access, both along the north parking lot, at the Beach Street gate, and along the south parking lot near the area of the Fish Market walk-up window and whether the project was in compliance with the conditions of approval for UP0-284.

After the PC meeting, staff met with Mr. Giovanni DeGarimore, the property owner/master lease holder and Ms. Cathy Novak, project representative on site to review PC feedback. In order to address PC concerns, the Applicant has submitted a revised site plan and letter dated April 23, 2020 (Exhibit B & C) detailing the Applicant's response to improve public access circulation as well as site signage.

PROJECT SETTING:

The location is 1001 Front Street which is occupied with multiple waterfront and visitor-serving commercial uses including Giovanni's Fish Market, the Coffee Pot restaurant, a shirt shop, commercial fishing wharf, fuel dock, finger slips, an on-site parking lot, as well as public lateral access that traverses along the west side of the property through the commercial fishing dock area and the outdoor public seating area of Giovanni's Fish Market. The project is located within the Bayfront area, designated as Planning Area 6 in the Local Coastal Plan, it lies within the WF/PD/S.4 Waterfront/Planned Development/Special Treatment Overlay Zoning District and within the Coastal Commission original jurisdiction.



Adjacent Zoning/Land Use			
North:	CF/PD Commercial/Recreation Fishing/Planned Development	South:	WF/PD/S.4 Waterfront/Planned Development/Special Treatment Overlay
East:	C-VS/PD/SP Visitor Serving Commercial/Planned Development/Beach Street Specific Plan	West:	H Harbor

General Plan, Zoning Ordinance, & Local Coastal Plan Designations	
General Plan/Coastal Plan Land Use Designation	Waterfront, Visitor Serving
Base Zone District	WF
Zoning Overlay District	PD
Special Treatment Area	S.4
Combining District	n/a
Specific Plan Area	n/a
Coastal Zone	Located within the Coastal Commission Original Jurisdiction

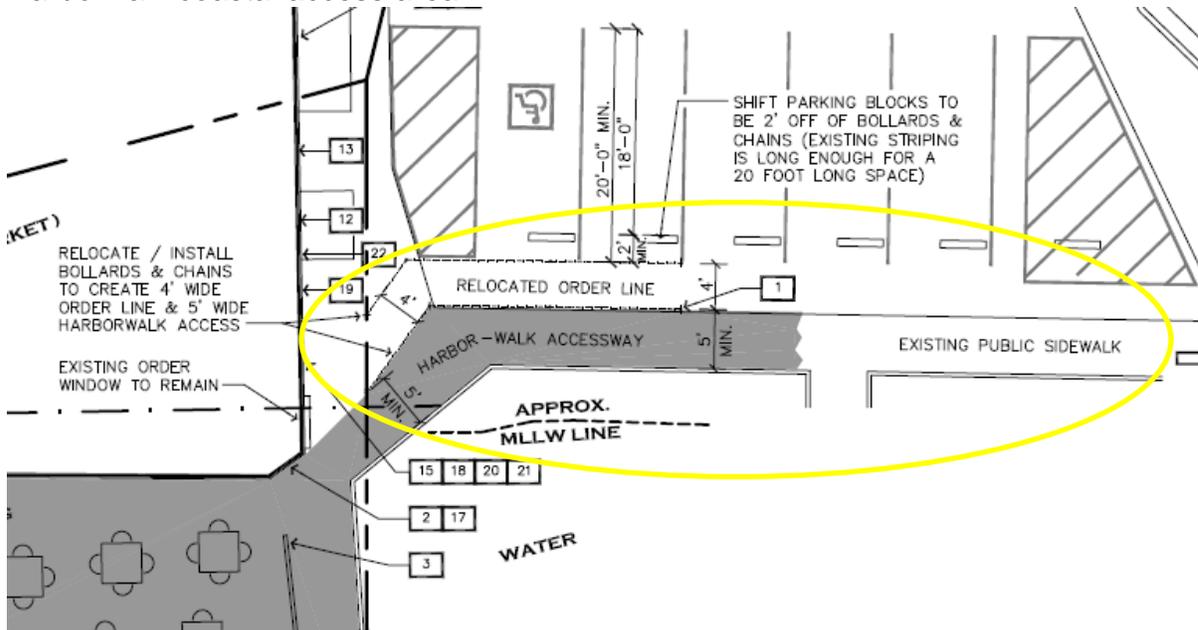
PROJECT DISCUSSION:

The Planning Commission requested a review of the CUP over compliance concerns with the conditions of approval specifically in regard to public access along the west side of the property. This was discussed as a new business item at the 2/18/2020 PC meeting. Also included in the February discussion was the on-site signage including coastal access signs and staff recommended establishment of a master sign program. The Planning Commission requested changes to the project to further compliance with the conditions of approval. The minor amendments proposed with this public hearing are intended to reflect those PC comments and are itemized in the attached Applicant letter (Exhibit B):

A summary of each issue is presented below with Applicant response, followed by staff review and response for each issue point.

BAYSIDE LATERAL ACCESS

At the south end of the property near the walk-up order window for the Fish Market business, the applicant is proposing to relocate the food service line to the east of the existing sidewalk with bollards set to delineate the business food service line from the Harborwalk coastal access area.



Applicant Response:

1. *Bayside lateral access starting with improving access by the walk up order window.*
 - a. In order to improve the lateral access on the southern side, the “take out window” food service line can be relocated easterly of the existing sidewalk and in front of the parked cars. There will be new bollards set with a chain divider to delineate the food service line. This will provide a 5' wide clear space for the sidewalk and a 4' wide food service line. The existing parking spaces are currently stripped longer than necessary so no new parking lot striping is proposed however, the wheel stops will be relocated back 2' from the food service line for the vehicle stops. The current parking lot will remain with 9 spaces including the ADA. No further reduction in the number of parking spaces is required.

Staff Response:

By shifting the food service order line and parking stall to the east, it will mitigate crowding in this area, when the business experiences a busy queue without impacting coastal access. This is consistent with PC direction and consistent

with the approved CUP and CDP.

COASTAL ACCESS SIGNAGE.

As noted at the February 2020 PC meeting, existing public access signs were either missing or were insufficiently visible. In order to address public visibility of coastal access areas, the Applicant has itemized a list of relocated or new signs in their response below.

Applicant Response:

2. *Changing public access signs to be more visible such as moving the low signs to be higher up.*
 - a. The new food service line will be marked with signage indicating the coastal access to the west and food service to the east.
 - b. A new coastal access sign will be added to the railing along the bayside between the gangway to the docks and the fish market building.
 - c. The existing 18" x 24" coastal access sign located on the southwest corner of the fish market building will be relocated to the patio windscreen upper southeast corner and the 9" x 12" coastal access sign will be relocated to the southwest corner of the fish market building.
 - d. The 18" x 24" coastal access sign on the north side of the wharf/ public view deck just north of the dining area will be relocated to the "pump shed" for better visibility.
 - e. The 12" x 24" coastal access sign on the gate will be relocated to the north fence with a change in the directional arrow.
 - f. A new 18" x 24" coastal access sign will be installed on the gate, visible when the gate is open.
 - g. The existing sign indicating the temporary Harborwalk closure will remain on the outside of the gate, displayed when the gate is closed.

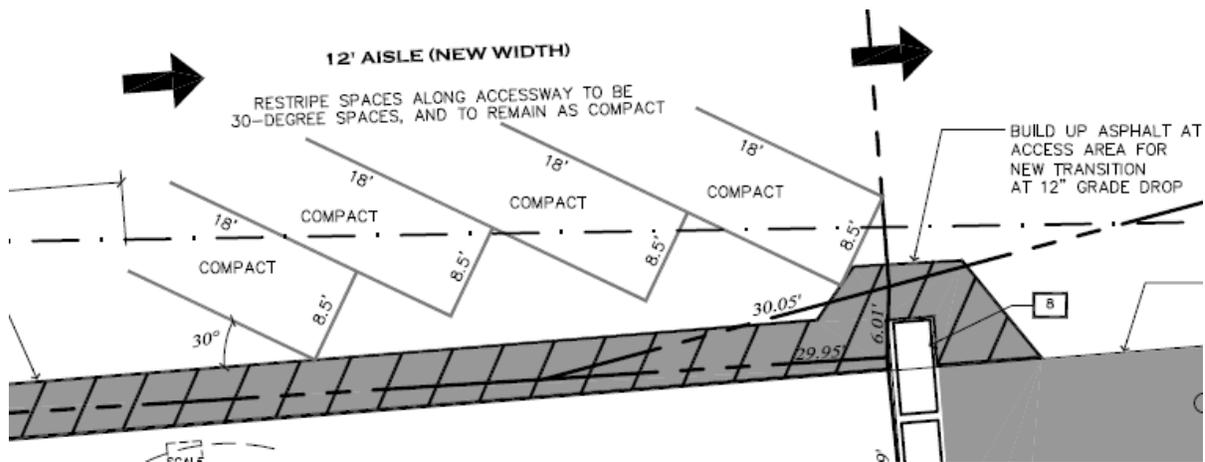
Staff Response:

Of the seven locations identified for coastal access, two of the signs are new, and the food service line is revised to add coastal access information. The remaining 4 signs are existing coastal access signs to be relocated or moved upwards for increased public visibility. Plan sheet A1.2 identifies location and format of coastal public access signs to be located either in the public patio areas or along the public access areas. This is consistent with previous Planning conditions regarding coastal public access signage.

