



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, March 1, 2022 - 6:00 P.M.
Held Via Teleconference**

Chairperson – Susan Stewart

Vice-Chairperson William Roschen
Commissioner – Asia King

Commissioner Joseph Ingraffia
Commissioner Mike Rodriguez

ESTABLISH QUORUM AND CALL TO ORDER
MOMENT OF SILENCE
PLANNING COMMISSIONER ANNOUNCEMENTS
PUBLIC COMMENT PERIOD

PRESENTATIONS

Public Participation:

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 Planning Commission at planningcommission@morrobayca.gov prior to the meeting.*
- *Members of the public may watch the meeting either on cable Channel 20 or as streamed on the City [website](#).*
- *Alternatively, members of the public may watch the meeting and speak during general Public Comment or on a specific agenda item by logging in to the Zoom webinar using the information provided below. Please use the “**raise hand**” feature to indicate your desire to provide public comment. Each speaker will be allowed three minutes to provide input.*

Please click the link below to join the webinar:

- <https://us02web.zoom.us/j/82722747698?pwd=aWZpTzcwTHlRTk9xaTlmWVNWRWFUQT09>
Password: 135692

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

A. CONSENT CALENDAR

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

B. PUBLIC HEARINGS - NONE

C. NEW BUSINESS

C-1 Case No.: MIN20-003/UP0-284

Site Location: 1001 Front Street, Morro Bay, CA

Project Description: Update Report on Conditional Use Permit UP0-284/ Minor Modification MIN20-003 Project Conditions approved May 5, 2020. Review of permit is pursuant to Planning Commission condition 2 of permit # MIN20-003. Report also includes review of Waterfront Market Special Use Permit #CUP19-15

Staff Recommendation: Review and provide feedback to staff

Staff Contact: Cindy Jacinth, Senior Planner (805) 772-6577

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 March 15, 2022 at 6:00 p.m. via teleconference.

PLANNING COMMISSION MEETING PROCEDURES

This Agenda is subject to amendment up to 72 hours prior to the date and time set for the meeting. Please refer to the Agenda posted at the Community Development Department, 955 Shasta Avenue, for any revisions, or call the Department at 805-772-6264 for further information.

Written testimony is encouraged so it can be distributed in the Agenda packet to the Commission. Material submitted by the public for Commission review prior to a scheduled hearing should be received by the Planning Division at the Community Development Department, 955 Shasta Avenue, no later than 5:00 P.M. the Tuesday (eight days) prior to the scheduled public hearing. Written testimony provided after the Agenda packet is published will be distributed to the Commission but there may not be enough time to fully consider the information. Mail should be directed to the Community Development Department, Planning Division.

This Agenda may be found on the Internet at: www.morrobayca.gov/planningcommission or you can subscribe to Notify Me for email notification when the Agenda is posted on the City's website. To subscribe, go to www.morrobayca.gov/notifyme and follow the instructions.

The Brown Act forbids the Commission from taking action or discussing any item not appearing on the agenda, including those items raised at Public Comment. In response to Public Comment, the Commission is limited to:

1. Responding to statements made or questions posed by members of the public; or
2. Requesting staff to report back on a matter at a subsequent meeting; or
3. Directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Commission meetings are conducted under the authority of the Chair who may modify the procedures outlined below. The Chair will announce each item. Thereafter, the hearing will be conducted as follows:

1. The Planning Division staff will present the staff report and recommendation on the proposal being heard and respond to questions from Commissioners.
2. The Chair will open the public hearing by first asking the project applicant/agent to present any points necessary for the Commission, as well as the public, to fully understand the proposal.
3. The Chair will then ask other interested persons to present testimony either in support of or in opposition to the proposal.
4. Finally, the Chair may invite the applicant/agent to respond to the public testimony. Thereafter, the Chair will close the public testimony portion of the hearing and limit further discussion to the Commission and staff prior to the Commission taking action on a decision.

APPEALS

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

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

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at (805) 772-6264. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.



City of Morro Bay
 Community Development Department
 Current & Advanced Project Tracking Sheet
 This tracking sheet shows the status of the work being processed by the Planning & Building Divisions
 New Planning items or items recently updated are highlighted in yellow.
 Approved projects are deleted on next version of log.

Agenda No: A-1
 Meeting Date March 1, 2022

#	Applicant/ Property Owner			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	Meisterlin	315	Morro Bay Blvd (Previously submitted as 842 Main)	12/16/21	CDP21-050	Admin CDP to convert/remodel existing office & storage space into 2 studio apts.	Planning comments sent on January 6, 2022. Requires a resubmittal with single set of plans that include both residential units. Owner is changing the scope of the project, will resubmit new scope and plans. Resubmittal received Feb 3, 2022, under review. Project deemed complete 2/22/22, requires public notice followed by an administrative decision on the permit.				nh
2	DeSimone	755	Kern	1/18/22	COC22-001	Request for Cert of Compliance for 5 contiguous parcels with APN number 066-075-017	Cert of Compliance documents prepared and signed by applicant. Pending City approval and signatures.				nh
3	Candrell	2995	Beachcomber	11/1/21	CDP21-044	New 354 sf addition to existing home, addition of 572 sf attached ADU	Planning comments sent on 11/23/21, requires resubmittal. Project resubmittal received January 4, 2022, under review. Project deemed complete, scheduled for Planning Commission on February 15, 2022. PC hearing was continued to a data uncertain pending receipt of Coastal Hazard analysis.				nh
4	Baker	1288	Berwick Drive	12/16/21	CUP21-19	Two small additions to an existing non-conforming home. The one-time addition had previously been used, requiring a CUP.	Planning comment letter sent 1/6/22, requires resubmittal. Resubmittal received Feb 1, 2022, under review. Project deemed complete on 2/16/22, scheduled for PC hearing on March 15, 2022.				nh
5	Kennedy	500	Napa	12/7/21	CDP21-049	Admin CDP for new 588 sf 2nd story 1 bd 1bath ADU w/ 1262sf deck and convert existing 326sf portion of garage to ADU for a total ADU size of 914sf	Review comments provided on 1/25/22, requires resubmittal. Project deemed complete on 2/16/22. Site noticed for pending action with an administrative decision on or about 3/8/22				gc
6	Ogle	337	Main St	9/13/21	COC21-002	Request for Cert of Compliance for 3 underlying adjacent lots within the Cerrito addition.	Comment letter sent to applicant 10/21/21. Resubmittal received 2/1/22.. Final documents prepared and being routed for signatures				cj
30 -Day Review, Incomplete or Additional Submittal Review Projects:											
7	Jasso	2515	Greenwood	2/22/22	CDP22-006	Admin CDP for new SFR with 2 car garage and detached ADU					
8	Wells	1478	Quintana	2/22/22	MIN22-001	Minor Modification to upgrade existing wireless telecommunication facility	Under review.				cj
9	Luhr	1140	Allesandro Ave	1/20/22	CUP22-06 / CDP22-004	Live/work mixed use, new construction of 5 residential units and 2 commercial units	Comment letter provided 2/13/22. Requires resubmittal.				nh

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10	MacDonald	311	Tahiti	1/26/22	CDP22-005	Convert Existing 638sf garage into a 638sf ADU	Incomplete letter sent 2/23/2022				gc
11	Morro 94 LLC	3300	Panorama	1/18/22	CUP 22-05/CDP22-003/TTM222-02	Submittal of combined concept and precise plan review for 61 unit subdivision.	Received and under review. Notify Me account set up to provide information and publically available documents on the project. Subdivision Review committee meeting scheduled. Project comment letter sent 2/18/22, requires resubmittal and environmental review.				nh
12	Garcia	341	Jamaica	1/12/22	CDP22-001	558 sf addition to existing 865 sf residence. Convert upper floor to ADU (468 sf), lower floor main residence (953 sf).	Correction letter sent 2/3/22.	Bldg. - 1/20/22			gc
13	Novell & Johnston	273	Main St.	1/9/22	MUP22-01/PKG22-02	Addition of 73 sf to the front of existing SFR to provide interior staircase access to the second floor and parking exception.	Under review. Correction letter sent 2/4/22.				cj
14	Daniel	964	Las Tunas	1/6/22	CUP22-01/ PKG22-01	Remodel of existing SFR	Planning Comments sent 1/21/22. Requires reponse and resubmittal				am
15	Flood	176	Sicity	12/21/21	CDP21-051	Admin CDP for addition to single family home and major remodel	Comment letter from planning sent on January 6, 2022. Requires response and resubmittal. Project resubmittal received 2/17/22, under review.				nh
16	Romero	563	Zanzibar	12/6/21	CDP21-048	Admin CDP for new 1978sf 2 story SFR with 533 sf garage and 2nd level 128sf deck	Incomplete letter sent 12/22/2021.				gc
17	Reyneveld	1060	Quintana	11/22/21	MUP21-06	Create 3 office/retail units and 1 residential security unit, and 1 warehouse/storage unit from existing commercial building with existing residential security unit.	Incomplete letter sent 12-16-21. Requires resubmittal				cj
18	Tallman	610	Fresno Street	11/9/21	CDP21-045	Admin CDP for New 960 sf detached ADU	Projected Deemed Complete 2/22/22, noticing to begin 2/15/22 with approval on 3/9/22				am
19	Morro Bay LLC (Keller)	1108	Front Steet	11/8/21	MAJ21-007	Expansion and extensive remodel of second floor short term rental unit.	Planning comments sent 11/23/21, requires resubmittal. Applicant may put this application on hold until the adoption of the new zoning code (i.e. includes street setbacks closer to the actual placement of the building).				nh
20	Castillo	1055	Allesandero	11/1/21	CUP21-17	CUP to add 2 bedroom & 1 bathroom to existing single family residence.	Planning Comments send 11/30/21, requires resubmittal. Resubmittal under review, deemed incomplete 2/15/22.				am
21	T-Mobile/ Siegel	545	Shasta	10/12/21	CUP21-13/ CDP21-039	T-Mobile modification to existing facility approved under UP0-162/CP0-229. T-Mobile proposes to remove/replace and relocate existing wireless facility screened within existing church steeple and request height exception to construct new 29'0" faux bell tower for relocated wireless facility.	Under review. Project deemed incomplete 11-8-21.				cj
22	2900 Alder LLC/Knanna	2900	Alder Ave	10/7/21	CUP21-14/ CDP21-042	Proposed 4200 sf, 6 unit hotel	Planning comment letter sent 11/6/21. Requires resubmittal. Resubmittal received 12/8/21, planning approved, building disapproved. Applicant is working with buidling to resolve issues. Project resolved building issues and will resubmit with revisions for review.				nh

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23	Allen Property Group	1260	Main St.	10/4/21	MAJ21-006	Land Use & Zoning Map Amendment to change C2 zoning to C1 zoning	Application received. October 28, 2021, applicant approved moving forward with consultant contract for environmental review. Environmental Consultant engaged with notice to proceed 12/1/21. Consultant provided review documents for GP/CLUP amendment. Final review draft of LUP amendment documents expected 2/24/22.				nh
24	Guesno	220	Atascadero Rd	10/4/21	MIN21-012	Minor Amendment - Change temporary outdoor dining area to permanent outdoor dining	Application will apply for a TUP for outdoor dining. This application is on hold until 2022.				nh
25	Nagy	646	Sequoia	9/27/21	MUP21-03	Minor Use Permit for development of new upper level 2,328sf, lower level 1,030sf, and garage level 1,220sf SFR on vacant lot in area outside the coastal zone.	Application received, under review. Project incomplete, comments sent on October 18, 2021. Applicant working with Fire Dept and City Engineer on driveway design (slope).				nh
26	Thai Bounty	560	Embarcadero	9/22/21	MIN21-010	Minor mod to UP0-200/UP0-244 for music.	Under review.				sg
27	McDowell	650	Sequoia Ct	9/15/21	MUP21-04	Minor Use Permit for new SFR (outside the coastal zone). 3 bedroom 3 bath, 2776sf plus 507sf garage	Incomplete letter sent 10/13/21. Supplemental information provided to applicant related to City Engineer and Fire Department review of driveway design/slope. Resubmittal received 2/9/22, under review.				nh
28	Morgan	101	Fig St	8/9/21	CDP21-035/CUP21-12/ VAR21-003	New construction of 1676sf single family home, 465sf garage, roof deck and patio area and request for variance to front setback for property subject to bluff development standards. New home will also require a variance for bluff face development per LCP.	Under review and incomplete letter sent 9/7/21. Resubmittal received 1/19/22. Spoke with agent 2/18/22. Requested revised geological report and plans to delineate bluff face prior to hearing.				cj
29	Eisemann	541	Atascadero Road (at Hill St.)	7/9/21	CUP21-09/ CDP21-029	Four unit apartment complex with attached garages	Review comments provided on July 31, 2021. Project requires resubmittal and environmental analysis. Provided applicant estimate for environmental report on September 24, 2021. January 2022 - project is for sale.				nh
30	Green	1175	Scott Street	6/28/21	CDP21-025 CUP21-07	New construction of 3 hotel units including one ADA unit and a residential security unit	Review comments provided on July 21, 2021. Requires a resubmittal for review. Discussed project with applicant, expected to have resubmittal ready in November 2021. Applicant is reviewing alternative designs for the project, staff provided input on 2/14/22.				nh
31	Perry	3230	Beachcomber	6/24/21	CDP21-024/ CUP/ VAR21-002	New 1537 sf sfh with attached 380 sf garage. VAR request for roof top deck railing height. Application approval is dependent on completion of LTM21-01	Review comments sent 7/20/21, requires resubmittal. Resubmittal received 11/24/21, under review. Planning disapproved, comments sent 12/10/21. Resubmittal received 12/20/21, under review. Planning comment letter sent 1/6/22, requires resubmittal. Resubmittal received Feb 1, 2022 - project deemed complete 2/16/22, but cannot be presented to PC until LTM21-01 has been approved (lot line adjustment and lot merger).				nh
32	Steiner	301-390	Seashell Cove	4/19/21	MAJ21-02	General Plan / LCP Land Use & Zoning Map Amendment application to change land use and zoning from R-A to R-4 designation / low density to high density	Under review. Response letter/ incomplete letter sent 5-6-21. Resubmittal received. Environmental review in process.				cj
33	SR Development	545	Atascadero	Initial partial submittal on 3/31/2021. Submittal complete on 4/26/21	CDP21-013 / CUP21-04	New construction of 15 unit townhomes project	Comment letter sent 5/14/21, requires resubmittal with responses.				nh

