



CITY OF MORRO BAY PLANNING COMMISSION AGENDA

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

**Regular Meeting -Tuesday, December 1, 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 COMMENT

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=aWZpTzcxTHlRTk9xaTlmWVNWRWFUQT09>
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.

A-2 Approval of minutes from the Planning Commission meeting of September 1, 2020.
Staff Recommendation: Approve minutes as submitted.

B. PUBLIC HEARINGS

B-1 **Case No.:** CDP20-015/CUP20-06/PKG20-04
Site Location: 603 Driftwood Street, Morro Bay, CA
Project Description: Conditional Use Permit, Coastal Development Permit, and Parking Exception approval for a two-story addition of 548 sf to the back of an existing 838 square foot non-conforming single-family home with a 464 square foot detached garage. A Conditional Use Permit and a Coastal Development Permit with a discretionary review and approval process is required because of the size of the addition and the non-conforming conditions of the existing home. A parking exception is required because the home has only a single car garage. The site is zoned R-2 and is not in the coastal appeals jurisdiction.
CEQA Determination: Categorically Exempt, Section 15301, Class 1e
Staff Recommendation: Conditionally Approve the project subject to Finding and Conditions
Staff Contact: Nancy Hubbard, Contract Planner, nhubbard@morrobayca.gov

B-2 **Case No.:** *Plan Morro Bay: General Plan/Local Coastal Program Update*
Site Location: Citywide
Applicant/Project Sponsor City of Morro Bay
Proposed Project: General Plan/ Local Coastal Program Update known as “Plan Morro Bay” hearing draft for review and adoption. The Public Draft was released for public review in 2018 and reviewed by the General Plan Advisory Committee (GPAC) and the Planning Commission (PC). The Plan Morro Bay Adoption Hearing Draft incorporates public comments, GPAC, PC, and Coastal Commission staff comments into a Hearing Draft now available for public review. Plan Morro Bay is an integrated General Plan and Local Coastal Program Land Use Plan which is proposed to update the City’s existing separate General Plan adopted in 1988 and Local Coastal Program certified by the Coastal Commission in 1984. This item is continued from the 10/20/20, 11/4/20, and 11/17/20 public hearings.
CEQA Determination: Environmental Impact Report
Staff Recommendation: Review hearing draft of Plan Morro Bay and provide recommendation to City Council for adoption.
Staff Contact: Scot Graham, Community Development Director (805) 772-6291

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 December 15, 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

Planning Commission Meeting of December 1, 2020

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 December 1, 2020

#	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	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. For more information or to get involved, visit www.morrobayca.gov/planmb . Public draft of combined General Plan/ LCP released May 2018 for review. Worked with Coastal staff on CCC input received during 2019. Adoption Draft to be reviewed by Planning Commission at 10/20/20 hearing. Admin Draft of EIR received and to be circulated. Continued to the 11/4/2020 & 11/17/20, & 12/1/20 PC meeting				
2	Hubbard	603 Driftwood Street	9/14/20	CDP20-015 / CUP20-06 / PKG20-04	Two story addition (540 sf) to existing home with 104 sf deck, remodel existing 840 sf home.	Under review. Planning Comment letter sent 10/14/20. Resubmittal received 10/22/20, under review. Deemed complete, PC hearing scheduled for December 1, 2020.				nh
3	Fowler	1215 Embarcadero	9/28/20	MIN20-009	Minor Modification to UP0-058 to repurpose existing floating bait receiver/ after the fact approval of floating kayak storage.	Under review. Incomplete letter sent 10/26/20. Resubmittal received and project complete. Project to be noticed for admin approval on 11/30/2020				cj
30 -Day Review, Incomplete or Additional Submittal Review Projects:										
4	Martin	355 Cerrito	11/19/20	CDP20-021	Admin CDP for removal of major vegetation. Proposal to remove 14 trees (9 on private property and 5 in public right of way)	Under review				cj
5	Phelps	490 Piney Way	11/18/20	CUP20-10/ CDP20-020	1124 sf addition to existing 736 sf home with 518 sf decks, conversion of garage to ADU	Under Review - PC approval of CUP, Admin approval of CDP for ADU.				nh
6	Van Beurden Investments	701 Embarcadero Road	11/17/20	MAJ20-004	Dutchman Harborwalk public access and improvements with wharf changes. Major Modification to CUP.	Under review				cj

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7	Ennis	655 Paula St	11/3/20	CDP20-019	Admin CDP for new 395 sf attached garage with 866 sf ADU. Concurrent with B20-0189.	Under review. Disapproved 11/23/2020. Awaiting resubmittal.				am
8	Keith	500 Atascadero Rd, #F1	10/26/20	CDP20-018	Admin CDP for tree removal (Italian stone pine) in a mobile home space.	Under review. Comment letter sent 11/9/2020, awaiting resubmittal. Resubmittal received 11/23/2020, under review.				am
9	Vazquez	590 Morro Ave	10/22/20	MAJ20-002	CDP/CUP Major Modification to propose equipment upgrade to an existing rooftop telecom wireless site.	Under review. Incomplete letter sent 11/19/20.				cj
10	Gaffney	960 Napa	10/14/20	CUP20-09/CDP20-017/PKG 20-03	A 984 sf addition to existing single family home with single car garage	Under review. Comment letter sent 11/1/20, need resubmittal.				nh
11	HASLO	405 Atascadero	10/8/20	LTM20-01	Lot Merger application	Under Review. Comment letter sent 10/29/20. Need resubmittal.				nh
12	Zinngrabe	Seashell Estates Subdivision / 1305 Theresa Dr. (301 Sea Shell Cove)	9/28/20	MIN20-008	Minor Modification to subdivision approvals to reduce lot size of Lots 7 & 8 to reduce impacts to sensitive plant species.	Under review. Applicant requested project to be put on hold.				cj
13	AT&T	800 Quintana	9/23/20	MAJ20-001	Major Modification to CDP/CUP Amendment proposed to modify existing rooftop wireless telecommunications site on commercial building. Request includes 3 foot height increase of corner antennas.	Under review. Incomplete letter sent 10/22/20. Resubmittal received 10/28/20 and under review				cj
14	Appel	400 Pico	8/24/20	CDP20-013	Admin CDP for garage conversion to a 408sf ADU	Submittal is under review. Deemed incomplete. Correction letter sent 9/14/2020, waiting for resubmittal				am
15	Hurless	2290 Greenwood Ave	5/7/20	CDP20-007	Legalize ADU from prior construction. Was a previous Code Enforcement issue. Plans difficult to understand.	Correction letter sent 5/18/20. Resubmittal received June 16, 2020 under review. Project deemed incomplete, comment letter sent July 16, 2020, waiting for resubmittal.				nh
16	Bean	197 Main Street (formerly known as 199 Sandpiper Court)	12/19/19	CUP19-20, CDP19-04, VAR20-001	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. Resubmittal received 10/26/20 adding a variance request, under review				nh
17	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	Correction letter sent 11/13/2019. Awaiting resubmittal.		PN-Conditionally Approved 10/16/2019		cj
18	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.				cj

Projects Appealed to Planning Commission or PC Continued projects:

#	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
19	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
Projects Appealed or Forwarded to City Council: None at this time										
Environmental Review:										
20	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:										
21	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. Applicant granted an extension of the timeline to finalize the final parcel map to August 8, 2021.		PN- Disapproved 11-6-2019		nh
Projects going forward to Coastal Commission for review (Pending LCP Amendments) / or State Department of Housing:										
22	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. Change recommended by PC after Council direction which led to Adoption of Ord. 585 by City Council on 5/13/14. 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 in effect 1-1-20 which supersedes previous adopted ordinances. To be incorporated into Plan Morro Bay.	No review performed.			wm

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Projects Continued Indefinitely, No Response to Date on Incomplete Letter or inactive:										
23	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		cg
Grants										
24	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. Round 6 funding of \$65,000 received Mar 2020.	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. Additional LCP grant funding received in 2020 under Round 6 for \$65,000 to complete LCP update.	No review performed.	N/A		sg
25	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. City Council approved Cooperation Agreement for 2021-2023 CDBG Program Years at 5/26/20 Council meeting.	No review performed.	N/R		cg
26	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.				cg
Projects in Building Plan Check:										
27	Richie	963-A Balboa St.	9/29/20	B20-0173	Convert existing attached garage (298 sf) into a junior ADU unit with access from the side of the property; add 82 sf rear of main residence to create laundry area/transition area between units.	Planning can't approve until CDP permit is final and issued. CDP issued 11/4/20 - waiting for building permit resubmittal.. Planning approval on 11/13/20	Bldg. - Approved 10/15/20			nh
28	Goldstein	186 Bayshore Dr.	11/4/20	B20-0190	Remodel kitchen, dining & living area.		Bldg. - Approved 11/09/20			sg

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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. Requested permit extension. Additional permit extension requested for Planning permit which expires 9/20/2020. PC to consider extension request on 10/6/20.	Ready to issue	PN - Approved 6/21/2018	Emailed comments on 10-20-17.	cj
30	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 interior remodel.	Under review. Planning disapproved 1/31/20. Waiting for resubmittal	Bldg - Disapproved 1/15/20			nh
31	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. CDP permit issued. Waiting for resubmittal	Bldg - Disapproved 2/7/20			nh
32	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 Rock Brewing Company.	Approved.	Bldg. - Ready to issue			sg
33	Wilkie	476-A	Hill	3/26/20	B20-0057	ATTACHED ADU - Convert existng attached garage to 344 sf Accessory Dwelling Unit.	Correction letter sent 4/30/20.	Bldg. - Approved 4/8/20			nh
34	Friesen	2390	Juniper Ave.	3/5/20	B20-0043	Build new observation deck over existing roof top. Applicant is modifying the scope of work to include a new room with an attached deck and a deck extension in the front over the driveway.	Applicate revising submittal to deck extension at front of existing home (as of 7/10/20). Awaiting resubmittal.	Bldg - Diapproved 3/12/20			nh
35	Friesen	2390	Juniper Ave.	11/5/20	B20-0192	240 sf addition (expansion of master suite), demo existing 144 sf 2nd story front deck and reconstruct new expanded 240 sf 2nd story front deck, also new 84 sf floor height deck off of new addition.		Bldg. - Approved 11/10/20			sg
36	Yaroslava	2670	Laurel Ave.	10/28/20	B20-0186	New multi-level SFR on existing vacant R-1/S2 lot. Residence designed as 3 bedroom, 3 bathroom, approx 2150 sf w/play room & enclosed attached 485 sf 2 car garage. Existing driveway, graded/paved pad & site retaining wall to be modified.	Approved 11/23/2020.	Bldg. - Plancheck			am
37	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

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38	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 Permit extended to 4/18/21	Disapproved by jb on 11-21-17.	1-2-18 - Emailed BLDG (code ck) comments to architect. PB	cj
39	Cleath	2790	Main St.	7/2/20	B20-0106	Remove 736 sf existing building and construct new 4996 sf 8 room hotel.	Planning approved 7/27/20.	Bldg - Disapproved 7/27/20			nh
40	Ladd	157-A	MindoroSt	11/10/20	B20-0194	Addendum to B19-0267 - Shift location of fireplace, modify location of sink/cabinet area, change bath door to pocket door, change shower kit, and modify electrical as needed for changes.		Bldg - Approve 11/10/20			nh
41	LifePoint Church	615	Monterey	1/6/20	B19-0279	Remodel/upgrade current building	Planning disapproved 1/27/20. Awaiting resubmittal.	Bldg - Diapproved 1/30/20			nh
42	Kolb	691	Morro Ave	7/30/20	B20-0121	1,150 S.F. T1 in an existing medical office building		Bldg - Disapproved 10/22/20			sg
43	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.	Dissapproved 3/6/19. Disapproved 4/9. Variance application approved. Awaiting building permit resubmittal.	Bldg - Approved 3/27/19			wu
44	Cohen	331	Orcas St	6/25/20	B20-0099	Demolish a 386 sf cottage and installation of a 990 sf manufactured home, a 336 sf (16' x 21') semi attached site built garage with rooftop deck, exterior landing and stairs to garage and exterior stairs to rooftop deck.	Planning approved 7/3/20	Bldg - Approved 9/29/20			nh
45	Enns	655-A	Paula St.	11/3/20	B20-0189	ATTACHED ADU - Demo existing attached garage & construct new 395 sf attached garage with 866 sf ADU.	Under review. Disapproved 11/23/2020. Awaiting resubmittal of CDP 20-019 before building plans can be approved.	Bldg. - Disapproved 11/05/20			am
46	Renent	325	Pico St.	11/4/20	B20-0191	Install sunroom 12'x20.5'	Disapproved 11/10/2020. Awaiting resubmittal.	Bldg. - Disapproved 11/09/20			am
47	Frank	448	Zanzibar	11/3/20	B20-0193	Replace rotted wood on existing back deck. Foundation, piers, headers, and metal sheer brackets will remain. Joists, fascia, and railing piers to be replaced with new pressure treated lumber of same dimensions. 6.5'x18'	Under review. Approved 11/16/2020.				am
48	Steel	450	Piney Way	7/27/20	B20-0117	521 sf deck extension and replacement of 2 sliding glass doors and 1 window.		Bldg - Approved 8/10/20			sg
49	Lee	684	Piney Way	9/10/20	B20-0168	Demo existing detached 416 sf work shed with bathroom & reconstruct new 416 sf garage/shop with electrical, keeping existing bathroom on existing slab/foundation.	Planning disapproved 9/15/20. Waiting for resubmittal.	Bldg - Disapproved 9/17/20			nh

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50	Scharin Family Trust Johan C. Scharin Trustee	710	Quintana	5/21/20	B20-0082	Remodel of former Dollar Tree into a new O'Reilly Auto Parts for the retail sale of automotive parts and accessories.		Bldg - Disapproved 11/2/20			wu
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 wiring.	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	Parker	580	Shasta Ave	8/31/20	B20-0159	Add new detached garage	Planning under review. Planning disapproved 9/8/20. Need resubmittal	Bldg. - Disapproved 9/14/20			nh
54	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
55	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

Planning Projects & Permits with Final Action:

56	Thai Bounty / Milanese	560 Embarcadero		11/6/20	UP0-044 and UP0-200	Review of Conditional Use Permits for Thai Bounty business operation as a result of noise complaints received	Noticed as a public hearing in order to conduct CUP review at 11-17-2020 PC meeting				
57	Nagy	2996 Alder		11/3/20	MAJ20-003	Major Modification to newly completed 3 unit apartment building to modify 4 conditions of the exterior design/finish materials/color and landscaping	Scheduled for Planning Commission November 17, 2020. Public notice period 11/6/20 to 11/17/20. PC approved with conditions, permit issued 11/21/20.				nh
58	HS Nutmeg LLC	2681 Nutmeg Ave		7/14/20	CDP20-009	New 2585 sf home with 500 sf JADU and 463 sf attached garage.	Comment provided 8/3/20. Resubmittal received 9/17/20. Comment letter sent 9/29/20. Resubmittal received 10/21/20. Deemed complete 10/26/20, public notice in process, Admin decision on 11/16/20. Project approved, permit issued 11/16/20				nh
59	Pavacich	501 Marina		8/3/20	CDP20-011	Existing 2 story home previously converted into two dwelling units without a permit. CDP is necessary to bring this project into conformance with General Plan and Land Use policies. Also requires after-the-fact building permit.	Submittal is under review. Comment letter sent 8/21/20. Resubmittal received 10/21/20, Planning review is complete, public works reviewing. Project deemed complete, noticing from 11/9/20 to 11/18/20, Admin Decision on or about 11/19/20. Project approved, permit issued 11/19/20.				nh

Staff Directory:

Scot Graham - sg Chad Ouimet - co Cindy Jacinth - cj Pam Newman - pn Nancy Hubbard - nh Abby Miramontes - am

AGENDA ITEM: A-2

DATE: DECEMBER 1, 2020

ACTION: DRAFT

ACTION MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – SEPTEMBER 1, 2020
HELD VIA TELECONFERENCE – 6:00 PM

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

ESTABLISH QUORUM AND CALL TO ORDER

PLANNING COMMISSIONER ANNOUNCEMENTS -NONE

PUBLIC COMMENT PERIOD - NONE

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=aWZpTzcwTHlRTk9xaTlmWVNWRFUQT09>
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 - NONE

A. CONSENT CALENDAR

<https://youtu.be/5fLbNoolrbE?t=81>

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

A-2 Approval of minutes from the Planning Commission meeting of July 07, 2020.
Staff Recommendation: Approve minutes as submitted.

MOTION: Commissioner Stewart moved to approve the Consent Calendar. Commissioner Lucas seconded, and the motion passes 5-0, with Stewart, Lucas, Barron, Ingraffia, and Luhr voting yes.

<https://youtu.be/5fLbNoolrbE?t=103>

B. PUBLIC HEARING

B-1 Case No.: Zoning Ordinance Text Amendment & Municipal Code Amendment

Site Location: Citywide

Project Description: An Ordinance of the City of Morro Bay amending the Local Coastal Program adding Chapter 17.41 (Short-Term Vacation Rentals) of Title 17 (Zoning) of the Morro Bay Municipal Code relating to the permitting and operation of short-term vacation rentals and repealing Chapter 5.47 (Short-Term Vacation Rental Permit) of Title 5 (Business Tax Certificates and Regulations).

CEQA Determination: The Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to sections: 15060(c)(2), 15060(c)(3) and 15061(b)(3)

Staff Recommendation: Planning Commission continue review the Ordinance, provide comment to staff and provide a recommendation for adoption to the City Council

Staff Contact: Scot Graham, Community Development Director (805) 772-6291 sgraham@morrobayca.gov

<https://youtu.be/5fLbNoolrbE?t=138>

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS – Vice-Chairperson Barron received an email regarding Short-Term Vacation Rentals (STVR).

Chairperson Luhr stated a citizen approached him about the STVR's and noted the citizen wanted to receive a follow-up on a complaint they filed.

The Commissioners presented their questions to staff.

Chairperson Luhr opened the Public Comment period.
<https://youtu.be/5fLbNoolrbE?t=932>

Ashley Thomas, Morro Bay, asked if there was an allowance for STVR's being rented only once a month.

Harry Weiss, stated he has a short-term vacation rental in Morro Bay, is an advocate for the grandfathering.

Dan Sedley, Morro Bay, stated there were no contact information for STVR's. He would like the cap to be one hundred twenty-five due to the size of Morro Bay, and would like to preserve the quality and character of the neighborhoods.

Betty Winholtz, Morro Bay, hoped the Commission was able to read her letter and comments by others. She noted that majority of people are under the impression the City is getting rid of the STVR's. Winholtz voiced her concerns regarding STR's in mixed use areas & how they would be affected.

Kristen Headland, Morro Bay, stated the three year waiting period was too long, and stated it should be no longer than two years. Headland emphasized the importance of enforcement and is concerned with one hundred seventy-five linear feet distance.

Robert Elzer, Morro Bay, spoke of the negative effects it will have if homeowners have their short-term vacation rental permits taken away. Elzer also spoke of how it would also affect the City's economy.

Dawn Feuerberg, Morro Bay, asked if home hosted Airbnb's were considered unlimited due to the hardships of Covid-19. She would like for them to be considered first for approval so owners could get back to hosting. She suggested the restrictions and regulations should be different for the home hosted Airbnb. Dawn also asked if they would be included in the one hundred seventy-five linear feet distance.

Charles Klose, owner of a short-term vacation rental on Beachcomber Drive, stated he has been renting his home for the past 10-15 years. Klose is unaware of any complaints and would not know where he could go to view complaints. Klose does not see the need for his home to be regulated by the proposed distance. He agrees with Elzer's comments.

Wally Auerbach, Morro Bay, stated he sent his comment to the Planning Commission before and has not heard the Commissioners speak of any of them. Auerbach would like to know about enforcement, and how it would be paid for. Auerbach has not heard anything from staff on developing a plan for the enforcement structure or the vacation rental regulation program. Auerbach also questioned if the money would be coming out of the one hundred fifty permit holders.

Maggie Juren, Beach-n-Bay Getaways, created a website for the public (sharemorrobay.com) which provides information on all licensed STVR's in Morro Bay. Juren is a strong advocate for the proposed ordinance in which homeowner's would have to post their contact information in an event there is an issue or emergency.

Mike Fackler, owner of a Morro Bay STVR, stated he has no knowledge any complaints from the neighbors, and uses a licensed management company to handle his property. Fackler suggests the enforcement be done on “out of compliance” properties first, instead of a blanket removal of an arbitrary number.

Ian Starkey, owner of Rock Star Properties (MB), stated he does long term property management as well as vacation rental management. Starkey also agrees with Elzer’s comments. Starkey suggests a public campaign to inform the neighborhood the difference between a property owner’s second home, compared to a licensed vacation rental. Starkey noted the numerous illegal rentals which provides no increase revenue for code enforcement.

Michelle Leicester-Cadaret, Morro Bay, spoke of illegal vacation rentals & how the owner’s claim it’s their family and friends visiting. Cadaret stated the issues with smoking around the property and parking. Cadaret also noted people leave their pets alone in or outside of the property which sometimes creates noise disruption. She would also like to see outdoor wood burning fire pits banned due to the close proximity of the homes in Morro Bay.