PARKING:

The revised sited plan shows the north parking lot with the 4 existing parking spaces adjacent to the Harborwalk to be restriped to a 30-degree layout in order to keep the

lateral access walkway clear. In addition, the plans show a wider access transition where the grade drops off from the parking lot to the public wharf. No parking spaces are proposed to be removed. The CUP in 2012 showed perpendicular parking spaces adjacent to the Harborwalk. At that time, the parking lot spaces were reconfigured in order to meet the conditions of approval of UP0-284, and the City accepted the parking configuration as is when the project was finalized in 2013. No parking spaces have been removed and the proposed site plan amendment is consistent with the parking layout as approved by UP0-284.



Applicant Response:

3. *Revising the parking layout and if possible pushing the west parking stalls to the east to accommodate better pedestrian accessibility.*
 - a. The 4 existing parking spaces adjacent to the wharf will be restriped to a 30 degree angle and wheel stops installed so as to keep the 5' lateral access clear from cars. The accessway has been reconfigured along the wharf area to keep the path on the asphalt rather than straddling the wood wharf and asphalt for public safety reasons. This also provides a straighter ailment of the path, marked by yellow stripping.
4. *Explore ways to improve accessibility at the grade drop off where the parking lot ends and the public view deck starts.*
 - a. This area can be "built up" with additional asphalt to smooth the transition for the pathway.

Staff Response:

The 2012 CUP included Planning condition 9 for wheel stops in the parking lot as required by code but also to avoid encroachment in the lateral access walkway. Applicant's proposal shifts parking wheel stops to the east as well as straightens the path alignment in order to minimize conflicts between the commercial fishing

operations and the public access path through this area. In addition, the walkway has a grade difference at the transition from the parking lot west to the public wharf. Adding additional asphalt to this area will improve accessibility for pedestrians. Proposed changes are consistent with the CUP and CDP.

BEACH STREET GATE:

When the CUP was approved in 2012, no specific conditions were placed on removal of the gate, other than CDP conditions which required that public access be open from dawn to dusk. In 2018, when the Precise Plan amendment was approved, Planning Commission condition #7 required that the gate be open between the hours of 7:30am to dusk. It also allowed the gate to be closed “during active fish unloading activities that render public lateral access dangerous consistent with Coastal Development Permit 3-11-031.” This specific condition was the result of concerns that the gate was too frequently closed and thereby preventing coastal access. At the February meeting, the Applicant requested that the gate remain for security reasons of the commercial fishing business. The Applicant is not proposing removal of the gate and offers the following reasons in support of keeping the gate:

Applicant Response:

5. Direction from the PC regarding removing the gate at the north end of the property.

- a. The applicant is not proposing to remove the existing gate at this time. The gate has been in existence for many years and was approved by the City.
- b. This gate is in place for many reasons which include the following:
 - i. The open wharf area and fuel dock present a great public safety concern as there are no railings and numerous pieces of equipment that could cause great harm to the general public. The gate is open during the daytime and connected to the lateral access path that provides a safer way to transit the site during the daylight hours. The gate closure is during the evening hours and when dark.
 - ii. There has been several instances where members of the public have come on to the property after business hours and have done damage to equipment on-site. The MBPD has been notified of these encounters.
 - iii. There is fish company storage of equipment and operational apparatus that needs to be secured after business hours. Some of the equipment is stationary however there are totes and other moveable items that remain in the outside storage area. All of this equipment needs some protection from potential theft or vandalism.
 - iv. There are additional commercial fish products stored on-site, that in some cases, are unlocked which poses a theft potential.
 - v. Vehicular access after-hours through the gate could lead to potential environmental hazards, in addition to safety, as the fuel dock area is accessible through this location. Any damage to the fuel dock equipment could result in a serious environmental disaster.
 - vi. There has been illegal drop offs of fuel and petroleum products at the fuel dock after hours when there is unobstructed access to the area. These illegal dumps then become the responsibility of the applicant to dispose of properly. The gate prevents illegal access to the fuel dock area for this to occur and poses an environmental risk.

Staff Response:

The Applicant's property is unique among the Embarcadero in that it is both privately and public owned (Figure 2). It is also one of the few sites in a high visitor-serving area that serves both commercial fishing waterfront uses, as well as waterfront visitor-serving uses. The CDP approved for this site included conditions that the gate be open from dawn to dusk. The desire by the Planning Commission previously to have the gate removed is based on concern that public access is impeded by frequent gate closures. The Applicant has presented a reasonable request to maintain the gate for security reasons and with a daily log of gate closings, with closure limited to only those times when active fishing loading and unloading operations are occurring, consistent with the CDP approval. In addition, the Applicant has requested a 6-month trial period to demonstrate compliance with the gate closure policy after which he will report back to the PC for a final decision on the disposition of the gate. See Planning condition #3.

BUSINESS SIGNAGE:

Plan sheet A1.2 shows existing signs on the property and identifies signs by picture and square footage. Each sign included is numbered and correlates to signs shown on site plan sheet A1.1. The signs included are for Giovanni's Fish Market, The Shirt Shop, Coffee Pot Restaurant, and Virg's Sportfishing. Business signs are not included for Stax as that was permitted by PC in 2010 (#UP0-301) and is under a different address of 1099 Embarcadero.

No new business signs are proposed. The total existing sign square footage is 235.5sf which includes the 36sf Gio's Fish Market menu board sign (Exhibit C). Under the City's current sign ordinance, the maximum sign square footage allowance would be 120sf based on two street frontages. Staff research into the sign permit history for this property did not yield complete sign records. The establishment of a master sign program with this CUP amendment would memorialize permitting of the signs presented. The sign ordinance also allows for sign allowances to be exceeded if approved as part of the CUP with PC approval (MBMC 17.68.110.C1c).

While the signs present onsite exceed the maximum allowed sign square footage, they do complement the collection of visitor-serving businesses in this waterfront area and they do not constitute a detriment to health, safety, and general welfare nor do they detract from or interfere with public views. The requested sign square footage does not appear to be excessive for the property due to the number of businesses present, the 2 street frontages, and the high number of pedestrian passers-by.

The DWSP includes guidelines for commercial signage. Included within these guidelines are that signs should reflect a crafted, high-quality detailed design and be

maintained in good condition. Two of the older signs on site, “the Cod father” signs show signs of deterioration based on the images on plan sheet A1.2 and staff is recommending a condition of approval be added (Planning condition #1) requiring restoration of these faded signs and any other faded signs on-site.

PUBLIC NOTICE:

Notice of this item was published in the San Luis Obispo Tribune newspaper and posted at the site on April 24, 2020, 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 project.

ENVIRONMENTAL DETERMINATION:

Environmental review was performed for this project and staff determined it meets the requirements for a Categorical Exemption under CEQA Guidelines Section 15301, Class 1c and g; and Section 15311, Class a. Class 1 allows for existing facilities for private structures or facilities involving negligible or no expansion of existing use. Class 11 allows for placement of minor structures including on-premise signs. Additionally, none of the Categorical Exemption exceptions, noted under Section 15300.2, apply to the project.

CONCLUSION:

The proposed amendment would amend the CUP which allowed for “Precise Plan approval for new dock system consisting of 134 foot head float and 4 finger docks, gangway and landing installation for access from the existing wharf, retractable awning system over the existing public seating area, and permitting of an existing parking lot. In addition, Virg’s sport fishing business will be relocated to the docks and the public view area to the north of the existing public seating area will be expanded.”

The project amendments are minor in nature and intended to more fully comply with the project’s conditions of approval. The project is consistent with the conditions of approval for the CUP approved on May 16, 2012 and the Coastal Development Permit (CDP 3-11-031) that was approved by the Coastal Commission on April 12, 2012.

Staff recommends conditional approval of the proposed minor amendment #MIN20-003 for UP0-284.