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34	Perry	3202	Beachcomber	4/14/21	CDP21-014/ CUP/ VAR21-001 and LTM21-01	Demo existing home, build new 2063 sf home with subterranean garage and storage area of 2267 sf. Application approval is dependent on completion of LTM21-01. VAR request for height variance on roof top deck railing. Project requires lot line adjustment and lot merger to create 2 parcels from the three underlying parcels.	Submittal received, but not complete. Balance of submittal received 4/14/21, under review. Incomplete letter comments sent for LTM on 4/30/21 and CDP on 5/4/21. Resubmittal received 6/24/21 with VAR request, under review. Review comments sent 7/20/21. Resubmittal received 11/24/21, under review. Planning disapproved, comments sent 12/14/21, requires resubmittal. Resubmittal received 12/20/21, under review. Planning comments sent 1/11/22, requires resubmittal.				nh
35	Tullis	404	Estero	3/17/21	CDP21-011	CDP to demo existing improvements & construct new SFR and site improvements.	Under review. Deemed incomplete, comment letter sent to applicant April 2, 2021				nh
36	Vistra	1290	Embarcadero	12/28/20	CDP20-026 & CUP20-14	Battery Energy Storage System (BESS) - New proposed project to construct 600MW BESS on old tank farm north of existing Morro Bay Power Plant. BESS to be constructed as 3 separate buildings, 30 feet in height plus 10 feet of screening for rooftop equipment.	Under initial review. Project deemed incomplete and incomplete letter sent 1-21-2021. Applicant resubmittal received 2-17-2021 and under review currently. Project deemed complete for processing on 2/23/2021. Project plans and documents being evaluated. Environmental review process in progress.				cj
37	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. Discussed with Applicant visual simulation requirements via phone on 7/27/21				cj
38	Bean	197	Main Street (formerly known as 199 Sandpiper)	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. Incomplete, need resubmittal. Resubmittal received September 14, 2021, under review. Incomplete letter sent on Oct 4, 2021. Resubmittal received 10/29/21. Planning comment letter sent November 10, 2021, requires resubmittal				nh
Projects Appealed to Planning Commission or PC Continued projects - none											
Projects Appealed or Forwarded to City Council - none											
Environmental Review:											
39	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: - none											
Projects going forward to Coastal Commission for review (Pending LCP Amendments) / or State Department of Housing:											

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40	City of Morro Bay		Citywide			Plan Morro Bay: General Plan / Local Coastal Program / Zoning Code Update project	Comprehensive overall update to the City's 1988 General Plan, 1984 Local Coastal Program, and 1997 Zoning Code. 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. Reviewed by PC at the 11/4/2020 & 11/17/20, 12/1/20, & 12/15/20 PC meetings. 3-16-2021 meeting is for review of the EIR and make recommendations to City Council for adoption. Council review of adoption draft held on 4/27/21. Hearing continued to the 5/11 and then 5/25/21 Council meetings. Plan adopted by Council on 5/25/21. LCP Amendment application submitted to Coastal Commission for certification. Coastal Commission LCP certified Coastal Land Use Plan (LUP) on August 12, 2021. Zoning Code Update in progress - to be completed approximately winter 2021.				
41	City of Morro Bay		Citywide	10/16/13	A00-013. A00-029: Ordinance 601	Zoning Text Amendment - Second Unit	Secondary Unit Ordinance Amendment. Ordinance 576 passed by City Council in 2012. 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
Projects Continued Indefinitely, No Response to Date on Incomplete Letter or inactive:											
42	Verizon / Knight		184 Main new location, corner of Main and Cabrillo	11/19/14	UP0-394 and CP0-512	Coastal Development Permit and Conditional Use Permit for installation of new Wireless Facility/Verizon antennas on existing pole.	Under Review. JG. Incomplete. Waiting on response from Tricia Knight. Wants to keep project open and figure out the parking situation or move location. 1/26. JG. Applicant looking to move location to pole across the street. resubmittal rcv'd 5/26. Deemed Complete, waiting for Applicant to confirm PC meeting date. PC hearing held on 9/6/16 and continued for further review to 11-1-16 PC hearing. Continuance requested. Continued to a date uncertain		PN- Conditionally approved 6/14/16		jg
Grants											
43	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

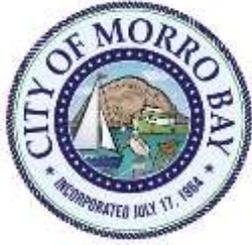
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44	City of Morro Bay		City-wide			Community Development Block Grant/HOME Program - Urban County Consortium	Staff has ongoing responsibilities for contract management in coordination with County staff administration. City Council approved Cooperation Agreement for 2021-2023 CDBG Program Years at 5/26/20 Council meeting. Notice of Funding Availability for 20222 Program Year released 9/27/21. Needs Workshops to be held virtually on 10/5/21 from 6-7pm. Application funding deadline is 11/1/2021. Council public hearing to consider draft funding recommendations to be on 12-14-2021. cj	No review performed.	N/R			cj
45	City of Morro Bay		City-wide			Climate Action Plan - Implementation	Staff has ongoing responsibilities for implementation of Climate Action Plan as adopted by City Council January 2014. Staff coordinating activities with other Cities and County of SLO via APCD.					cj
Projects in Building Plan Check:												
46	Mellon	455	Acacia St.	1/19/2022	B22-0010	Demo existing interior wall for interior remodel. Demo existing windows and exterior doors for new. Demo South wall for new roof extension. Demo existing 190sf balcony for new 355sf balcony (+165sf new) Construct a new 340sf deck off master bedroom. 33 ft new retaining wall over 30" high. New electrical and plumbing.		Bldg. - Plancheck				sg
47	Castillo	1055	Allesandro St.	6/3/2021	B21-0097	250 sf addition to rear of existing SFR, addition creates two bedrooms and one full bath.		Bldg. - Disapproved 6/10/21				sg
48	Escape Hospitality LLC	295	Atascadero Rd.	1/5/2022	B22-0001	New indoor pool.	Ping approved	Bldg. - Disapproved 1/14/22				cj
49	Eisemann	535-A	Atascadero Rd.	11/22/2021	B21-0209	New construction of an attached ADU	Planning disapproved with comments on 11/24/21	Bldg. - Disapproved 12/15/21				nh
50	Cunha	199	Azure St.	11/8/2021	B21-0200	New first story addition to master suite.		Bldg. - Approved 11/23/21				sg
51	Goldstein	186	Bayshore Dr.	11/4/20	B20-0190	Remodel kitchen, dining & living area.		Bldg. - Approved 11/09/20				sg
52	Carter	2035	Bayview Ave.	8/5/21	B21-0135	New SFR, 1980 sf living, with 483 sf attached garage, 96 sf covered deck, 267 sf covered rear patio and 32 sf covered front porch.		Bldg. Disapproved 9/21/21				cj
53	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.	Permit extended to 9-22-22	Ready to issue	PN - Approved 6/21/2018	Emailed comments on 10-20-17.		cj
54	Acebedo	520	Blanca St.	2/3/22	B22-0023	Elevator install in an existing residence.	Disapproved 2/18/22	Bldg. - Plancheck				am
55	Borchard	548	Blanca St.	12/9/21	B21-0217	New SFR - 1774 sf living, 454 sf attached garage and 206 sf 2nd story deck. See permit B21-0218 for attached ADU.	Disapprove 12/10/21	Bldg. - Approved 2/8/22				am

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56	Borchard	548-A	Blanca St.	12/9/12	B21-0218	ATTACHED ADU - 692 sf attached Accessory Dwelling Unit (ADU) on lower level of SFR on downslope lot. See permit B21-0217 for new SFR.	Disapprove 12/10/22	Bldg. - Disapproved 1/20/22			am
57	Borchard	556	Blanca St.	12/9/21	B21-0219	New SFR - 1890 sf living, 426 sf attached garage and 159 sf upper level deck. See permit B21-0220 for attached ADU.	Disapprove 12/10/23	Bldg. - Disapproved 1/20/22			am
58	Borchard	556-A	Blanca St.	12/9/21	B21-0220	ATTACHED ADU - 583 sf attached Accessory Dwelling Unit (ADU) on lower level of SFR on downslope lot. See permit B21-0219 for new SFR.	Disapprove 12/10/24	Bldg. - Disapproved 1/20/22			am
59	Humphrey	2228	Coral	12/1/21	B22-0024	Expand a portion of the first floor and remove 2nd floor pantry and 1/2 bathroom to create a new bathroom on the 2n floor	Under Review	Bldg. - Plancheck			gc
60	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.	Planning disapproved 1/31/20. Project requires a Conditional Use permit. Planning cannot approve building permit until Conditional Use Permit is final and permit issued. CUP20-13 scheduled for PC hearing 11/16/21. CUP approved, applicant can proceed with building permit. Permit received 12/8/21, Planning approved.	Bldg. - Approved 12/29/20			nh
61	Abreau	405	Eleana St.	2/10/22	B22-0027	362 sf single story addition to an existing 906 sf home, demo 90 sf to connect the addition that will create two bedrooms and bathroom, full remodel of existing SFR reconfiguring existing layout.	Planning- Under review	Bldg. - Plancheck			nh
62	Gambrill	571	Embarcadero	2/22/22	B22-0035	Convert office space to commercial vacation rental.		Bldg. - Plancheck			cj
63	Perkins	454	Estero Ave		B22-0036		Interior remodel of 583 sf of (E) SF. And add 194 SF open deck.	Bldg. - Plancheck			sg
64	Cox	555	Estero Ave	4/22/21	B21-0073	Remove existing detached single car garage. Rebuild single car garage as attached with office space above. Update kitchen.	Planning approved 7/27/21. sg	Ready to issue	Public works approved.		sg
65	Hurlless	2290-A	Greenwood Ave	1/12/22	B22-0006	Conversion of 440 sq ft storage building into a JADU.	Planning approved 1-18-22	Bldg. - Approved 1/20/22			nh
66	Hurlless	2265	Hemlock Ave.	1/12/22	B22-0007	Conversion of 480 sq ft garage into an ADU.		Bldg. - Approved 02/07/22			gc
67	Wilkie	476-A	Hill St.	3/26/20	B20-0057	ATTACHED ADU - Convert existing attached garage to 344 sf Accessory Dwelling Unit.	Correction letter sent 4/30/20.	Bldg. - Approved 4/8/22			nh
68	Errea	602	Ironwood Ct	1/10/22	B22-0003	New single family home	Planning comments sent 1/19/22	Bldg. - Plancheck			gc
69	Johnston	2781	Juniper Ave.	6/2/21	B21-0094	New 463 sf 2nd story deck at rear of existing SFR, also replace five existing windows with three new sliding glass doors.		Ready to issue			sg
70	Daniels	964	Las Tunas St.	8/3/21	B21-0133	Remodel the laundry room & add a bedroom, bathroom & hallway to the back of existing home in phase I. Phase 2, build a detached garage		Bldg. - Disapproved 8/18/21			sg

#	Applicant/ Property Owner			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
71	Drenick	2530	Laurel Ave.	9/22/21	B21-0174	Reconstruction of 560 sf two-car garage, garage foundation and 560 sf rooftop deck over garage. See permit B21-0141 for separate demolition permit for these structures.	Disapproved and Correction Letter sent 10/5/21	Bldg. - Approved 9/28/21			am
72	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	Disapproved on 4/15/19		sg
73	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. Emailed applicant 3-19-2021 advising them of permit expiration date and extension opportunities.	BLDG - Disapproved by California Code Check (contract building inspection services (see memo) on 7-23-18. PB Permit extended to 4/18/23	Disapproved by jb on 11-21-17.	1-2-18 - Emailed BLDG (code ck) comments to architect. PB	cj
74	Twins Bay Inc. _ Joyce Kaishar	2460	Main St.	2/10/22	B22-0029		Planning - ADDENDUM TO B20-0114 - Revised ADA path of travel and updated entry landing to hotel lobby. Under Review	Bldg. - Approved 2/10/22			nh
75	Rose	929	Mesa St.	1/25/22	B22-0016	ADU - 508 sf 2 story ADU addition and 42.5 sf bathroom remodel in existing garage.	Planning - Approved	Bldg. - Plancheck			gc
76	Valerie	490	Mindoro St.	12/3/21	B21-0213	Existing 912 SF garage to be converted into 369 SF, one car garage and storage. And 543 SF 1st flr. single family residence and new 912 2nd flr addition.	Planning conditionally approved - required addition of plan sheet with MIN conditions of approval.	Bldg. Approved 2/24/22			nh
77	LifePoint Church	615	Monterey Ave.	1/6/20	B19-0279	Remodel/upgrade current building	Planning disapproved 1/27/20. Awaiting resubmittal.	Bldg - Diapproved 1/30/20			nh
78	Kolb	685	Morro Ave.	10/4/21	B21-0180	Installation of 6' x 8' single sided, non-illuminated, monument sign with one 5' deep concrete footing (center of sign). Sign installed on parcel 066-301-058 (at corner).		Bldg - Approved 10/13/21			mm
79	Peterson	390	Morro Bay Blvd	2/2/22	B22-0022	ADDENDUM TO B21-0151 - Adding to scope of work - Demo existing exterior mansard roof, exterior drive thru structure (including structural columns) and demo of interior concrete.		Bldg. Approved 2/8/22			sg
80	Gumm	480	Morro Bay Blvd	1/27/22	B22-0020	Interior tenant improvement for sandwich shop.		Bldg. - Approved 2/14/22			sg
81	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
82	Appel	400-A	Pico St	8/18/21	B21-0149	Convert existing garage to an ADU without changing the footprint of the garage.	Approved 8/25/21	Bldg. Disapproved 9/10/21			am

#	Applicant/ Property Owner			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
83	Barakatt	315	Piney Ln.	12/22/21	B21-0224	Remodel 3718 sf SFR and solarium. Interior remodel of kitchen, living room, bathroom and solarium (1461 sf) Proposed replacement of existing solarium roof (465 sf). Removal of 279 sf carport. Proposed addition of 279 sf carport. Proposed addition of 279 sf deck. Proposed expansion of existing deck (133 sf).		Bldg. -Approved 1/20/22			sg
84	Phelps	490	Piney Way	1/27/22	B22-0017	816 sf addition to existing 763 sf residence. Add 477 sf decks.		Bldg. - Plancheck			nh
85	Phelps	490	Piney Way	1/27/22	B22-0018	Create New ADU from existing sheds. New 469 sf.		Bldg. - Plancheck			gc
86	Phelps	490	Piney Way	1/27/22	B22-0019	Convert existing 434 sf garage to a 434 sf JADU.		Bldg. - Plancheck			gc
87	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. Requires a Admin CDP and Parking Exception prior to review and approval of the building permit. Waiting for submittal.	Bldg. - Disapproved 3/1/21			nh
88	Tabrizi	998	Quintana Rd.	8/12/21	B21-0142	640 sf Addition (Approx.) - Enclosed area under existing open roof structure (former Napa Autocare Center Bldg).	Under review.	Bldg. - Disapproved 8/18/21			sg
89	Giannini	750	Radcliff Ave.	7/22/19	B19-0156	Remove three existing panel antennas, three radio and replace with three radio intergrated antennas and associated 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
90	Stanford	3041	Sandalwood Ave.	9/2/21	B21-0191	Conversion of existing space 336 sf bedroom to JADU and building renovations for kitchen, laundry, and bathroom.	Planning Approved 1/14/22	Bldg. - Approved 2/14/22	Public Works disapproved.		am
91	Eisemann	599	San Jacinto Street	1/20/22	B22-0014	Demolish of an existing 522 sf one story single family home. Building a new 1498 sf primary residence with 522sf garage and covered 125sf porche.	Under review	Bldg. - Plancheck			gc
92	Battaglia & Winfield	1280	Scott St.	11/9/21	B21-0171	Addition and remodel - 179 sf 2nd level addition to an existing SFR creating a 809 sf primary dwelling with an existing 380 sf deck.	Planning approved. Expanded landscape detail received and approved 2/5/22.	Bldg. - Approved 2/8/22			nh
93	Battaglia & Winfield	1280-A	Scott St.	11/9/21	B21-0172	Detached ADU - 2nd story, 780 sf ADU with front and rear decks totaling 240 sf, over a new 780 sf storage area.	Planning approved	Bldg. - Approved 2/8/22			nh
94	Battaglia & Winfield	1280-B	Scott St.	11/9/21	B21-0173	Attached JADU - Create 404 sf JADU from existing lower level of SFR. Also new 128 sf storage area.	Planning approved	Bldg. - Approved 2/8/22			nh