Jack Randall, Morro Bay, stated he would rather see changes made in increments and based on data. Randall stated there should be a process when reporting complaints or enforcing rules. Randall noted active permits should work toward the City goals and is in favor of grandfathering existing permits.

Linda Reiger, Morro Bay, reiterated Elzer’s concerns regarding the cost it would place on people & the City. Reiger feels the City should be addressing illegal units before implementing changes.

Dee Dee, STVR owner, also agrees with Elzer’s concerns. Dee Dee believes they should be grandfathered in. Dee Dee stated she purchased her home with the understanding she could rent it out.

Chairperson Luhr closed the Public Comment period.

<https://youtu.be/5fLbNoolrbE?t=2685>

<https://youtu.be/5fLbNoolrbE?t=3347>

Graham answered concerns.

Commissioners discuss and review the Zoning Ordinance Text Amendment & Municipal Code Amendment.

MOTION: Vice-Chairperson Barron moved a favorable recommendation to the City Council, including the following revisions: prohibition of STR’s in residential zones, applying the 1 in every 8 density limitation for STR’s in mixed use and commercial zones, allowing guest houses to be used as hosted STR’s, changing STR cap to 175 in residential zones, one hundred and seventy five linear feet to the 3-lot separation requirement for STR’s (whichever is greater), prohibiting wood burning fire pits, setting maximum occupancy at 10 person over age three and requiring STR signage clearly visible and legible from the street for the STR ordinance of the City of Morro Bay amending the Local Coastal Program adding Chapter 17.41 (Short-Term Vacation Rentals) of Title 17 (Zoning) of the Morro Bay Municipal Code relating to the permitting and operation of short-term vacation rentals and

repealing Chapter 5.47 (Short-Term Vacation Rental Permit) of Title 5 (Business Tax Certificates and Regulations). Commissioner Stewart seconded, and the motion passes 4-1, with Stewart, Ingraffia, Barron & Luhr voting yes, and Lucas voting no.
<https://youtu.be/5fLbNoolrbE?t=11614>

- C. NEW BUSINESS - NONE
- D. UNFINISHED BUSINESS - NONE
- E. PLANNING COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS - NONE
- F. COMMUNITY DEVELOPMENT DIRECTOR COMMENTS - NONE
- G. ADJOURNMENT
The meeting adjourned at 9:18 p.m. to the next scheduled Planning Commission meeting via teleconference, on September 15, 2020 at 6:00 p.m.

Gerald Luhr, Chairperson

ATTEST:

Scot Graham, Secretary



AGENDA NO: B-1

MEETING DATE: December 1, 2020

Staff Report

TO: Planning Commissioners **DATE:** November 24, 2020

FROM: Nancy Hubbard, Contract Planner

SUBJECT: **Addition to Existing Residential.** Conditional Use Permit No. CUP20-06, Coastal Development Permit No. CDP20-015 and Parking Exception No. PKG20-04 for of a 2-story addition to an existing non-conforming single-family home with a detached non-conforming garage.

RECOMMENDATION:

CONDITIONALLY APPROVE THE PROJECT by adopting Planning Commission Resolution 20-20 making the necessary findings for approval of CDP20-015, CUP20-06 and PKG 20-04

APPLICANT: Jon and Bridget Hubbard

AGENT: Jonathan McAlpin, Omni Design Group

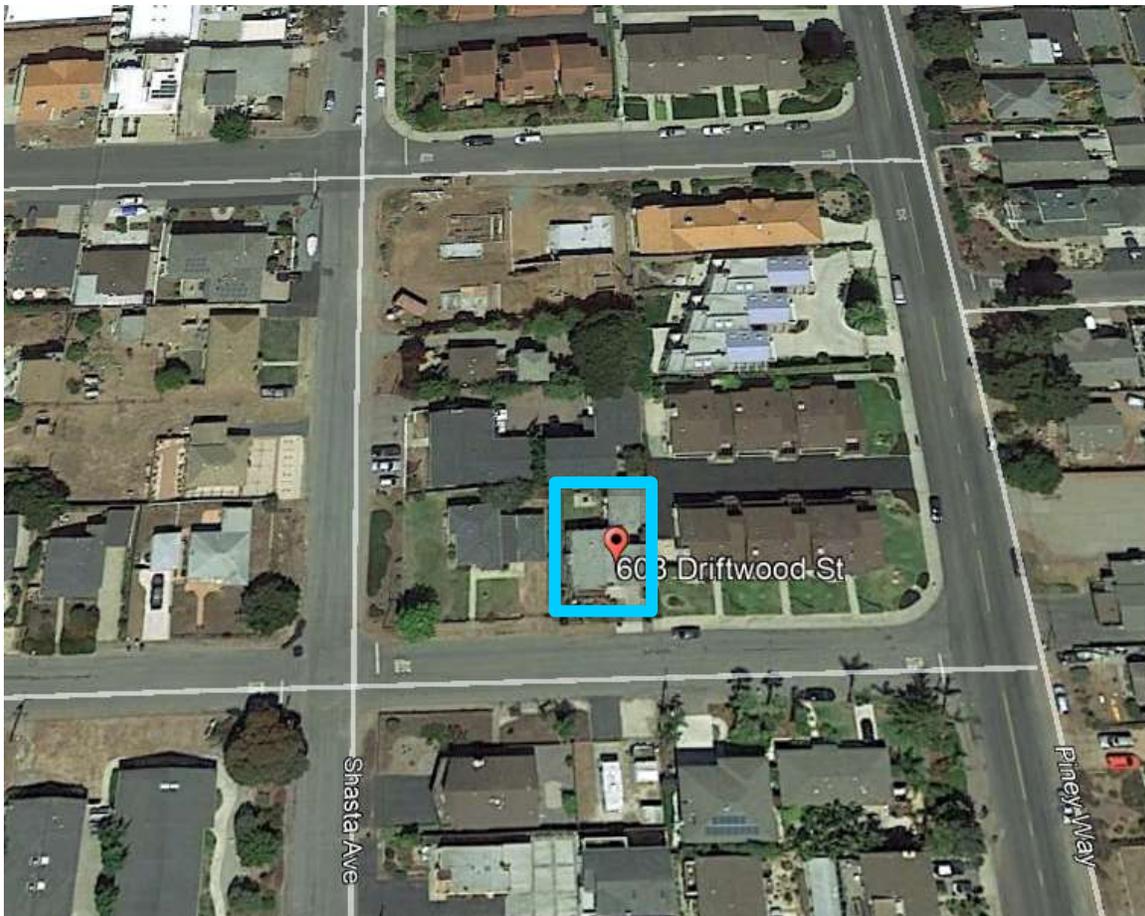
ADDRESS/APN: 603 DRIFTWOOD ST/APN 066-145-010

PROPOSED PROJECT: Proposed two-story addition of 548 sf to an existing non-conforming 838 sf single-family home with an existing 464 sf detached garage (non-conforming garage and non-conforming front setback). The site is 3300 sf and is zoned R-2 and is not in the coastal appeals jurisdiction.

APPROVAL PROCESS REQUIREMENTS: The existing home, circa 1955 is non-conforming as to the front yard setback and the size of the garage which does not meet the width requirement for a 2-car garage. The size of the proposed addition (over 65% of existing home square footage) and the existing non-conforming conditions require approval of a Conditional Use Permit, a Coastal Development Permit and a Parking Exception through a discretionary review and approval process.

ZONING: The site is zoned R-2 (Duplex residential). This zone allows moderate density residential with a requirement of 2900 square feet of site area per dwelling unit. The subject parcel is not large enough to allow a second dwelling unit. The site is located on Driftwood Street between Piney Way and Shasta Ave.

Adjacent Zoning			
North	R-2	East	R-2
South	R-2	West	R-2



GENERAL PLAN/COASTAL LAND USE PLAN: Area 7– Central Morro Bay Planning Area allows a mix of commercial and residential uses. Land Use issues in this planning area are the rehabilitation of existing housing and visual and community character. Area is primarily developed, with some opportunity for commercial expansion and residential increase in density.

Site Characteristics	
Site Area	3300 square feet
Existing Use	1955 single family home with detached garage
Terrain	Level – slight slope towards the street
Vegetation/Wildlife	residential landscaping
Archaeological Resources	N/A
Access	Existing access to Driftwood Street

General Plan, Zoning Ordinance, & Local Coastal Plan Designations	
General Plan/Coastal Plan Land Use Designation	Area 7 – Central Morro Bay
Base Zone District	R-2
Zoning Overlay District	n/a
Special Treatment Area	n/a
Combining District	n/a
Specific Plan Area	none
Coastal Zone	Not within the Coastal Commission Appeal Jurisdiction

Current View of Site from Driftwood Street



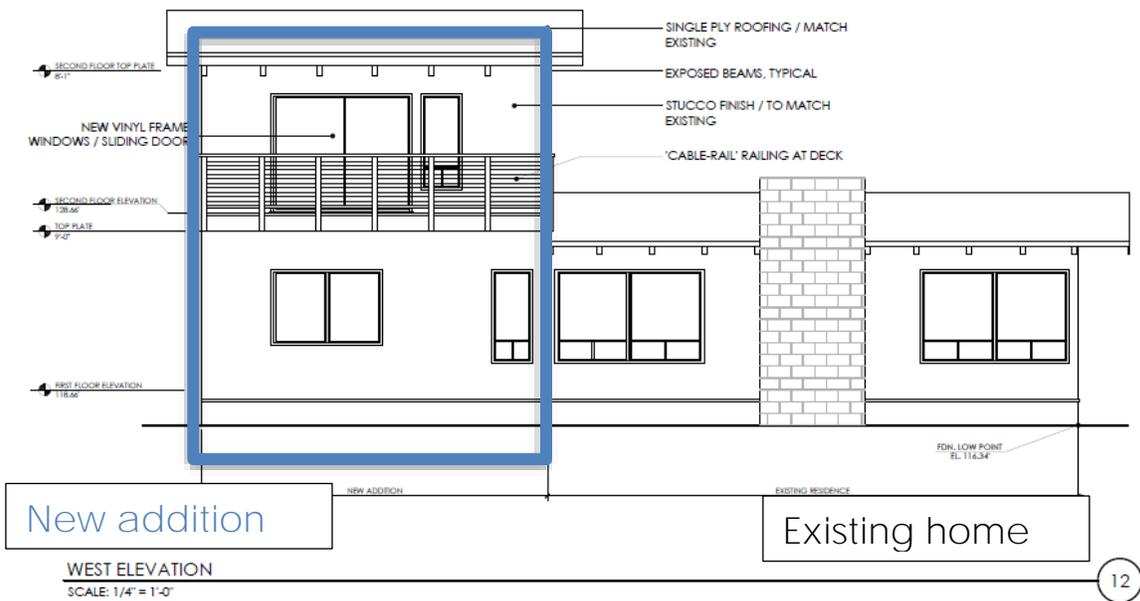
SITE HISTORY:

- The home was built in 1955 and included a detached garage behind the home.

- The existing home and garage buildings do not meet the criteria as a historic resource for the purpose of CEQA – See Exhibit C.
- The garage was designed as a large single car garage that had been crudely converted into a guest room with a bathroom.
- The home also has a carport that is non-conforming in that it includes support posts in the side yard setback and a screening wall that exceeds the maximum height for a side yard fence.

PROJECT DESCRIPTION AND NEIGHBORHOOD COMPATIBILITY:

The proposed project will remove the carport on the east side and the ramp at the front of the home. The existing detached garage will be converted back into a usable garage space (one car capacity) and the previously installed rest room facilities will be removed. The two-story addition to the existing home will provide a new 348 sf master bedroom suite on the lower level with a 200-sf office/ guest room on the second floor with a 104-sf deck on the west side. The project also includes a remodel of the existing interior spaces and a small addition to enclose the back porch along the driveway on the east. The exterior finishes will be gray stucco to match the existing home and the roofline and window specifications will complement the true mid-century modern features in the original home.



The project site is surrounded on the north and east by larger parcels that over time have been developed to accommodate duplex zoning density. The subject parcel is not large enough to accommodate a second dwelling unit and is not proposing an ADU or JADU at this time. There are existing single-family homes on the south side of Driftwood and west of the subject property with a variety of architectural styles. The project, as designed, fits into the eclectic neighborhood and the architectural style seamlessly blends with the existing home design.



	R-2 Standards	Proposed Project (e)SFH w/ Addition
Front Setback	20 feet	6 feet
Side yard Setback	5 feet	5.75 feet (west);16 feet(east)
Rear Setback	5 feet	10.5 feet
Height (from ANG)	25 Feet	23.6 feet
Lot Coverage	50%	50%
Parking	2 spaces covered/enclosed	1 garage space, 1 tandem in driveway

PARKING EXCEPTION:

Parking Exception

As per Section 17.44.020 of the Zoning Ordinance, single-family residential developments require two covered and enclosed parking spaces. The existing residence has an existing garage that has space for one vehicle, however the property has a long driveway that will easily accommodate an additional vehicle within the property boundary (MBMC Section 17.44.050). Exceptions to the parking standards require the following findings to be made:

1. The exception will not constitute a grant of special privilege inconsistent with the driveway or parking limitations upon other properties in the vicinity and the reduced parking or alternative to the parking design standards of this chapter will be adequate to accommodate on the site all parking needs generated by the use.

Single-Family Residences are required to provide two covered and enclosed parking spaces. If the parking exception is approved, then the

project would meet that requirement. The parking proposed for the long driveway along the side of the house will accommodate the additional parking space required. Many dwellings in the City have nonconforming parking situations.

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

The current parking situation on site is existing and although the home is being increased in size, there is not a change in use or an increase in intensity of use.

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

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

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 1e. This exemption applies to new residential development in a residential zone. Additionally, none of the Categorical Exemption exceptions, noted under Section 15300.2, apply to the project.

CONCLUSION:

The project is consistent with the Morro Bay Municipal Code, the General Plan, and the Local Coastal Program as conditioned.

PUBLIC HEARING NOTICE:

Notice of a public hearing on this item was published in the San Luis Obispo Tribune newspaper on November 20, 2020, and all property owners and occupants of record within 500 feet of the project site were notified of the scheduled public hearing and invited to voice any concerns on this application. The project site was also posted with a public notice sign.

RECOMMENDATION:

Staff recommends that the Planning Commission **CONDITIONALLY APPROVE THE PROJECT** by adopting Planning Commission Resolution 20-20 which includes findings for CDP20-015, CUP20-06 and PKG20-04 to allow the proposed use as reflected on the plans submitted to the City of Morro Bay on October 22, 2020.

ATTACHMENTS:

Exhibit A – Resolution 20-20 – Findings and Conditions of Approval
Exhibit B – Plans
Exhibit C – Architectural Historic Report

EXHIBIT A

RESOLUTION NO. PC 20-20

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION
FOR APPROVAL OF A CONDITIONAL USE PERMIT CUP20-06, COASTAL
DEVELOPMENT PERMIT CDP20-015 AND PARKING EXCEPTION PKG20-04
FOR THE PROPOSED ADDITION TO AN EXISTING RESIDENTIAL
DWELLING
AT 603 DRIFTWOOD STREET

WHEREAS, the Planning Commission of the City of Morro Bay (the “City”) conducted a public hearing via video conference on December 1, 2020 for the purpose of considering approval of a Coastal Development Permit CDP20-015, Conditional Use Permit CUP20-06 and Parking Exception PKG20-04 for new construction of a 2-story addition to an existing single-story single-family home (“Project”); and

WHEREAS, pursuant to the Governor's Executive Order N-29-20 issued on March 17, 2020 in response to the present State of Emergency in existence due to the threat of COVID-19, the City of Morro Bay Planning Commission is authorized to hold public meetings via teleconferencing and all requirements in the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are hereby waived; 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)

Pursuant to the California Environmental Quality Act, the project meets the requirements for a Categorical Exemption under CEQA Guidelines Section 15301 Class 1e (additions to existing structures under a certain size threshold). Additionally, none of the Categorical Exemption exceptions, noted under Section 15300.2, apply to the project.

Conditional Use Permit and Coastal Development Permit findings

1. The project is consistent with the General Plan and Local Coastal Program (LCP) that specifically identifies this area for moderate density residential.
2. The project is in compliance with the zoning code and related overlay areas,

EXHIBIT A

- which allows moderate density residential projects.
3. 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.

Parking Exception Findings

1. The exception will not constitute a grant of special privilege inconsistent with the driveway or parking limitations upon other properties in the vicinity and the alternative parking design standards of this chapter will be adequate to accommodate on site all parking needs to be generated by the use.
2. The exception will not adversely affect the health, safety, or general welfare of person working or residing in the vicinity and that no traffic safety problems will result from the proposed modification of parking standards.
3. The exception is reasonably necessary for the Applicant's full enjoyment of uses similar to those upon the adjoining real property.

Section 2: Action. The Planning Commission does hereby approve Conditional Use Permit (CUP20-06), Coastal Development Permit (CDP20-015) and Parking Exception (PKG20-04) with the following conditions of approval supported by the above findings.

STANDARD CONDITIONS

1. This permit is granted for the land described in the staff report dated November 24, 2020, for a 548 square foot addition to an existing 838 square foot single family residence proposed for 603 Driftwood Street depicted on plans dated October 22, 2020, as part of Conditional Use Permit (CUP20-06), Coastal Development Permit (CDP20-015) and Parking Exception (PKG20-04) on file with the Community Development Department, as modified by these conditions of approval, and more specifically described as follows: *Site development and all installed structures and improvements shall be located and designed substantially as shown on the plans noted above, unless otherwise specified herein.* The project includes remodel of the existing home, removal of an existing carport and restoration of the detached garage to be used for parking. The parking exception allows a tandem parking space in the driveway. The site is in an R-2 zoning district and is not in the Coastal Appeals Jurisdiction.
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

EXHIBIT A

“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 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 applicants failure to comply with conditions of approval. Applicant understands and acknowledges the City is under no obligation to defend any legal actions challenging the City's actions with respect to the project. This condition and agreement shall be binding on all successors and assigns.
6. Compliance with Conditions: The applicant's establishment of the use or development of the subject property constitutes acknowledgement and acceptance of all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Director or as authorized by the Planning Commission. Failure to comply with any of these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the MBMC and is a misdemeanor.
7. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the MBMC and shall be consistent with all programs and policies contained in the LCP and General Plan of the City.

PLANNING CONDITIONS

1. Archaeology: In the event of the unforeseen encounter of subsurface materials suspected to be of an archaeological or paleontological nature, all grading or excavation shall immediately cease in the immediate area, and the find should be left untouched until a qualified professional archaeologist

EXHIBIT A

or paleontologist, whichever is appropriate, is contacted and called in to evaluate and make recommendations as to disposition, mitigation and/or salvage. The developer shall be liable for costs associated with the professional investigation.

2. Construction Hours: Pursuant to MBMC subsection 9.28.030.1, Construction or Repairing of Buildings, the erection (including excavating), demolition, alteration or repair of any building or general land grading and contour activity using equipment in such a manner as to be plainly audible at a distance of fifty feet from the building other than between the hours of seven a.m. and seven p.m. on weekdays and eight a.m. and seven p.m. on weekends except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Community Development Department, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for a period of three days or less while the emergency continues.
3. Dust Control: That prior to issuance of a grading permit, a method of control to prevent dust and wind blow earth problems shall be submitted for review and approval by the Building Official.
4. Conditions of Approval 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.
5. 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 Director.
6. Boundaries and Setbacks: The property owner is responsible for verification of lot boundaries. A licensed land surveyor shall verify lot boundaries and building setbacks to the satisfaction of the Director. A copy of the surveyor's Form Certification based on a boundary survey shall be submitted with the request for foundation inspection.
7. Detached Garage: The restroom fixtures installed in the garage are to be removed and terminated and the garage use shall be for vehicle parking and other uses typical of a non-habitable garage space.
8. Carport: The existing carport shall be removed in its entirety, including all support posts and beam connected to the existing home.

BUILDING DIVISION CONDITIONS (RESIDENTIAL)

A. CONDITIONS PRIOR TO THE ISSUANCE OF A BUILDING PERMIT:

EXHIBIT A

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 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 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. 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.
6. Mitigation measures for natural occurring asbestos require approval from San Luis Obispo County Air Pollution Control District.
7. BUILDING PERMIT APPLICATION: To apply for building permits, submit three (3) sets of construction plans, fire sprinkler plans, if applicable, and supplemental documents to the Building Division.
8. The Title sheet of the plans shall include, but not limited to:
 - Street address, lot, block, track, and Assessor Parcel Number
 - Occupancy Classification(s)
 - Construction Type

EXHIBIT A

- Maximum height of the building allowed and proposed
- Floor area of the building(s)
- Fire sprinklers proposed or existing
- Minimum building setback allowed and proposed

All construction will conform to the 2019 California Building Code (CBC), 2019 California Residential Code (CRC), 2019 California Fire Code (IFC), 2019 California Mechanical Code (CMC), 2019 California Plumbing Code (CPC), 2019 California Electrical Code (CEC), 2019 California Energy Code, 2019 California Green Building Code (CGBC), Title 14 and 17 of the Morro Bay Municipal Code.