EXHIBITS:

Exhibit A – Resolution 10-20

Exhibit B – Letter from Cathy Novak Consulting dated 4/23/2020

Exhibit C – Plans dated 4/14/2020 with updated calculations 4/28/2020

Exhibit D – Powerpoint presentation

Figure 1 – Site Image of Approved Uses and Outline of Public Coastal Access

Figure 2 -- Aerial View of Site with lease line boundary shown

ONLINE LINKS:

[CUP Precise Permit & Plan #UP0-284 approved 5/16/2012](#)

[CUP Amendment #A00-045 approved 6/26/2018](#)

[February 18, 2020 PC staff report, CUP review](#)

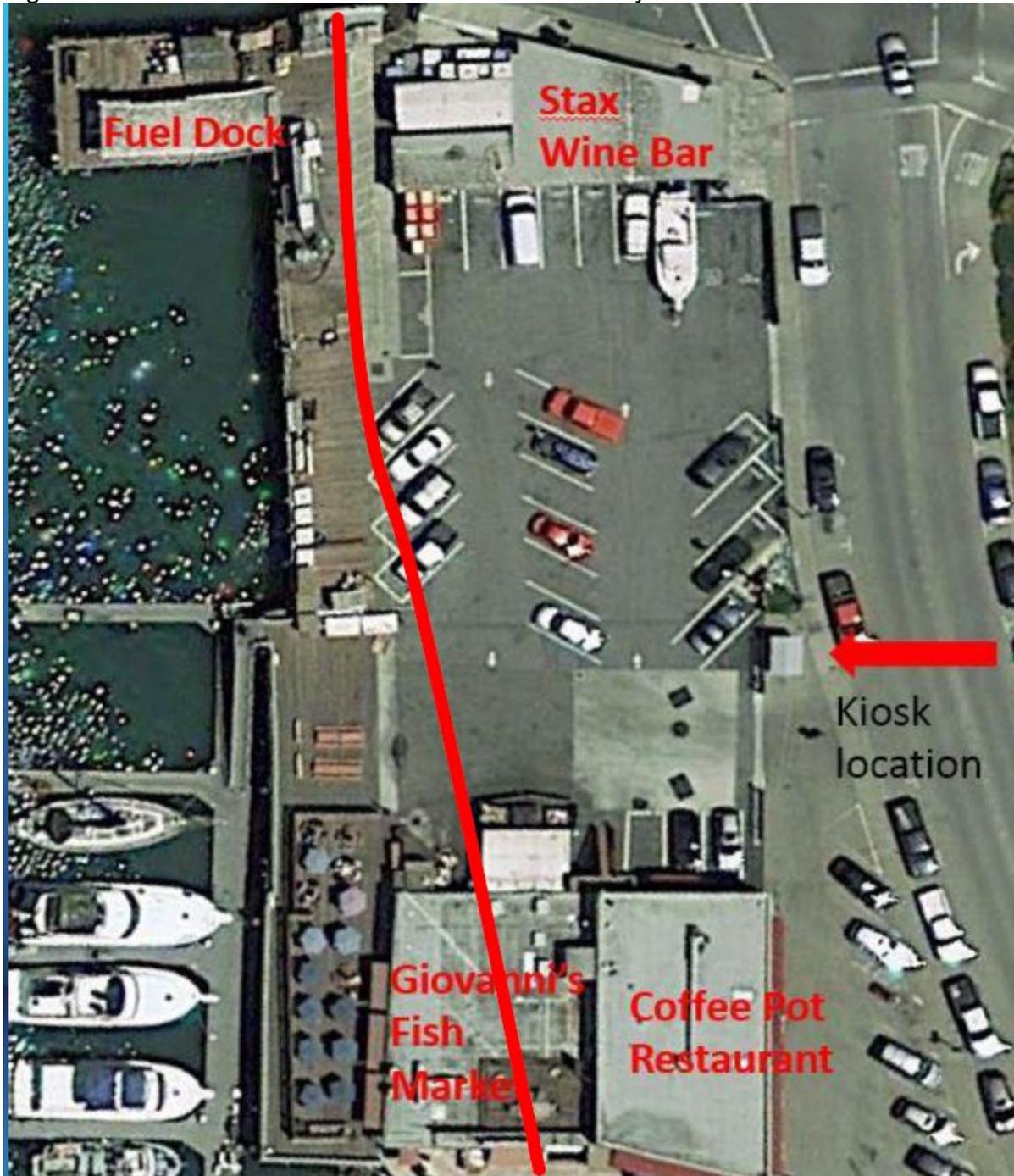
[April 17, 2020 PC staff report for #A00-054 \(Virg's Kiosk amendment\)](#)

[May 16, 2012 PC Precise Plan staff report, UP0-284](#)

Figure 1 – Site Plan with Approved Uses and Outline of Coastal Access shown in yellow



Figure 2 – Aerial View of Site with lease line boundary shown



RESOLUTION NO. PC 10-20

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION APPROVING A MINOR MODIFICATION (MIN20-003) TO PRECISE PLAN CONDITIONAL USE PERMIT (UP0-284) FOR SITE PLAN CHANGES TO PARKING LOT CONFIGURATION, PUBLIC ACCESS IMPROVEMENTS, AND ESTABLISHMENT OF A MASTER SIGN PROGRAM FOR GIOVANNI'S FISH MARKET & COMMERCIAL FISHING BUSINESS, THE SHIRT SHOP, THE COFFEE POT RESTAURANT, AND VIRG'S SPORTFISHING AT 1001 FRONT STREET

WHEREAS, the Planning Commission of the City of Morro Bay conducted a public hearing at the Morro Bay Veteran's Hall, 209 Surf Street, Morro Bay, California, on May 5, 2020, for the purpose of considering approval of a minor modification (#MIN20-003) to Precise Plan Conditional Use Permit #UP0-284; and

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

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

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

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

California Environmental Quality Act (CEQA)

- A. That for purposes of the California Environmental Quality Act, Case No. MIN20-003 is exempt under Class 1c and g, Section 15301 for existing facilities for private structures or facilities involving negligible or no expansion of existing use; and also exempt under Class 11, Section 15311 for placement of minor structures including on-premise signs and will have no potentially significant environmental impacts. Furthermore, none of the exemptions to this Categorical Exemption set forth in CEQA Guidelines Section 15300.2 apply to this project.

Conditional Use Permit Findings

- A. The project will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood in that the public access improvements, parking reconfiguration, and signage is an allowed and appropriate use in the Waterfront zoning district.

- B. The project will not be injurious or detrimental to property and improvements in the neighborhood and the general welfare of the City in that the public access improvements, parking reconfiguration, and signage supports the waterfront commercial use which is consistent with the allowable uses on the waterfront.

- C. The master sign program as approved is consistent with the waterfront commercial visitor-serving uses and the sign ordinance intent and purpose, it does not constitute a detriment to public health, safety, and welfare; the size, shape, color, materials, design and location of signs are compatible with and bear harmonious relationship to all signs on the property as well as to surroundings; signs permitted are included as an integral part of the property's multi-building design; location of proposed signs and design of its visual elements are legible under normal viewing conditions; the location and design of signs does not obscure from view or unduly detract from existing or adjacent signs, or adjacent properties, nor does it detract from views of the bay or Morro Rock;

Waterfront Master Plan Findings

- A. The proposed project makes a positive contribution to the visual and public accessibility to the bay while increasing and maintaining commercial fishing industry:
 - 1. The proposed project provides the amenities identified in the WF Plan, facilitates pedestrian visual and physical access to the waterfront, and takes advantage of outward views and characteristics of the topography in that the parking lot reconfiguration and signage does not impede pedestrian access but rather improves pedestrian access.
 - 2. The project does not worsen or block more views, it does not block view corridors or intrude into pedestrian access areas. It takes advantage of outward views and characteristics of the topography in that the project maintains the existing project but make minor improvements to parking, signage, and the Harborwalk pathway to improve public access.
 - 3. The proposed project makes a positive contribution to the working fishing village character and quality of the Embarcadero area in that the project provides information for the public by providing direct public access to view commercial fishing operation.
 - 4. The project contains the elements of harmony, continuity, proportion, simplicity, and balance, and its appearance matches its function and the uses proposed in that the public access improvements, parking reconfiguration, and signage is designed to be consistent with the character of the waterfront.

5. The proposed project does not diminish, either directly or by cumulative impact of several similar projects, the use, enjoyment, or attractiveness of adjacent buildings on the property and is in keeping with the style, massing, materials, scale, and use of its surroundings.

Section 2. Action. The Planning Commission does hereby approve a Minor Modification (MIN20-003) to Precise Plan Conditional Use Permit (UP0-284) for property located at 1001 Front Street subject to the following conditions:

STANDARD CONDITIONS

1. This permit is granted for the land described in the staff report dated April 27, 2020 for 1001 Front depicted on plans date stamped April 14, 2020 with updated sign calculations dated April 28, 2020 and included as Exhibit C in the staff report, on file with the Community Development Department, as modified by these conditions of approval. The project amendments shall be designed substantially as shown on Planning Commission approved plans submitted for MIN20-003, unless otherwise specified herein.
2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this Resolution and is diligently pursued, thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Any extension may be granted by the City's Community Development Director (the "Director"), upon finding the project complies with all applicable provisions of the Morro Bay Municipal Code (the "MBMC"), General Plan and certified Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.
3. Changes: Minor changes to the project description and/or conditions of approval shall be subject to review and approval by the Community Development Director. Any changes to this approved permit determined, by the Director, not to be minor shall require the filing of an application for a permit amendment subject to Planning Commission review.
4. Compliance with the Law: (a) All requirements of any law, ordinance or regulation of the State of California, the City, and any other governmental entity shall be complied with in the exercise of this approval, (b) This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan for the City.
5. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees,

from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or Applicant's failure to comply with conditions of approval. Applicant understands and acknowledges the City is under no obligation to defend any legal actions challenging the City's actions with respect to the project. This condition and agreement shall be binding on all successors and assigns.

6. Compliance with Conditions: The applicant's establishment of the use or development of the subject property constitutes acknowledgement and acceptance of all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Director or as authorized by the Planning Commission. Failure to comply with any of these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the MBMC and is a misdemeanor.
7. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the MBMC and shall be consistent with all programs and policies contained in the LCP and General Plan of the City.