#	Applicant/ Property Owner			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
95	Chaney	508	Shasta Ave	12/21/21	B21-0223	Demolish an existing 163 sf failing deck & rebuild with a 213 sf deck. All exterior & located at the front of the residence.		Bldg. - Approved 12/21/21			sg
96	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
97	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. Permit application expired	Bldg. - Approved 3/27/19			wu
98	Leonard	550	Zanzibar St.	1/12/22	B22-0008	New 1855 SFR w/482 sf garage and 144 sf balcony deck.	Disapproved	Bldg. - Plancheck			nh
Planning Projects & Permits with Final Action:											
99	Dorfman	570	Olive	7/28/21	CDP21-031	Admin CDP for 1150sf new detached ADU	Project deemed incomplete and letter sent 8/27/21. Resubmittal received 1-4-22 and under review. Project deemed complete and noticed for administrative action after 2/8/22. Permit approved 2/10/22				cj
100	McGonagill/Mathias	690	Olive Street	10/14/21	LLA21-001	Move lot line between two parcels	Planning review complete 11/2/21, need PW comments. Project deemed complete, LLA certificated provided to applicant for signature on November 6, 2021. Requires city signature, then applicant recording. Signed documents received and are being processed for city signatures.				nh
101	Phelps	490	Piney	12/23/21	MIN21-016 (to CUP20-10)	Project is a modification of previously approved project - eliminating the second floor addition to the original proposed project.	Planning comments sent 1/10/22, requires written response. Written comments received, project deemed complete and scheduled for public notice Jan 26, 2022 for 10 days. Admin decision 2/9/22. Project approved and permit issued 2/9/22.				nh
102	Tabrizi	998	Quintana Road	11/15/21	CDP21-046/ MUP21-05	Change in use for commercial property that did not have any prior permits.	Planning comments provided 12/2/21, requires resubmittal. Fire Dept comments provided 12/8/21. Resubmittal received 1/20/22, project deemed complete- admin public notice from 2/3/22 to 2/14/22, Admin decision on permit on 2/15/22. Project approved and permit issued 2/15/22.				nh
Staff Directory: Scot Graham - sg Chad Ouimet - co Cindy Jacinth - cj Pam Newman - pn Nancy Hubbard - nh Gabby Cortez - gc Alison MacCarley - am											



AGENDA NO: C-1

MEETING DATE: March 1, 2022

Staff Report

TO: Planning Commissioners

DATE: February 22, 2022

FROM: Cindy Jacinth, Senior Planner

SUBJECT: 1001 Front St: Update Report on Conditional Use Permit (#UP0-284) CUP /Minor Modification (MIN20-003) Project Conditions. Report also includes review of Waterfront Market Special Use Permit #CUP19-15.

RECOMMENDATION:

Review the staff report regarding condition of approval #2 for the CUP amendment (MIN 20-003) and the Waterfront Market #CUP19-15 and provide direction to staff

PERMITTEE/AGENT: Giovanni DeGarimore / Cathy Novak Consulting

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

INTRODUCTION / BACKGROUND :

At the February 18, 2020 and May 5, 2020 meetings, the Planning Commission (PC) reviewed and subsequently approved a minor modification (MIN20-003) to Conditional Use Permit #UP0-284 originally approved in 2012.

This amendment (MIN20-003) was brought about as a result of a review of the property's conditional use permit related to PC concerns regarding public access, both along the north parking lot, at the Beach Street gate, and along the south parking lot near the area of the Fish Market walk-up window and whether the project was in compliance with the original conditions of approval for UP0-284.

The original 2012 CUP (Exhibit C) included Precise Plan approval for a new dock system, parking lot approval, public seating area, and approval of the Virg's sportfishing business location. This included conditions of approval regarding public access by both the City and the Coastal Commission through their corresponding coastal development permit (CDP) approval #3-11-031 (Exhibit D). The public access CUP conditions included requirements to maintain the Harborwalk yellow pathway for visibility, and gate to be open from 730am to dusk but allowed to be closed during active fish unloading operations. The CDP approval included multiple public access

Prepared By: CJ

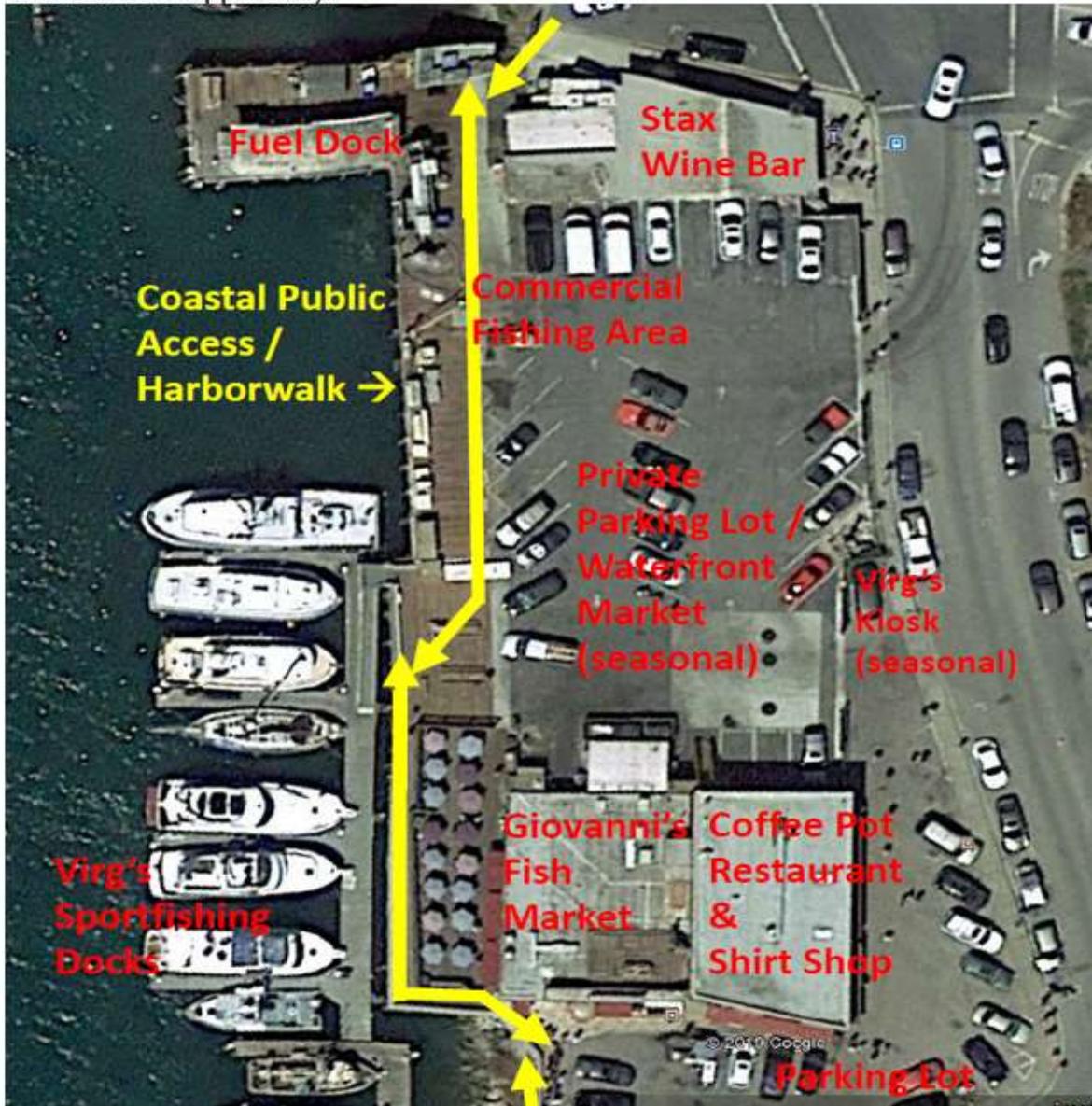
Department Review: SG

conditions including keeping open the Harborwalk area around the windscreen seating area, allowing tables on the wharf public view deck, establishing a 5 foot wide lateral access pathway through the commercial fishing area with ability to close this area during active fish unloading and identification of alternate public accessway during temporary closures.

After the February 2020 PC review and in response to PC’s public access concerns, the Applicant submitted a revised site plan for the May 2020 meeting to address these concerns which were then incorporated into the approved MIN20-003 permit (Exhibit B). The permit approval covered both improved public access circulation as well as site signage. Below is a partial summary of relevant permit history followed by a figure which delineates all existing uses with Harborwalk access through the site.

Permit Case #	Description of Approval
#CUP19-15 approved 1/7/2020	Waterfront Market vendors, recurring, max 15 weekends per year <i>(see discussion at end of report)</i>
CUP Amendment # A00-054 approved by City Council on appeal 6/26/2018	Installation and operation of information/ticket sales kiosk for Virg’s Landing.
CUP Admin. Amendment #A00-026 approved 4/27/2018	Administrative CUP amendment to remove awning from outdoor dining area.
Various TUPs	Harbor Festival annual temporary use permits 2001-2016 for weekend parking lot vendor use
MUP #04-02 approved 5/23/2002	Approval to increase use of Shirt Shop by 125 sf of outdoor sales area for rolling sales racks.
Coastal Commission Permits	
CDP 3-11-031 approved 12-12-2012	Dock expansion, seating area improvements, parking lot improvements and relocation of a sportfishing business. <i>Corresponds to #UP0-284</i>
3-06-013-W approved 2006 as CDP waiver	Coastal waiver to add 350sf to the fish market building, as well as add the restaurant takeout window and public seating patio enclosed by a windscreen – Corresponding CUP not found. Building permit # 28517 issue 7/19/2007

Figure 1 – Site Plan with Approved Uses and Outline of Coastal Access shown in yellow (Note both Stax Wine Bar, Former Coffee Pot, and Shirt Shop are under different CUP approvals).



2020 Planning Commission CUP Review

The final approved MIN20-003 permit included Planning Commission condition #2 which required the Applicant, Mr. DeGarimore, to maintain a record of gate closures and report back to the Planning Commission after 6 months with an update on review

of the gate, the lateral access pathway (Harborwalk) in the parking lot, and the walk-up order line at the Fish Market restaurant. Condition 2 is noted below followed by discussion of these three areas.

MIN2-003 Planning condition #2:

2. North Public Access Gate Closure. The applicant shall maintain a record of gate closures for a six month period from the date of Planning Commission action on this item. The gate closure record shall be submitted to the Community Development Department for inclusion in a project update staff report that shall come before the Planning Commission no later than January 2021. The report shall include a review of the Beach Street gate, lateral access pathway in the parking lot, and the walk-up order line at Giovanni's Fish Market. The Planning Commission will render a final decision on whether the gate can remain at the meeting where the gate closure records are reviewed.

1. Beach Street gate

The gate condition was the result of concerns that the gate was too frequently closed and thereby preventing coastal access. In 2020, the Applicant requested that the gate remain present for security reasons associated with his commercial fishing business. During the day the gate is open and the Applicant has kept daily logs of when it's opened and when it has needed to be closed (Exhibit A). When the CUP was approved in 2012, no specific conditions were placed on the gate itself, other than CDP conditions which required that public access be open from dawn to dusk. In 2018, when the Precise Plan amendment was approved, Planning Commission condition #7 required that the gate be open between the hours of 7:30am to dusk. It also allowed the gate to be closed ***"during active fish unloading activities that render public lateral access dangerous consistent with the 2012 Coastal Development Permit #3-11-031."*** It was noted that this wharf area is frequently occupied by commercial fisherman and fishing equipment, including live fish tanks, a scale, and a hoist as well as the only fuel dock on the waterfront which presents inherent safety risks. The Applicant's experience with past theft and security issues and the close proximity to the street have also contributed to reasons for requesting the gate be allowed to remain and be closed at night or dusk. Times during the day when the gate has been closed have been during active commercial fishing unloading operations as allowed by the Coastal Commission CDP.

Since the 2020 minor modification, staff's regular daily observations have been that the gate has been opened every morning consistent with the permit requirements and Condition #2 of MIN20-003.



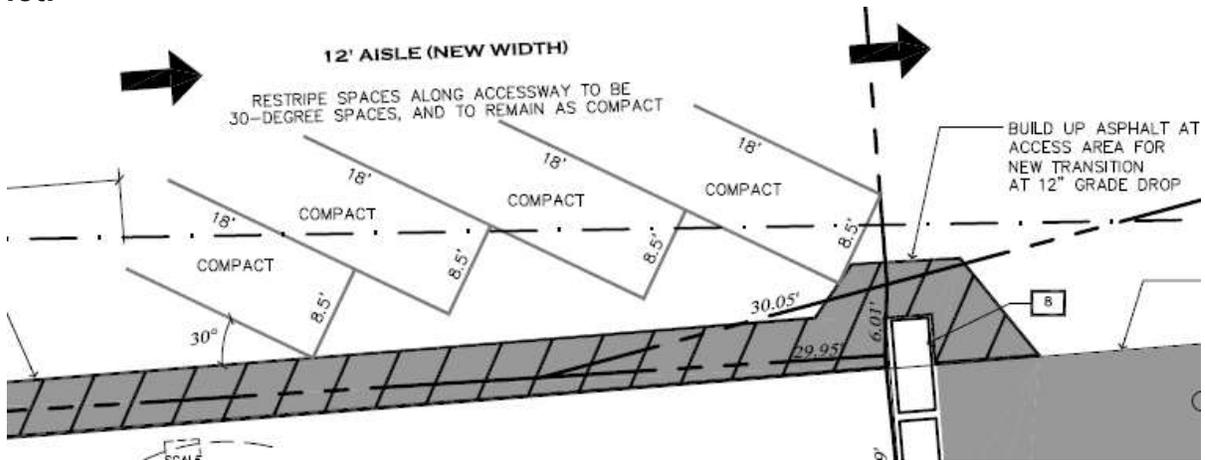
2. Harborwalk / Lateral Access Pathway

The Harborwalk that runs through the property traverses from the public sidewalk to the south, wraps around the outdoor public seating area, goes through the commercial fish unloading area to the west of the private parking lot, and north through the business gate where it exits the property at Beach Street as shown in yellow in Figure 1 on page 2 above.