(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:

1. **SITE MAINTENANCE:** During construction, the site shall be maintained to not infringe on neighboring property, such as debris and dust. A storm water management plan shall be maintained through the duration of the project. The storm water management measures such as fiber rolls, silt fencing, etc. will be enforced by City staff by random site visits.
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 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. **FOUNDATION SETBACK VERIFICATION:** Prior to the placement of concrete and upon completed form installation, a licensed surveyor is required to measure and record the distance from the proposed foundation walls to the established lot lines. The contractor shall submit these findings in letter format to the building inspector upon the request for a foundation inspection. Letter shall specify the findings of front, sides and rear yard setbacks as defined in Title 17 of the MBMC. The Building Official shall have discretion on a case by case basis for some lot types.
4. **BUILDING HEIGHT VERIFICATION:** Prior to roof sheathing or shear wall inspection, a licensed surveyor is required to measure and record the height of the structure. The contractor shall submit this finding in letter format to the building inspector upon the request for roof sheathing/shear wall inspection.

EXHIBIT A

Letter shall specify the recorded height of structure as defined in Title 17 of the MBMC. The Building Official shall have discretion on a case by case basis for some site-specific projects.

5. **EXISTING BUILDINGS:** Where windows are required to provide emergency escape and rescue openings, replacement windows shall comply with the maximum sill height requirements of section R310.2.2 and the minimum opening area requirements of section R310.2.1 of the 2019 California Residential Code.

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

1. Prior to building division final approval and request for final inspection, all required inspections from the other various divisions and departments must be 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. This permit card shall then be turned into the building division for scheduling of the final building inspection.
2. Any as-built drawings that were required by the building inspector or plans examiner must be submitted for approval prior to the request for final inspection.
3. If structural observations were required, the final structural observation report shall be submitted to the building division prior to issuance of the certificate of occupancy or final inspection approval.
4. If special inspections were required, the final special inspection report shall be submitted to the building division prior to the issuance of the certificate of occupancy or final inspection approval.
5. Final soils summary report from the geotechnical representative indicating compliance with the required conditions set forth in the soils report.
6. Final T-24 energy reports (Certificates of Installation, CF2R forms).

PUBLIC WORKS DEPARTMENT CONDITIONS:

1. Stormwater Management: The City has adopted Low Impact Development (LID) and Post Construction requirements. All proposed projects must complete the "SFR Performance Requirement Determination Form" to determine if any requirements should be submitted. The requirements can be found in the Stormwater management guidance manual on the City's website www.morro-bay.ca.us/EZmanual (MBMC 14.48.140)
2. Frontage Improvements: The installation of frontage improvements is required. Show the installation of a City standard driveway approach B-6, curb, gutter, and street tree. Sidewalks are not required on Driftwood Street.

EXHIBIT A

An encroachment permit is required for any work within the Right of Way. (MBMC 14.44.020)

3. Sewer Lateral: Indicate and label if private sewer lateral pipe will be replaced or to remain in place. If the existing sewer lateral is proposed to remain in place, then perform a video inspection of the lateral (from the clean-out at structure to the connection at the sewer mainline pipe) and submit to Public Works via flash drive or DVD, prior to building permit plan approval. Requirements for the sewer video inspection can be located on the City's website at the following location: <https://www.morrobay.ca.us/DocumentCenter/View/13500/Private-Sewer-Line-Video-Requirements>. Lateral shall be upgraded, repaired, or replaced as required to prohibit inflow/infiltration. All repairs or replacements identified from sewer video, shall be noted on approved set of plans, prior to plan approval. (MBMC 14.07.030)
4. Sewer Backwater Valve: Indicate and label sewer backwater valve on plan. A backwater valve, extended to and accessible from grade for maintenance, shall be installed on every Building sewer. Exception: Installation of backwater valve shall not be required when, to the satisfaction of Building Official, it is determined that the intent and purpose of this section is otherwise met.
5. 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.
6. Water Meter: Indicate and label new or existing water meter on plans and include size of meter(s).
7. 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.
8. 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.
9. Retaining Wall within City Right-of-way: Site has a garden wall at frontage that is extends into the City right-of-way. The retaining wall will need to be removed or requires a "Special Encroachment Permit". For approval of a "Special Encroachment Permit", submit fee payment and an 8.5"x11" size exhibit. Exhibit shall show and label frontage, retaining wall (with

EXHIBIT A

dimension), the right-of-way width, street name, edge of street pavement and property line.

FIRE DEPARTMENT CONDITIONS

1. Fire Safety during Construction and Demolition shall be in accordance with 2019 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).

Automatic Fire sprinklers are required throughout existing structures where alterations encompass more than 50% of the existing square footage of the structure AND/OR is in excess of a 300 square foot addition OR where there is a change in occupancy to a more hazardous use as determined by the Fire Chief.

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 NFPA720 and the manufacturer's instructions (CRC R315.2)

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 1st day of December 2020 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 1st day of December 2020.

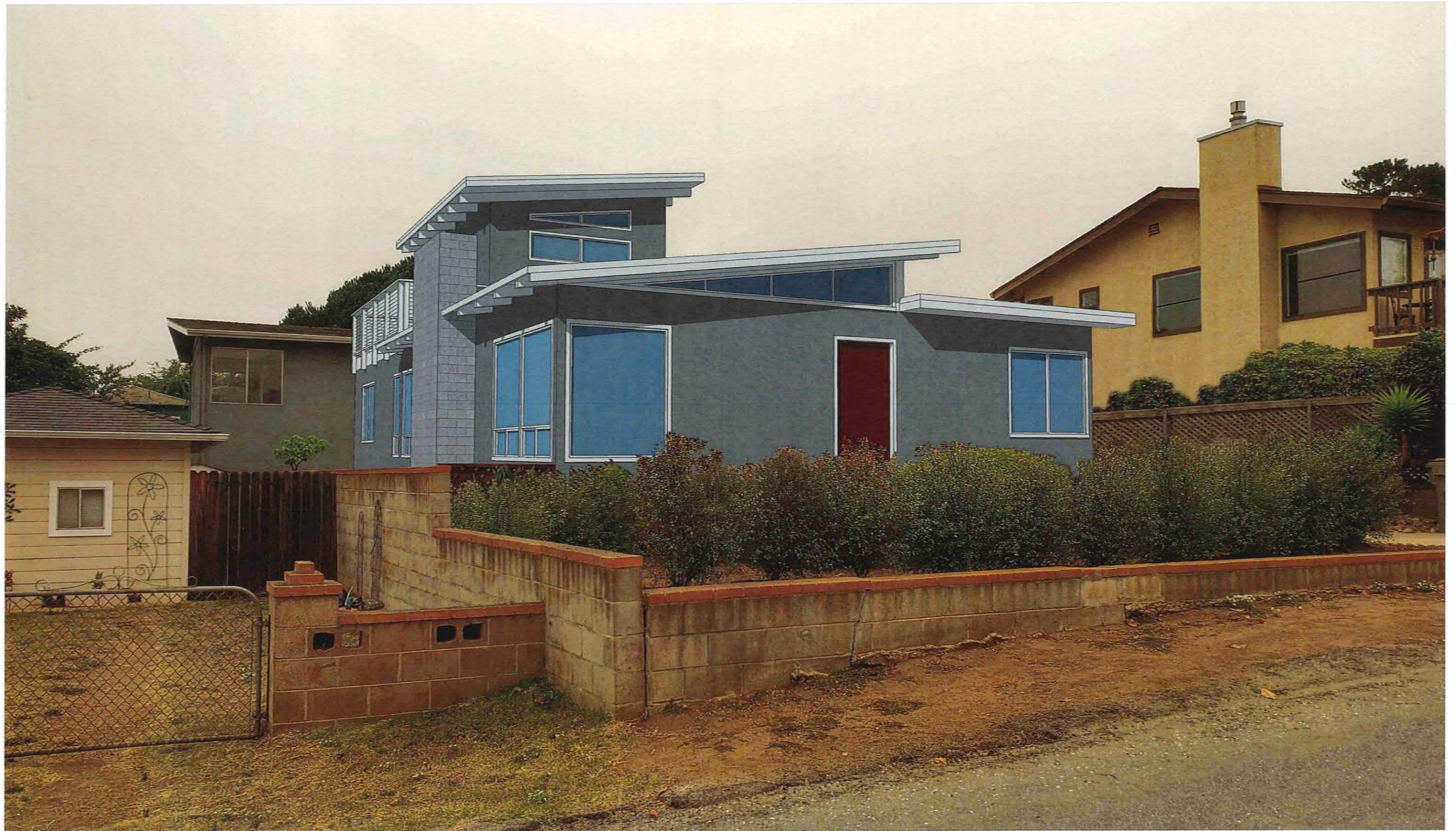
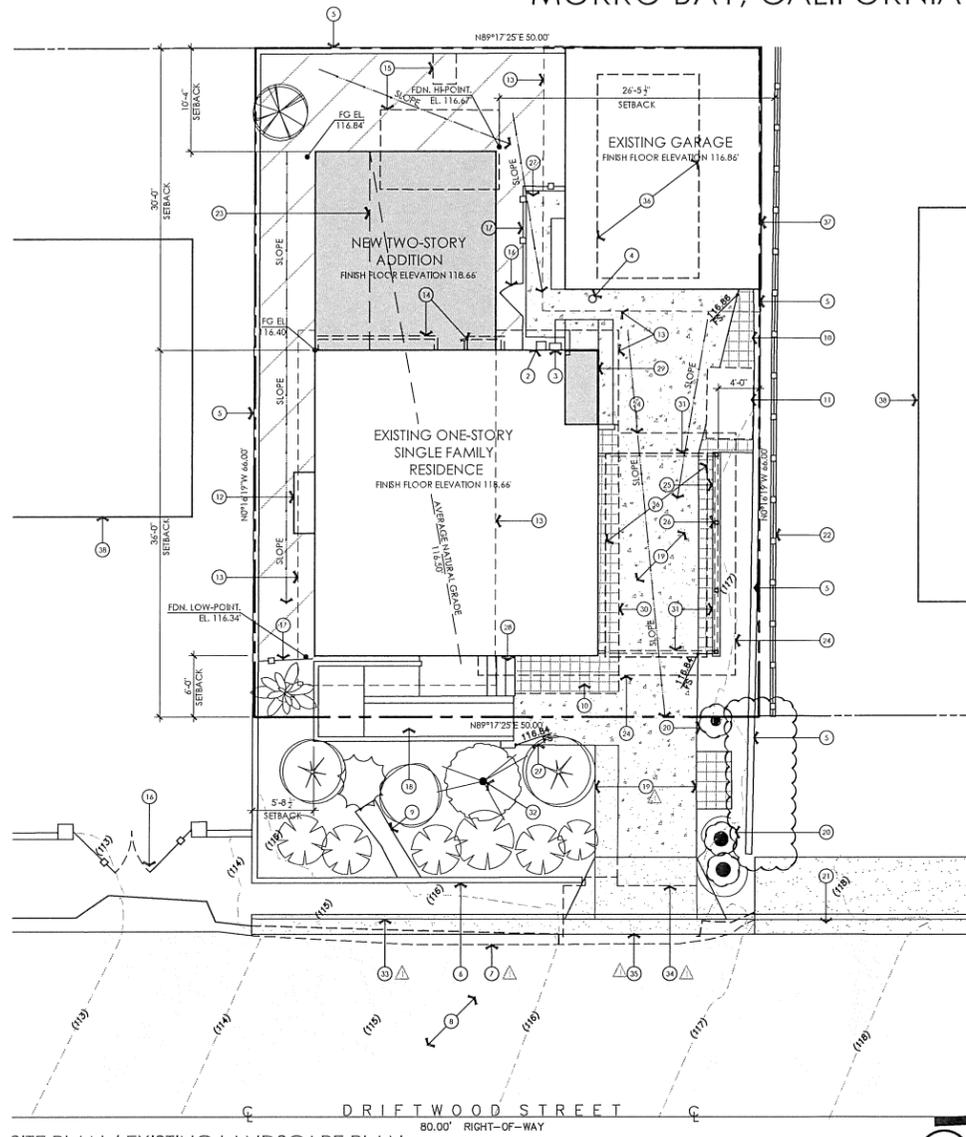


EXHIBIT B HUBBARD RESIDENCE REMODEL & ADDITION

603 DRIFTWOOD STREET
MORRO BAY, CALIFORNIA



SITE PLAN / EXISTING LANDSCAPE PLAN
SCALE: 1/8" = 1'-0"

- REFERENCE NOTES**
1. EXISTING WATER METER LOCATED AT NORTH EAST CORNER OF DRIFTWOOD STREET AND SHASTA AVENUE
 2. EXISTING GAS METER
 3. EXISTING ELECTRIC METER AND SERVICE
 4. EXISTING SANITARY SEWER CLEANOUT
 5. EXISTING +/- 3' HEIGHT CMU WALL
 6. EXISTING +/- 6' HEIGHT CMU WALL
 7. EXISTING ASPHALT BERM TO BE REMOVED
 8. EXISTING A/C PAVING
 9. EXISTING ROCK LINED SWALE
 10. EXISTING PAVERS
 11. EXISTING STORAGE SHED TO BE RELOCATED AS PER OWNER
 12. EXISTING CHIMNEY
 13. EXISTING BUILDING EAVE
 14. EXISTING PLANTER TO BE REMOVED
 15. EXISTING CONCRETE SLAB TO BE REMOVED
 16. EXISTING GATE
 17. EXISTING +/- 3'-0" HEIGHT WOOD FENCE
 18. EXISTING WOOD RAMP AND DECK
 19. EXISTING CONCRETE DRIVEWAY / WIDEN TO 10'-0" AS PER CITY OF MORRO BAY STANDARD 8-4
 20. EXISTING YUCCA
 21. EXISTING CONCRETE CURB, GUTTER, AND SIDEWALK
 22. EXISTING WOOD FENCE
 23. LINE OF SECOND-STORY DECK
 24. LINE OF CARPORT EAVE TO BE REMOVED
 25. EXISTING +/- 1'-0" HIGH CMU WALL TO REMAIN
 26. EXISTING 4x4 POSTS AT SCREEN WALL TO BE REMOVED
 27. EXISTING CONCRETE WALK/PAVING
 28. EXISTING WOOD STAIRS AND PORCH LANDING TO BE REPLACED
 29. EXISTING COVERED BACK PORCH TO BE ENCLOSED / 24 SQUARE FEET
 30. PROPOSED EAVE LINE
 31. EXISTING CARPORT BEAMS TO BE REMOVED
 32. STREET TREE AS PER CITY OF MORRO BAY APPROVED SPECIES
 33. NEW CONCRETE CURB AND GUTTER AS PER CITY OF MORRO BAY STANDARD TYPE A
 34. NEW DRIVEWAY APPROACH AS PER CITY STANDARD 8-4
 35. EXISTING PAVERS IN RIGHT-OF-WAY TO BE REMOVED
 36. 10'-0" x 20'-0" PARKING SPACE
 37. EXISTING GARAGE 18'-6" x 22'-8" INTERIOR CLEAR DIMENSIONS
 38. ADJACENT RESIDENCE / APPROXIMATE LOCATION

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- SITE 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 WITH (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. A STANDARD ENCROACHMENT PERMIT SHALL BE REQUIRED FOR THE PROPOSED DRIVEWAY; THE DRIVEWAY SHALL COMPLY WITH 8-9 (DRIVEWAY RAMPS: SIZE AND LOCATION). A SEWER ENCROACHMENT PERMIT SHALL BE REQUIRED FOR ANY REPAIR OR INSTALLATION OF A SEWER LATERAL WITHIN THE CITY RIGHT-OF-WAY OF WITH 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.
 3. FINISH GRADE AROUND THE STRUCTURE SHALL SLOPE AWAY FROM THE FOUNDATION A MINIMUM OF 6" FOR A MINIMUM DISTANCE OF 10 FEET.

SITE NOTES



LANDSCAPE PALETTE

PLANTING NOTES:

1. ALL PLANTING AREAS TO RECEIVE AUTOMATICALLY IRRIGATED SPRAY OR DRIP IRRIGATION.
2. ALL PLANTING AREAS TO HAVE BARK MULCH.
3. ALL PLANTS TO BE DROUGHT-TOLERANT SPECIES

LAND USE DATA	
PLANNING AND BUILDING DEPARTMENT	CITY OF MORRO BAY
APN	066-145-010
LEGAL DESCRIPTION	PORTION LOT 5 BLOCK 13 2 LS 11 CITY OF MORRO BAY
ZONE	R2
REQUIRED SETBACKS	
FRONT	20 FEET
RIGHT SIDE	5 FEET
LEFT SIDE	5 FEET
REAR	5 FEET
PROPOSED SETBACKS	
FRONT	30'-0"
RIGHT SIDE	26'-5-1/2"
LEFT SIDE	5'-8-1/2"
REAR	10'-4"
EXISTING SETBACKS	
FRONT	6'-0"
RIGHT SIDE	4'-0"
LEFT SIDE	5'-8-1/2"
REAR	30'-0"
CONSTRUCTION TYPE	
	V-8
OCCUPANCY GROUP	
	R3, U1
EXISTING FLOOR AREAS	
GARAGE AREA	444.0 SQUARE FEET
CARPORT AREA	240.0 SQUARE FEET
LOWER FLOOR AREA	838.00 SQUARE FEET
TOTAL FLOOR AREA	1,542.00 SQUARE FEET
PROPOSED FLOOR AREAS	
	892.00 SQUARE FEET
LOWER FLOOR ADDITION AREA	348 SQUARE FEET
UPPER FLOOR ADDITION AREA	200 SQUARE FEET
TOTAL NEW LIVING AREA	548 SQUARE FEET
UPPER FLOOR DECK AREA	104 SQUARE FEET
SITE DATA	
TOTAL SITE AREA	3,300 SQUARE FEET
BUILDING FOOTPRINT (LOT COVERAGE)	1,650 SQUARE FEET (50.0%)
PAVING/HARDSCAPE	656.35 SQUARE FEET (19.8%)
LANDSCAPE AREA (PERMEABLE AREA)	993.65 SQUARE FEET (30.2%)
MAXIMUM ALLOWABLE BUILDING HEIGHT	25'-0" ABOVE AVERAGE NATURAL GRADE
MAXIMUM PROPOSED BUILDING HEIGHT	23'-7 3/4" ABOVE AVERAGE NATURAL GRADE
AVERAGE NATURAL GRADE	116.67' FOUNDATION HIGH POINT +116.34' FOUNDATION LOW POINT 233.01' / 2 = 116.50'

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VICINITY MAP

- ALL CONSTRUCTION SHALL CONFORM TO THE REQUIREMENTS OF THE CURRENT ADOPTED BUILDING CODES AND ORDINANCES OF THE CITY OF MORRO BAY. CURRENT APPLICABLE CODES INCLUDE THE FOLLOWING:
- CITY OF MORRO BAY MUNICIPAL CODE TITLE 17 - ZONING
- 2019 CALIFORNIA ENERGY CODE
 - 2019 CALIFORNIA BUILDING CODE, VOLS 1 & 2
 - 2019 CALIFORNIA ELECTRICAL CODE
 - 2019 CALIFORNIA ENERGY CODE
 - 2019 CALIFORNIA FIRE CODE
 - 2019 CALIFORNIA GREEN BUILDING CODE
 - 2019 CALIFORNIA MECHANICAL CODE
 - 2019 CALIFORNIA PLUMBING CODE
 - 2019 CALIFORNIA REFERENCE STANDARDS CODE
 - 2019 CALIFORNIA RESIDENTIAL CODE

APPLICABLE CODES

- GENERAL NOTES**
- A. DIMENSIONS SHOWN SHALL TAKE PRECEDENCE OVER DRAWING SCALE OR PROPORTION. LARGER SCALE DRAWINGS SHALL TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS.
 - B. THESE DRAWINGS, SPECIFICATIONS, IDEAS, DESIGNS AND ARRANGEMENTS REPRESENTED WITH IN THE SET OF DOCUMENTS ARE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT AND NO PART SHALL BE COPIED, DISCLOSED TO OTHERS, OR USED IN CONNECTION WITH ANY PROJECT OTHER THAN THE SPECIFIC PROJECT FOR WHICH THEY HAVE BEEN PREPARED AND DEVELOPED WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. VERBAL CONTACT WITH THESE DOCUMENTS SHALL CONSTITUTE CONCLUSIVE EVIDENCE OF ACCEPTANCE OF THESE RESTRICTIONS.

GENERAL NOTES

- PROJECT DESCRIPTION**
- ENCLOSE EXISTING 24 SQUARE FOOT PORCH
 - INTERIOR REMODEL OF KITCHEN AND BATHROOM
 - WINDOW REPLACEMENT
 - REMOVE EXISTING 240 SQUARE FOOT CARPORT
 - CONSTRUCT NEW 348 SQUARE FOOT ADDITION WITH 200 SQUARE FOOT SECOND-STORY AND 104 SQUARE FOOT DECK

PROJECT DESCRIPTION

- SHEET INDEX**
- T1.0 SITE PLAN / EXISTING LANDSCAPE PLAN AND PROJECT DATA
 - C1.0 TOPOGRAPHIC SURVEY
 - A1.0 DEMOLITION PLAN
 - A1.1 PROPOSED LOWER FLOOR PLAN
 - A1.2 PROPOSED UPPER FLOOR PLAN
 - A2.0 PROPOSED EXTERIOR ELEVATIONS

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PROJECT:
HUBBARD RESIDENCE REMODEL & ADDITION
603 DRIFTWOOD STREET
MORRO BAY
CALIFORNIA 93442

CLIENT:
JON HUBBARD
603 DRIFTWOOD STREET
MORRO BAY
CALIFORNIA 93442

CONDITIONAL USE PERMIT / COASTAL DEVELOPMENT PERMIT

No.	Revision	Date	By
1	Planning Revision	10.20.2020	MNH



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Written dimensions on these drawings shall take precedence over scaled dimensions. Contractors shall verify and be responsible for all dimensions and conditions on this job and this office shall be notified in writing of any variations from the dimensions or conditions shown in these drawings.