Planning Condition:

1. Applicant shall refresh the two faded historic "Cod father" signs shown on plans dated April 14, 2020 by repainting or some other manner of sign maintenance as required by MBMC 17.68.130
2. All other existing conditions of UP0-284 approved on May 16, 2012 and A00-054 as amended on February 18, 2018 shall remain in full force and effect.
3. North Public Access Gate Closure. The applicant shall maintain a record of gate closures for a six month period from the date of Planning Commission action on this item. The gate closure record shall be submitted to the Community Development Department for inclusion in a project update staff report that shall come before the Planning Commission no later than January 2021. The Planning Commission will render a final decision on whether the gate can remain at the meeting where the gate closure records are reviewed.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on a motion by _____ and seconded by _____ this 5th day of May, 2020 on the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Gerald Luhr, Chairperson

ATTEST

Scot Graham, Planning Secretary

The foregoing resolution was passed and adopted this 5th day of May, 2020.

Project description – Giovanni’s Fish Market, 1001 Front Street

The proposed project is in response to the Planning Commission comments from the February 18, 2020 meeting to address the lateral access and signage.

The following items were received from staff and the proposed project components in reply.

1. *Bayside lateral access starting with improving access by the walk up order window.*
 - a. In order to improve the lateral access on the southern side, the “take out window” food service line can be relocated easterly of the existing sidewalk and in front of the parked cars. There will be new bollards set with a chain divider to delineate the food service line. This will provide a 5’ wide clear space for the sidewalk and a 4’ wide food service line. The existing parking spaces are currently stripped longer than necessary so no new parking lot stripping is proposed however, the wheel stops will be relocated back 2’ from the food service line for the vehicle stops. The current parking lot will remain with 9 spaces including the ADA. No further reduction in the number of parking spaces is required.
2. *Changing public access signs to be more visible such as moving the low signs to be higher up.*
 - a. The new food service line will be marked with signage indicating the coastal access to the west and food service to the east.
 - b. A new coastal access sign will be added to the railing along the bayside between the gangway to the docks and the fish market building.
 - c. The existing 18” x 24” coastal access sign located on the southwest corner of the fish market building will be relocated to the patio windscreen upper southeast corner and the 9” x 12” coastal access sign will be relocated to the southwest corner of the fish market building.
 - d. The 18” x 24” coastal access sign on the north side of the wharf/ public view deck just north of the dining area will be relocated to the “pump shed” for better visibility.
 - e. The 12” x 24” coastal access sign on the gate will be relocated to the north fence with a change in the directional arrow.
 - f. A new 18” x 24” coastal access sign will be installed on the gate, visible when the gate is open.
 - g. The existing sign indicating the temporary Harborwalk closure will remain on the outside of the gate, displayed when the gate is closed.
3. *Revising the parking layout and if possible pushing the west parking stalls to the east to accommodate better pedestrian accessibility.*
 - a. The 4 existing parking spaces adjacent to the wharf will be restriped to a 30 degree angle and wheel stops installed so as to keep the 5’ lateral access clear from cars. The accessway has been reconfigured along the wharf area to keep the path on the asphalt rather than straddling the wood wharf and asphalt for public safety reasons. This also provides a straighter ailment of the path, marked by yellow stripping.
4. *Explore ways to improve accessibility at the grade drop off where the parking lot ends and the public view deck starts.*
 - a. This area can be “built up” with additional asphalt to smooth the transition for the pathway.
5. *Direction from the PC regarding removing the gate at the north end of the property.*

- a. The applicant is not proposing to remove the existing gate at this time. The gate has been in existence for many years and was approved by the City.
 - b. This gate is in place for many reasons which include the following:
 - i. The open wharf area and fuel dock present a great public safety concern as there are no railings and numerous pieces of equipment that could cause great harm to the general public. The gate is open during the daytime and connected to the lateral access path that provides a safer way to transit the site during the daylight hours. The gate closure is during the evening hours and when dark.
 - ii. There has been several instances where members of the public have come on to the property after business hours and have done damage to equipment on-site. The MBPD has been notified of these encounters.
 - iii. There is fish company storage of equipment and operational apparatus that needs to be secured after business hours. Some of the equipment is stationary however there are totes and other moveable items that remain in the outside storage area. All of this equipment needs some protection from potential theft or vandalism.
 - iv. There are additional commercial fish products stored on-site, that in some cases, are unlocked which poses a theft potential.
 - v. Vehicular access after-hours through the gate could lead to potential environmental hazards, in addition to safety, as the fuel dock area is accessible through this location. Any damage to the fuel dock equipment could result in a serious environmental disaster.
 - vi. There has been illegal drop offs of fuel and petroleum products at the fuel dock after hours when there is unobstructed access to the area. These illegal dumps then become the responsibility of the applicant to dispose of properly. The gate prevents illegal access to the fuel dock area for this to occur and poses an environmental risk.
6. *Signage.*
- a. Staff has requested an overall sign program be presented to the Planning Commission. As noted in the plans, there are several signs that have been on the property for 30 plus years along with coastal access signs required by the floating dock project done in 2012. The sign program includes new and relocated coastal access signs in order to better guide the public to the Harborwalk and public view deck areas. The program additionally includes signage for the "take out" service with menus and other food & fish market offerings. Unfortunately the City does not have a copy of the kitchen & take out service project that was approved in 2006 so it is unclear whether there was an approved sign program with that permit or not. In any case, the sign program proposed with this plan can now be formalized with this submittal.
7. *Parking.*
- a. The proposed plan delineates 20 parking spaces which is the correct number for the approved projects with 19 boat/dock spaces and 1 space for Stax. In addition, there are 3 parking spaces existing on-site along the Coffee Pot building which are not allocated to the boats, Stax or any other proposed use. For reference, Planning Commission staff report, May 16, 2012 Precise Plan: "The sport fishing business will utilize 16 of the 22 onsite parking spaces. One space is utilized for the business located to the north of the parking lot. The applicant has proposed utilizing the three parking spaces on the north side of the parking lot for intermittent use for temporary commercial fishing storage area. The parking spaces are not required for any proposed or existing use,

however at such time the applicant proposes additional uses that require additional parking the temporary fishing facilities shall be removed from the parking spaces.” Further note, the City Council authorized 5 historic parking credits with their approvals in 2012 for the project.

8. *Project condition follow up.*

- a. The applicant is requesting that the proposed plan be approved as submitted and allow for a 6 month report back to the Planning Commission that the modifications and other components are working as intended.
- b. The applicant had previously presented a letter to staff, dated January 16, 2020, and a presentation to the Planning Commission on February 18, 2020. A copy of the letter is attached as well as the commitment from the applicant to continue with the items presented to the Commission, i.e. keep the yellow stripe visible, gate closure hours per the permit, and a log of the gate closure outside the normal hours and provided to the City on request.



January 16, 2020

Mr. Scot Graham
City of Morro Bay Community Development Department
955 Shasta Street
Morro Bay, CA 93442

RE: Lateral access at Giovanni's

Dear Scot,

Thank you for taking the time to meet with us regarding the issues that have come up recently on the lateral access at Giovanni's and I wanted to follow up on a few items that we discussed.

First, as I mentioned, I want to offer my apologies for the misunderstanding I had regarding the opening time for the north gate. As I explained, the fuel dock opens at 8 a.m. and I just had it in my mind that the gate would open at the same time. I had instructed my fuel dock worker to open the gate first thing when he got to work at 8 a.m. I know there has been a couple of times that he was late to work and the gate was opened shortly thereafter. I was quite surprised when I reviewed the permit again last week and saw that the time was 7:30 a.m. instead. So it was an honest mistake on my part and no intent to purposefully keep it closed longer than it should have or closed outside of the allowed time for commercial fishing activities. In addition I have heard criticisms that the two Embarcadero side gates are open in to the late evening while the accessway gate is closed. The sole reason the two Embarcadero side gates are left open is because of Stax. Stax closes at 10 p.m. and since we have designated parking for Stax, the gates are left open until the business closes and the patrons leave. Any evening that the business is closed earlier, those gates are closed as well.

Second, I would ask and encourage the City to let me know if they see any future problems and give me the opportunity to rectify this before it becomes a bigger issue.

Third, I wanted to give you the details on the most recent closure of the accessway. I discovered that the fuel line running from the underground tanks located near Giovanni's Fish Market building to the fuel dock was at risk of failure. Rather than taking the chance that the line could break and spill fuel into the bay, I decided that I should fix it right of way. I started this repair on December 16 and the contractor estimated the work would be done by December 26. I have had the gate and access closed during this time for safety reasons. As you

can see in the attached photos, there was a very large hole in the parking area as well as the accessway. I cordoned the area off around the tractors, other construction equipment and the portable fuel tank to prevent anyone from inadvertently falling or harming themselves as it was just flat out dangerous. The portable fuel tank has now been removed however let me just say that I need this so that I could provide fuel for the Coast Guard. County Environmental Health required that I place the tank on solid ground and not over the water so I was limited in the location I could stage the tank and still have it close enough to service the boats. The project ended up taking longer than expected because Environmental Health required modifications to the original plans and therefore I had to act accordingly. As of now, I am waiting for the final inspection so that I can complete this project and then return everything to a normal condition. I had sent the city a note on December 19 so that you could be advised this repair was underway.