Previously, concerns regarding public access in this area centered around the lack of awareness that the Harborwalk extends through the commercial fishing business. The area is frequently occupied by fish tanks, and equipment depending on the season. To promote awareness, the Harborwalk is signed and marked by a hatched yellow outline to indicate path of travel. The yellow outline is repainted periodically upon wear from the work activities. The 2020 modification also restriped the parking lot to a 30 degree layout in order to keep the Harborwalk clear of any encroachments.

Since the 2020 minor modification, the Harborwalk pathway in this area has been kept open consistent with the approvals and from staff's observations closed only when necessary for fish unloading.

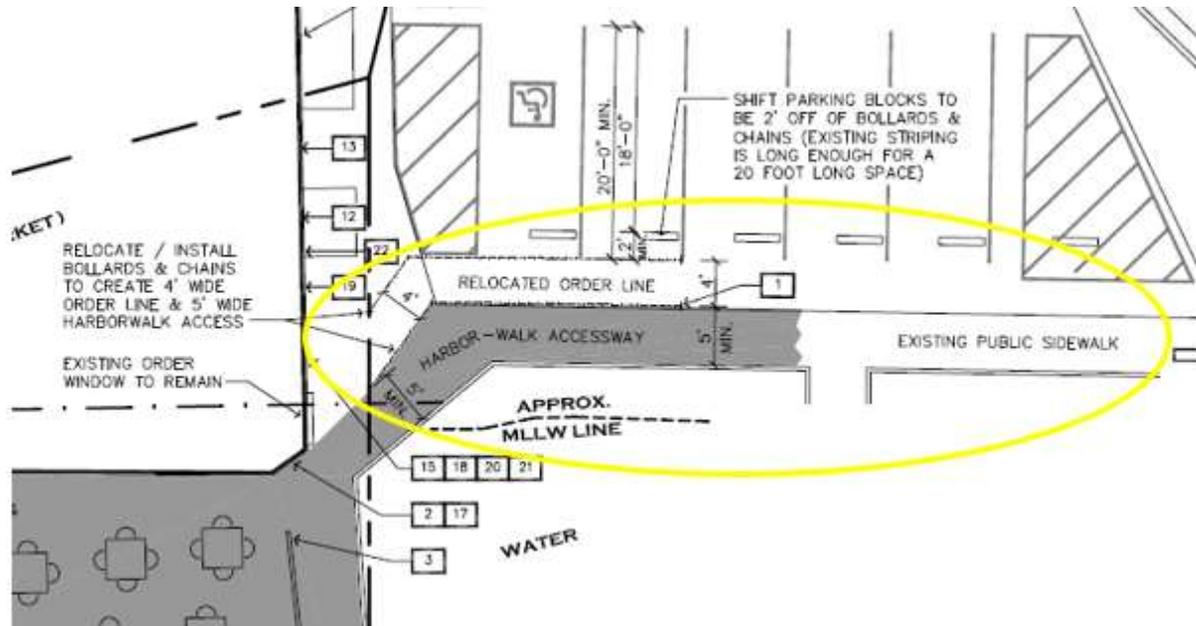
Shaded area below indicates Harborwalk path adjacent to the private parking lot:



3. Walk-up Order Line at Giovanni's Fish Market

Previous concerns about public access at the walk-up order line had to do with the fact that often during busy restaurant times the order line would spill onto the public sidewalk creating a narrow area between the adjacent parking lot to the east and railing to the west. The minor modification approval relocated the food service line to the east of the existing sidewalk with bollards set to delineate the business food services from the Harborwalk pathway. Staff has observed on several occasions since 2020 the order line is kept contained within the chained area for customers. The parking lot spaces were also restriped to push the parking spaces to the east, and this has worked to mitigate for crowding in this area while still being consistent with the CUP and CDP approvals. In addition, since 2020 a second walk up order window has been added to the east side of the building at the location of the former Coffee Pot restaurant. This order window and seating area has served to further reduce crowding impacts at the southern walk up window.

Shaded area below indicates Harborwalk path, relocated order line, and shifted parking spaces:



WATERFRONT MARKET SPECIAL USE PERMIT APPROVAL

On 12/7/2021, the Planning Commission reviewed a staff update on the results of the special use permit #CUP19-15 for the Waterfront Market which is a seasonal weekend multi-vendor event that takes place in the private parking lot on staff pre-approved dates. CUP19-15 was approved on January 7, 2020 and authorized 15 days a year. The success of the weekend market event has led the Permittee, Ms. Jolene Tench, to request 6 additional days for a total of 21 days for the 2022 season. At the December 7, 2021 PC meeting, the PC requested that any approval to add days to CUP19-15 be approved by the Planning Commission with consideration toward improving public access on the site. The Waterfront Market approvals do not encroach into the Harborwalk area and only occupy the existing parking spaces during the hours of the approved weekend event. Because the Waterfront Market is a type of extended temporary use approved pursuant to the Special Use Permit process, the requirements for making public access improvements did not apply. As outlined in the staff report above, the public access improvements are already conditions on the overall CUP for the property and for which the Applicant, Mr. DeGarimore has complied. Therefore, staff is requesting that administrative approval be allowed to amend CUP19-15 to accommodate the additional days requested. If an administrative permit amendment is authorized, the Applicant, Ms. Jolene Tench, would need to

submit an application for review, and the required noticing period would still be required prior to taking administrative action.

The six requested days are:

May 30 (Memorial Day, already running May 28-29)

June 4-5

Aug 6-7

Sept 5 (Labor Day, already running Sept 3-4)

CONCLUSION:

It is important to note that only minor enhancements to public access were made in order to avoid conflicts with the public access requirements for the Coastal Commission issued CDP. The Planning Commission 2020 approval of MIN20-003 was due to requested changes to the project to further compliance with the public access conditions of approval. The Applicant has complied with the conditions of MIN20-003 and made the described public access improvements.

The project is consistent with the conditions of approval for the CUP approved on May 16, 2012 and the Coastal Development Permit (CDP 3-11-031) that was approved by the Coastal Commission on April 12, 2012.

Staff recommends PC review the staff report and consistent with the permit approvals allow for the Beach Street gate to remain as previously conditioned. In addition, staff requests PC authorization for administrative action to add 6 days annually to the Waterfront Market's special use permit.

EXHIBITS:

Exhibit A – Letter from Giovanni DeGarimore dated 2/2/2022 & Beach Street Gate logs

Exhibit B – Approved Minor Modification permit #MIN20-003

Exhibit C – Original Conditional Use Permit #UP0-284 approved 5/16/2012

Exhibit D – Coastal Development Permit #CDP3-11-031 approved 12/12/12

Exhibit E – Powerpoint presentation

ONLINE LINKS:

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

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

[February 18, 2020 PC staff report, 1001 Front St CUP review](#)

[May 5, 2020 PC staff report, 1001 Front St CUP review](#)

[January 7, 2020 PC staff report Waterfront Market](#)

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

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



February 2, 2022

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

RE: Follow up for Giovanni's permit

Dear Scot & Cindy,

Thank you for taking the time to discuss the follow up items for the upcoming Planning Commission hearing.

Following the comments of the February 18, 2020 Planning Commission meeting, Giovanni's took steps to identify and mitigate each of the items addressed in order to improve public access including the following: Improving an existing grade issue, addressing northern gate activity, and relocating the take-out window line as requested. I've attached the revised project description for the May 5, 2020 Planning Commission meeting which identifies each issue and the resolutions in detail.

In addition to the changes made Giovanni's also maintains a log book which documents the opening and closures of the northern gate daily. I understand that there were previous concerns for the opening time and I have rectified that by utilizing a different employee to make sure the gate is opened on time each day. The gate does get closed occasionally during the day for limited hours only when needed to facilitate public safety during commercial fishing activities such as unloaded of vessels. As you know our existing permit allows for the temporary closures during these activities and I have made sure that it is always reopened when it is safe to do so. I have attached the log pages for your review as well.

I have mentioned on many occasions the general public doesn't always seem to be aware of the dangers involved with the swinging boom of a crane, and multiple forklifts carrying multi-ton loads during fishing offloads. I have personally witnessed on innumerable occasions folks walk straight towards the swinging hoist and nearly get hit by a bucket of fish weighing 500 or more pounds. I understand that this is interesting for folks to see, and we actually encourage people

Exhibit A

to witness how the industry works, and where their food comes from, but public safety must always be paramount, and so we must always make sure a safe distance perimeter is kept.

Another significant safety issue which seems to come up every few years is in regards to people requesting we remove the fences and gates permanently. I have provided several points in the attached project description item #5b but simply it is a matter of safety as well as security. We have had three recent occurrences of vandalism and theft in just the past 12 months, and countless others over the years including arson to our trash dumpsters. Also of note, our fueling dispensers and hoses are located on the wharf, allowing the general public access to fueling machinery located over the bay, is a recipe for an environmental disaster. Finally, we regretfully had one person fall to their death from the wharf to the docks below during the night in a tragic accident. Allowing people to roam around an industrial full of hazards in the dark just doesn't make any kind of sense.

Finally, the former Planning Commission commented on the southern side coastal access located near our take-out window and requested that I find a way to mitigate waiting tourist from lining up near the city fence. We immediately took steps including installing new signage and a bollard and chain cueing line to direct people. This created a designated waiting area completely clear and delineated of the existing 5' wide harbor walk area. People can move freely along the coastal access path through our property unimpeded.

In conclusion, I've completed all the requests of the former Planning Commission, and believe the solutions are working still today. I've earnestly tried to create a fair balance that addresses the needs of my operation, while allowing access for the community with a focus on safety. I've always considered myself to be a good steward of our town while providing benefits to all.

Thank you for assistance and please don't hesitate to contact me if you need further details on any of the items mentioned. I will look forward to the upcoming Planning Commission meeting so I can answer any questions they may have as well.

Sincerely,

Giovanni DeGarimore

Attachments:

- Project description for May 5, 2020 Planning Commission meeting
- North gate access log book

DEGARIMORE'S CENTRAL COAST MARINE, LLC COASTAL ACCESS DAILY GATE LOG

MONTH: December
YEAR: 2020

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1	6:00	KW	5:04	RTA	
2	7:00	KW			
3	7:00	KW			
4	7:00	KW	5:01 AM	AS	
5	7:00	Fancy	5:35 PM	AS	
6	7:00	Jamlet	5:04	RTA	
7	7:00	KW	5:08	RTA	
8	7:00	KW	6:25	AS	
9	7:00	KW	5:07	RTA	
10	7:00	KW	5:02	RTA	
11	7:00	J.O	5:05 PM	AS	
12	7:00	J.O	5:05	AS	
13			5:05	RTA	
14	7:00	KW	5:01	RTA	
15	7:00	KW	4:59 PM	A.S.	
16	7:00	KW	5:03	RA	
17	7:00	KW	5:04	RTA	
18	7:00	J.O	5:16 PM	AS	
19	7:00	J.O	5:10 PM	AS	
20			5:07	RTA	
21	5:00	KW	5:05	RTA	
22	5:00	KW	5:15 PM	AS	
23	5:00	KW	5:12	RA	
24	7:00	KW	5:04	RTA	
25	CLOSED				
26	7:00	J.O	X	was	
27	7:00	KW	5:04	RTA	
28	7:00	KW	5:05	RTA	
29	6:00	KW	5:00 PM	AS	
30	7:00	KW	5:05	RTA	
31	7:00	KW	5:20	RTA	
			5:01 PM	AS	

1-1-21
1-2-21

6:00 KW
7:00 J.O

**DEGARIMORE'S CENTRAL COAST MARINE, LLC
COASTAL ACCESS
CLOSURE LOG**

MONTH: DECEMBER

YEAR: 2020

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y			CP
2	Y			CP
3	Y			CP
4	Y			CP
5	Y			CP
6	Y			CP
7	Y			CP
8	Y			CP
9	Y			CP
10	Y			CP
11	Y			CP
12	Y			CP
13	Y			CP
14	Y			CP
15	Y			CP
16	Y			CP
17	Y			CP
18	Y			CP
19	Y			CP
20	Y			CP
21	Y			CP
22	Y			CP
23	Y			CP
24	Y			CP
25	N	BUSINESS CLOSED / XMAS DAY		CP
26	Y			CP
27	Y			CP
28	Y			CP
29	Y			CP
30	Y			CP
31	Y			CP

DEGARIMORE'S CENTRAL COAST MARINE, LLC COASTAL ACCESS CLOSURE LOG

MONTH: NOVEMBER

YEAR: 2020

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y			CP
2	Y			CP
3	Y			CP
4	Y			CP
5	Y			CP
6	Y			CP
7	Y			CP
8	Y			CP
9	Y			CP
10	Y			CP
11	Y			CP
12	Y			CP
13	Y			CP
14	Y			CP
15	Y			CP
16	Y			CP
17	Y			CP
18	Y			CP
19	YBN	Unloading → Bluefin Tun 9	2pm - close	CP
20	Y			CP
21	Y			CP
22	Y			CP
23	Y			CP
24	Y			CP
25	Y			CP
26	N	THANKSGIVING - BUSINESS	ALL DAY	CP
27	Y	CLOSED		CP
28	Y			CP
29	Y			CP
30	Y			CP
31	Y			CP

117

DEGARIMORE'S CENTRAL COAST MARINE, LLC COASTAL ACCESS DAILY GATE LOG

MONTH: November

YEAR: 2020

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1	7:00	KW	6:30	RC	
2	7:00	KW	6:45	JS	
3	7:00	KW	7:00	JO	
4	7:00	KW	7:00	JO	
5	7:00	KW	7:00	JO	
6	7:00	JO	7:00	AR	
7	7:00	JO	7:00	ARC	
8	7:00	JS	6:40	RC	
9	7:00	KW	6:35	ARC	
10	7:00	KW	7:00	JO	
11	7:00	KW	7:00	AR	
12	7:00	KW	6:00	ARC	
13	5:00	KW	6:00	ARC	
14					
15					
16	7:00	KW			
17	7:00	KW			
18	7:00	KW			
19	7:00	KW			
20	7:00	KW			
21					
22	7:00	Handed			
23	7:00	KW			
24	7:00	KW			
25	7:00	KW			
26	N/A	N/A			
27	7:00	KW			
28					
29					
30					
31					