PROJECT NUMBER: 1245-01
DATE: SEPTEMBER, 2020
SHEET TITLE:

SITE PLAN / EXISTING LANDSCAPE PLAN AND PROJECT DATA

SHEET NUMBER:

T1.0

EXHIBIT B TOPOGRAPHIC SURVEY

603 DRIFTWOOD STREET
MORRO BAY, CA 93442

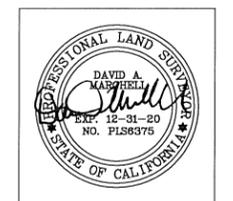


PROJECT:
**HUBBARD
RESIDENCE
REMODEL &
ADDITION**
603 DRIFTWOOD STREET
MORRO BAY
CALIFORNIA 93442

CLIENT:
JON HUBBARD
603 DRIFTWOOD STREET
MORRO BAY
CALIFORNIA 93442

**CONDITIONAL
USE PERMIT /
COASTAL
DEVELOPMENT
PERMIT**

No.	Revision	Date	By
1	Planning Revision	10.20.2020	MNH



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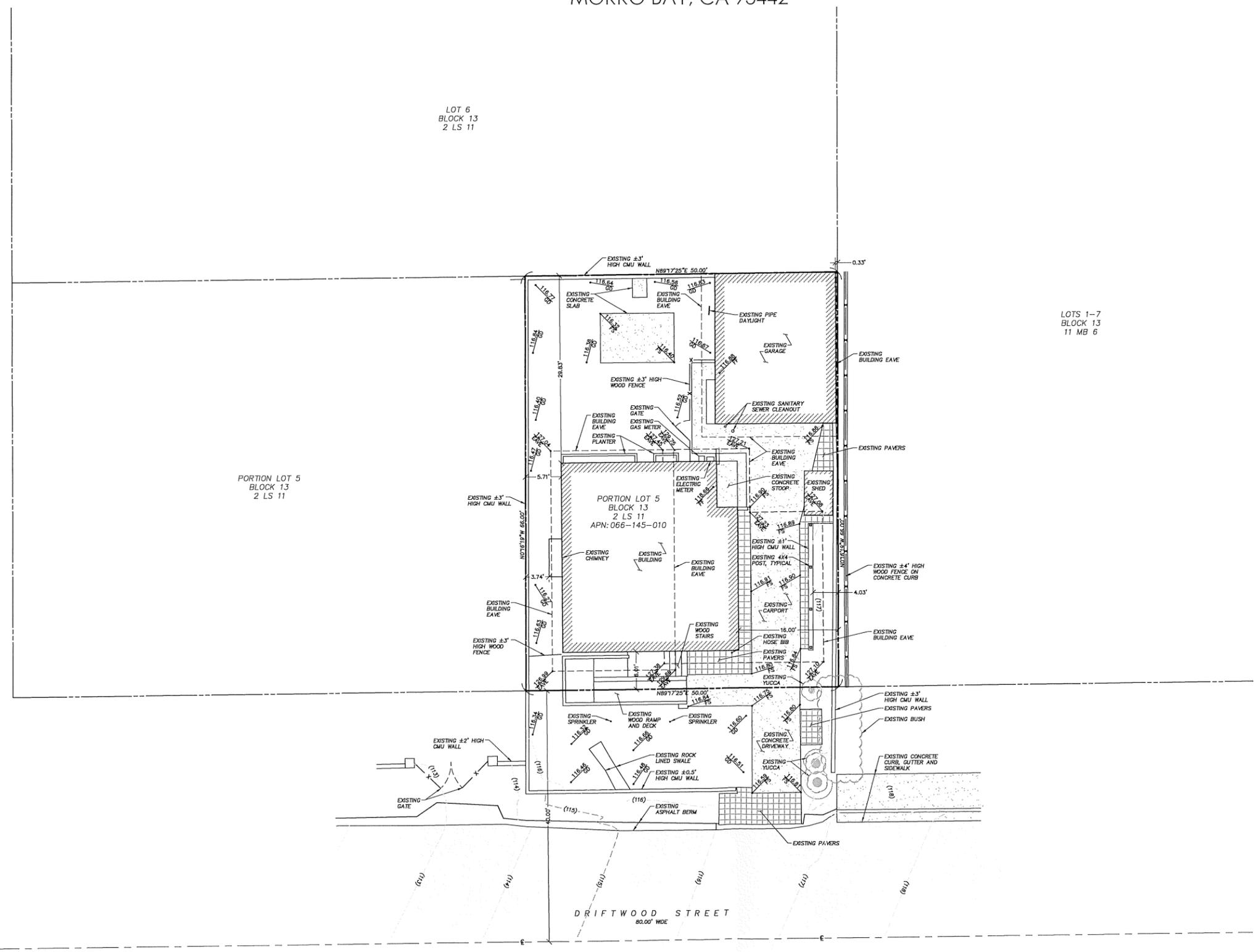
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PROJECT NUMBER: 1245-01
DATE: SEPTEMBER, 2020
SHEET TITLE:

**TOPOGRAPHIC
SURVEY**

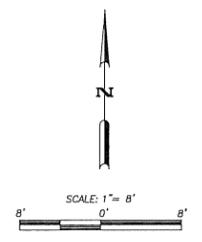
SHEET NUMBER:

C1.0



BENCHMARK
#53
FOUND 2" CITY OF MORRO BAY BRASS CAP IN
MONUMENT WELL PER 107 LS 46
ELEVATION: 89.45 FEET

LEGEND
CR = CROWN
EP = EDGE OF PAVEMENT
FL = FLOWLINE
FS = FINISHED SURFACE
OG = ORIGINAL GROUND
TC = TOP OF CURB



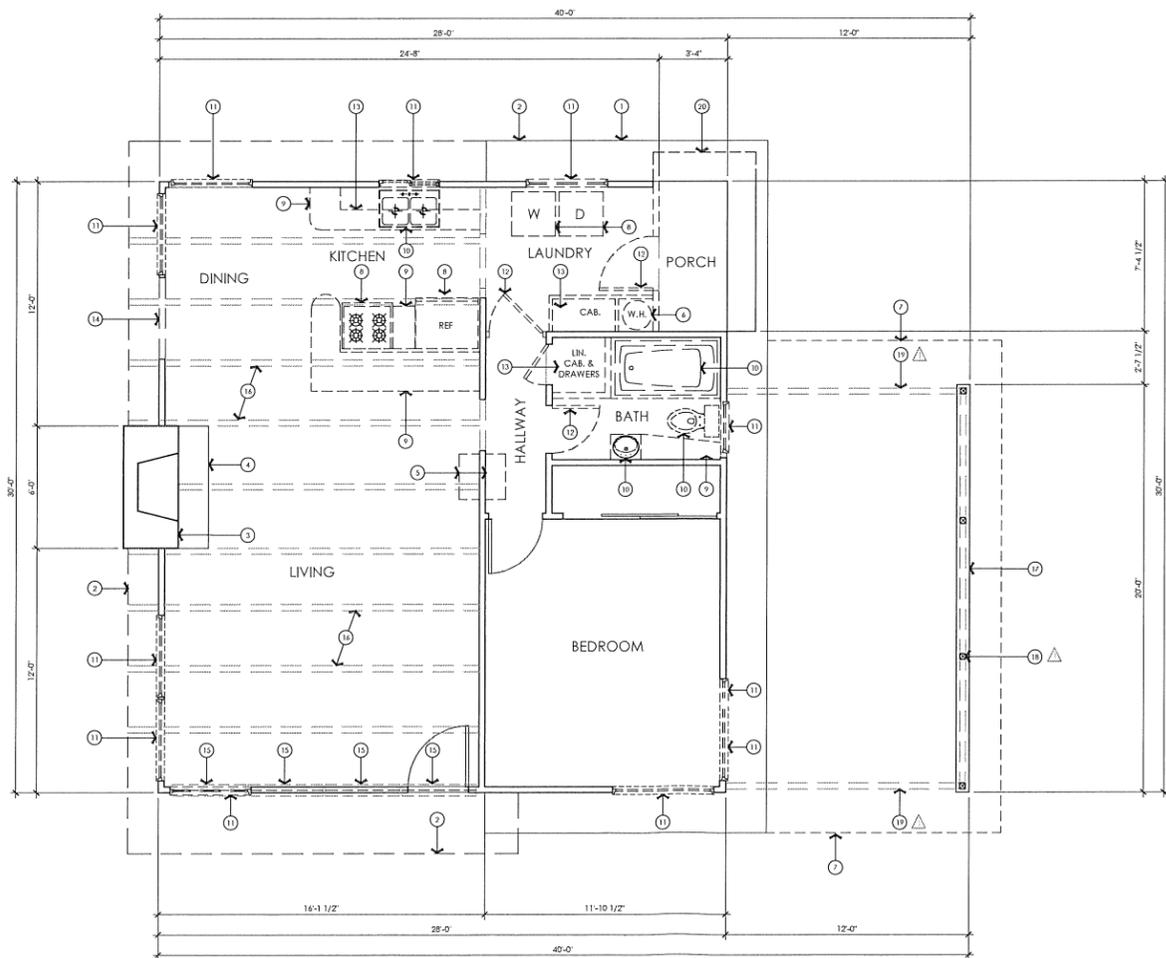
TOPOGRAPHIC SURVEY
SCALE: 1" = 8'

EXHIBIT B



PROJECT:
**HUBBARD
RESIDENCE
REMODEL &
ADDITION**
603 DRIFTWOOD STREET
MORRO BAY
CALIFORNIA 93442

CLIENT:
JON HUBBARD
379 BINSARTH ROAD
LOS OSOS
CALIFORNIA 93402



===== EXISTING WALLS TO REMAIN
----- EXISTING WALLS TO BE REMOVED

WALL LEGEND

- 1 LOWER ROOF OVERHANG
- 2 UPPER ROOF OVERHANG
- 3 MASONRY FIREPLACE TO REMAIN
- 4 TILE HEARTH TO REMAIN
- 5 FLOOR FURNACE TO BE REMOVED
- 6 WATER HEATER TO BE REMOVED
- 7 REMOVE CARPORT ROOF
- 8 EXISTING APPLIANCE TO BE REMOVED
- 9 COUNTER AND CABINET TO BE REMOVED
- 10 EXISTING PLUMBING FIXTURE TO BE REMOVED
- 11 EXISTING WINDOW TO BE REMOVED
- 12 EXISTING DOOR TO BE REMOVED
- 13 EXISTING CABINET / SHELVES / DRAWERS TO BE REMOVED
- 14 DEMO PORTION OF EXISTING WALL AS REQUIRED FOR NEW WINDOW
- 15 TRIANGULAR CLERESTORY WINDOWS TO REMAIN
- 16 4x6 EXPOSED ROOF BEAMS @ +/- 36" ON CENTER
- 17 8" CMU WALL WITH BRICK CAP TO REMAIN
- 18 4x4 POST TO BE REMOVED
- 19 4x6 BEAM TO BE REMOVED
- 20 PORCH STEP TO BE REMOVED FOR NEW LANDING

CONDITIONAL USE PERMIT / COASTAL DEVELOPMENT PERMIT

No.	Revision	Date	By
1	Planning Revision	10.20.2020	MNH



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PROJECT NUMBER: 1245-01
DATE: AUGUST, 2020
SHEET TITLE:

DEMOLITION PLAN

SHEET NUMBER:

DEMOLITION PLAN
SCALE: 1/4" = 1'-0"



REFERENCE NOTES

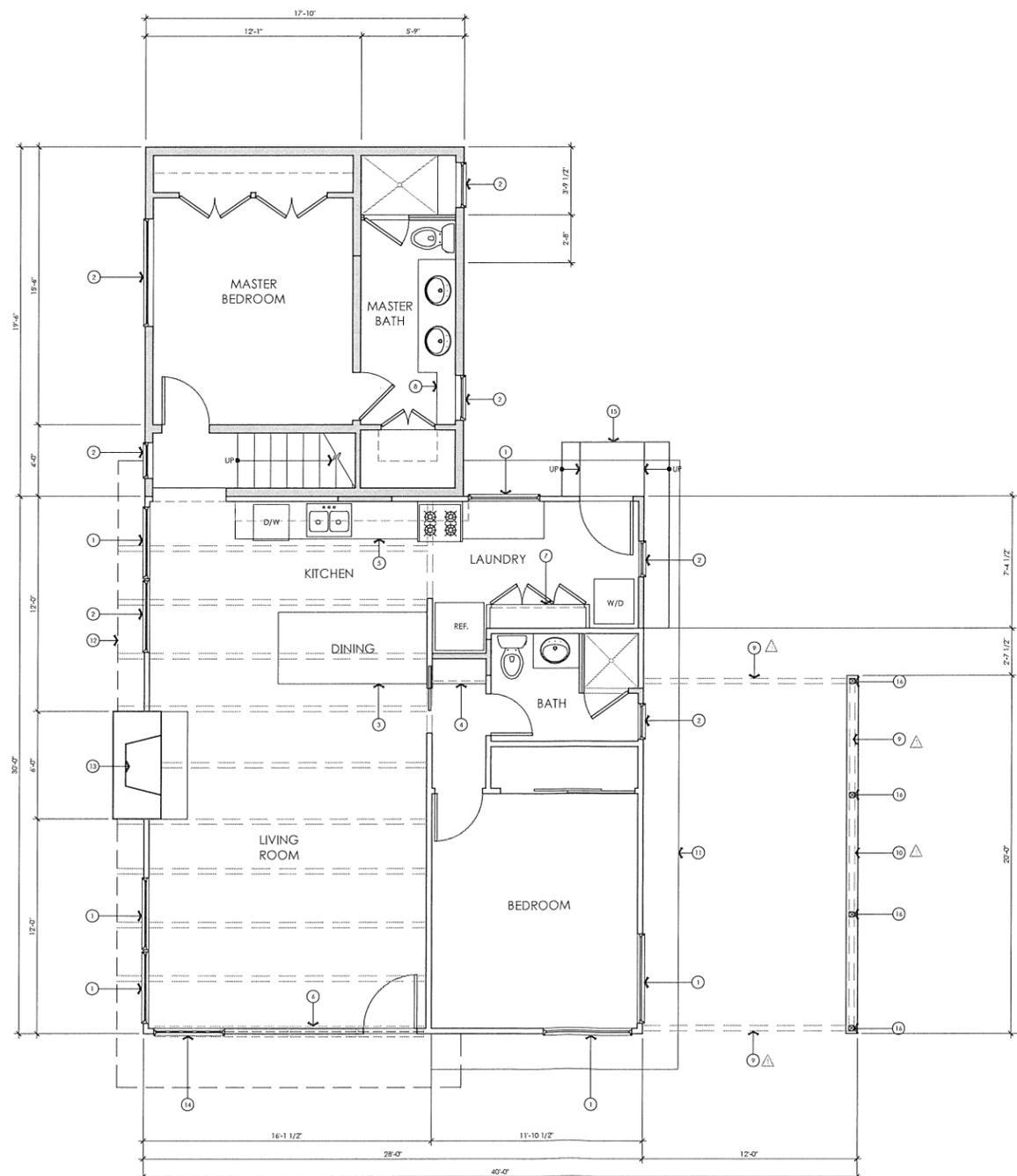
A1.0

EXHIBIT B



PROJECT:
**HUBBARD
RESIDENCE
REMODEL &
ADDITION**
603 DRIFTWOOD STREET
MORRO BAY
CALIFORNIA 93442

CLIENT:
JON HUBBARD
379 BINSARTH ROAD
LOS OSOS
CALIFORNIA 93402



- ===== NEW 2X4 INTERIOR WALL
- ===== NEW 2X6 EXTERIOR WALL
- ===== EXISTING 2X4 STUD WALL TO REMAIN

WALL LEGEND

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CONDITIONAL
USE PERMIT /
COASTAL
DEVELOPMENT
PERMIT

No.	Revision	Date	By
1	Planning Revision	10.20.2020	MHH



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PROJECT NUMBER: 1245-01
DATE: AUGUST, 2020
SHEET TITLE:

PROPOSED LOWER
FLOOR PLAN

SHEET NUMBER:

- 1 NEW REPLACEMENT WINDOW
- 2 NEW WINDOW
- 3 NEW 4'-0" x 8'-0" PENINSULA COUNTER AND CABINETS
- 4 NEW LINEN CABINET / SHELVES
- 5 NEW CABINET, COUNTER, AND APPLIANCES
- 6 EXISTING CLERESTORY WINDOWS TO REMAIN
- 7 NEW PANTRY CABINET
- 8 NEW CABINET AND COUNTERTOP, 36" HEIGHT
- 9 EXISTING BEAM TO BE REMOVED
- 10 EXISTING SCREEN WALL TO BE REMOVED
- 11 NEW ROOF LINE / OVERHANG
- 12 EXISTING ROOF LINE / OVERHANG
- 13 EXISTING MASONRY FIREPLACE WITH NEW GAS INSERT
- 14 EXISTING WINDOW TO REMAIN
- 15 NEW BACK PORCH LANDING AND STEPS
- 16 EXISTING POST TO BE REMOVED, TYPICAL
- 17
- 18
- 19

REFERENCE NOTES

14

PROPOSED LOWER FLOOR PLAN
SCALE: 1/4" = 1'-0"



A1.1

EXHIBIT B



PROJECT:
**HUBBARD
RESIDENCE
REMODEL &
ADDITION**
603 DRIFTWOOD STREET
MORRO BAY
CALIFORNIA 93442

CLIENT:
JON HUBBARD
603 DRIFTWOOD STREET
MORRO BAY
CALIFORNIA 93442

CONDITIONAL
USE PERMIT /
COASTAL
DEVELOPMENT
PERMIT

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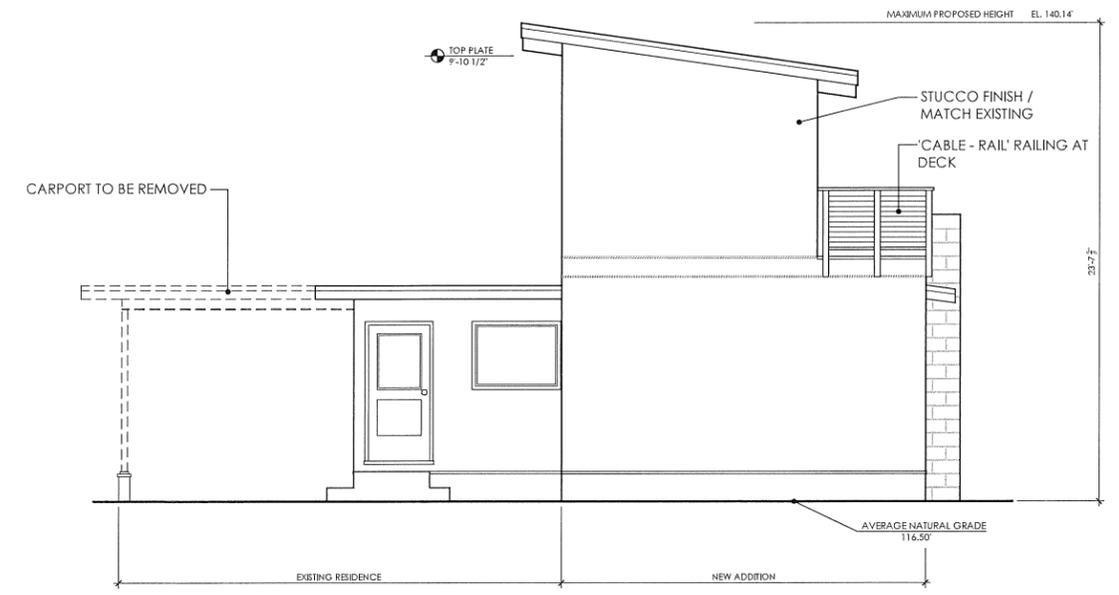
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PROJECT NUMBER: 1245-01
DATE: SEPTEMBER, 2020
SHEET TITLE:

PROPOSED
EXTERIOR
ELEVATIONS

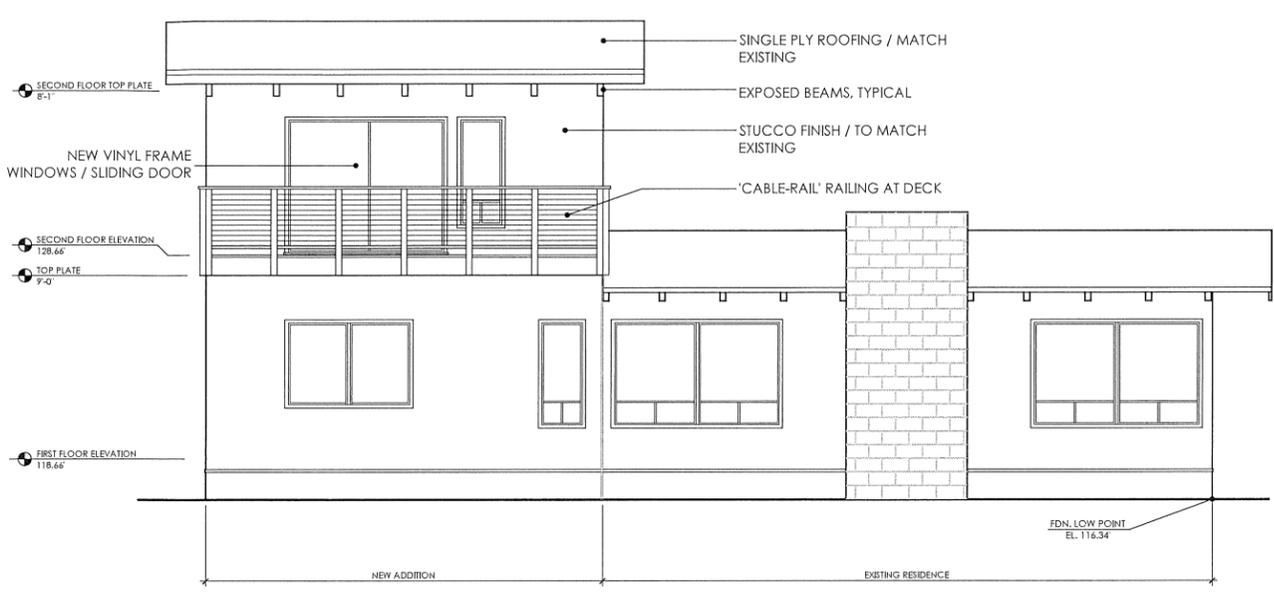
SHEET NUMBER:

A2.0



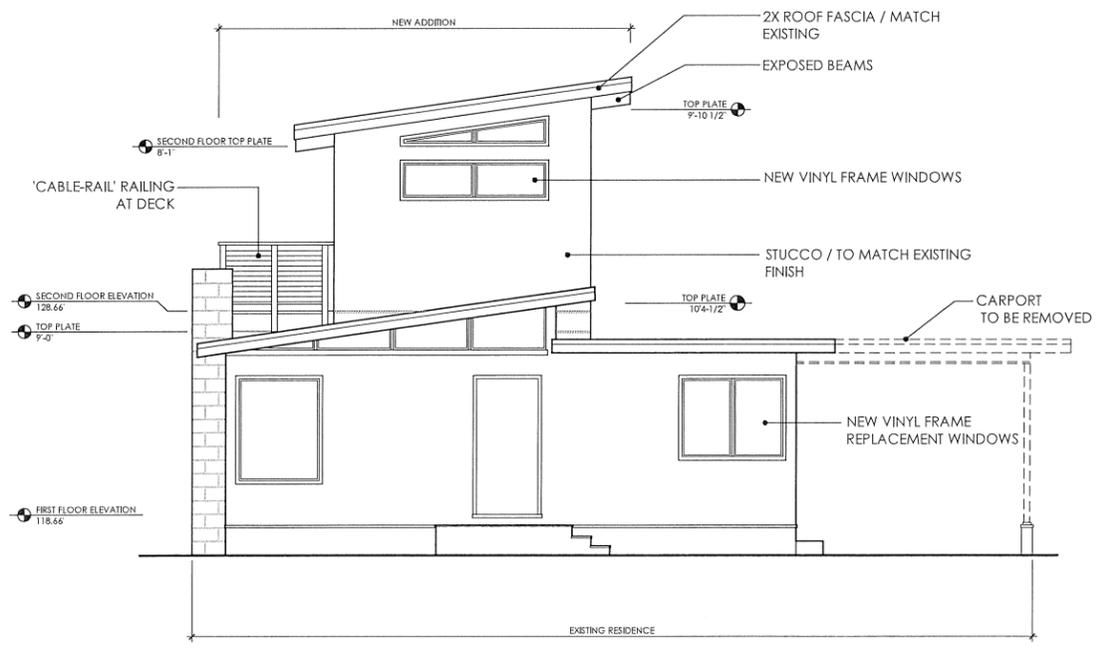
NORTH ELEVATION
SCALE: 1/4" = 1'-0"

32



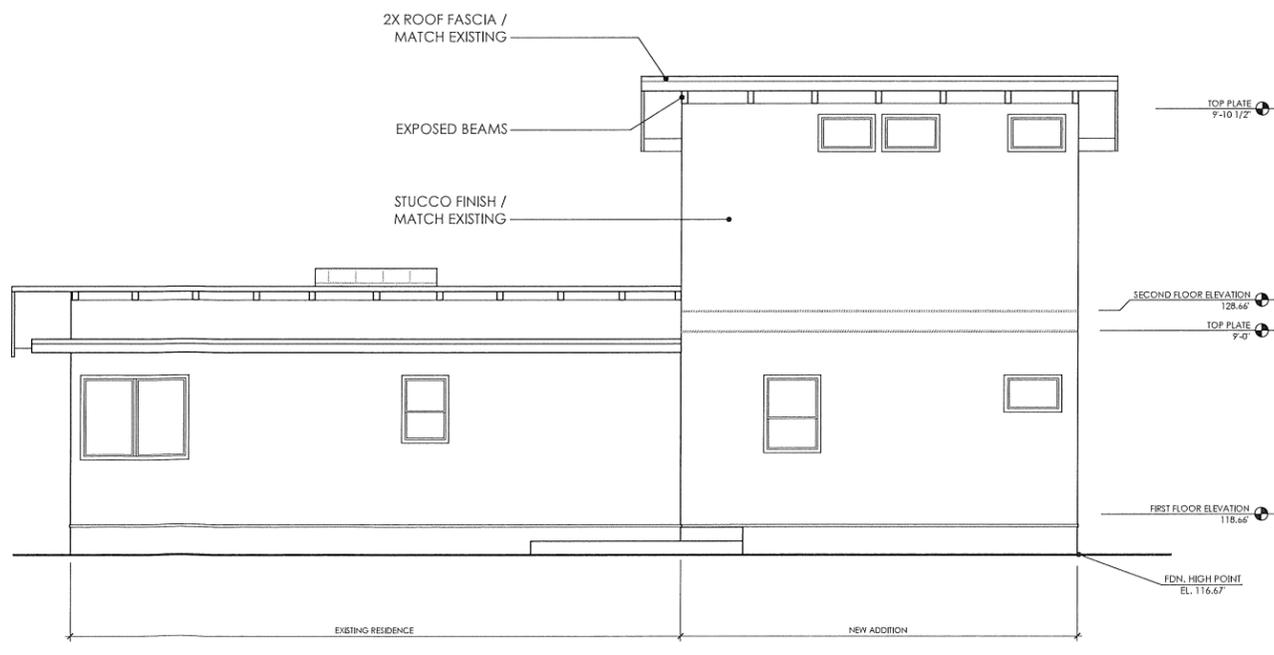
WEST ELEVATION
SCALE: 1/4" = 1'-0"

12



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

34



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

14

EXHIBIT C

HISTORIC RESOURCE EVALUATION



**603 DRIFTWOOD STREET
MORRO BAY, CA
APN 066.145.010**

**Prepared for: Jon and Bridget Hubbard
603 Driftwood Street
Morro Bay, CA 93442**

**Prepared by: Betsy Bertrando
Bertrando & Bertrando Research Consultants
267 East Foothill Boulevard
San Luis Obispo, CA 93405**

July 2020

EXHIBIT C

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ABSTRACT

A request was made by the owners, Ron and Bridget Hubbard, for a significance evaluation of their property located at 603 Driftwood Street in Morro Bay, California. The current owners are proposing an addition to the residence that was constructed over fifty years ago. This study finds that the property does not meet the criteria for significance as defined by the California Environmental Quality Act (CEQA). No further study of the potential significance of the built environment is necessary for the proposed project to proceed.

INTRODUCTION

The work carried out as a part of this study was conducted by Betsy Bertrando, of Bertrando & Bertrando Research Consultants (BBRC), who was assisted in the field by Luther Bertrando. Betsy Bertrando has over twenty-five years experience researching the cultural resources of the central coast. The project property (APN 066.145.010) is depicted on the Morro Bay South 7.5 quadrangle topographic map as existing in Morro Bay at 603 Driftwood Street (Appendix A) and on the assessors map (Appendix B).

PROJECT DESCRIPTION

The current owners of the property have proposed plans to add a rear 336 square foot addition to the residence adding a bedroom and bathroom with a small deck and room above the new construction (Appendix C). Louvered windows on the east face are planned to be replaced and on the same side the small back door porch will be enclosed. The carport is to be removed. The house is over fifty years old and has triggered an historical evaluation prior to the proposed addition.

METHODS

Archival Research

Background for the property was gathered by a search of the historic literature, maps, directories, newspapers, documents, the internet, and census records. At this time there is no public access to the deeds at the San Luis Obispo County Clerk/Recorders Office, but much was learned from the previous listed sources.

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Field Investigation

The field investigation took place on June 26, 2020. The purpose of the investigation was to record and photograph the setting and exterior of the residence. Survey assistance was provided by Luther Bertrando. Notes were written focusing on the original features of the house and property. Important information collected included:

- Architectural features within the context of the “Historical Period of Significance”
- Type of Construction and materials used
- Modifications through time
- Grounds, setting and landscaping

HISTORICAL CONTEXT

Morro Bay Prior to 1847

A scattering of native villages clustered around the fresh water sources from the creeks that entered Morro Bay. The estuary, marine terraces and bay provided an abundance of food for the native population. The first European explorer to see Morro Rock was Juan Cabrillo as he sailed past in 1542. Cabrillo named the edifice *El Moro*, but it wasn't until 1769, that the first land expedition led by Gaspar de Portolà passed by heading north to find Monterey Bay. After leaving camp by the estuary in Los Osos, one of the diarist for the group, Juan Crespi, noted that Morro Rock was separated from the land during high tide. The field draft, written September 9, 1769, by Crespi is the first description of Morro Bay.

“The small valley of the village of San Adriano, Saint Adrian, belonging to La Navidad de María Santisima. This spot lies very close to the shore, the harbor that I spoke of being in sight from here, with the harbor mouth in front of this place; but we have been able to see clearly that there is no passage into it, for it is breakers everywhere. In front of us we have a quite high, round island rock; and a very high mountain range is in view a long way off, now that the weather has cleared a little this afternoon. Impossible to make an observation, as nearly the whole day it was very overcast.” (Brown 2001:491).

Three years later, Mission San Luis Obispo de Tolosa was established in 1772. The back valleys surrounding Morro Bay were used as grazing land by the mission. After Mexico won its independence from Spain, the lands formerly under the control of the mission were granted to citizens of Mexico. Three large tracts of land were granted that surrounded Morro Bay from the north to south; the Ranchos Moro y Cayucos, San Bernardo and Canada de Los Osos.

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The American Period

In 1847, the Treaty of Hidalgo ceded California to the United States. The ranchos began to change ownership and settlers began to trickle into the county. Franklin Riley and his wife Hannah filed for 160 acres of bay front property in 1861 (Homestead Declaration Book A:24). Morro Township was established and Riley built the Embarcadero and the first house in 1870. Starting a small nursery, it was Riley who introduced the eucalyptus and cedar into the area to help control damage from the blowing sands (Hammond 2010). In 1872, Carolan Mathers surveyed and filed the first map of the township. Lots were still available over ten years later (The Library Associates 1993). Population estimates ranged between 100 to an optimistic 250 during the 1870s. Becoming a hub for the growing dairy industry, the area also engaged in the cultivation of flax, potatoes and hay. Another early settler was Ezra Stocking who kept a store and ran the first post office.

A partnership between Captain Williams and Franklin Riley in the early 1870s was formed to construct a new wharf and warehouse to provide regular service for transporting goods and merchandise between San Francisco and Morro Bay. A small shipping business was established, but the harbor was never really successful until 1878. At that time lumber dealers Jones and Shepard, acting as agents for a Santa Cruz lumber company, began shipping lumber down from the mills in Santa Cruz unloading at the two wharves in Morro Bay. The Morro Lumber Company supplied redwood and pine to the local community (Angel 1883). The same year crops were successful and the outlook brightened for the harbor.

After 1900, the population grew as land speculators began to carve up the large tracts into small lots. E. G. Lewis developed the Atascadero Beach, constructing an hotel, beach cottages and a golf course on his 3,000 acres that were subdivided to enhance his Atascadero Colony (Lewis 1974). The Los Angeles firm of Miller and Murphy developed three large parcels totaling 1600 acres called Morro Bay Vista that included the Cabrillo Country Club. The promotional efforts focused on appealing to people living in the interior valleys as a way of escaping the hot summers. Camping, clamming, boating, duck hunting and fishing were features that brought visitors to Morro Bay.

One of the early visitors was Mrs. Ethel Birkhead, who first came in 1898 from Tulare. "The party camped two nights enroute, the second one at the 'Cotton Woods' ... where an artesian well with a cattle trough provided an oasis." (Gates and Bailey 1984:34) Years later Ethel returned in a Chandler car camping near the beach. Ethel finally moved to Morro Bay in 1949. At the time there were "eighty-eight houses south of the original Morro Bay Boulevard, twenty of which were summer homes with no registered residents." (Gates and Bailey 1984:34)

Things soon changed as the great Depression effectively brought an end to the real estate transactions. Developers went broke. Harbor work was being done by the Works Progress Administration (WPA) during the 1930s and early 1940s. They filled in the north entrance channel and built the north breakwater resulting in the causeway that tied Morro Rock to the land

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in 1936. WPA was also responsible for the revisions to the golf course and adjacent Morro Bay State Park and Campground. Quarrying Morro Rock, that began during the 1890s, continued until 1963. Morro Rock became State Historical Landmark #821 in 1968. That effectively ended the quarrying activities.

World War II brought other changes to Morro Bay. Starting in 1940 with 100 acres of waterfront land that grew to 250 acres, an amphibious training base was established by the navy coast-patrol (Castle and Ream 2006). The facility included two “T” piers, rows of Quonset huts and large administrative buildings. Much of the navy base was in and around the land that was later taken over by P G & E for its power plant (now decommissioned).

The fishing industry that began shipping to the San Francisco Market in the 1890s continues to catch fish today, albeit in a smaller scope. In 1953 there were 75 fishing boats using Morro Harbor (Gates and Bailey 1982). A strong abalone industry formed and peaked between 1930 and 1960. It resulted in piles of abalone shells near the processing plants (Castle and Ream 2006).

After many attempts during the 1950s, finally in 1964 Morro Bay was incorporated. The process started by the Chamber of Commerce President Vernon D. Crass was not an easy one (Gates and Bailey 1982). The growth that began in the early 1900s slowly began again. Vacation cottages and small retirement homes became the face of Morro Bay.

SIGNIFICANCE CRITERIA

Effective in February 1999, changes made to the California Environmental Quality Act of 1970 (CEQA) removed thresholds of significance from the main document and relied upon criteria set forth in Public Resources Code, Section 5024.1 Title 14 CCR Section 4852. These revisions to qualifying criteria for determining the significance of a resource include the following;

1. Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
2. Is associated with the lives of persons important in our past.
3. Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic value.
4. Has yielded, or may be likely to yield, information important in prehistory or history.

Cultural resources displaying one or more of these criteria, may be considered significant and thereby subject to special measures of avoidance or evaluation prior to any potential impacts.

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If impacts cannot be avoided then a mitigation plan is normally developed. CEQA directives regarding mitigation of cultural resources are also addressed in the Public Resources Code.

These criteria will be applied in this report.

RESULTS

A resurvey of fifteen blocks bounded on the north by Morro Bay Boulevard, the south by South Street, west by Monterey and east by Piney Way Streets was completed by A. F. Parsons in 1917. The parcel had sixteen signatures on the document but five were members of the Schneider family. They had total ownership of eight of the blocks. Mathias Schneider and four of his six sons, Karl, Harry, Edward and William had signed the document as well. The project parcel is within block 13, one of the Schneider blocks on the resurvey map. (Figure 1)

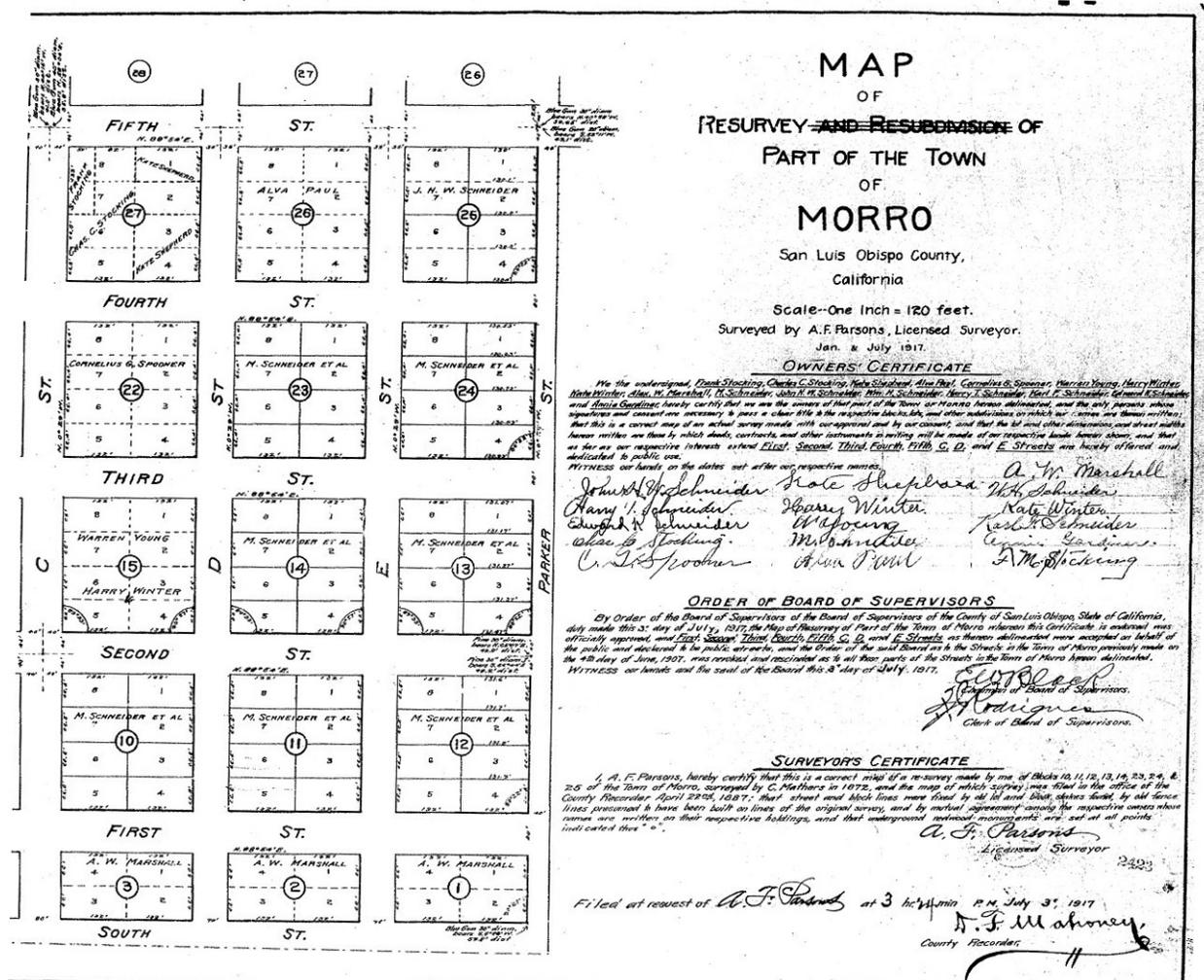


Figure 1: Project area is a part of block 13, lot 5

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Land Owner

Mathias Schneider Family

The Mathias Schneider family arrived in Morro Bay in 1889. Mathias and his wife Sophia, were both born in Germany. They met in Pennsylvania and married in 1874 where a son was born in 1875 and another son every two years until 1885. It was a hard life that took its toll on Mathias, first working the coal mines and later as a butcher and baker. They headed west first settling in Baywood Park where their last child, a daughter, Annie was born. Not long after they moved onto a homestead near the current location of the Inn at Morro Bay growing grain and raising cattle. In 1894, much of the Franklin Riley Property was sold to Mathias, most of it located south of Morro Bay Boulevard. Schneider ran the old Spooner store and post office, water works, and a dance hall (Gates and Bailey 1984). A campground was located on their property south of Morro Bay in a eucalyptus grove near the bay.

In 1913, Morro Bay newcomer McMillan purchased the Schneider Grove campground with plans to run an auto/stage between Taft and Morro Bay to support the interest of the valley families to spend time in the summer coolness of Morro Bay. (*San Luis Obispo Daily Telegram* April 30, 1913) The eldest Schneider son, John, raised hay on the site of the Morro Bay Golf Course. Mathias died in 1926 and Sophia in 1939, later generations of the Schneider family still live in the county.