Fourth, the parking lot and accessway are due for general maintenance and I had originally planned to get those done in November however the paving contractor pushed the schedule back due to weather. Shortly thereafter I became aware of the fuel line problem and have held up the maintenance work until after the fuel line repairs are done. I will be working with the paving contractor to schedule the slurry seal and re-stripping of the area as soon as the repairs are done and the weather is cooperative.

Fifth, I also wanted to express my concern for public safety in this area. I frequently have members of the public walking around the closed areas, through the loading areas, under the hoist and other areas that cause me grave concern for their safety. I know these folks are fascinated at boats, fish unloading and general goings-on but frankly common sense gets lost and they just don't seem to be aware of the dangers from the fork lifts with heavy pallets, swing hoist and fish unloading equipment. I understand the importance of creating and maintaining this public accessway along the waterfront but by the same token I am just asking for the City and public to understand that the accessway is closed to protect them and not to prevent them from this access. I do not mind if folks want to stand by and watch or for photographs as we work as long as they stay a safe distance and ask us for closer opportunities when it is OK.

The City has expressed many times over the years that they want to maintain Morro Bay as a "working waterfront" and I certainly agree. I believe that we need to work together to preserve this and find the delicate balance between the commercial fishing, fuel dock operations and the general public's access to the coastline. I believe that allowing us to close the accessway temporally is essential to public safety and to the commercial fishing industry to have dockside access so that the two can try and coexist.

Last, I understand that the Planning Commission commented on the southern side coastal access point and the line area for my food take out window. The original permit for the docks, public seating area and parking lot included the requirement for coastal access signs and a way to delineate the food service line and path to the seating area and accessway. I installed the signs and bollards as per the comments and permit requirements from the City and Coastal Commission. These signs and bollards have remained in place and I have attached photos taken after our meeting so you can see what is there. The placement of the bollards was done

as is to prevent folks from blocking the ADA and other parking spaces as they wait in line or stroll down the accessway.

In order to bring resolution to all of these issues and allow us to move forward, I would like to offer the following:

- Please accept my apology for the misunderstanding of the time.
- The gate will be opened at 7:30 a.m. and I will have my staff come in early to do this.
- I will keep a log of the gate closures, other than normal hours, and provide to the City if necessary.
- Please understand that this a working waterfront so there will be equipment, totes and other related items stored on the dock and vicinity.
- There are numerous times that there are on-going commercial fishing activities and note that there will be times that the crew needs to set up in advance of boats coming in to unload so totes and other equipment may be there in advance of a boat at the dock.
- Recognize there are safety concerns with the public wandering around outside the accessway and this has caused issues.
- I can replace the sign mounted on the food service line and include the text “coastal access” to make it clearer.
- I can relocate the “coastal access” sign on the windscreen from the lower edge to the upper edge to make it more visible.
- I can plan to come back to the PC with a report in six months to show that I am in compliance.

In conclusion I just would like to say that I am not trying to offend the city in anyway but I am trying to strike a balance with the needs of the business and community. I have tried to be a good community member and provide benefits to all. I also have folks that use my parking lot, designated for my businesses, but I never asked them to leave nor have I ever had a car towed away. I believe that we are working diligently to protect many important aspects of this waterfront and intend to keep it that way.

Thank you for your understanding of this situation. Please don't hesitate to contact me if you need further details on any of the items I have mentioned in this letter. I will look forward to the upcoming Planning Commission meeting so I can ask any questions they may have as well.

Sincerely,



Giovanni DeGarimore

Attachments: site photos

PROJECT INFO.

AREAS:
 EXISTING DOCKS 2,022 SQ. FT.
 PUBLIC VIEW DECK 1,181 SQ. FT.
 EXIST'G LAT. ACCESS AND PATIO AREA: 3,045 SQ. FT.

LEGEND	
#	SIGN NUMBER CALL-OUT, REFER TO SHEET A1.2
■	SHADING AREAS INDICATE PUBLIC AREAS

PUBLIC ACCESS NOTES:

ALL PUBLIC ACCESS AREAS AND AMENITIES SHALL BE AVAILABLE TO THE GENERAL PUBLIC FREE OF CHARGE DURING DAYLIGHT HOURS. THE BEACH STREET PUBLIC ACCESS GATE ENTRANCE SHALL BE OPEN FROM 7:30am TO DUSK, BUT MAY BE CLOSED DURING ACTIVE FISH UNLOADING ACTIVITIES THAT RENDER PUBLIC LATERAL ACCESS DANGEROUS, CONSISTENT WITH COASTAL DEVELOPMENT PERMIT 3-11-031. LATERAL ACCESS ON THE NORTHERN HALF OF THE SITE SHALL BE A MINIMUM OF FIVE FEET WIDE AND SHALL BE LOCATED AS CLOSE TO THE BAY FRONT AS POSSIBLE, WHILE MAINTAINING CONTINUITY AND FLOW.

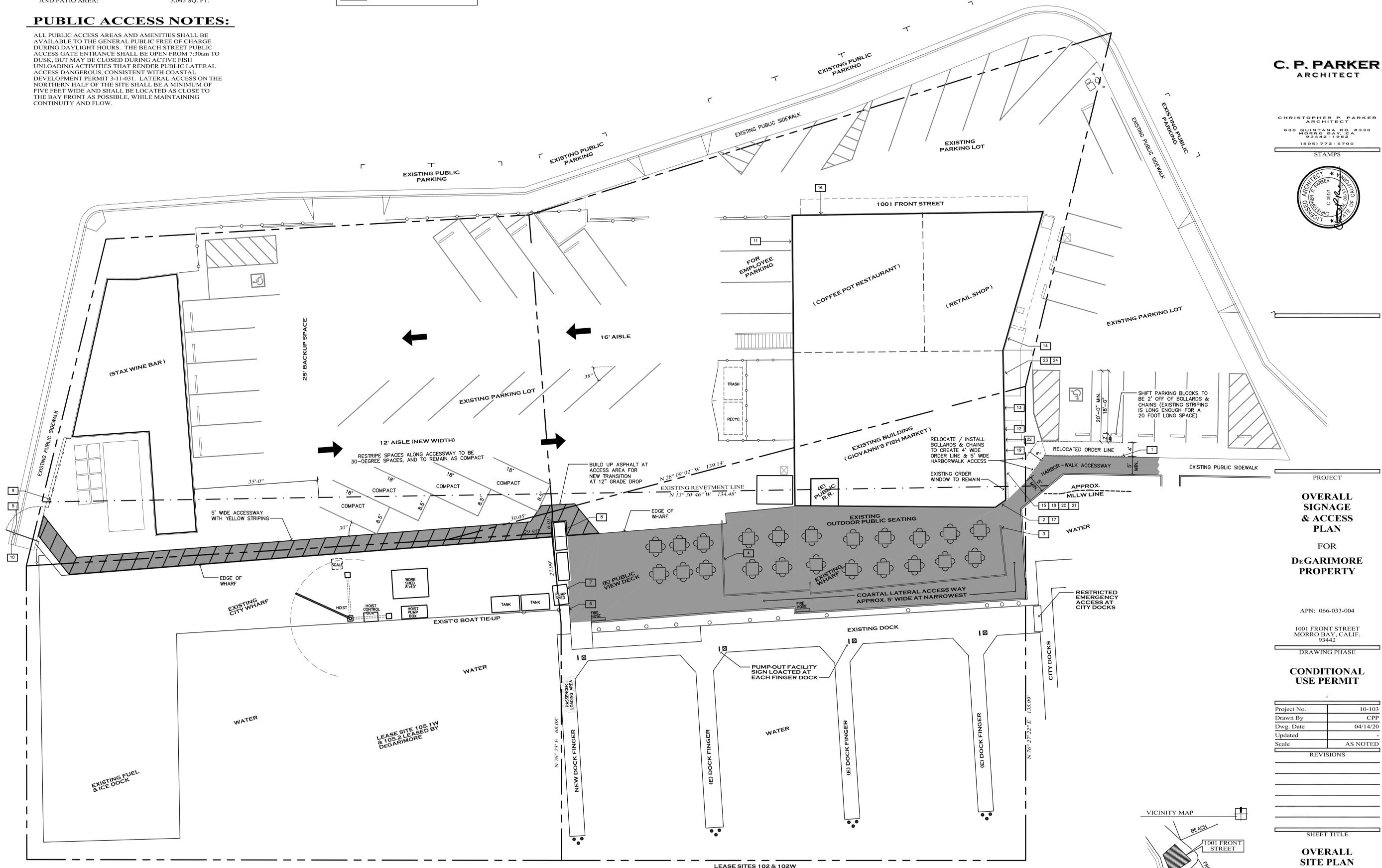
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C. P. PARKER ARCHITECT

CHRISTOPHER P. PARKER ARCHITECT
 630 QUINTANA RD. #330
 MORRO BAY, CA 93442-1962
 (805) 772-5700

STAMPS



PROJECT
OVERALL SIGNAGE & ACCESS PLAN
 FOR
DEGARIMORE PROPERTY

APN: 066-033-004
 1001 FRONT STREET
 MORRO BAY, CALIF. 93442

DRAWING PHASE
CONDITIONAL USE PERMIT

Project No.	10-103
Drawn By	CPP
Dwg. Date	04/14/20
Updated	-
Scale	AS NOTED

REVISIONS

SHEET TITLE
OVERALL SITE PLAN
 SHEET NO.
A1.1

OVERALL SITE PLAN

SCALE: 1" = 10'