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**DEGARIMORE'S CENTRAL COAST MARINE, LLC
COASTAL ACCESS
DAILY GATE LOG**

MONTH: Oct.
YEAR: 2020

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1	7:00	CJ	7:00	AF	
2	7:00	JO	6:45	AR	
3	7:00	JO	7:05	RL	
4	7:00	Spunk	6:30	AR	
5	7:00	CJ	6:35	RL	
6	7:00	CJ	6:30	JO	
7	7:00	CJ	7:00	JO	
8	7:00	CJ	6:35	CJ	
9	7:00	JO	6:30	JO	
10	7:00	JO	6:30	JO	
11	7:00	JO	6:45	AR	
12	7:00	RL	7:00	RL	
13	7:00	RL	6:30	CJ	
14	7:00	CJ	6:40	AR	
15	7:01	CJ	6:30	AR	
16	7:00	RL	7:00	CJ	
17	7:00	JO	7:30	RL	
18	7:00	JO	6:40	AR	
19	7:00	RL	6:45	AR	
20	7:00	RL	7:00	JO	
21	7:00	RL	7:00	AR	
22	7:00	RL	6:30	AR	
23	7:00	JO	7:00	AR	
24	7:00	J.O	7:30	AR	
25	7:00	Garrett	7:00	AR	
26	7:00	RL			
27	7:00	RL	7:00	JO	
28	7:00	RL	7:00	JO	
29	7:20	RL	7:00	JO	
30	7:00	RL	7:00	AR	
31	7:00	JO	7:00	AR	

W

**DEGARIMORE'S CENTRAL COAST MARINE, LLC
COASTAL ACCESS
CLOSURE LOG**

MONTH: OCTOBER

YEAR: 2020

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y & N	Commercial fishing - unload F/V Margaret - O	8:30am -	CP
2	Y		1:00pm	CP
3	Y			CP
4	Y			CP
5	Y			CP
6	Y			CP
7	Y			CP
8	Y & N	Unloading F/V Temptation	8am - 1pm	CP
9	Y & N	Unloading F/V Margaret - O	9am - Noon	CP
10	Y			CP
11	Y			CP
12	Y			CP
13	Y			CP
14	Y			CP
15	Y			CP
16	Y			CP
17	Y			CP
18	Y			CP
19	Y			CP
20	Y & N	SQUID UNLOADING	ALL DAY ALL DAY	CP
21	Y			CP
22	Y & N	SQUID UNLOADING	8am - 3pm	CP
23	Y			CP
24	Y			CP
25	Y			CP
26	Y & N	SQUID UNLOADING	ALL DAY	CP
27	N & Y	SQUID UNLOADING	ALL DAY	CP
28	Y & N	SQUID UNLOADING	8am - Noon	CP
29	Y			CP
30	Y			CP
31	Y			CP

DEGARIMORE'S CENTRAL COAST MARINE, LLC COASTAL ACCESS CLOSURE LOG

MONTH: September

YEAR: 2020

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y			CP
2	Y			CP
3	Y			CP
4	Y			CP
5	Y			CP
6	Y			CP
7	Y			CP
8	Y			CP
9	Y			CP
10	Y			CP
11	Y			CP
12	Y			CP
13	Y			CP
14	Y			CP
15	Y			CP
16	Y			CP
17	Y			CP
18	Y			CP
19	Y			CP
20	Y & N	Commercial Fishing - unload F/V Margaret O	11am - 2pm	CP
21	Y			CP
22	Y			CP
23	Y			CP
24	N			CP
25	Y & N	Commercial Fishing - unload F/V Margaret O	11am - 4pm	CP
26	Y			CP
27	Y			CP
28	Y			CP
29	Y			CP
30	Y			CP
31	Y			CP

DEGARIMORE'S CENTRAL COAST MARINE, LLC
 COASTAL ACCESS
 DAILY GATE LOG

MONTH: Sept
 YEAR: 2020

*Jo. 10/2/2020
 7:00 AM*

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1					
2					
3					
4					
5	7:00	JO	8:41	RL	
6	7:00	JO	9:10	RL	
7	7:00	Spambot	7:00	ATB	
8	7:00	RL	7:00	ATB	
9	7:00	CJ	7:00	AR	
10	7:00	CJ	7:00	JO	
11	7:00	JO	7:05	AR	
12	7:00	JO	6:30	AR	
13	7:00	Spambot	6:45	AR	
14	7:00	RL	6:45	RL	
15	7:00	RL	7:05	RL	
16	7:00	CJ	7:00	JO	
17	7:00	CJ	6:45	AR	
18	7:00	JO	6:23	CJ	
19	7:00	JO	7:15	RL	
20	7:00	Spambot	6:45	ATB	
21	7:00	RL	6:45	AR	
22	7:00	RL	7:00	JO	
23	7:00	RL	7:00	JO	
24	7:00	RL	7:00	JO	
25	7:00	JO	6:45	AR	
26	7:00	JO	7:00	AR	
27	7:00	Spambot	7:05	RL	
28	7:00	RL	7:00	RL	
29	7:00	RL	6:45	RL	
30	7:00	CJ	7:00	ATB	
10/1	7:00	CJ	7:00	ATB	

DEGARIMORE'S CENTRAL COAST MARINE, LLC
 COASTAL ACCESS
 DAILY GATE LOG

MONTH: August
 YEAR: 2020

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1	7:00	JO	7:58	RC	
2	7:00	CJ	6:30	AR	
3	7:00	KW	7:30	RC	
4	7:00	KW	6:30	CJ	
5	7:00	CJ	8:00	AR	
6	7:00	CJ	7:05	AR	
7	7:00	KW	7:00	AR	
8	10:00	ARK	7:05	AR	
9	10:00	ARK	6:30	AR	
10	7:00	KW	7:00	AR	
11	7:00	KW	10:30	CJ	
12	7:00	CJ	6:30	AR	
13	7:00	CJ	6:30	AR	
14	7:00	ARK	7:00	AR	
15	7:00	ARK	7:00	AR	
16	7:00	ARK	7:00	RC	
17	7:00	ARK	7:00	AR	
18	7:00	KW	6:30	CJ	
19	7:00	CJ	6:30	AR	
20	7:00	CJ	7:30	VJ	
21	7:00	KW	7:00	AR	
22	7:00	ARK	7:00	AR	
23	7:00	ARK	6:45	AR	
24	7:00	KW	6:30	AR	
25	7:00	KW	6:30	CJ	
26			7:00	JO	
27			7:00	JO	
28	7:00	JO	6:30	CJ	
29	7:00	J.O	7:30	AR	
30	7:00	ARK	6:40	RC	
31	7:00	KW	6:30	AR	

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 W

9-1-20

**DEGARIMORE'S CENTRAL COAST MARINE, LLC
COASTAL ACCESS
CLOSURE LOG**

MONTH: AUGUST

YEAR: 2020

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y			CP
2	Y			CP
3	Y			CP
4	Y			CP
5	Y			CP
6	Y			CP
7	Y			CP
8	Y			CP
9	N	unloading operations		CP
10	Y			CP
11	Y			CP
12	Y			CP
13	Y			CP
14	Y			CP
15	Y			CP
16	Y			CP
17	Y			CP
18	Y			CP
19	Y			CP
20	Y			CP
21	Y			CP
22	Y			CP
23	Y			CP
24	Y			CP
25	Y			CP
26	Y			CP
27	Y			CP
28	Y			CP
29	Y			CP
30	Y			CP
31	Y			CP

DEGARIMORE'S CENTRAL COAST MARINE, LLC COASTAL ACCESS CLOSURE LOG

MONTH: JULY

YEAR: 2020

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y			CP
2	Y			CP
3	Y			CP
4	Y			CP
5	Y			CP
6	Y			CP
7	Y			CP
8	Y			CP
9	Y			CP
10	Y			CP
11	Y			CP
12	Y			CP
13	Y			CP
14	Y			CP
15	Y			CP
16	Y			CP
17	N	unloading operations	11am - 2pm	CP
18	Y			CP
19	Y			CP
20	Y			CP
21	Y			CP
22	Y			CP
23	N	unloading operations	2pm - 5pm	CP
24	Y			CP
25	Y			CP
26	Y			CP
27	Y			CP
28	Y			CP
29	Y			CP
30	Y			CP
31	Y			CP

**DEGARIMORE'S CENTRAL COAST MARINE, LLC
COASTAL ACCESS
DAILY GATE LOG**

MONTH: July
YEAR: 2020

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1					
2					
3			6:45	AR	
4	7:00	JO	7:30	RC	
5	7:00	JO	6:25	AR	
6	7:00	KW	6:40	RC	
7	7:00	KW	6:30	RC	
8	7:00	KW	6:30	CJ	
9	7:00	KW	6:30	JO	
10	7:00	KW	6:30	AR	
11	7:00	JO	7:00	AR	
12	6:50	KW	7:00	AR	
13	7:00	KW	6:30	AR	
14	7:00	KW	7:00	JO	
15	7:00	KW	6:50	AR	
16	7:00	KW	6:30	AR	
17	7:00	KW	6:45	AR	
18	7:00	J.O	7:20	RC	
19	7:00	J.O	7:30	AR	
20	7:00	KW	7:00	AR	
21	7:00	KW	7:00	JO	
22	7:00	KW	7:05	AR	
23	7:00	KW	7:05	AR	
24	7:00	KW	7:30	JO	
25	7:00	JO	8:45	RC	
26	7:00	JO	6:30	AR	
27	7:00	KW	6:25	AR	
28	7:00	KW	7:00	JO	
29	7:00	KW	7:00	JO	
30	7:00	KW	6:15	CJ	
31	7:00	KW			

DEGARIMORE'S CENTRAL COAST MARINE, LLC COASTAL ACCESS DAILY GATE LOG

MONTH: June
YEAR: 2020

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1	6AM	KW	7:15	RC	
2	7:00	KW	7:12	CJ	
3	7:00	KW	7:00	JO	
4	7:00	KW	7:00	JO	
5	7:00	KW	7:00	JO	
6	7:00	JO	7:25	AR	
7	7:00	JO	7:00	RC	
8	7:00	JO	6:38	CJ	
9	7:00	KW	7:23	RC	
10	7:00	KW	6:32	CJ	
11	7:00	KW	7:01	CJ	
12	7:00	KW	7:00	RC	
13	7:00	JO	8:00	AR	
14	7:00	JO	6:40	CJ	
15	7:00	KW	7:00	AR	
16	7:00	KW	7:00	JO	
17	7:00	KW	6:30	CJ	
18	7:00	KW	6:45	AR	
19	7:00	KW	6:50	AR	
20	7:00	JO	7:30	RC	
21	7:00	JO	7:00	AR	
22	7:00	KW	6:30	AR	
23	7:00	KW	7:00	CJ	
24	7:00	KW	6:45	AR	
25	7:00	KW	6:30	CJ	
26	7:00	KW	6:55	RC	
27	7:00	JO	8:00	AR	
28	7:00	JO	6:30	AR	
29	7:00	KW	7:05	RC	
30			7:00	CJ	
31					

6/4/20

KW 1-20 6:00 AM

DEGARIMORE'S CENTRAL COAST MARINE, LLC COASTAL ACCESS CLOSURE LOG

MONTH: JUNE
YEAR: 2020

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y & N	US ARMY DREDGE FUELING	7:30am - 12:00pm	CP
2	Y			CP
3	Y			CP
4	Y			CP
5	Y			CP
6	Y			CP
7	Y			CP
8	Y			CP
9	Y			CP
10	Y			CP
11	Y			CP
12	Y			CP
13	Y			CP
14	Y			CP
15	Y			CP
16	Y			CP
17	Y			CP
18	Y			CP
19	Y			CP
20	Y			CP
21	Y			CP
22	Y			CP
23	Y			CP
24	Y			CP
25	Y			CP
26	Y			CP
27	Y			CP
28	Y			CP
29	Y			CP
30	Y			CP
31	Y			CP

**DEGARIMORE'S CENTRAL COAST MARINE, LLC
COASTAL ACCESS
DAILY GATE LOG**

MONTH: 05

YEAR: 2020

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1			7:30	AR	
2	7:00	JO	7:00	RC	
3	7:00	JO			
4	7:00	W	7:00	AR	
5	7:00	W	6:43	AR	
6	7:00	W	7:30	JO	
7	5:45	W	6:45	AR	
8	7:00	W	7:00	AR	
9	7:00	JO	7:20	RC	
10	7:00	JO	7:30	RC	
11	7:00	W	7:05	AR	
12	7:00	W	7:30	JO	
13	7:00	W	7:30	JO	
14	7:00	W	7:30	JO	
15	7:00	W	7:30	JO	
16	7:00	JO	7:30	RC	
17	7:00	JO	6:45	AR	
18	7:00	W	7:05	AR	
19	7:00	KW	6:45	AR	
20	7:00	W	7:15	CJ	
21	7:00	W	6:47	CJ	
22	7:00	S.D.	7:00	JO	
23	7:00	JO	6:45	RC	
24	7:00	JO	7:54	CJ	
25	7:00	W	7:05	AR	
26	7:00	W			
27	7:00	W	7:15	CJ	
28	7:00	W	6:30	AR	
29	7:00	W	7:00	JO	
30	7:00	JO	6:45	AR	
31	7:00	JO	7:58	RC	

6-1-20 KW 6:00 AM

**DEGARIMORE'S CENTRAL COAST MARINE, LLC
COASTAL ACCESS
CLOSURE LOG**

MONTH: MAY
YEAR: 2020

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y			CP
2	Y			CP
3	Y			CP
4	Y			CP
5	Y			CP
6	Y			CP
7	Y			CP
8	Y			CP
9	Y			CP
10	Y			CP
11	Y			CP
12	Y			CP
13	Y			CP
14	Y			CP
15	Y			CP
16	Y			CP
17	Y			CP
18	Y			CP
19	Y			CP
20	N	U.S. ARMY DREDGE FUELING	8am - 12pm	CP
21	Y			CP
22	Y			CP
23	Y			CP
24	Y			CP
25	Y			CP
26	Y			CP
27	Y			CP
28	Y			CP
29	N	Fish unloading	8am - 9am	CP
30	Y			CP
31	Y			CP