Home Owners

Several deeds addressed to Louie Ralph and Evelyn Jeanette Howard from 1951 to 1952 were found on the San Luis Obispo County Clerk/Recorders files that are online in the deed indices. As the office has been closed to the public due to the COVID 19 concerns, the deeds were not available to be checked for location. The four deeds that would have been checked are:

#19511007047 - Deed Book 613/423

Amos Moore and Bertha M. Ranney to Evelyn J. and Louie R. Howard

Amos was a carpenter in Morro Bay in 1950 (He also was a real estate agent)

#1951012657 - Deed Book 631/157

Russell and Edith S. Noyes to Evelyn J. and Louie Howard

Russell and Edith had "Noyes Realty Service" in 1946/47 in Morro Bay

#1952000852 - Deed Book 642/588

Curtis B. and Lillian A. Davis, Milton C. Rohrberg to Evelyn and Louie Howard

Davis and Rohrberg were realtors in 1946/47 in Morro Bay

#1952001569 - Deed Book 645/71

Frank G. and Mary Melohn to Evelyn and Louie Howard

Melohn was a janitor in 1950 Morro Bay

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The first three all dealt in real estate and, in particular, Amos Ranney was also a carpenter. By 1953 the first occupants of the house, Evelyn and Louie Howard were living in Morro Bay. Unfortunately, the street addresses were just beginning to be put in place. The street address for 603 Driftwood first shows up in 1954. Previously, the street was named "Second Street" and Shasta was "E Street." No record nor map was found that suggested that there was a structure on the property prior to when the current residence was constructed. Nor was information located when a lot split took place as 603 Driftwood was originally a part of lot 5 (132 x 99 feet) at the corner of Shasta and Driftwood Streets. The project lot has a 50 foot frontage on Driftwood Street behind the corner lot. Today both residences have low concrete block walls capped with red brick along the front of the parcels.

Louie and Evelyn Howard

Louie Ralph Howard was born near Hanford, California in 1890. In 1917, he was employed by Rick Drilling in Coalinga and married with a young son. For most of his years in the Central Valley, Louie farmed. The exception was when he was in Long Beach during World War II with his second wife Evelyn.

Evelyn Jeanette Maschinot was born in Kentucky in 1910. By 1930, Evelyn was married and living in Bakersfield with Boomer W. Reed. Boomer (Bud) Reed was an unemployed painter at the time and they had an infant daughter, Eva Mae. Later in 1838, Boomer was an oil worker in Bakersfield. By 1940, Evelyn was living in Kern County with an additional two sons, after she had left Boomer. She was later living with her second husband, Louie Howard, in Long Beach during World War II.

After years of farming, Louie and Evelyn left the Central Valley escaping to the coolness of Morro Bay. When Louie retired they moved to Morro Bay to their new house at 603 Driftwood Street. In 1960 when Louie died, Evelyn stayed on at the house, occasionally working as a local saleswoman.

Eva Mae and Thomas Gaddis

A deed dated May 22, 1987 turned the property over to Evelyn's daughter, Eva Mae as sole owner after two other names had been on the deed with her - Thomas Gaddis, Eva Mae Gaddis and Evelyn Howard (#1987035875 - Deed Book 2995/825). Eva Mae and Thomas Gaddis were living in Tulare at the time. After Evelyn died in 1989, the house was left to her daughter, Eva Mae and her husband, Thomas C. Gaddis.

The former Eva Mae Reed had first married Harry Lammers Hartman in 1947 in Tulare. After having three sons and two daughters raised to adulthood, Eva Mae divorced Hartman in 1973. In 1981, Eva Mae married Thomas C. Gaddis in Nevada. Thomas had been one of fifteen children born in Oklahoma. Previously Gaddis had been married in 1954 after he was discharged from the army. He had a son, Robert.

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Figure 2: Eva Mae Gaddis

After Thomas Gaddis retired from farming, they too moved to Morro Bay from Tulare around the time Eva Mae's mother, Evelyn Howard died in 1989. Thomas and Eva Mae Gaddis lived at 603 Driftwood Street until 2010 when Thomas died. Eva Mae stayed on at the house enjoying knitting and crocheting many items that she donated to organizations in need. Eva Mae passed away at the end of 2019. (Figure 2) The current owners Jon and Bridget Hubbard recently purchased the property from the Eva Mae Gaddis estate.

FIELD SURVEY RESULTS

Exterior

The house is stucco with a concrete block foundation. The partially slanted roof is covered with tar and gravel. The roof slant rises approximately two feet on the east side before returning abruptly to a flat roof two feet lower. (Figure 3) The broad concrete block fireplace wall punctures the exterior west wall. Windows on the west and south sides are fixed pane. Only three windows in the house open. Two of them are louvered.



Figure 3: Front Entrance

A covered carport is attached to the east side of the house with privacy lattice along the opposite side. The original two car garage at the northeast corner of the property has been enclosed with an entry on the west side of the 464 square foot structure. (Figure 4) A low wooden fence separated the converted structure from the small grassy area behind the residence.

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Figure 4: Rear yard with back of the house on the right and the converted garage on the left.

At the end of the carport is a small utility shed. A brick planter runs along the back of the house. A rectangular concrete pad runs west to east towards the rear of the lot.

Setting

The front yard has draught resistant plants such as protea, rock rose, sea lavender and lantana. A wood fenced ramp leads up to the front door from the driveway. Both Evelyn and later her daughter, Eva Mae lived in the house until they died. At some point the ramp was constructed with a bench at the turn to facilitate their ease of

entry. Under the ramp, one can still see where originally there was a step or two up to the front door.

The view from the street is of a small 1950s beach cottage that has been kept in good condition. The stucco walls, tar and gravel roof were typical construction elements of the 1950s. No evidence was found to suggest a structure was on the property prior to the 1950s.

Surrounding Neighborhood

The neighborhood is undergoing changes from small vacation and retirement cottages to more larger residences and multi-family accommodations. Newer two-story construction are a part of the changes in the vicinity, particularly on the smaller lots enabling them to enjoy the view from the gently sloping hillside. Housing directly adjacent to the residence to the north are and east are two-story structures.

SIGNIFICANCE DETERMINATION

The research developed for this report was applied to the following criteria to determine the significance of the residence at 603 Driftwood Street.

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.

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As a small retirement home, it served as a quiet refuge on a cool California coast providing relief from the climate extremes of the Central Valley. No information was discovered that proved otherwise.

2. Is associated with the lives of persons important in our past.
The research did not uncover names living on the property that were important in the history of Morro Bay.
3. Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic value.
Although, representative of a mid century vacation/retirement cottage, it does not meet the level of distinctive characteristics as defined above.
4. Has yielded, or may likely to yield, information important in prehistory or history.
N/A

CONCLUSION/RECOMMENDATIONS

The existing residence at 603 Driftwood Street in Morro Bay, California, while over fifty years of age, does not meet the standards for historical significance. There were no historic events that took place, nor people important to our past, living on the property. The architecture reflects the beach cottage architecture of the 1950s. While appropriate for the period of construction, it does not reach the level of design and uniqueness that would be consistent with the CEQA guidelines. The changes proposed for the house will not effect any known or unknown historic properties or landscape nearby. However, it is recommended that the proposed addition is consistent with the scale of the neighborhood and in keeping with the original design.

REFERENCES CITED

Bibliography

- Angel, Myron
1883 *History of San Luis Obispo County, California, Thompson & West, Oakland California*
Facsimile reprint 1969 by Valley Publishers, Fresno, CA.
- Brown, Alan K.
2001 *A Description of Distant Roads by Juan Crespi*. Edited and Translated by Alan K. Brown. San Diego State University Press.

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Castle, Roger and Gary Ream

2006 *Images of America Morro Bay*. For the Historical Society of Morro Bay and produced by Arcadia Publishing

Gates, Dorothy L. and Jane H. Bailey

1982 *Morro Bay's Yesterdays*. El Moro Publications, Morro Bay

Hammond, John W.

2010 *Cultural Landscape Report for the Moro Bay State Park Campground*. Prepared for the State of California, Department of Parks and Recreation.

Lewis, William H.

1974 *Atascadero's Colony Days*. Published by the Atascadero Historical Society, Atascadero, CA.

The Library Associates

1993 *A Vast Pastoral Domain, San Luis Obispo County in the 1870s*. Reprints produced by the Robert E. Kennedy Library, California Polytechnic State University.

Maps

1872 Map of the Town of Morro. Surveyed by C. Mathers

1917 Resurvey of Part of the Town of Morro. Surveyed by A. F. Parsons

1937 Sanborn Map Company - Morro Bay. No coverage

Deeds

1861 Homestead Declaration Book A:24 - Franklin and Hannah Riley

1951 Deed Book 613/423 - Moore and Ranney to Evelyn and Louie Howard

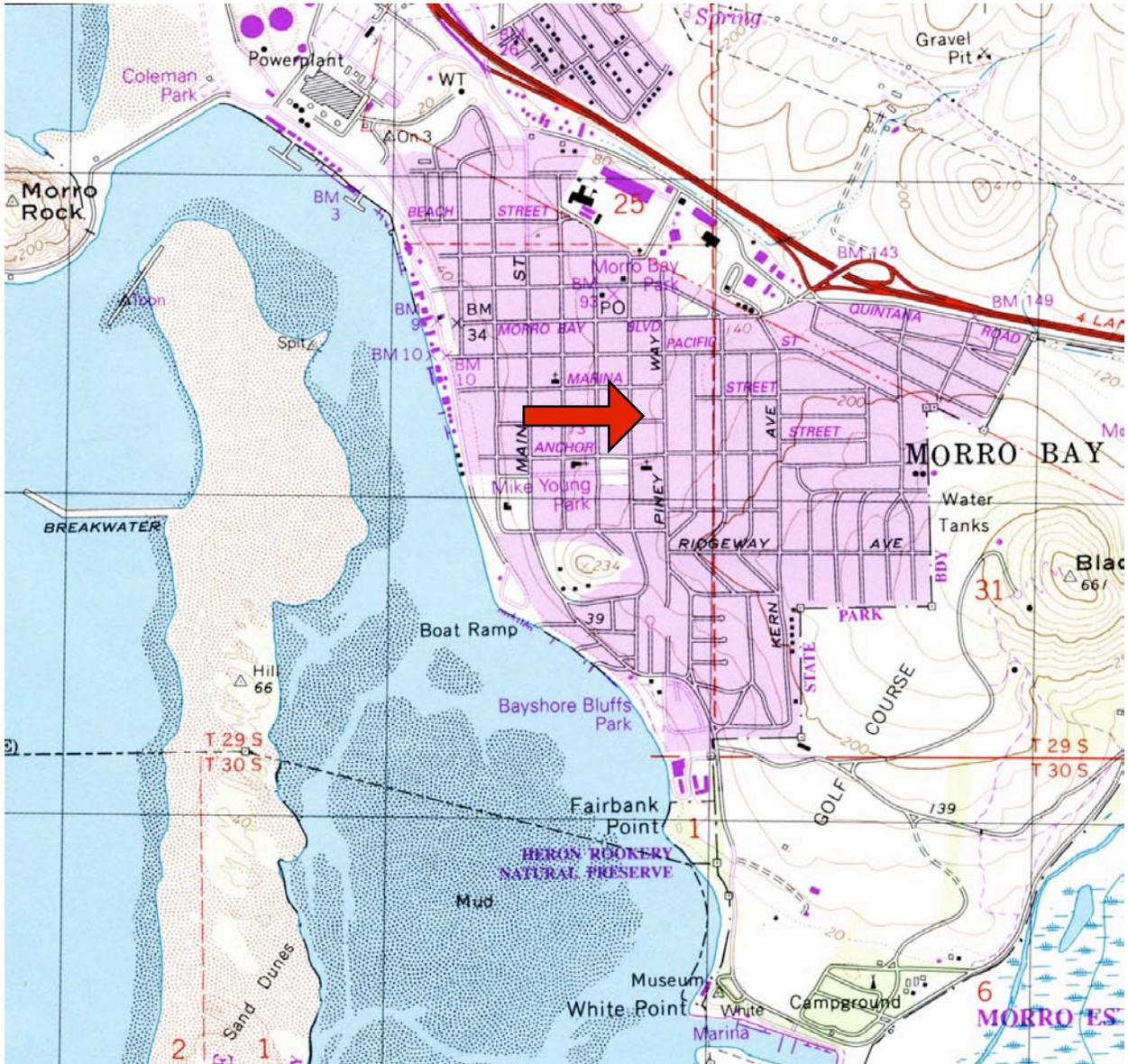
1951 Deed Book 631/157 - Russell and Edith Noyes to Evelyn and Louie Howard

1952 Deed Book 642/588 - Davis and Rohrberg to Evelyn and Louie Howard

1952 Deed Book 645/71 - Frank and Mary Melohn to Evelyn and Louie Howard

1987 Deed Book 2995/825 - Thomas Gaddis and Evelyn Howard to Eva Mae Gaddis

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APPENDIX A: Project Location Map

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APPENDIX C: Proposed Project

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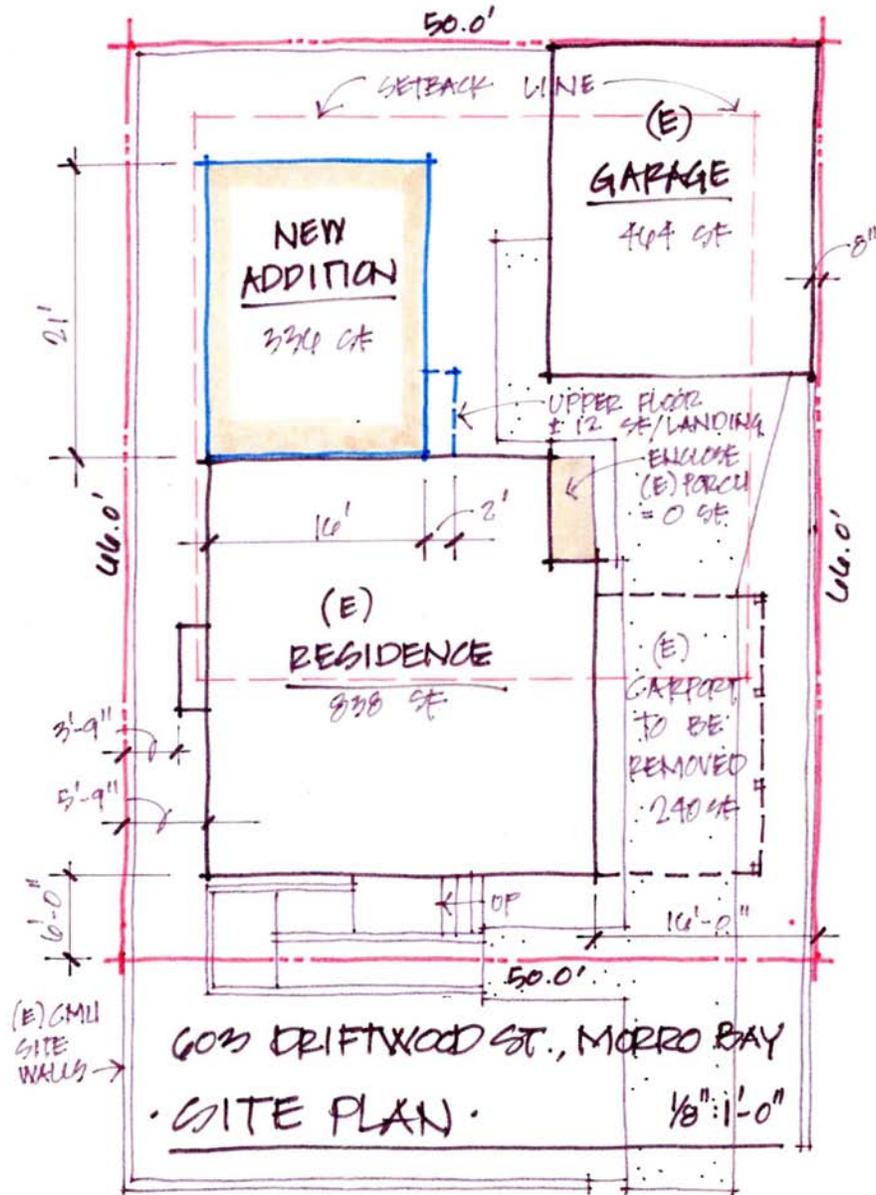
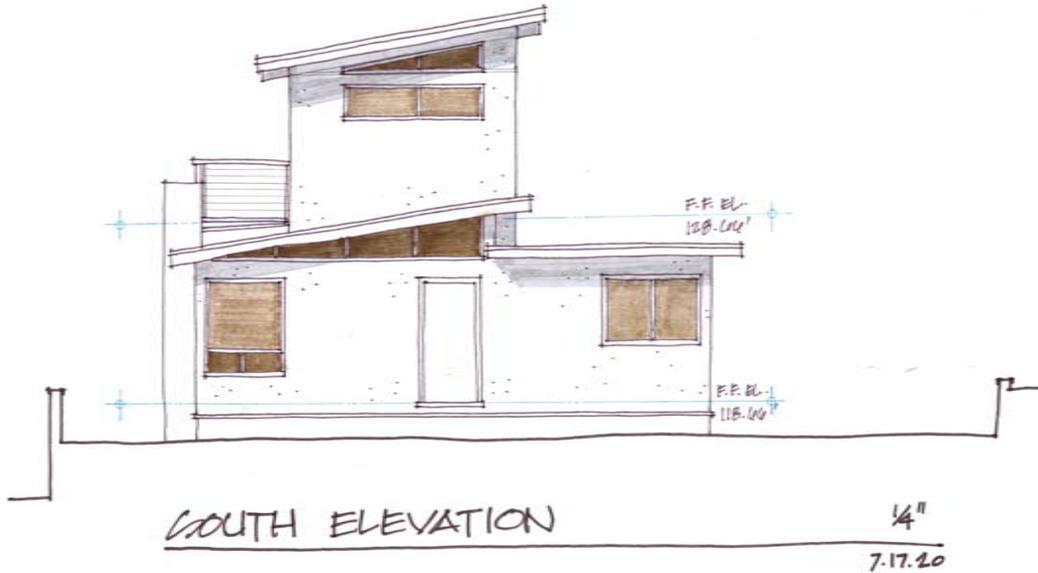


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AGENDA NO: B-2

MEETING DATE: December 1, 2020

Staff Report

TO: Planning Commissioners

DATE: November 23, 2020

FROM: Scot Graham, Community Development Director
Cindy Jacinth, Senior Planner

SUBJECT: Continued Review of Adoption Hearing Draft of Plan Morro Bay: General Plan/Local Coastal Program Update

RECOMMENDATION:

Staff recommends the Planning Commission continue the review of the Adoption Hearing draft of Plan Morro Bay and provide recommendation to City Council for adoption.

CONTINUED HEARING:

This item was continued by the Planning Commission from its November 17, 2020 and November 4, 2020 public hearings. Prior to that, the meeting was previously continued from the first public hearing held on October 20, 2020. Tonight's hearing is the fourth public hearing to review the Adoption Hearing Draft of Plan Morro Bay.

At the previous hearings, Planning Commission opened the public hearing, took public comment, and reviewed the Adoption Hearing draft going through each Element at a time. To date, the PC has reviewed and provided comment on all Elements up through the Public Safety Element with the Environmental Justice Element to be reviewed next.

As stated in previous staff reports, a summary of comments received in spreadsheet table form has been compiled to note how changes were incorporated from the 2018 Public Draft to the 2020 Adoption Hearing Draft. This includes comments from PC, GPAC, as well as Coastal Commission staff comments received in 2019 (Online links below).

In addition, public correspondence received for this meeting is attached as Exhibit A by the Embarcadero Master Leaseholders, LLC and Home Front EJ.

Prepared By: ___CJ___

Department Review: ___SG___

CONCLUSION:

Staff recommends the Planning Commission take public comment, continue its review of the Adoption Hearing draft and provide recommendation to City Council for adoption.

Exhibits:

Exhibit A – Public Correspondence Received

ONLINE ATTACHMENTS:

Adoption Hearing Draft of Plan Morro Bay:

<https://www.morrobayca.gov/DocumentCenter/View/14876/Hearing-Draft-Plan-Morro-Bay-Oct-2020>

PC Comments Summary:

<https://www.morrobayca.gov/DocumentCenter/View/14871/PC-Comments-matrix>

Coastal Commission Comments Summary:

<https://www.morrobayca.gov/DocumentCenter/View/14870/CCC-Comments-matrix>

GPAC Comments Summary:

<https://www.morrobayca.gov/DocumentCenter/View/14872/GPAC-comments-matrix>

GP/LCP Comparison Chart (Comparison of old Element names to new Element name)

<https://www.morrobayca.gov/DocumentCenter/View/14869/GP-LCP-Comparison-Table>

2018 Public Draft Plan Morro Bay

<http://www.morro-bay.ca.us/DocumentCenter/View/11817/Plan-Morro-Bay-LCP-Public-Draft-May-2018>

Embarcadero Master Leaseholders, LLC
701 Embarcadero Road
Morro Bay, CA 93442

November 4, 2020

City of Morro Bay Planning Commission
Community Development Department
955 Shasta Street
Morro Bay, CA 93442

Dear Chair Luhr, Commissioners and staff,

Thank you for taking time to review our comments and continue to work with us regarding specific policies in the draft Plan Morro Bay.