SIGNAGE CALCULATIONS

Sign	Existing Sq. Ft.	Existing - Approx. 1985 Sq. Ft. Existing -
COFFEE POT NORTH	20	Approx. 48
COFFEE POT EAST	20	Approx. 48
BEER MENU	4	
KIDS MENU	6	
POKE BOWL	6	
BBQ OYSTER	6	
FISH ON A STICK	4	
COD FATHER #1 (south)	4	
COD FATHER #2 (west)	4	
SMOKED FISH	5	5
LIVE CRAB	5	5
MAIN GIOVANNI'S SIGN	56	56
COLD BEER	5	5
LOCAL WINE	5	5
SOFT DRINKS	5	5
FISHERMANS WHARF (pole sign)		Approx. 36
Total	155	213
Allowable Sq. ft. - 80 In Ft. times 1.5	120	
Menu sign allowable Sq. Ft.	3	
GIOS MENU	36	

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STAMPS



PROJECT

OVERALL SIGNAGE & ACCESS PLAN

FOR

DE GARIMORE PROPERTY

APN: 066-033-004

1001 FRONT STREET
 MORRO BAY, CALIF. 93442

DRAWING PHASE

CONDITIONAL USE PERMIT

Project No.	10-103
Drawn By	CPP
Dwg. Date	04/14/20
Updated	-
Scale	AS NOTED

REVISIONS	

SHEET TITLE

SIGNAGE INFORMATION

SHEET NO.

A1.2



1 8 1/2"x11" BOLLARD SIGN WITH UPDATED GRAPHICS TO READ "COASTAL ACCESS" AND "ORDER LINE"



2 9"x12" EXISTING SIGN TO BE RELOCATED TO THE BUILDING, ADJACENT TO THE ORDER WINDOW



3 18"x24" EXISTING SIGN TO BE RELOCATED TO THE WINDSCREEN ACROSS FROM THE ORDER WINDOW



4 9"x12" EXISTING SIGN TO REMAIN ON THE INTERIOR SIDE OF WINDSCREEN IN PATIO DINING AREA



5 18"x24" NEW SIGN TO BE MOUNTED TO THE INSIDE OF THE NORTH GATE (VISIBLE WHEN GATE IS IN OPEN POSITION)



6 9"x12" EXISTING SIGN TO REMAIN ON RAILING AT GANGWAY ENTRY TO THE DOCKS



7 18"x24" EXISTING SIGN TO BE RELOCATED FROM NORTH SIDE OF WINDSCREEN TO THE SOUTH SIDE OF PUMP SHED



8 12"x24" EXISTING SIGN TO REMAIN ON TANKS LOCATED ADJACENT TO THE HARBORWALK ACCESS IN PARKING LOT



9 12"x24" EXISTING SIGN TO BE RELOCATED TO NORTH FENCE, EAST OF GATE (CHANGE ARROW DIRECTION AS NEEDED)



10 12"x18" EXISTING SIGN TO REMAIN ON OUTSIDE OF NORTH GATE (VISIBLE WHEN GATE IS IN CLOSED POSITION)



11 20 SF - COFFEE POT SIGNAGE AT NORTH SIDE OF BUILDING



12 4 SF - COD FATHER #1 SIGN AT SOUTH SIDE OF BUILDING



13 56 SF - MAIN GIOVANNI'S SIGN AT SOUTH SIDE OF BUILDING



14 5 SF - COLD BEER SIGN
 5 SF - LOCAL WINE SIGN
 5 SF - SOFT DRINKS SIGN AT SOUTH SIDE OF BUILDING



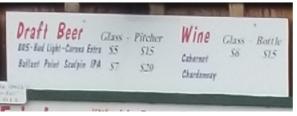
15 6 SF - POKE BOWLS SIGN AT SOUTH SIDE OF BUILDING



16 20 SF - COFFEE POT SIGNAGE AT EAST SIDE OF BUILDING



17 4 SF - COD FATHER #2 SIGN AT SOUTHWEST SIDE OF BUILDING



18 4 SF - BEER MENU SIGN AT SOUTH SIDE OF BUILDING



19 6 SF - BBQ OYSTERS SIGN AT SOUTH SIDE OF BUILDING



20 6 SF - KIDS MENU SIGN AT SOUTH SIDE OF BUILDING



21 36 SF - MAIN MENU SIGN AT SOUTH SIDE OF BUILDING



22 4 SF - FISH ON A STICK SIGN AT SOUTH SIDE OF BUILDING



23 5 SF - LIVE CRAB SIGN AT SOUTH SIDE OF BUILDING



24 5 SF - SMOKED FISH SIGN AT SOUTH SIDE OF BUILDING

Revised Signs & Awning Signs locations and calculations
1001 Front Street - April 28, 2020



Virg's sign at the top of the gangway. 8' x 22"



Virg's sign at the top of the gangway. 18" x 24"



Awning on north side of the building is 11' with 6" letters



Front Street building frontage



Address on awnings at each end of the building. 4' with 6" letters



"Shirt Shop" on awning 4 locations) 5' with 6" letters



Front Street frontage. 6' with 6" letters



Front Street frontage. 9' with 6" letters

Sign	Existing - Sq. Ft.	Existing - Approx. 1985 Sq. Ft.
COFFE POT NORTH	20	Approx. 60
COFFEE POT EAST	20	Approx. 60
BEER MENU	4	
KIDS MENU	6	
POKE BOWL	6	
BBQ OYSTER	6	
FISH ON A STICK	4	
COD FATHER #1 (south)	4	
COD FATHER #2 (west)	4	
SMOKED FISH	5	5
LIVE CRAB	5	5
MAIN GIOVANNIS SIGN	56	56
COLD BEER	5	5
LOCAL WINE	5	5
SOFT DRINKS	5	5
FISHERMANS WHARF (pole sign)		Approx. 36
AWNINGS - BUSINESS NAMES		
Breakfast - Lunch (north)	5.5	
Breakfast - Lunch (front)	4.5	
The Coffee Pot	3	
Shirt Shop	12	
AWNINGS - ADDRESS	4	
VIRG'S BOARDING	14	
VIRG'S LIMITED CARRY ON ITEMS	1.5	
Total	199.5	237
Allowable Sq. ft. - 80 ln Ft. times 1.5	120	
Menu sign allowable Sq. Ft.	3	
GIOS MENU	36	

Coastal Access Signs	Size
Coastal Access - Harborwalk parking lot south side of fish market	18" x 24"
Take out/Coastal Access (So. Parking lot on bollard)	8 ½" x 11"
Coastal Access - No Purchase relocate to patio windscreen	18" x 24"
Coastal Access on patio windscreen relocated to building	9" x 12"
Coastal Access No Purchase Necessary - interior patio area	9" x 12"
Coastal Access - No Purchase north side windscreen relocate to pump shed building	18" x 24"
Coastal Access - Floating Docks	9" x 12"
Coastal Access - Harborwalk To be on north gate	18" x 24"
Coastal Access with arrow To be on north fence east of gate	12" x 24"
Coastal Access - Temp Closed Existing to remain on outside of north gate	12" x 18"