**DEGARIMORE'S CENTRAL COAST MARINE, LLC
COASTAL ACCESS
DAILY GATE LOG**

MONTH: April
YEAR: 2020

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1	7:00	KN	7:00	JO	
2	7:00	KN	6:45	PI/PAN	
3			6:55	JO	
4	7:30	JO	7:15	RC	
5	7:30	JO	6:30	AR	
6	7:00	KN	6:40	JO	
7	7:00	KN	7:00	JO	
8	7:00	KN	7:00	JO	
9	7:00	KN	6:45	RC	
10	7:30	JO	7:00	RC	
11					
12	CLOSED		CLOSED		EASTER
13	7:00	KN	6:45	RC	
14	7:30	KN	6:45	AR	
15	7:00	KN	7:15	AR	
16	7:00	KN	7:20	JO	
17			7:30	JO	
18	7:00	JO	6:45	RC	
19	7:00	JO	6:50	RC	
20	6:50	Franky	6:30	AR	
21	7:00	Kyle	6:45	AR	
22	7:00	KN	7:00	JO	
23	7:00	KN	7:00	AR	
24	7:00	Kyle	7:45	JO	
25	7:00	JO	7:20	RC	
26	7:00	JO	7:00	RC	
27	6:50	Franky	6:30	AR	
28	7:00	KN	6:50	RC	
29	7:00	KN	7:00	JO	
30	7:00	KN	7:10	AR	
31					

MAY 1 KN 7:00

**DEGARIMORE'S CENTRAL COAST MARINE, LLC
COASTAL ACCESS
CLOSURE LOG**

MONTH: APRIL
YEAR: 2020

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y			CP
2	Y			CP
3	Y			CP
4	Y			CP
5	Y			CP
6	Y			CP
7	Y			CP
8	Y			CP
9	Y			CP
10	Y			CP
11	Y			CP
12	Y			CP
13	Y			CP
14	Y			CP
15	Y			CP
16	Y			CP
17	Y			CP
18	Y			CP
19	Y			CP
20	Y			CP
21	Y			CP
22	Y			CP
23	Y			CP
24	Y			CP
25	Y			CP
26	Y			CP
27	Y			CP
28	Y			CP
29	Y			CP
30	Y			CP
31	Y			CP

**DEGARIMORE'S CENTRAL COAST MARINE, LLC
COASTAL ACCESS
DAILY GATE LOG**

MONTH: March

YEAR: 2020

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1	7:00	JO	5:03	DA	
2	6:56	KR			
3	6:50	RF	5:05	RA	
4	6:56	KR	5:06	RA	
5	6:35	KR			
6	7:00	JO			
7	7:00	JO	RA	5:03	
8	6:50	JO	RA	5:03	
9	6:59	KR			
10	6:50	RF	5:00	RA	
11	7:00	KR	-	-	left open during inspection
12	7:00	KR	7:00	JO	
13	7:00	RF	6:45	RL	
14	7:00	JO	6:55	RL	
15	7:00	JO	6:25	RC	
16	7:01	Kyle	6:25	RC	
17	6:59	Kyle	6:00	RC	
18	6:00	Kyle	7:30	JO	
19	6:00	Kyle	7:00	JS	
20	7:07	RF	7:15	JO	
21	7:00	JO	7:15	JO	
22	7:00	JO	6:00	JO	
23	6:50	Kyle	6:45	RF	
24	7:00	Kyle	6:55	RL	
25	7:00	Kyle	7:00	JO	
26	6:59	Kyle	7:00	JO	
27	7:01	RF	7:00	JO	
28	7:00	JO	7:05	RL	
29	7:00	JO	6:45	RL	
30	7:05	RF	7:00	RF	
31	7:00	Kyle	6:30	RL	

**DEGARIMORE'S CENTRAL COAST MARINE, LLC
COASTAL ACCESS
CLOSURE LOG**

MONTH: MARCH
YEAR: 2020

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y			CP
2	Y			CP
3	Y			CP
4	Y			CP
5	Y			CP
6	Y			CP
7	Y			CP
8	Y			CP
9	Y			CP
10	Y			CP
11	Y			CP
12	Y			CP
13	Y			CP
14	Y			CP
15	Y			CP
16	Y			CP
17	Y			CP
18	Y			CP
19	Y			CP
20	Y			CP
21	Y			CP
22	Y			CP
23	Y			CP
24	Y			CP
25	Y			CP
26	Y			CP
27	Y			CP
28	Y			CP
29	Y			CP
30	Y			CP
31	Y			CP

**DEGARIMORE'S CENTRAL COAST MARINE, LLC
COASTAL ACCESS
DAILY GATE LOG**

MONTH: FEBRUARY

YEAR: 2020

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1	6:59 ^{am}	W	5:39	RA	
2	7:00 ^{am}	W	5:02	RA	
3	6:59 ^{am}	W			
4	6:54 ^{am}	W	5:02	RA	
5	6:56	W	5:03	RA	
6	6:58	W			
7	7:00 ^{am}	RE			
8	7:00 ^{am}	JO	5:13	RA	
9	6:57	W	5:01	RA	
10	6:58	W			
11	6:55	W	5:03	RA	
12	6:55	W	5:07	RA	
13	7	KN			
14	7	RE			
15	7:00	JO	5:06	RA	
16	7:00	J.O	5:08	RA	
17	6:57	W			
18	6:56	W	5:15	RA	
19	6:55	RE	5:01	RA	
20	6:55	RE			
21	7	RE			
22	7:00	JO	5:02	RA	
23	7:00	JO	5:03	RA	
24	6:58	W			
25	6:56	W	5:01	RA	
26	6:56	W	5:03	RA	
27	6:58	W			
28	7:00	RE			
29	7:05	RE	5:05	RA	
30	7:40	JO			
31					

DEGARIMORE'S CENTRAL COAST MARINE, LLC
COASTAL ACCESS
CLOSURE LOG

MONTH: FEBRUARY

YEAR: 2020

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y			CP
2	Y			CP
3	Y			CP
4	Y			CP
5	Y			CP
6	Y			CP
7	Y			CP
8	Y			CP
9	Y			CP
10	Y			CP
11	Y			CP
12	Y			CP
13	Y			CP
14	Y			CP
15	Y			CP
16	Y			CP
17	Y			CP
18	Y			CP
19	Y			CP
20	Y			CP
21	Y			CP
22	Y			CP
23	Y			CP
24	Y			CP
25	Y			CP
26	Y			CP
27	Y			CP
28	Y			CP
29	Y			CP
30	XXXXXXXXXX			XXXXXXXXXX
31	XXXXXXXXXX			XXXXXXXXXX

DEGARIMORE'S CENTRAL COAST MARINE, LLC COASTAL ACCESS CLOSURE LOG

MONTH: JANUARY

YEAR: 2020

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	N	Transition Pump Replacement	ALL DAY	CP
2	N			CP
3	N			CP
4	N			CP
5	N			CP
6	N			CP
7	N			CP
8	N			CP
9	N			CP
10	N			CP
11	N			CP
12	N			CP
13	N			CP
14	N			CP
15	N			CP
16	N			CP
17	N			CP
18	N			CP
19	N			CP
20	N			CP
21	N			CP
22	N			CP
23	N	↓	↓	CP
24	Y	OPEN AGAIN	OPEN	CP
25	Y			CP
26	Y			CP
27	Y			CP
28	N	Parking lot resurfacing/restripe	ALL DAY	CP
29	N	Parking lot resurfacing/restripe	ALL DAY	CP
30	N	Parking lot restripe & Commercial Fish	ALL DAY	CP
31	N	Commercial Fish / Electrical Work	OPENED AT 1pm	CP

1pm

DEGARIMORE'S CENTRAL COAST MARINE, LLC COASTAL ACCESS CLOSURE LOG

MONTH: December
YEAR: 2021

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y			AR
2	Y			AR
3	Y			AR
4	Y			AR
5	Y			AR
6	Y			AR
7	Y			AR
8	Y			AR
9	Y			AR
10	Y			AR
11	Y			AR
12	Y			AR
13	Y			AR
14	Y			AR
15	Y			AR
16	Y			AR
17	Y			AR
18	Y			AR
19	Y			AR
20	Y			AR
21	Y			AR
22	Y			AR
23	Y			AR
24	Y			AR
25	N	Closed for Christmas	all day	AR
26	Y			AR
27	Y			AR
28	Y			AR
29	Y			AR
30	Y			AR
31	Y			AR

DEGARIMORE'S CENTRAL COAST MARINE, LLC
 COASTAL ACCESS
 DAILY GATE LOG

MONTH: December
 YEAR: 2021

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1	7:00	RA	9:05	RA	
2	7:00	KA	4:54 P.M.	AS	
3	7:00	KA	5:10 P.M.	AS	
4	8:20	RA	5:06	RA	
5	8:15	RA	5:00	RA	
6	7:00	KA	5:00 P.M.	AS	
7	7:00	KA	5:00	RA	
8	7:00	KA	5:00	RA	
9	7:00	KA	4:53 P.M.	AS	
10	7:00	KA	5:30 P.M.	AS	
11	8:15	RA	5:00	RA	
12	8:25	RA	5:00	RA	
13	7:00	KA			
14	7:00	KA	5:00	RA	
15	7:00	KA	5:00	RA	
16	7:00	KA	5:01 P.M.	AS	
17	7:00	KA	5:10 P.M.	AS	
18	8:15	RA	5:00	RA	
19	9:00	RA	5:35	RA	
20	7:00	KA	4:54 P.M.	AS	
21	7:00	KA	5:03	RA	
22	7:00	KA	5:00	RA	
23	7:00	KA	5:27 P.M.	AS	
24	7:00	KA	5:30 P.M.	AS	
25	-	-	-	-	
26	7:00	AR	5:30	AR	Closed Merry X-mas
27	7:00	KA	5:09 P.M.	AS	
28	7:00	AR	5:15	AR	
29	7:00	AR	5:03	RA	
30	8:10 AM	AS	4:55 P.M.	AS	
31	7:00	KA			

**DEGARIMORE'S CENTRAL COAST MARINE, LLC
COASTAL ACCESS
CLOSURE LOG**

MONTH: November

YEAR: 2021

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y			AK
2	Y			AK
3	Y			AK
4	Y			AK
5	Y			AK
6	Y			AK
7	Y			AK
8	Y			AK
9	Y			AK
10	Y			AK
11	Y			AK
12	Y			AK
13	Y			AK
14	Y			AK
15	Y			AK
16	Y			AK
17	Y			AK
18	Y			AK
19	Y			AK
20	Y			AK
21	Y			AK
22	Y			AK
23	Y			AK
24	Y			AK
25	N	Closed for Thanksgiving	all day	AK
26	Y			AK
27	Y			AK
28	Y			AK
29	Y			AK
30	Y			AK
31	Y			AK

DEGARIMORE'S CENTRAL COAST MARINE, LLC
COASTAL ACCESS
DAILY GATE LOG

MONTH: Nov. 2021

YEAR: 2021

Handwritten: 6-11-21
6-11-21

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1	7:00	K	5:15 P _M	AS	
2	7:00	K	5:01	RA	
3	7:00	K	5:02	RA	
4	7:00	K	5:06 PM	AS	
5	7:00	K	5:10 PM	AS	
6	7:00	AR	5:05	RA	
7	7:00	AR	5:10	RA	
8	7:00	K	5:05 PM	AS	
9	7:00	K	5:00	RA	
10	7:00	K	5:00	RA	
11	7:00	K	5:34 P _M	AS	
12	7:00	K	5:45 P _M	AS	
13	7:00	K	5:01	RA	
14			5:06	RA	
15	7:00	K	5:58 P_M	4:58 P _M (75)	
16	7:00	K	5:00	RA	
17	7:00	K	5:03	RA	
18	7:00	K			
19	7:00	K	5 PM	AS	
20	8:15	RA	5:05	RA	
21	8:25	RA	5:00	RA	
22	7:00	K			
23	7:00	K	5:00	RA	
24	7:00	K	5:01	RA	
25	N/A	N/A			Closed for Thanksgiving
26	7:00	K	4:47 P _M	AS	
27	8:07	RA	5:00	RA	
28	8:20	RA	5:00	RA	
29	7:00	K			
30	7:00	K	5:00	RA	
31					

**DEGARIMORE'S CENTRAL COAST MARINE, LLC
COASTAL ACCESS
CLOSURE LOG**

MONTH: October
YEAR: 2021

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y			CP
2	Y			CP
3	Y			CP
4	Y			CP
5	Y			CP
6	Y			CP
7	Y			CP
8	Y			CP
9	Y			CP
10	Y			CP
11	Y			CP
12	Y			CP
13	Y			CP
14	Y			CP
15	Y			CP
16	Y			CP
17	Y			CP
18	N	Swordfish Unloading Flv Margaret-D	4pm - Dark	CP
19	Y			CP
20	Y			CP
21	Y			CP
22	Y			CP
23	Y			CP
24	Y			CP
25	Y			CP
26	Y			CP
27	Y			CP
28	Y			CP
29	Y			CP
30	Y			CP
31	Y			CP

DEGARIMORE'S CENTRAL COAST MARINE, LLC
 COASTAL ACCESS
 DAILY GATE LOG

MONTH: October
 YEAR: 2021

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1	7:00	Km	6 PM	AS	
2	7:00	AS	5:04	RA	
3	7:00	DS	5:10	RA	
4	7:00	Km	5:09 PM	AS	
5	7:00	Km	5:15	RA	
6	7:00	Km	5:00	RA	
7	7:00	Km	4:50 PM	AS	
8	7:00	Km	5:11 PM	AS	
9	7:00	AS	5:10	RA	
10	7:00	DS	5:20	RA	
11	7:00	Km	4:59 PM	AS	
12	7:00	Km	5:00	RA	
13	7:00	Km	5:10	RA	
14	7:00	Km	5:35 PM	AS	
15	7:00	DS	5:34 PM	AS	
16	8:15	RA	5:33	RA	
17	8:19	RA	5:20	RA	
18	7:00	Km	4:35 PM	AS	Closed/SWORDFISH
19	7:00	Km	5:20	RA	
20	7:00	Km	5:52	RA	
21	7:00	Km	5:01 PM	AS	
22	7:00	Km	5:09 PM	AS	
23	7:00	DS			
24	7:00	DS			
25	7:00	Km			
26	7:00	Km	5:00	RA	
27	7:00	Km	5:02	RA	
28	7:00	Km	5:06 PM	AS	
29	7:00	Km	5:01 PM	AS	
30	8:10	RA	5:15	RA	
31	8:17	RA	5:35	RA	

**DEGARIMORE'S CENTRAL COAST MARINE, LLC
COASTAL ACCESS
CLOSURE LOG**

MONTH: September
YEAR: 2021

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y			CP
2	Y			CP
3	Y			CP
4	Y			CP
5	Y			CP
6	Y			CP
7	Y			CP
8	Y			CP
9	Y			CP
10	Y			CP
11	Y			CP
12	Y			CP
13	Y			CP
14	Y			CP
15	Y			CP
16	Y			CP
17	Y			CP
18	Y			CP
19	Y			CP
20	Y			CP
21	Y			CP
22	Y			CP
23	Y			CP
24	Y			CP
25	Y			CP
26	Y			CP
27	Y			CP
28	Y			CP
29	Y			CP
30	Y			CP
31				