The EML has taken additional time to separate out some of our earlier comments and to specifically address some of our significant concerns along with suggested language for the Commission's review. This attached document is formatted such that the proposed policy is in black text and the EML's comments and suggested language is in purple. If there is only an addition of text to the policy, we have shown that in purple italics. We hope this format makes it a little simpler to follow and review our comments.

Attached please also find the remaining policy comments that we had provided to the Commission on October 20. We have not included any suggested language for these policies but hope the Commission can take the opportunity review and address any questions that have been raised.

We will look forward to the upcoming Commission meetings and will make ourselves available to answer any questions you may have. Thank you in advance for your time.

Regards,



Paul Van Beurden
EML President

Board of Directors:

Paul Van Beurden, President, ninthdutch@yahoo.com

Smith Held, Vice-President, smithheld@sbcglobal.net

Bob Fowler, Secretary/Treasurer, BobF@meridianrealtyconsultants.com

Embarcadero Master Leaseholder's comments
November 4, 2020

POLICY LU-7.1: Lateral Access. All existing publicly used lateral accessways and areas shall be protected, preserved, and enhanced to the maximum possible extent, and new lateral accessways/areas shall be encouraged and provided, where appropriate. All lateral connections along the coast, with particular emphasis on the Embarcadero, shall be required to be improved and enhanced. All such connections shall be universally accessible. For new development (defined by the Coastal Act) adjacent to the bayfront or ocean, open and unobstructed public access shall be provided from the nearest public roadway to the shoreline and along the coast as required herein.

- g. Lateral access along the waterfront revetment may be achieved in the following manner:
- i. Walkways. In the form of open or enclosed unobstructed walkways, a minimum of 10 feet wide across the bayward side of the proposed development.
 - ii. Decking and/or boardwalks. Open and unobstructed exterior decking and/or boardwalks extending bayward a minimum of 12 feet (minimum of 10 feet of walkway).
 - iv. Connection to adjacent properties shall be planned for and implemented on a system wide basis.

Most of the lateral accessways on the Embarcadero have already been installed or approved in upcoming projects. Only a few, other than the access required on City owned properties, remain to be installed:

1. Associated Pacific (will have a 10' accessway when proposed)
2. The rental units south of Associated Pacific
3. Kayak Horizons (will have a 10' accessway when proposed)
4. The Aquarium building
5. Yacht Club
6. A portion of the Dutchman Seafood House (will have a 10' accessway when proposed)
7. Libertine Pub
8. Central Coast Fuel Dock (has 5' access now)
9. Santa Monica Seafoods
10. Tognazini's Dockside & Dockside II (Dockside has never completed the Harborwalk on the east side.
11. Morro Bay Oyster Company

City Owned Properties:

12. Coast Guard
13. PG&E Inlet structure
14. Harbor Dept.
15. Anchor Park
16. City ice machine
17. Tidelands Park

18. Street ends at Beach, Harbor, Centennial Stairway, Pacific, Marina and Driftwood

The accessways that are installed at 8 feet wide will, under his policy need to be upgraded to 10' (or is it 12'; see 7.1 g. i, ii and iv.

Nevertheless this policy requires those installed at 8' to be rebuilt to 10' or 12' upon a minor trigger such as a "change in land use designation, intensity of use or a change of use." (7.1 c.) This along with sections 7.1 d., e., f., seem to be too minor of a standard to require what may well be a very expensive retrofit. The only way to achieve the widened accessway where it already exists is to extend further out over the bay by a minimum of 2 feet plus. As we all know there are substantial obstacles to extending structures over the bay. If a cantilever design cannot be achieved then the only other alternative is to support the structure with pilings. That solution is fraught with complications with eelgrass and the prohibition of adding fill to the bay. The alternative is to widen the accessway by moving it into the occupied space of the building on the landward side. On a project recently built that is a very onerous condition to accept.

The effect of this is to discourage a Master Lessee from proposing a minor change in use. This needs to be a requirement imposed at the time that a major redevelopment or complete replacement of the building on the parcel is considered. We all, including the City, want these businesses to be able to adapt to changes in the market place and be able to accommodate uses that are appropriate without burdening the projects with impossible conditions. This would discourage a user wanting to make a change that otherwise would be good for the City.

Suggested language:

#c. **Change in use.** A change in land use designation requiring a major reconstruction of all or at least 50% of the property.

#d. delete

#e delete

#f delete unless needed in areas other than the Embarcadero waterfront.

#g Lateral access along the waterfront revetment may be achieved in the following manner:

- i. Walkways, decking or boardwalks in the form of open or enclosed walkways, a minimum of 10 feet wide across the bayward side of the proposed development.
- ii. Breezeways and/or walkways. Designated open breezeways and/or walkways within the structure, provided such breezeways are located as close as possible to the bay and designed to provide the most direct convenient connection between adjacent existing or potential lateral accessways. Exterior access is preferred over interior access.
- iv. Connection to adjacent properties shall be taken into consideration and planned for between adjacent property owners at the time construction plans are submitted to the City.

#h. Exceptions. The lateral access requirements specified above may be waived in the following situations:

- i. When the applicant can demonstrate, based on an engineering analysis, that all or a portion of such access is physically infeasible and there are no design alternatives capable of overcoming topographical or site constraints that jeopardize public safety and fragile coastal resources.
- ii. If continuous lateral access across the bayward portion of the parcel is found infeasible due to topographical or site constraints as defined in subsection (d)(i) of this section, the contribution of an in-lieu fee, equivalent to the cost of construction of an accessway along the bayward edge of the structure proposed, shall be paid to the City. Fees shall be used to coordinate the bayfront lateral and vertical access program, and shall be used to link lateral access where feasible and to improve vertical access provisions.

For our purposes here it applies to use of the lateral accesses by the general public and should protect the grantees of lateral access, except where there is "a willful or malicious failure to guard against a dangerous condition, use, structure or activity." It seems to the leaseholders that the fueling area and the fish unloading areas would fall under that exception and that additional precautions are needed to protect the public. This may be a legal question if the City can demand that an access is constructed when there is a clear and present danger for public and unsafe conditions that cannot be exempted.

If the lateral accessway is found to be infeasible an in lieu fee of the amount of the cost of construction doesn't seem to work. One of the reasons to have the in lieu fee is the potentially high cost of implementation. The in lieu fee needs to be established at some reasonable amount, perhaps a per linear foot fee, and what it is used for needs to be clearly defined. It should be spent on those lateral access areas that are City owned and within the Tideland Trust properties. Again, we don't want to discourage redevelopment or re-use of these properties so we need to make this a reasonably achievable goal.

Suggested language:

- i. Leave the public safety statement in the policy. So policy as written.
- ii. If continuous lateral access across the bayward portion of the parcel is found infeasible due to topographical or site constraints as defined in subsection (d)(i) of this section, the contribution of an in-lieu fee of \$_____ per linear foot shall be paid to the City for use in the establishment and construction of the lateral accessways on City owned properties such as but not limited to the Tidelands Park and the street ends at Harbor, Pacific, Marina, and Driftwood.

POLICY LU-7.3: Unobstructed Lateral Access. Furniture, windscreens, gates, fences, or other items shall not be placed in the area of pedestrian flow of a lateral accessway. Existing items of this sort shall be removed during future lease renewals or applications for improvements.

Part of the charm and attraction of the lateral accessways is the opportunity to enjoy the experience. Benches, windscreens, trash receptacles, potted plants and other amenities add to the ambience. We don't want this language to disallow those kinds of experience enhancing things to exist and we should want to encourage our Master Lessees and subtenants to provide those kinds of things. The lateral accessways are to be 10 feet wide, the ADA requirement is 4 feet, so there should be language that

requires a minimum of 4 feet clear or unobstructed accessway. If there is a particular issue for a particular accessway that can be dealt with in the approval process in the case of a new project or in the case of a lease renewal, in the lease itself.

Suggested language:

Lateral Access. Furniture, windscreens, gates, fences, or other items shall not be placed in areas that would obstruct pedestrian flow of a lateral accessway by a minimum of 4 feet clear.

POLICY LU-7.5: Coastal Access Amenities. Provide clear signage (including appropriate interpretive signs) and amenities (such as benches, picnic tables, trash and recycling service, bike racks, etc.) at all access ways points. (See also Policies CD-1.7 and CD-1.8)

Suggested language:

Coastal Access Amenities. Provide clear signage (including appropriate interpretive signs) and amenities (such as benches, picnic tables, trash and recycling service, bike racks, etc.) along the access ways. (See also Policies CD-1.7 and CD-1.8)

POLICY LU-7.8: Sea Level Rise Impacts on Lateral Access. The following monitoring and actions shall be taken to address issues related to sea level rise in lateral access areas:

The language in this section of the Plan is just too detailed for the purposes of this document. Besides that, this addresses just the lateral accesses. The lateral accesses only exist because the building and business enterprises are there. You have to address and protect the golden goose first and then the lateral accesses can be dealt with. The likelihood of sea level rise or the amount of such rise or the timeline of the rise occurring is speculative at best. To impose draconian mitigations, applicable in specific timeframes when the effects of the phenomenon are so nebulous is to be putting the cart before the horse. The statement here ought to be more generalized so that it can be applied if and when it is needed. To definitively call out the fixes for particular properties in particular timeframes is beyond what this document is designed to do and risks trapping us into doing fixes that may not be necessary or may be required in a much different timeframe.

Suggested language:

Sea Level Rise Impacts on Lateral Access. The following monitoring and actions shall be taken to address issues related to sea level rise in lateral access areas. The City shall evaluate whether any of the existing bayside lateral access in the 2050 inundation zone can be defended in that part of the Embarcadero. During lease renegotiations, raising of the bayside lateral access or installing floating access may be required if the existing bayside access cannot be defended. All lease sites affected through 2050 will need to be monitored for additional sea level rise impacts to lateral accessways through 2100 due to lease site vulnerability. When feasible, lease sites should be encouraged to implement floating bayside lateral accessways to improve design resiliency to sea level rise. Monitoring the need for improvements to the boat launch ramp will be done as part of this action. During lease renegotiations, raising of the bayside lateral access or installing floating access may be required in these areas if the existing bayside access cannot be defended.

- a. delete
- b. delete

- c. delete
- d. delete
- e. delete
- f. delete
- g. delete
- h. delete
- i. delete
- j. delete

Policy LU-8.7. **Embarcadero Coastal Hazards Standards.** In the Embarcadero area development shall include all feasible measures to avoid, or if avoidance is infeasible, to mitigate against coastal hazard threats and potential impacts to coastal resources. Fill and placement of materials in coastal waters, including shoreline protective devices in this area, shall be the minimum amount necessary, shall be allowable only where there is no feasible less environmentally damaging alternative and where feasible mitigation measures have been provided to minimize adverse environmental effects, consistent with the following:

- a. Upon the lease site approval or renewal, lease sites adjacent to the bayfront shall be required to relocate any underdeck utilities to a location above the sea level rise zone.
- b. Decks, piers, and other immobile bayside lateral accessways should be raised or reconstructed to heights above the sea level rise inundation zone.
- c. At-risk storm drains should be redesigned or relocated to maintain full function and prevent flooding as tides continue to rise.

First, this policy is under “GOAL LU-8: Morro Bay’s downtown and waterfront areas are active and welcoming locations for shopping, recreation, public access, visitor-serving needs, and coastal services.” So how does this section on coastal hazards apply to the particular language in the goal? See below for suggested relocation.

Second, this particular section is not necessarily appropriate for the Embarcadero. The Army Corps constructed the Embarcadero and rock revetment back in the 1940’s. So there is an approximate 80 year old structure that the City requires the leaseholders to maintain and repair when necessary but with this policy the City is requiring additional studies and in some instances limitations on what can be proposed as a project.

This policy would require an alternative analysis for “fill and placement of materials in coastal waters” which means piles, rock revetment, floating docks and any other things that are placed in the water. The applicants will be required and responsible for doing more studies to evaluate the least environmentally damaging alternatives for pilings, or rock rip rap, floating docks, repairs or reconstruction. The policy as written states that this “shall be allowable only where there is no feasible less environmentally damaging alternative and where feasible mitigation measures have been provided to minimize adverse environmental effects, consistent with the following: So does this mean if it is less environmentally damaging to have a vertical seawall rather than rip rap, then you will be required to take out the rip rap and put in a vertical wall rather than repair the existing rip rap?”

This could also mean that a Harborwalk or building would need to be cantilevered rather than supported by pilings. This may force a reduction in the size of the project so that it is even potentially feasible for a cantilever design. This policy as written also gives the City and Coastal Commission the authority to require the removal of the seawall and let it return to nature.

There will be a CEQA or equivalent review, and in some cases a proposed project will be exempt under CEQA that will consider the environmental impacts and incorporate mitigation measures to minimize the impacts of the proposed project where appropriate.

Additionally the language as presented potentially precludes a CEQA exempt determination especially for repair and maintenance as it states that the project “shall be allowable only where there is no feasible less environmentally damaging alternative and where feasible mitigation measures have been provided to minimize adverse environmental effects...”. The policy as written would trigger the need for an environmental analysis of the proposed project to determine whether it is the best alternative. The additional language included in the sub categories do not necessarily relate to the main goal in determining environmental feasibility of any alternative, minimum placement of fill and materials, or minimizing adverse environmental effects. Specifically the following:

a. Upon the lease site approval or renewal, lease sites adjacent to the bayfront shall be required to relocate any underdeck utilities to a location above the sea level rise zone.

The applicant or leaseholder will be **required** to “relocate any underdeck utilities to a location above sea level rise at the time of “lease site approval or renewal”. This is a complete unknown as a lease site may be required to elevate utilities above an existing level of a building that will not be feasible and at a point that the potential sea level rise point is well into the future. For example if a lease holder renews a lease 5 years after adoption of this policy, they will need to elevate the underdeck utilities well beyond a level of where the existing building is located. If there is an existing sewer line that that needs to be at the current level in order to flow to the city collection system and it is required to rise even a couple of feet, it may need a pump installed to get the wastewater to flow up and back down to the connection point. The underdeck utilities can also include a fire sprinkler system that is required to remain at its current location.

b. Decks, piers, and other immobile bayside lateral accessways should be raised or reconstructed to heights above the sea level rise inundation zone.

Docks, piers, and other immobile bayside lateral accessways “should” be raised to heights above sea level rise. Take note that the definition of “should” provided for in the Plan is stated as the following “Should” and “may” **are mandatory**, unless there is a compelling reason to do otherwise. How will this be done irrespective of the relationship to the existing building and adjacent sites, ADA standards and absent a defined period of time for this to be done that would necessitate planning for more than just one project area but more like the entire Embarcadero area.

c. At-risk storm drains should be redesigned or relocated to maintain full function and prevent flooding as tides continue to rise.

Taking into consideration that if there are storm drains that are at risk for flooding tides and/or sea level rise, then a greater issue is at hand for all the buildings and other developments that need to be considered on an area wide basis. Will this policy require the applicants to study the entire City storm drain system for the Embarcadero? Will this policy require that the applicant pay for relocation or one or more storm drains?

Consider the other polices in the Plan that encourage repair, maintenance and promote economic development.

Suggested language:

Consider moving this policy to Goal PS-3: Morro Bay is prepared for and responsive to the effects of sea level rise and other coastal hazards in both the short and longer term future.

Revise as follows:

Embarcadero Coastal Hazards Standards. In the Embarcadero area development shall include all feasible measures to avoid, or if avoidance is infeasible, to mitigate against coastal hazard threats and potential impacts to coastal resources.

#a - #c: Delete as these are undefined for specifics and create unintended consequences that cannot be remedied with a reasonable timeframe or with just one project.

IMPLEMENTATION ACTION CD-11 Decking for bayside lateral access decks shall be made of metal slats when eelgrass shading is an issue. Decking shall be made of timber when eelgrass shading is not an issue. Railings for all bayside lateral access decks shall be made of metal...

We believe the Commission has already decided to modify the language however a suggestion is below.

Suggested language:

Decking and railings for bayside lateral access decks shall be made of materials that are appropriate for the surroundings and grated decking for areas that may have an impact on eelgrass. This action will be incorporated into the Waterfront Master Plan when updated.

IMPLEMENTATION ACTION CD-13 New or replacement sections of the Harborwalk boardwalk shall use the same type of materials as the existing Harborwalk sections. If feasible, the lateral access icon shall be included on the Harborwalk by stamping or some other form of application. This action will be incorporated into the Waterfront Master Plan when updated.

The first part of this directly conflicts with #CD-11 as the other section requires metal or timber.

Suggested language:

If feasible, the lateral access icon shall be included on the Harborwalk by stamping or some other form of application. This action will be incorporated into the Waterfront Master Plan when updated.

IMPLEMENTATION ACTION CD-14 On-land lateral accessways (except the public sidewalk) shall be made of paved stained brick and shall include the lateral access icon incorporated into the pavement. This action will be incorporated into the Waterfront Master Plan when updated.

There is a caution that should be noted in using bricks as it may not be good to allow for water infiltration along the waterfront sites. Water flowing through this area may tend to carry the fines out to the bay creating additional sedimentation problems and leading to possible undermining on the site. The project engineer should be consulted prior to making this a requirement.

Suggested language:

On-land lateral accessways (except the public sidewalk) shall be made of paved stained brick or appropriate materials per the project engineer and shall include the lateral access icon incorporated into the material. This action will be incorporated into the Waterfront Master Plan when updated.

POLICY CIR-1.10: Goods Movement. Maintain smooth, consistent, and nonintrusive movement of trucks and goods through the city by way of truck routes, including working with businesses to minimize disruption to traffic flow during loading and unloading, and expanding designated commercial loading zones along the Embarcadero.

Expansion of loading areas should not displace existing parking.

Suggested language:

Goods Movement. Maintain smooth, consistent, and nonintrusive movement of trucks and goods through the city by way of truck routes, including working with businesses to minimize disruption to traffic flow during loading and unloading, and expanding designated commercial loading zones along the Embarcadero *as long as existing parking is not diminished.*

POLICY CIR-.2: Street End Pedestrian Connections. Create safer and more distinct lateral access connections across the street ends on the west side of the Embarcadero at Dunes, Harbor, Morro Bay Boulevard, Front, Pacific, Marina, and Driftwood Streets, including by relocating parking from these areas. (See also Policies LU-4.1, LU-4.5, LU-4.6, LU-7.1 through LU-7.6, and OS-1.6 and Implementation Action LU-19).

Parking is crucial in the Embarcadero area and its disbursement throughout the area is important. Rather than relocating parking to accommodate the street end Lateral Accessways the accessways should be built seaward over the rip rap areas or above the water areas west of the street ends.

Suggested language:

Suggested language:

Street End Pedestrian Connections. Create safer and more distinct lateral access connections across the street ends on the west side of the Embarcadero at Dunes, Harbor, Morro Bay Boulevard, Front, Pacific, Marina, and Driftwood Streets.

3 – F - Noise – Vibration - Vibration Decibels

There is a section discussion on vibration but no policies that refer to this. Why is it included? If language is included then it should be consistent with the draft EIR comments which states on page 4.10-16 “This analysis assumes that construction activity would not involve the use of vibration-generating pile drivers, as discussed in Impact N-1. There are no anticipated major sources of operational groundborne vibration in the city through the General Plan and LCP Update horizon;

therefore, this analysis focuses on potential vibration impacts during construction activity.” So therefore, marine construction should specifically be exempt for these policies.

Suggested language:

Acoustical Studies. Require an acoustical study for proposed projects in areas where existing or projected noise levels exceed or would exceed the maximum allowable levels established in this element. Adopt procedures to ensure project compliance with mitigation measures and enforcement of noise standards. *Marine, waterfront and harbor related temporary construction, such as pile driving, shall be exempt.*

IMPLEMENTATION ACTION NOI-5 Require acoustical studies for all discretionary development proposals that are likely to be exposed to existing or projected future noise levels that exceed the “normally acceptable” community noise exposure standard (Table NOI-3); and for projects that are likely to generate noise in excess of the community noise exposure standard (Table NOI-3); or as determined by the Community Development Director. For discretionary projects, acoustical analysis will be required at the time the application is accepted for processing. For development not subject to discretionary approval and/or environmental review, the requirements for an acoustical analysis shall be implemented prior to the issuance of a building permit.

Does this include marine related work? Does it include temporary construction noise? Suggestion below to add exemption.

Suggested language:

Require acoustical studies for all discretionary development proposals that are likely to be exposed to existing or projected future noise levels that exceed the “normally acceptable” community noise exposure standard (Table NOI-3); and for projects that are likely to generate noise in excess of the community noise exposure standard (Table NOI-3); or as determined by the Community Development Director. For discretionary projects, acoustical analysis will be required at the time the application is accepted for processing. For development not subject to discretionary approval and/or environmental review, the requirements for an acoustical analysis shall be implemented prior to the issuance of a building permit. *Marine, waterfront and harbor related temporary construction, such as pile driving, shall be exempt.*

POLICY NOI-3.3: Construction Shielding. Encourage shielding for construction activities to reduce noise levels and protect adjacent noise-sensitive land uses.