City of Morro Bay Planning Commission

1001 FRONT ST

#UP0-284

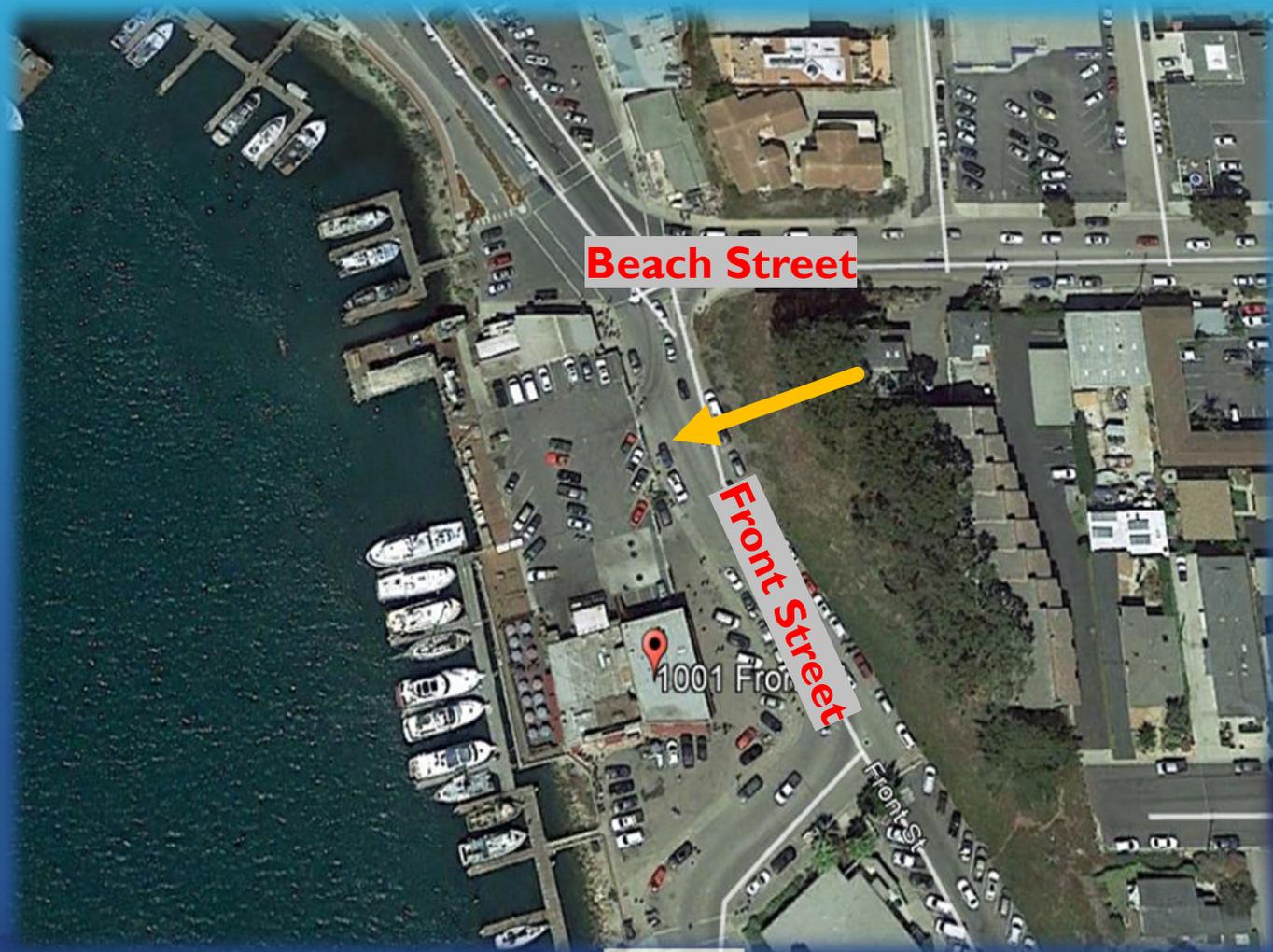
CUP MINOR MODIFICATION
(MIN 20-003)

PUBLIC ACCESS
IMPROVEMENTS & MASTER SIGN
PROGRAM

APPLICANT: GIOVANNI
DEGARIMORE

AGENT: CATHY NOVAK CONSULTING

MAY 5, 2020



MORRO BAY
PUT LIFE ON COAST

Zoning: WF/ PD / S.4

Exhibit D



MORRO BAY
PUT LIFE ON COAST

INTRODUCTION

- ▶ Conditional Use Permit #UP0-284 was reviewed by Planning Commission as a discussion item on February 18, 2020.
- ▶ PC requested the item be agendaized to discuss concern regarding public access and whether the project was in compliance with its 2012 CUP.
- ▶ Discussion topics included the bayside lateral access pathway (Harborwalk) along the north parking lot, at the Beach St. gate, and along the south parking lot near the Fish Market walk up order window.



Aerial image of uses

Exhibit D



MORRO BAY
PUT LIFE ON COAST

I. Bayside lateral access / public access

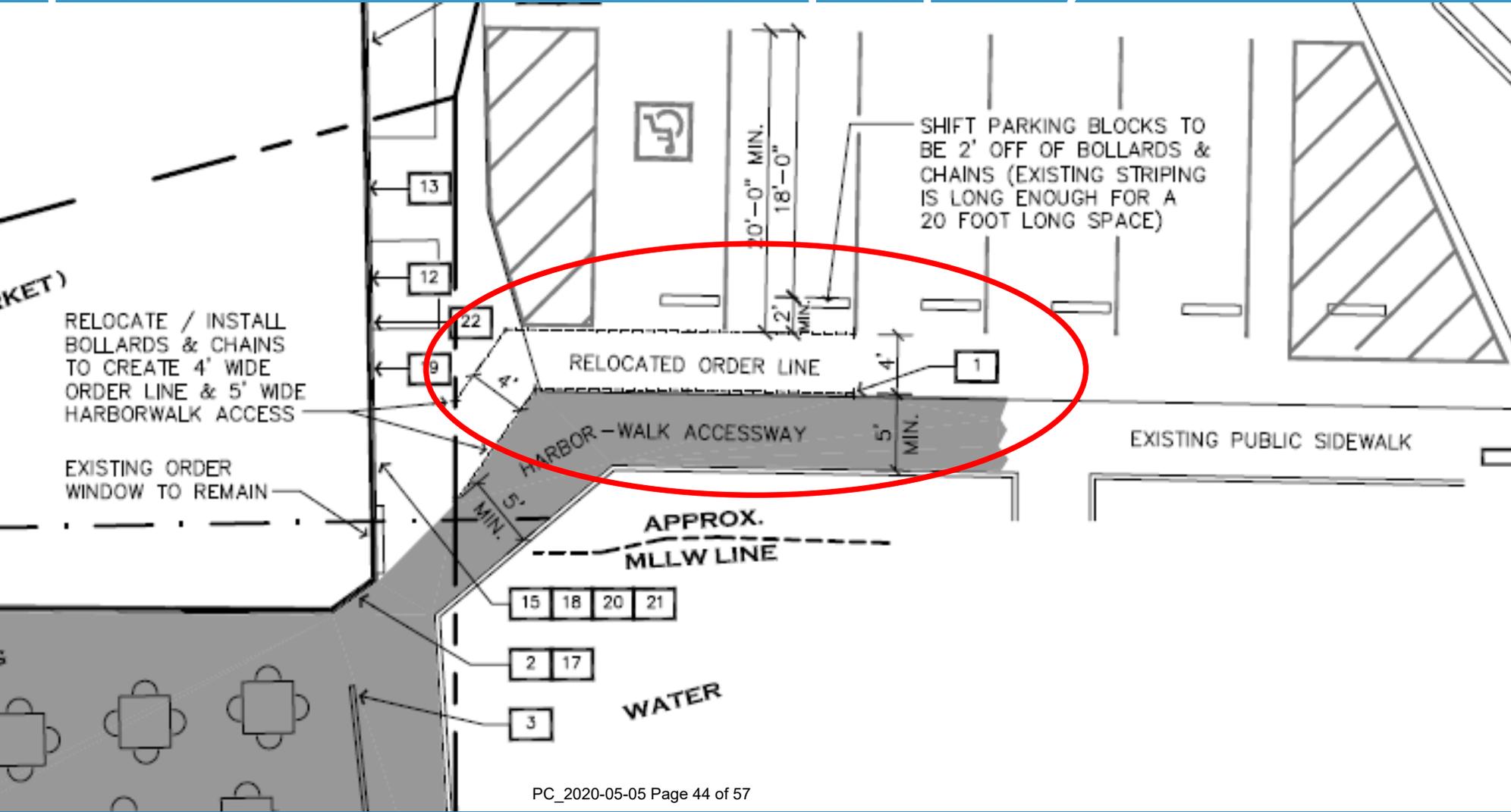
- ▶ To address concerns from PC regarding walk up window and coastal access walkway, Applicant proposes to shift parking stalls to the east including the wheel stops in order to separate the food service line from the coastal access walkway. This includes placing bollards for clear delineation and to extend the customer line to accommodate busy periods. No parking spaces to be lost.



MORRO BAY
PUT LIFE ON COAST

Bayside lateral access

Walk-up window area / South property





New Coastal Access Sign

Proposal to shift order line east, extend bollards, and add coastal access sign



2. Coastal Access Signage

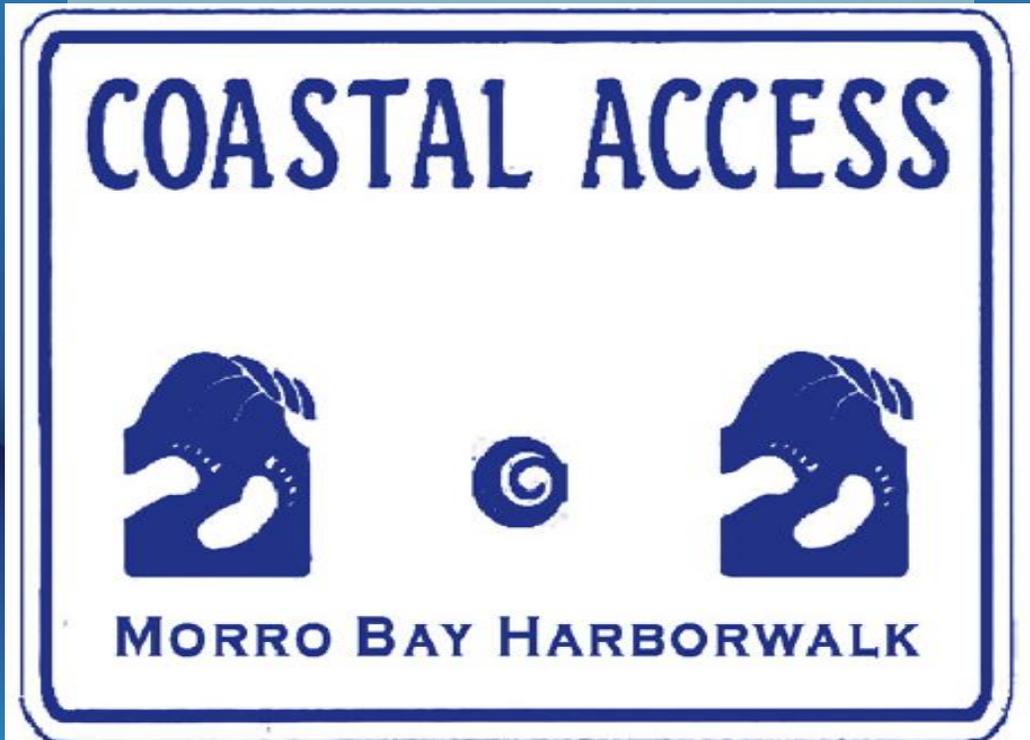
- ▶ To ensure coastal access signs are sufficiently visible, Applicant proposes adjusted signage locations and add 2 new coastal access signs.
 1. Order Line— sign language modified to emphasize coastal access
 2. New sign at the railing along bayside between public gangway and Fish Market building.
 3. Coastal access sign on SW corner of Fish Market building to be relocated to patio windscreen.
 4. Coastal access sign on north side of wharf/public view deck relocated to pump shed for better visibility.