6.34 Cal hal
 6.64 black cod
 5.02 rock crab

DEGARIMORE'S CENTRAL COAST MARINE, LLC
 COASTAL ACCESS
 DAILY GATE LOG

31.96
 19.73

42.29

MONTH: SEPT
 YEAR: 2021

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1	7:00	KW	5:03	RA	
2	7:00	KW			
3	7:00	KW			
4	7:00	DS	5:10	RA	
5	7:00	DS	5:03	RA	
6	7:00	KW			
7	7:00	KW	5:05	RA	
8	7:00	KW	5:03	RA	
9	7:00	KW			
10	7:00	KW	5:10	RA	
11	7:00	DS	5:05	RA	
12	7:00	DS			
13	7:00	KW			
14	7:00	KW	5:04	RA	
15	7:00	WA	5:01	RA	
16	7:00	WA			
17	7:00	KW			
18	7:00	DS	5:10	RA	
19	7:00	DS	5:07	RA	
20	7:00	KW			
21	7:00	KW	5:04	RA	
22	7:00	KW	5:03	RA	
23	7:00	KW			
24	7:00	KW	5:05 PM	AS	
25	7:00	AR	5:06	RA	
26	7:00	AR	5:10	RA	
27	7:00	KW	5:10 PM	AS	
28	7:00	KW	5:06	RA	
29	7:00	KW	5:02	RA	
30	7:00	RA	5:15 PM	AS	
31					

42.29

**DEGARIMORE'S CENTRAL COAST MARINE, LLC
COASTAL ACCESS
CLOSURE LOG**

MONTH: August
YEAR: 2021

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y			CP
2	Y			CP
3	Y			CP
4	Y			CP
5	Y			CP
6	Y			CP
7	Y			CP
8	Y			CP
9	Y			CP
10	Y			CP
11	Y			CP
12	Y			CP
13	Y			CP
14	Y			CP
15	Y			CP
16	Y			CP
17	Y			CP
18	Y			CP
19	Y			CP
20	Y			CP
21	Y			CP
22	Y			CP
23	Y			CP
24	Y			CP
25	Y			CP
26	Y			CP
27	Y			CP
28	Y			CP
29	Y			CP
30	Y			CP
31	Y			CP

DEGARIMORE'S CENTRAL COAST MARINE, LLC
 COASTAL ACCESS
 DAILY GATE LOG

MONTH: AUG
 YEAR: 2021

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1			5:05	RA	
2	7:00	K			
3	7:00	K	5:30	RA	
4	7:00	K	6:00	RA	
5	7:00	K			
6	7:00	K			
7			5:40	RA	
8			5:27	RA	
9	7:00	K			
10	7:00	K	5:06	RA	
11	7:00	K	5:07	RA	
12	7:00	K			
13	7:00	K			
14	7:00	K	5:30	RA	
15			5:23	RA	
16	7:00	K			
17	7:00	K	5:10	RA	
18	7:00	K	5:03	RA	
19	7:00	K			
20	7:00	K			
21			5:30	RA	
22			5:06	RA	
23	7:00	K			
24	7:00	K	5:15	RA	
25	7:00	K	5:07	RA	
26	7:00	K			
27	7:00	K			
28			5:16	RA	
29			5:10	RA	
30	7:00	K			
31	7:00	K	5:12	RA	

**DEGARIMORE'S CENTRAL COAST MARINE, LLC
COASTAL ACCESS
CLOSURE LOG**

MONTH: July
YEAR: 2021

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y			CP
2	Y			CP
3	Y			CP
4	Y			CP
5	Y			CP
6	Y			CP
7	Y			CP
8	Y			CP
9	Y			CP
10	Y			CP
11	Y			CP
12	Y			CP
13	Y			CP
14	Y			CP
15	Y			CP
16	Y			CP
17	Y			CP
18	Y			CP
19	Y			CP
20	Y			CP
21	Y			CP
22	Y			CP
23	Y			CP
24	Y			CP
25	Y			CP
26	Y			CP
27	Y			CP
28	Y			CP
29	Y			CP
30	Y			CP
31	Y			CP

DEGARIMORE'S CENTRAL COAST MARINE, LLC
 COASTAL ACCESS
 DAILY GATE LOG

10926

MONTH: July
 YEAR: 2021

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1	7:00	KW			
2	7:00	KW			
3			5:15	RA	
4			5:05	RA	
5	8:00	KW			
6	7:00	KW	6:05	RA	
7	7:00	KW	5:02	RA	
8					
9					
10			5:03	RA	
11			5:06	RA	
12	7:00	KW			
13	7:00	KW	5:03	RA	
14	7:00	KW	5:06	RA	
15	7:00	KW			
16	7:00	KW			
17			5:10	RA	
18			5:05	RA	
19	7:00	KW			
20	7:00	KW	6:03	RA	
21	7:00	KW			
22	7:00	KW			
23	7:00	KW			
24			5:20	RA	
25			5:30	RA	
26	7:00	KW			
27	7:00	KW	5:07	RA	
28	7:00	KW	5:15	RA	
29	7:00	KW			
30	7:00	KW			
31			5:03	RA	

DEGARIMORE'S CENTRAL COAST MARINE, LLC COASTAL ACCESS CLOSURE LOG

MONTH: June
YEAR: 2021

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y			CP
2	N	Fueling of U.S. Army Dredge	7am - 1pm	CP
3	Y			CP
4	Y			CP
5	Y			CP
6	Y			CP
7	Y			CP
8	Y			CP
9	Y			CP
10	Y			CP
11	Y			CP
12	Y			CP
13	Y			CP
14	Y			CP
15	Y			CP
16	Y			CP
17	Y			CP
18	Y			CP
19	Y			CP
20	Y			CP
21	Y			CP
22	Y			CP
23	Y			CP
24	Y			CP
25	Y			CP
26	Y			CP
27	Y			CP
28	Y			CP
29	Y			CP
30	Y			CP
31				

1434

DEGARIMORE'S CENTRAL COAST MARINE, LLC
 COASTAL ACCESS
 DAILY GATE LOG

MONTH: June
 YEAR: 2021

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1	7:06	KA	5:06	RA	
2	N/A	N/A	5:10	RA	Dredger fuel
3	7:00	KA			
4	7:00	KA			
5	7:00	DS	5:06	RA	
6	5:30	KA	5:02	RA	
7	7:00	KA			
8	7:06	KA	5:05	RA	
9	7:00	KA	5:10	RA	
10	7:00	KA			
11	7:00	KA			
12	6:00	DS	5:06	RA	
13			5:05	RA	
14	7:00	KA			
15	7:00	KA	5:07	RA	
16	7:00	KA	5:03	RA	
17	7:00	KA	5:03	RA	
18	7:00	KA			
19			5:05	RA	
20			5:04	RA	
21	7:00	KA			
22	7:00	KA	5:10	RA	
23	7:00	KA	5:19	RA	
24	7:00	KA			
25	7:00	KA			
26	6:00	DS	5:10	RA	
27	7:00	J.O	5:15	RA	
28	7:00	KA			
29	7:00	KA			
30	7:00	KA			
31					

**DEGARIMORE'S CENTRAL COAST MARINE, LLC
COASTAL ACCESS
CLOSURE LOG**

MONTH: May
YEAR: 2021

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y			CP
2	Y			CP
3	Y			CP
4	Y			CP
5	Y			CP
6	Y			CP
7	Y			CP
8	Y			CP
9	Y			CP
10	Y			CP
11	Y			CP
12	Y			CP
13	Y			CP
14	Y			CP
15	Y			CP
16	Y			CP
17	Y			CP
18	Y			CP
19	Y			CP
20	Y			CP
21	Y			CP
22	Y			CP
23	Y			CP
24	Y			CP
25	Y			CP
26	Y			CP
27	Y			CP
28	Y			CP
29	Y			CP
30	Y			CP
31	Y			CP

DEGARIMORE'S CENTRAL COAST MARINE, LLC
 COASTAL ACCESS
 DAILY GATE LOG

MONTH: 5-21-21 May
 YEAR: 2021

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1	5:36	✓	5:05	RA	
2	7:00	✓	5:08	RA	
3	7:00	KW			
4	7:00	KW	5:10	RA	
5	7:00	KW	5:03	RA	
6	7:00	KW			
7	7:00	KW			
8	7:00	KW	5:03	RA	
9	7:00	KW	5:06	RA	
10	7:00	KW			
11	7:00	KW	5:10	RA	
12	7:00	KW	5:30	RA	
13	7:00	KW			
14	7:00	KW			
15	7:00	KW	5:09	RA	
16	7:00	KW	5:10	RA	
17	7:00	KW			
18	7:00	KW	5:07	RA	
19	7:00	KW	5:01	RA	
20	7:00	KW			
21	7:00	KW			
22	7:00	DS	5:07	RA	
23	7:00		5:06	RA	
24	7:00	KW			
25	7:00	KW	5:27	RA	
26	7:00	KW	5:01	RA	
27	7:00	KW			
28	7:00	KW	5:01		
29	7:00	DS	5:05	RA	
30	7:00	MC	5:09	RA	
31	8:00	AS			

**DEGARIMORE'S CENTRAL COAST MARINE, LLC
COASTAL ACCESS
CLOSURE LOG**

MONTH: APRIL
YEAR: 2021

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y			CP
2	Y			CP
3	Y			CP
4	NO	Business closed - Easter	All Day	CP
5	Y			CP
6	Y			CP
7	Y			CP
8	Y			CP
9	Y			CP
10	Y			CP
11	Y			CP
12	Y & No	Squid Unloading F/V Optimus	9am - 2pm	CP
13	Y			CP
14	Y			CP
15	Y & No	Squid Unloading F/V Natalie Rose	10:30am - 2pm	CP
16	Y			CP
17	Y			CP
18	Y			CP
19	Y			CP
20	Y			CP
21	Y			CP
22	Y			CP
23	Y			CP
24	Y			CP
25	Y			CP
26	Y			CP
27	Y			CP
28	Y			CP
29	Y			CP
30	Y			CP
31				

DEGARIMORE'S CENTRAL COAST MARINE, LLC
 COASTAL ACCESS
 DAILY GATE LOG

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MONTH: APRIL
 YEAR: 2021

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1	7:00	KW			
2	7:00	KW			
3	7:00	KW			
4			5:02	RA	
5	7:00	KW	5:02	RA	
6					
7			5:06	RA	
8	7:00	KW			WOCK in packing 651
9					
10	7:00	DS	5:07	RA	
11	7:00	DS			
12	7:00	KW			
13	7:00	KW	5:03	RA	
14	7:00	KW	5:13	RA	
15	7:00	KW	5:45 ^M	A.S.	
16					
17	5:30	DS	5:12	RA	
18	6:00	DS	5:05	RA	
19	7:00	KW	5:01 ^M	AS	
20	7:00	KW	5:10	RA	
21	7:00	KW	5:06	RA	
22			5:12 ^M	AS	
23			5:35 ^M	AS	
24	6:30	DS	5:07	RA	
25	6:00	DS	5:05	RA	
26	7:00	KW			
27	7:00	KW	5:06	RA	
28	7:00	KW	5:03	RA	
29	7:00	KW			
30	7:00	KW	7:00	JO	
31	7:00	KW			

S-S-JL 7:00 KW

DEGARIMORE'S CENTRAL COAST MARINE, LLC COASTAL ACCESS DAILY GATE LOG

MONTH: March
YEAR: 2021

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1	7:00	Km	5:00	AS	
2	7:00	Km	5:00	AS	
3	7:00	Km	5:00	AS	
4	7:00	Km	5:00	RA	
5	7:00	Km	5:00	RA	
6	7:00	J.O	5:00	AS	
7	7:00	J.O	5:00	RA	
8	7:00	Km	5:00	RA	
9	7:00	Km	5:00	AS	
10	7:00	Km	5:00	RA	
11	7:00	Km	5:00 PM	AS	
12			4:55	A.S.	4:55 PM
13	6:00	DS	5:05	RA	
14			5:02	RA	
15	7:00	Km			
16	7:00	Km	5:08	RA	
17	7:00	Km	5:07	RA	
18	7:00	J.O			
19	7:00	J.O			
20	5:45	DS	5:02	RA	
21	7:00	Km	5:07	RA	
22	7:00	Km			
23	7:00	Km	5:05	RA	
24	7:00	Km	5:01	RA	
25	7:00	Km	5:00	CP	
26	7:00	J.O	7:00	CP	
27	6:00	DS	5:05	RA	
28					
29	7:00	Km			
30					
31	7:00	Km			

-121-
7/11

7:00 Km
4/7/2021 TA

DEGARIMORE'S CENTRAL COAST MARINE, LLC COASTAL ACCESS CLOSURE LOG

MONTH: MARCH
YEAR: 2021

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y			CP
2	Y			CP
3	Y			CP
4	Y			CP
5	Y			CP
6	Y			CP
7	Y			CP
8	Y			CP
9	Y			CP
10	Y			CP
11	Y			CP
12	Y			CP
13	Y			CP
14	Y			CP
15	Y			CP
16	Y			CP
17	Y			CP
18	Y			CP
19	Y			CP
20	Y			CP
21	Y			CP
22	Y			CP
23	Y			CP
24	Y			CP
25	Y			CP
26	Y			CP
27	Y			CP
28	Y			CP
29	Y			CP
30	Y			CP
31	Y			CP

DEGARIMORE'S CENTRAL COAST MARINE, LLC

COASTAL ACCESS

DAILY GATE LOG

MONTH: Feb.