Does this include marine construction work? It appears from the main goal that this is for residential construction however to be clear, there should be a marine construction exemption since there are residential neighborhoods in close proximity to the waterfront.

Suggested language:

Construction Shielding. Encourage shielding for construction activities to reduce noise levels and protect adjacent noise-sensitive land uses. *Marine, waterfront and harbor related temporary construction, such as pile driving, shall be exempt.*

POLICY C-1.15 Eelgrass Protection. Continue to address and mitigate eelgrass impacts on a project-by-project basis using implementation guidelines from the California Eelgrass Mitigation Policy (CEMP) to promote eelgrass growth in the bay. In addition, investigate establishing an eelgrass mitigation bank.

Eelgrass has been a huge obstruction to development in the Bay and we need to establish less stringent protocols, so we need to keep open and encourage new policies that take actual conditions into consideration. Adding this language will keep the Plan current with any new federal regulations that are created.

Suggested language:

Eelgrass Protection. Continue to address and mitigate eelgrass impacts on a project-by-project basis using implementation guidelines from the California Eelgrass Mitigation Policy (CEMP) *or subsequent policies* to promote eelgrass growth in the bay. In addition, investigate establishing an eelgrass mitigation bank *and other mitigation or programs allowed for in the CEMP.*

POLICY PS-3.6: Shoreline Preservation as a City Goal. The Morro Bay shoreline is an irreplaceable resource and its preservation as a natural living shoreline is a matter of great public importance. Therefore, the intent of the Local Coastal Program is to ensure that shoreline protective devices and other shoreline altering development are only utilized in very rare situations and only when all coastal resource impacts are avoided, and where unavoidable are appropriately and proportionately mitigated, including consistent with Policies PS-3.7, PS-3.12, and PS-13.

The Embarcadero is different and should be recognized as such. This is State Tidelands and is set aside for commerce and navigation under the Tidelands Trust. This area with seawalls and other protective devices are found in other policies that indicate that they shall be maintained and repaired so this needs to be consistent with that direction.

Suggested language:

Shoreline Preservation as a City Goal. The Morro Bay shoreline is an irreplaceable resource and its preservation as a natural living shoreline is a matter of great public importance. Therefore, the intent of the Local Coastal Program is to ensure that shoreline protective devices and other shoreline altering development are only utilized in very rare situations and only when all coastal resource impacts are avoided, and where unavoidable are appropriately and proportionately mitigated, including consistent with Policies PS-3.7, PS-3.12, and PS-13. *Shoreline protective devices in the State Tidelands Trust from Morro Rock to Tidelands Park shall be allowed and maintained as consistent with other policies in this document.*

POLICY PS-3.7: Existing Shoreline Protective Devices. Repair and maintenance of existing legally established shoreline protective devices (including restacking dislodged rock rip-rap in revetments within the approved revetment profile and texturing/contouring a vertical seawall per the approved surface treatment, but not including replacement, augmentation, addition, or expansion) shall only be allowed if the shoreline protective device is required to protect existing structures (i.e., structures legally constructed prior to January 1, 1977, that have not been redeveloped since then) and coastal-dependent development in danger from erosion (i.e., when the development would be unsafe to use or occupy within two or three years). If it is not so required, then the shoreline protective device

shall be removed and the affected area restored. Any such allowable repair and maintenance projects shall include measures to address and mitigate for any coastal resource impacts the device is having, including with respect to public views and public recreational access. The City shall only be involved financially with public shoreline protective devices.

This could be interpreted to mean that shoreline protective devices cannot be repaired if there is no record of the development being legally constructed prior to January 1, 1977. The City and the County for that matter do not have good records of development prior to 1964 (City incorporation) and prior dates. This places the burden on the applicant to prove that the structure was legally constructed rather than recognizing that it may have been but there are no records. This in relation to the Embarcadero and not to other areas outside of this. What does it mean that the City will only be involved financially with public shoreline protective devices? Does this include the Tidelands Trust area even though the City has leased these areas and requires the master leaseholders to take care of the repair, maintenance or new construction?

Suggested language:

Existing Shoreline Protective Devices. Repair and maintenance of existing legally established shoreline protective devices (including restacking dislodged rock rip-rap in revetments within the approved revetment profile and texturing/contouring a vertical seawall per the approved surface treatment, but not including replacement, augmentation, addition, or expansion) shall only be allowed if the shoreline protective device is required to protect existing structures (i.e., structures legally constructed prior to January 1, 1977, that have not been redeveloped since then) and coastal-dependent development in danger from erosion (i.e., when the development would be unsafe to use or occupy within two or three years). If it is not so required, then the shoreline protective device shall be removed and the affected area restored. Any such allowable repair and maintenance projects shall include measures to address and mitigate for any coastal resource impacts the device is having, including with respect to public views and public recreational access. The City shall only be involved financially with public shoreline protective devices. *State Tidelands Trust from Morro Rock to Tidelands Park shall be allowed and maintained as consistent with other policies in this document and is exempt from this policy.*

POLICY PS-3.8: New Shoreline Protective Devices. New shoreline protective device development (including replacement, augmentation, addition, and expansion associated with an existing device) shall only be allowed where required to protect existing structures (i.e., structures legally constructed prior to January 1, 1977, that have not been redeveloped since then) and coastal-dependent development in danger from erosion (i.e., when the development would be unsafe to use or occupy within two or three years)... hazards. Such nonstructural options shall be used and prioritized wherever possible to protect coastal resources, including coastal habitats, public recreational uses, and public access to the coast.

Where such nonstructural options are not feasible in whole or in part, soft structural alternatives (sand bags, vegetation, etc.) shall be used and prioritized wherever possible before more significant shoreline protective devices are considered. Shoreline protective devices shall not be constructed to protect non-coastal-dependent development, development built on or after January 1, 1977 (including redeveloped structures), or where other measures/alternatives, including relocation, can adequately mitigate erosion hazards. All construction associated with shoreline protective devices and repair or

maintenance or augmentation of existing protection devices shall be designed to eliminate or mitigate adverse impacts to coastal resources. The City shall only be involved financially with public shoreline protective devices.

So this says that new seawalls “shall not be constructed to protect non-coastal-dependent development, development on or after January 1, 1977 (including redeveloped structures), or where other measures/alternatives, including relocation, can adequately mitigate erosion hazards”. This policy seems to be in direct conflict with other policies discussing repair and maintenance of the revetment along the Embarcadero. This policy also leaves the open concept that the buildings on the Embarcadero may not be able to install protective devices but rather to consider other alternatives, such as relocation, should be considered. Does the City need to add clarifying language regarding the Embarcadero if this area is not meant to be included in this policy? The City should only be involved financially with public shoreline protective devices so, how does this impact, or not, the Embarcadero?

Suggested language:

New Shoreline Protective Devices. New shoreline protective device development (including replacement, augmentation, addition, and expansion associated with an existing device) shall only be allowed where required to protect existing structures (i.e., structures legally constructed prior to January 1, 1977, that have not been redeveloped since then) and coastal-dependent development in danger from erosion (i.e., when the development would be unsafe to use or occupy within two or three years)... hazards. Such nonstructural options shall be used and prioritized wherever possible to protect coastal resources, including coastal habitats, public recreational uses, and public access to the coast.

Where such nonstructural options are not feasible in whole or in part, soft structural alternatives (sand bags, vegetation, etc.) shall be used and prioritized wherever possible before more significant shoreline protective devices are considered. Shoreline protective devices shall not be constructed to protect non-coastal-dependent development, development built on or after January 1, 1977 (including redeveloped structures), or where other measures/alternatives, including relocation, can adequately mitigate erosion hazards. All construction associated with shoreline protective devices and repair or maintenance or augmentation of existing protection devices shall be designed to eliminate or mitigate adverse impacts to coastal resources. The City shall only be involved financially with public shoreline protective devices. *State Tidelands Trust from Morro Rock to Tidelands Park shall be allowed and maintained as consistent with other policies in this document and is exempt from this policy.*

IMPLEMENTATION ACTION PS-13 Require new development in the Sea Level Rise Hazard Overlay Zone to evaluate potential impacts to adjacent or nearby properties from all proposed structural flood protection measures to ensure that these measures will not create adverse direct and/or cumulative on-site or off-site impacts.

On page 4-128 the last paragraph says “For all other areas outside of the Harbor, Marina, area immediately adjacent to the shoreline, and Working Waterfront Area, development shall be sited and designed in a manner consistent with the following policies.”

So this is more of a question and confirmation regarding the waterfront. Is the Embarcadero exempt from this policy?

GLOSSARY

Coastal Dependent and non-coastal dependent are not included in the glossary however these terms are used frequently in the Plan.

Embarcadero Master Leaseholder's comments
October 20, 2020

POLICY LU-7.1:

#h.iii. ... for no more than 30 minutes prior to that activity and 30 minutes after that activity.

There should not be any time limits in this policy document as it is not the appropriate place for this. If anything, it should go in the Waterfront Master Plan. Hard and fast or specific times are difficult to control. For example, if you have seafood unloading and need to bring in semi-trucks the night before and set up the wharf with scales and other unloading equipment the night before so that when the boat arrives, you are ready to work. If the accessway is required to be open at sunrise and the boat is delayed because of weather and can't get to the dock until 10, this would be in violation of the policy because the accessway was closed the night before to allow enough time for set up and therefore technically has exceeded the 30 minute timeframe. Now the City may say that's not the intent but the policy however as written, it certainly leaves too much room for interpretation and room for complaints from those that do not understand the logistics of working in these situations.

Policy LU-8.4. **Embarcadero.** Investigate the feasibility of one-way closure or full closure of Embarcadero to create a pedestrian plaza.

There was a clear consensus recently that the Embarcadero merchants did not want one way traffic so why is it a policy to "investigate" this?

POLICY CD-1.7: Compliant Lateral Access Signage. ...“Whenever the City of Morro Bay enters into a Tidelands lease agreement with any individual or business entity, whether as a new agreement or a lease renewal, a requirement that all nonconforming signs at the site be removed or made to conform to the provision of this Chapter shall be incorporated into such lease agreement.” ...

Does this mean the businesses lose their entitlements for nonconforming signs? Does this mean if the signs are conforming now and the Zoning Code is updated and changes the standards that all the signs will then become nonconforming and need to be removed? Will this allow for a permit of nonconforming signs?

IMPLEMENTATION ACTION CD-9 All floating public lateral accessways shall have uniform and compliant signage and shall maintain clearance and access. If clearance and access are temporarily unavailable for safety reasons, temporary signage shall indicate that. This action will be incorporated into the Waterfront Master Plan when updated.

What does this mean? Isn't this already covered?

IMPLEMENTATION ACTION CD-10 Lateral access at lease sites with coastal-dependent uses that requires temporary closure for safety or other operational purposes shall

be allowed only during active unloading for 30 minutes before or after and when the use is not occurring or is occurring but safe to coexist with pedestrians...

This is not quite the same as on page 3-46 #h.iii. The time should not be included in the Plan but more definition in the Waterfront Master Plan. See other comments from previous section.

IMPLEMENTATION ACTION CD-12 ...The pavement icon shall be included in all new on-land pavement along the lateral access alignment in the lateral access focus area. If feasible, the icon should also be included on new or replaced sections of the Harborwalk by stamping or some other form of application. This action will be incorporated into the Waterfront Master Plan when updated...

It may be difficult to have a stamped or other icon imbedded into the fiberglass grating.

IMPLEMENTATION ACTION NOI-9 Develop and employ procedures to ensure that noise mitigation measures required pursuant to an acoustical analysis are implemented in the development review and building permit processes.

What does this mean? How is the City going to do this? Isn't this already covered under the CEQA review and inserted as a mitigation measure?"

POLICY C-7.18: Wastewater Marine Impacts. Wastewater disposal systems which minimize or eliminate marine resource pollution, and which provide for reclamation of wastewater for reuse, shall be required. New development, including redeveloped structures, shall connect to the public wastewater treatment system.

This policy does not consider tidal flows. There are certain instances, such as King Tides, that can have significant tidal differences which would make it virtually impossible to run enough sewer line length to accommodate for this fluctuation. Along with that, we saw extremes when there was the Tsunami which again would require a project to calculate and design a pipe system that would be long enough to account for the rise and fall.

In addition, this is inconsistent with policy LU-8.7.a which requires any underdeck utilities to a location above sea level rise. How would this be done?

POLICY C-7.23: Preservation of Morro Bay Estuary. ... to regularly evaluate the health of the complete estuary ecosystem. Adjust local and regional requirements and prohibitions on development, building design, water craft usage, pollution control, and other important issues to maintain the quality of the estuary system.

Who is going to regularly evaluate the complete estuary ecosystem? What is the potential cost? Is this funded from the Harbor Dept. budget? What does "regularly" mean in the context of time?

POLICY C-9.9: Infrastructure, and Utility Requirements. ... If undergrounding is not possible, an in-lieu fee shall be paid toward future undergrounding.

What is the cost of the in-lieu fee? How will this cost be determined?

IMPLEMENTATION ACTION C-34

Establish an in-lieu fee program to fund infrastructure and utility undergrounding efforts.

Same questions as above.

IMPLEMENTATION ACTION OS-4. Implement an incentive program for local waterfront businesses and leaseholders to encourage regular maintenance and upgrades of infrastructure at nearby trails or parks.

This policy says to provide incentives do maintenance and upgrades to local parks and trails so the City needs to figure out a way to make this easy to do and not difficult by requiring more permits.

4D – Public Safety

The Embarcadero

While the Embarcadero rests at a relatively higher elevation and can endure some sea level rise,...The area currently is generally armored by revetments and bulkhead walls, but these structures will need to be maintained and improved to ensure resiliency to sea level rise.

Several polices in this document do not make it easy to maintain and improve the revetments but rather make it extremely costly and a mountain of extra studies to get there. Other policies require that the least environmentally damaging alternative be proposed so how is this policy to maintain and improve consistent with the other policies that appear to say the revetment maybe not be such a good idea anymore. See policy PS-3.6 which appears to conflict with this statement.

POLICY PS-3.1: Definitions. The following definitions apply in the Goal PS-3 policies below:

Shoreline protective devices: Structures...but not limited to seawalls, revetments, gunite, sheet piles, breakwaters, groins, bluff retention devices, retaining walls, and pier/caisson foundation and/or wall systems.

POLICY PS-3.10: Shoreline Management Plan. The City shall prepare a Shoreline Management Plan for approval by the Coastal Commission as an amendment to the Local Coastal Program... The plan shall be prepared in coordination with relevant local, regional, and/or state agencies for the purpose of protecting coastal resources, as well as ensuring the resilience of coastal public infrastructure.

How long will it take to prepare a Shoreline Management Plan? What is the cost? Will this come out of the Harbor budget? The Plan shall be prepared in coordination with other government agencies so how will that be done? Will these other agencies have the final say

and direct the City to do it a specific way? How do you resolve differences between agencies?

The Shoreline Management Plan may be amended every five to ten years, as appropriate, by the City Council, and adopted by the Coastal Commission through the Local Coastal Program amendment process. For all other areas outside of the Harbor, Marina, area immediately adjacent to the shoreline, and Working Waterfront Area, development shall be sited and designed in a manner consistent with the following policies.

This should be a larger heading to make clear the following policies are not related to the Harbor area because is confusing and not readily apparent that polices are not including the harbor area when you read separately. Some polices state in the sea level rise zone, which the Embarcadero is and makes it more confusing.

IMPLEMENTATION ACTION PS-6. Work with property and business owners whose assets are exposed to flooding from sea level rise to adapt to the anticipated hazards in the 50-year time horizon. If an asset cannot be sufficiently protected from coastal flooding, establish a timeline for relocation. Ensure that the timeline includes the following activities:

- Securing land for the relocated asset, either an infill site or a suitable undeveloped location.
- Permitting and environmental review activities.

- Deconstruction and reconstruction.

Is the Embarcadero and Harbor outside of this and therefore not required? If so, should a statement be included to clarify? There are areas along the Embarcadero that have been identified as in the flooding and 50-year time horizon.

RECEIVED

NOV 23 2020

City of Morro Bay
Community Development Dept.

TO: Morro Bay Planning Commission

From: **Home Front EJ, Morro Bay**

Regarding: Environmental Justice Element, Draft General Plan Update

Dear Morro Bay Planning Commissioners;

Home Front, Environmental Justice, Morro Bay (Home Front EJ), is a grassroots group of local citizens whose focus is on issues of environmental justice and policy as applied and practiced in Morro Bay. Below is Home Front EJ's comments on the Draft Environmental Justice Element of the General Plan Update (Plan Morro Bay).

According to The California Attorney General's Office, "'Environmental Justice' is defined in California law as the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. (Cal. Gov. Code, § 65040.12, subd. (e).) California is a leader in enacting laws specific to environmental justice, including a law directing funding for greenhouse gas reduction measures to disadvantaged communities and another that requires environmental justice to be addressed in local governments planning. Furthermore, Environmental Justice requires an ongoing commitment to identifying existing and potential problems, and to finding and applying solutions, both in approving specific projects and planning for future development." Planning for a resilient future for Morro Bay is going to require collaboration, cooperation and innovation.

The Draft General Plan appears to make no distinction between 'Community Well-Being' and 'Environmental Justice'. For some, Community Well-Being might be dependent on filling Vacation Rentals and pushing the envelope on areas of development: chasing a billionaires' dream. For some, Community Well-Being is dependent on outside community factors like, tourism, coastal access and the ability get around. But these things have little to do with how 'environmental justice' looks like to the citizens who live here. The citizens that live here are the stewards of the place that they call home, and the city's General Plan should embody that responsibility and empower citizens to do better.

Environmental Justice has less to do with a line in the sand, designating a zone or property line and more to do with the space in between, which make up a neighborhood. That space is filled with people and an energy that radiates care for community. Environmental Justice is about care for the people that live here, not just for those who invest here. A good General Plan must have a thread of Environmental Justice weaving in a cohesive manner into all sections of this living document, creating a tapestry for the future to be founded on. Environmental Justice is not something one could quantify; it's made up of unique and diverse experiences coming together for a common good of caring for what we call home. If done well, the pursuit of environmental justice leads to innovating solutions and hope for the future.

With the Climate Crisis and a global pandemic upon us, the importance of a General Plan for the city of Morro Bay has never been greater. We are in the midst of facing some hard truths. We owe it to the upcoming generation to leave them a road map for solutions and where there are none, the freedom and tools to innovate. This is something that is missing from the Environmental Justice Element and in turn the whole document.

What does 'Environmental Justice' (EJ) look like in Morro bay?

As stewards of Morro Bay, we must have a General Plan that facilitates the ongoing commitment and responsibility to leave our future stewards a policy representative of the challenges that they are facing and they will face. We are one of many coastal communities in California that are facing the challenges of Climate Change and the economic challenges facing our community during this global pandemic. Our community is currently facing some critical environmental justice issues:

- Our water/sewer rates are double of the national average for our medium income, and are most likely going to go up.
- Affordable housing for our essential lower income workers is lacking and is contributing to homelessness and loss of diversity in our community,
- A once sustainable water supply and aquifer have been polluted by sewage from a dilapidated sewer collections infrastructure and now the public health risk has been exacerbated by the potential of cross-contamination with the COVID-19 pandemic.

The current Environmental Justice section of the General Plan lacks the vision necessary to confront these challenges that our children and grandchildren are facing. Instead of addressing the General Plan as a carousel of elements and then myopically analyzing an element as if it's on a petri dish; we build the General Plan on the back of an Environmental Justice Element that bonds and holds this living document together. We need to look beyond our comfort zone and push for a policy of action and direction that address the existential threat of the Climate Crisis that our generation has left for the future ones to solve. As a California coastal community, Morro bay should have General Plan elements that are rooted in environmental justice and have measures of reducing greenhouse gases. Morro bay has all the organic attributes to become carbon neutral in the future; here are some of the ways we could help move the city in that direction:

- Create a Natural Disaster Emergency Element, that would integrate with the current emergency responses of the city's police, fire and other first responders.
- Create an Air Element, that would inform the local citizenry of local air quality and help facilitate collaboration between the city, local academia and citizen scientist in understanding local climate change issues like greenhouse gas inventory and ocean acidification.

- Create an Environmental Justice Element that fosters decision making based good science and the latest scientific projections of the approaching climate crisis.
- Institute a WRAP, Wastewater Resiliency Action Plan, at the existing WWTP location
- Invest in the Blue Economy of restoration; eelgrass and aquaculture in the estuary.
- Promote the MBEAM, Morro Bay Estuary Air Monitoring, project
- Focus around Carbon neutrality, by integrating and interconnecting our transportation element around the California Coastal Trail as it passes through Morro Bay.

Recently in Washington, a young man by the name of John Henry was addressing the newly elected administration regarding the Climate Crisis and to create an office on climate mobilization.

“Do this and we will never forget you, and if you fail us, we will never forgive you.”
...John Henry

We owe it to the children and grandchildren whom we claim to love, to give them the best chance for survival and to pass on a quality of life that we have enjoyed.

We must do better.

Richard E.T. Sadowski

Home Front EJ, Morro Bay