MORRO BAY
PUT LIFE ON COAST

Coastal Access Signs

New Railing Sign



Fish Market walkup sign



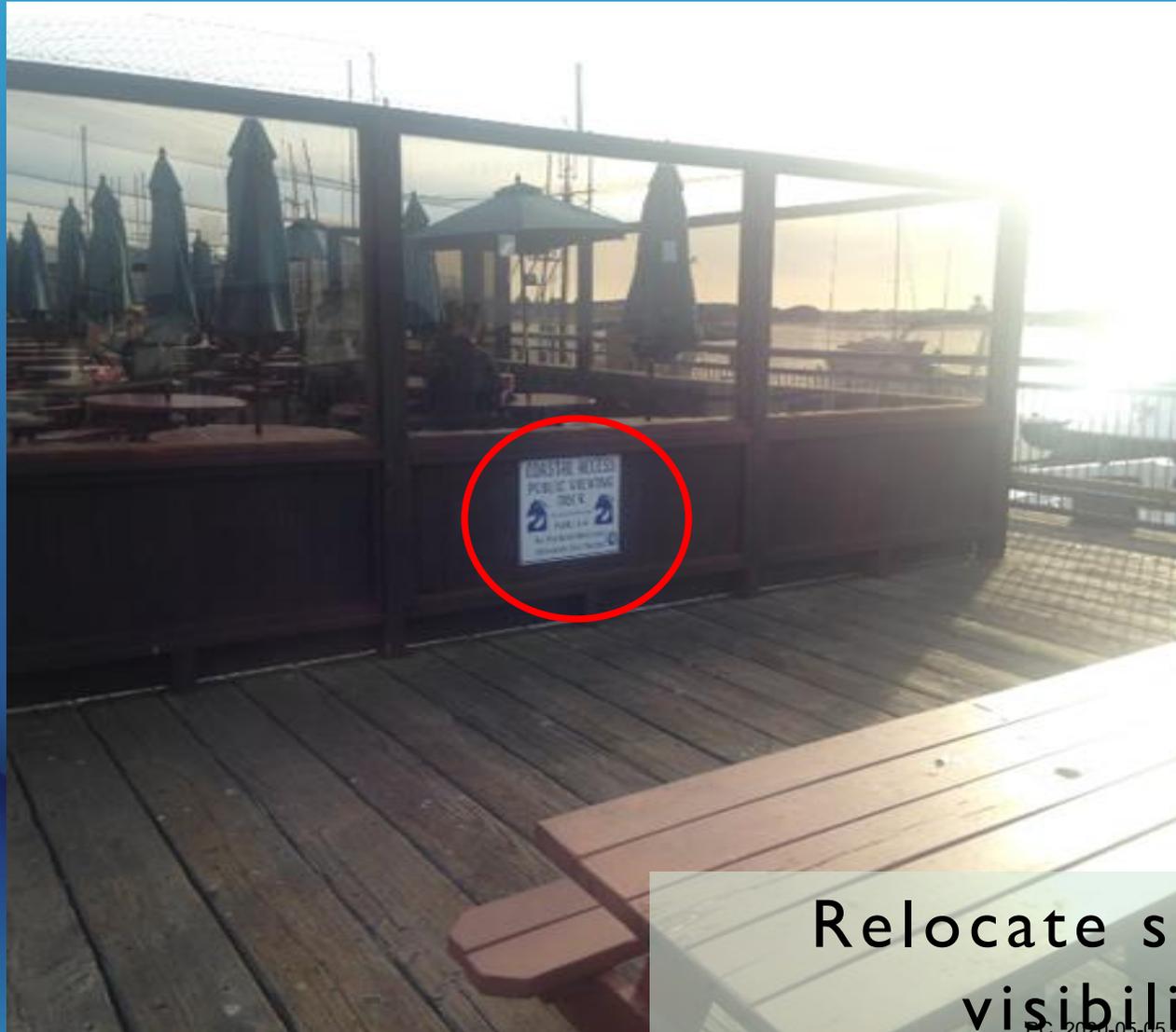
MORRO BAY
PUT LIFE ON COAST

Coastal access signs



Relocate signs for visibility

Coastal access signs



Relocate sign for
visibility



MORRO BAY
PUT LIFE ON COAST

Coastal Access Signage – cont.

5. Beach St Gate coastal access sign relocated to opposite fence with directional arrow—for better visibility of coastal access
6. New 18” x 24” coastal access sign on Beach St. gate, visible when gate is open.
7. Existing sign indicating temporary Harborwalk closure to remain for period of commercial unloading per CDP approval & conditions.



MORRO BAY
PUT LIFE ON COAST



Temporary gate closure sign proposed to remain

New Harborwalk coastal access sign proposed for gate visibility



3. Parking:

- ▶ Revised site plan proposes the 4 existing parking spaces in the north lot to be restriped to a 30 degree layout with wheel stops shifted to the east slightly to avoid vehicle encroachment into walkway. No parking spaces are to be removed.
- ▶ Addition of asphalt to grade transition area between parking lot and wharf/public view deck to improve accessibility.



MORRO BAY
PUT LIFE ON COAST

Existing
Parking lot
with public
access
walkway



4. Beach Street Gate:

- ▶ Applicant proposes to retain gate at Beach Street entrance for security and liability reasons of the commercial fishing business. Applicant is requesting 6 month PC review with log of gate closures. Planning condition 2 would require a record of gate closures.

- ▶ 2012 CUP did not include specific conditions regarding gate. The 2018 CUP amendment have time requirements to open the gate by 730am.



5. Signage:

- ▶ As discussed at February PC meeting, Applicant has included a request for approval of a master sign program which would encompass all business signage on site. This includes Giovanni's Fish Market, The Shirt Shop, The Coffee Pot Restaurant, and Virg's Sportfishing.
- ▶ Plans submitted include pictures of existing signs. No new business signs are proposed. Total signage including menu boards is 236sf where 120sf is allowed.
- ▶ Sign ordinance allows for signage allowances to be exceeded with approval of a CUP by Planning Commission.



MORRO BAY
PUT LIFE ON COAST

Signage:



Virg's sign at the top of the gangway. 8' x 22"



Virg's sign at the top of the gangway. 18" x 24"



20' 0" - COFFEE POT SIGNAGE AT NORTH SIDE OF BUILDING



20' 0" - COFFEE POT SIGNAGE AT EAST SIDE OF BUILDING



4' 0" - COD FATHER FISH SIGN AT SOUTH SIDE OF BUILDING



4' 0" - COD FATHER FISH SIGN AT SOUTH SIDE OF BUILDING



20' 0" - MENU MENU SIGN AT SOUTH SIDE OF BUILDING



Awning on north side of the building is 11' with 6" letters



Front Street building frontage



Address on awnings at each end of the building. 4' with 6" letters



"Shirt Shop" on awning (4 locations) 5' with 6" letters



Front Street frontage. 6' with 6" letters



Front Street frontage. 9' with 6" letters

Planning condition #1 recommended for maintenance of "Cod father" signs



20' 0" - MAIN GIOVANNI'S SIGN AT SOUTH SIDE OF BUILDING



4' 0" - DRINK MENU SIGN AT SOUTH SIDE OF BUILDING



3' 0" - COLD BEER SIGN
3' 0" - LOCAL WINE SIGN
3' 0" - SOFT DRINK SIGN AT SOUTH SIDE OF BUILDING



8' 0" - BBQ OYSTERS SIGN AT SOUTH SIDE OF BUILDING



4' 0" - FISH ON A STICK SIGN AT SOUTH SIDE OF BUILDING



8' 0" - LIVE CRAB SIGN AT SOUTH SIDE OF BUILDING



8' 0" - SIO POKE SIGN AT SOUTH SIDE OF BUILDING



8' 0" - KIDS MENU SIGN AT SOUTH SIDE OF BUILDING



8' 0" - SMOKED FISH SIGN AT SOUTH SIDE OF BUILDING

Staff Recommendation:

Staff recommends conditional approval of the project by adopting Planning Commission Resolution 10-20 which includes the Finding and Conditions of Approval for the CUP amendment (MIN 20-003) to CUP Precise Plan #UP0-284.