YEAR: 2021

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1	6:00	KN			
2	7:00	KN	5:03	PA	
3	7:00	KN	5:10	PA	
4	7:00	KN	5:04 ^{PM}	AS	
5	7:00	JO	5:15 ^{PM}	AS	
6			6:05	PA	
7			5:05	PA	
8	7:00	KN	5:19 ^{PM}	AS	
9	7:00	KN	5:03	PA	
10	6:00	DS	5:14	PA	
11	7:00	KN	5:16 ^{PM}	AS	
12	7:00	KN			
13	7:00	JO	5:05	PA	
14			5:06	PA	
15	7:00	DS	5:00 ^{PM}	staff	Alex left early sick.
16	7:00	KN	5:02	PA	
17	7:00	KN	5:03	PA	
18	7:00	KN	5:45 ^{PM}	AS	
19	7:00	JO	5:15 ^{PM}	AS	
20			5:10	PA	
21	2:00	G	5:06	PA	
22	7:00	Kyle	5:29 ^{PM}	AS	
23	7:00	KN	5:07	PA	
24	7:00	KN	5:12	PA	
25	7:00	KN	5:01 ^{PM}	AS	
26	7:00	JO			
27	7:00	JO	5:07	PA	
28	7:00	Spant	5:03	PA	
29					
30					
31					

7-21 7:00 KN

DEGARIMORE'S CENTRAL COAST MARINE, LLC COASTAL ACCESS CLOSURE LOG

MONTH: FEBRUARY
YEAR: 2021

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y			CP
2	Y			CP
3	Y			CP
4	Y			CP
5	Y			CP
6	Y			CP
7	Y			CP
8	Y			CP
9	Y			CP
10	Y			CP
11	Y			CP
12	Y			CP
13	Y			CP
14	Y			CP
15	Y			CP
16	Y			CP
17	Y			CP
18	Y			CP
19	Y			CP
20	Y			CP
21	Y			CP
22	Y			CP
23	Y			CP
24	Y			CP
25	Y			CP
26	Y			CP
27	Y			CP
28	Y			CP
29				
30				
31				

DEGARIMORE'S CENTRAL COAST MARINE, LLC COASTAL ACCESS DAILY GATE LOG

MONTH: JAN
YEAR: 2021

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1	6:00	Kyle			
2	7:00	Orlando	5:20	RTA	
3	7:00	Kyle	5:04	RA	
4	7:00	Kyle			
5	7:00	Kyle	5:03	RA	
6	7:00	Kyle	5:06	RTA	
7	7:00	Kyle	4:59 ^P _M	A.S.	
8	7:00	J.O.	4:57 ^P _M	A.S.	
9			5:05	RTA	
10			5:03	RTA	
11	7:00	Kyle	5:12 ^P _M	AS	
12	7:00	Kyle	5:04	RA	
13	7:00	Kyle	5:06	RA	
14	7:00	Kyle	4:59 ^P _M	AS	
15	7:00	J.O.	5:25 ^P _M	AS	
16	7:00	J.O.	5:40	RA	
17			5:03	RA	
18	6:00	Kyle	5:01 ^P _M	AS	
19	7:00	Kyle	5:03	RTA	
20	7:00	Kyle	5:10	RA	
21	7:00	Kyle	5:14 ^P _M	AS	
22	7:00	J.O.	5:10	RA	
23			5:00	RA	
24			5:03	RA	
25	7:00	Kyle	5:04 ^P _M	AS	
26	7:00	Kyle	5:06	RTA	
27	7:00	Kyle	4:35	RTA	
28	7:00	Kyle	5:16 ^P _M	AS	
29	7:00	J.O.	5:10 ^P _M	AS	
30	7:00	J.O.	5:15	RA	
31	7:00	Orlando			Sun still up, people trying to walk through

**DEGARIMORE'S CENTRAL COAST MARINE, LLC
COASTAL ACCESS
CLOSURE LOG**

MONTH: JANUARY
YEAR: 2021

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y			CP
2	Y			CP
3	Y			CP
4	Y			CP
5	Y			CP
6	Y			CP
7	Y			CP
8	Y			CP
9	Y			CP
10	Y			CP
11	Y			CP
12	Y			CP
13	Y			CP
14	Y			CP
15	Y			CP
16	Y			CP
17	Y			CP
18	Y			CP
19	Y			CP
20	Y			CP
21	Y			CP
22	Y			CP
23	Y			CP
24	Y			CP
25	Y			CP
26	Y			CP
27	Y			CP
28	Y			CP
29	Y			CP
30	Y			CP
31	Y			CP

**DEGARIMORE'S CENTRAL COAST MARINE, LLC
COASTAL ACCESS
DAILY GATE LOG**

MONTH: JANUARY
YEAR: 2022

DATE	TIME OPENED	EMPLOYEE INITIALS	TIME CLOSED	EMPLOYEE INITIALS	NOTES
1	6:00	K	5:00	RA	
2	6:03	MC	5:45	RA	
3	7:00	IC	4:52 ^P _M	AS	
4	7:00	K	5:00	RA	
5	7:00	K	5:00	RA	
6	6:00	IC	4:54 ^P _M	AS	
7	6:00	IC	4:53 ^P _M	AS	
8	7:00	DS	6:31 ^P _M	CP	
9	7:00	DS	6:05 ^P _M	CP	
10	7:00	K	6:15 ^P _M	CP	
11	7:00	K	5:07	RA	
12	7:00	K	5:01	RA	
13	7:00	K	5:01 ^P _M	AS	
14	7:00	K	5:24 ^P _M	AS	
15	8:10	RA	5:00	RA	
16	8:07	RA	5:00	RA	
17	7:00	IC	5:04 ^P _M	AS	
18	7:00	IC	6:08 ^P _M	CP	
19	7:00	IC	6:00 ^P _M	CP	
20	7:00	IC	5 PM	AS	
21	7:00	IC	5:01 ^P _M	AS	
22	8:10	RA	5:00	RA	
23	8:20	RA	5:00	RA	
24	7:00	K	5:04 ^{PM}	AS	
25	7:00	K	5:00 ^{PM}	AS	
26	7:00	IC	4:55 ^{PM}	AS	
27	7:00	K	4:58 ^P _M	AS	
28	7:00	IC	4:51 ^P _M	AS	
29	8:10	RA	5:05	RA	
30	8:05	RA	5:00	RA	
31	7:00	K	5 PM	AS	

DEGARIMORE'S CENTRAL COAST MARINE, LLC COASTAL ACCESS CLOSURE LOG

MONTH: January
YEAR: 2022

DATE	GATE OPEN? Y/N	REASON FOR CLOSURE	DURATION OF CLOSURE	EMPLOYEE INITIALS
1	Y			
2	Y			
3	Y			
4	Y			
5	Y			
6	Y			
7	Y			
8	Y			
9	Y			
10	Y			
11	Y			
12	Y			
13	Y			
14	Y			
15	Y			
16	Y			
17	Y			
18	Y			
19	Y			
20	Y			
21	Y			
22	Y			
23	Y			
24	Y			
25	Y			
26	Y			
27	Y			
28	Y			
29	Y			
30	Y			
31	Y			

Exhibit B



CITY OF MORRO BAY
COMMUNITY DEVELOPMENT DEPARTMENT
955 Shasta Avenue
Morro Bay, CA 93442

May 11, 2020

Giovanni DeGarimore
1001 Front St
Morro Bay, CA 93442

SUBJECT: Case No.: MIN20-003 Minor
Modification (Precise UP0-284)

SITE: 1001 Front Street, APN 066-033-004

Dear Mr. DeGarimore,

At its regular meeting on May 5, 2020 the City of Morro Bay Planning Commission conditionally approved your request for a Conditional Use Permit Minor Modification #MIN20-003 to Precise Plan #UP0-284 for minor site plan modifications to further improve public access circulation and establishment of a master sign program for 1001 Front Street as further conditioned in Planning Commission Resolution 10-20. This action does not constitute a building permit. Any further processing of this project must be initiated by the applicant, subject to the applicable rules and regulations of the Morro Bay Municipal Code. ***Please be advised that you must return the enclosed Acceptance of Conditions form, signed, to this department or the action is null and void.***

Also find enclosed the Notice of Exemption (NOE) for your project. The City of Morro Bay no longer files notices of exemptions. You may file the Notice of Exemption with the County Clerks' office located in the County Government Building in San Luis Obispo. The filing fee is \$50.00 and the County requires the original Notice of Exemption and at least one copy. Section 15062 (d) of the The California Environmental Quality Act (CEQA) provides:

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

If you have any questions, please let me know at 805-772-6577.

Sincerely,

Scot Graham
Community Development Director

By: 
Cindy Jacinth, Senior Planner

enc: NOE, Permit, Findings, Resolution 10-20, and Acceptance of Conditions Form
copy: Cathy Novak Consulting



CITY OF MORRO BAY
COMMUNITY DEVELOPMENT DEPARTMENT
955 Shasta Avenue
Morro Bay, CA 93442

CONDITIONAL USE PERMIT
Minor Modification

CASE NO: MIN 20-003

THIS PERMIT IS HEREBY APPROVED AND ISSUED FOR:

SITE ADDRESS: 1001 FRONT STREET

APPLICANT: Giovanni DeGarimore,

APN/LEGAL: # 066-033-004

DATE APPROVED: May 5, 2020 APPROVED BY: Planning Commission

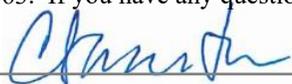
CEQA DETERMINATION: Exempt under Class 1c and 1g, Section 15301 for existing facilities involving negligible or no expansion of existing use; and Class 11 of Section 15311 which allows for placement of minor structures including on-premise signs.

DESCRIPTION OF APPROVAL: Minor Modification (MIN20-003) of Precise Plan CUP #UP0-284 for minor amendments to the approved site plan in order to improve public access circulation, improve visibility of coastal access signage, and establishment of a master sign program for business signage to allow 236 square feet of signage for the Giovanni’s Fish Market, The Shirt Shop, Coffee Pot Restaurant, and Virg’s Sportfishing businesses located at 1001 Front Street as conditioned in Planning Commission Resolution 10-20.

THIS APPROVAL IS BASED UPON THE ATTACHED FINDINGS AND IS VALID ONLY IF CONDITIONS (ATTACHED) ARE MET AND ONLY AFTER THE APPLICABLE APPEAL PERIOD. Failure to comply with the conditions of this permit shall, at the discretion of the Community Development Director pursuant to Municipal Code Section 17.60.150, render this entitlement null and void.

YOUR PROPERTY IS LOCATED IN THE CITY OF MORRO BAY JURISDICTION. THERE IS AN APPEAL PERIOD OF TEN (10) CALENDAR DAYS, WITHIN WHICH TIME YOUR PERMIT IS APPEALABLE TO THE CITY COUNCIL. THIS PROPERTY IS LOCATED WITHIN THE ORIGINAL JURISDICTION OF THE CALIFORNIA COASTAL COMMISSION, WHICH RETAINS AUTHORITY FOR ISSUANCE OF COASTAL DEVELOPMENT PERMITS AND RELATED COMPLIANCE REVIEW.

YOUR PROPERTY IS LOCATED IN THE COASTAL COMMISSION APPEALS JURISDICTION: THE FOLLOWING COASTAL COMMISSION APPEAL PERIOD APPLIES TO YOUR PROJECT: This City decision is appealable to the California Coastal Commission pursuant to the California Public Resource Code, Section 30603. The applicant or any aggrieved person may appeal this decision to the Coastal Commission within TEN (10) *Working days* following Commission receipt of this notice. Appeals must be in writing and should be addressed to: California Coastal Commission, 725 Front Street, Ste.300, Santa Cruz, CA 95060, 831-427-4863. If you have any questions, please call the City of Morro Bay Community Development Dept, 772-6261.

ATTEST:  DATE: 5-11-2020

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

APPLICANT'S ACCEPTANCE
OF
CONDITIONS OF APPROVAL

CASE NO. MIN20-003 / (PRECISE UP0-284)

SITE LOCATION: 1001 FRONT STRETT,
APN #066-003-004

APPLICANT NAME: Giovanni DeGarimore

APPROVAL BODY: Community Development Director
 Zoning Administrator
 Planning Commission
 City Council

DATE OF ACTION: 5-5-2020 – VIA PLANNING COMMISSION RESOLUTION 10-20

I, Giovanni DeGarimore
(APPLICANT'S NAME - PLEASE PRINT)

the undersigned, have read and

reviewed the conditions of approval imposed by the Approval Body in its action

approving Case Number: MIN20-003

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


APPLICANT'S SIGNATURE

5/12/20
DATE:



Exhibit B

CITY OF MORRO BAY

COMMUNITY DEVELOPMENT DEPARTMENT

955 Shasta Avenue
Morro Bay, CA 93442

NOTICE OF EXEMPTION

TO: San Luis Obispo Co. Clerk
County Government Center
San Luis Obispo CA 93401

Office of Planning & Research
1400 Tenth Street
Sacramento, CA 95814

FROM: City of Morro Bay
Community Development Department
955 Shasta Avenue
Morro Bay, CA 93442

Project Title: CUP Minor Modification for Public Access Improvements & Master Sign Program

Project Location - Specific: 1001 Front St., Morro Bay, CA 93442 (APN 066-033-004)

Project Location - City: MORRO BAY **County:** SAN LUIS OBISPO

Description

of Project: Minor Modification (MIN20-003) of Precise Plan CUP #UP0-284 for minor amendments to the approved site plan in order to improve public access circulation, improve visibility of coastal access signage, and establishment of a master sign program for business signage to allow 236 square feet of signage for the Giovanni's Fish Market, The Shirt Shop, Coffee Pot Restaurant, and Virg's Sportfishing businesses located at 1001 Front Street as conditioned in Planning Commission Resolution 10-20.

Name of Public Agency Approving the Project: CITY OF MORRO BAY, 955 SHASTA AVE, MORRO BAY, CA 93442, CONTACT: cjacinth@morrobayca.gov, CINDY JACINTH, 805-772-6577

Name of Person or Agency Carrying Out Project: Giovanni DeGarimore, 1001 Front St., Morro Bay, CA 93442; sales@giovannisfishmarket.com, 805-772-2123

Exempt Status: (Check One)

Reasons why project is exempt: Exempt under Class 1c and 1g, Section 15301 for existing facilities involving negligible or no expansion of existing use; and Class 11 of Section 15311 which allows for placement of minor structures including on-premise signs.

Ministerial (Sec. 21080(b)(1); 15268); Categorical Exemption:
Type and Section Number: 15301 Class 1c, g

Declared Emergency (Sec. 21080(b)(3); 15269(a)) 15311, Class 11

Declared Emergency (Sec. 21080(b)(3); 15269(a)) Statutory Exemption Code No. _____

Lead Agency: City of Morro Bay, 955 Shasta Ave, Morro Bay, CA 93442

Contact Person: Cindy Jacinth, Senior Planner Phone: 805-772-6577 cjacinth@morrobayca.gov

Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Certification: I hereby certify that the public agency has made the above finding and that the project is categorically exempt from CEQA.

Signature:  Title: Senior Planner Date: 5/11/2020

RESOLUTION NO. PC 10-20

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

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

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

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

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

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

California Environmental Quality Act (CEQA)

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

Conditional Use Permit Findings

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

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

Waterfront Master Plan Findings

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

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

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

STANDARD CONDITIONS

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

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

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

Planning Condition:

1. All other existing conditions of UP0-284 approved on May 16, 2012 and A00-054 as amended on February 18, 2018 shall remain in full force and effect.
2. North Public Access Gate Closure. The applicant shall maintain a record of gate closures for a six month period from the date of Planning Commission action on this item. The gate closure record shall be submitted to the Community Development Department for inclusion in a project update staff report that shall come before the Planning Commission no later than January 2021. The report shall include a review of the Beach Street gate, lateral access pathway in the parking lot, and the walk-up order line at Giovanni's Fish Market. The Planning Commission will render a final decision on whether the gate can remain at the meeting where the gate closure records are reviewed.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

Gerald Luhr, Chairperson

ATTEST

Scot Graham, Planning Secretary

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



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



6 8"x12" EXISTING SIGN TO REMAIN ON RAILING AT GANGWAY ENTRY TO THE DOCKS



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



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



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



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



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



2 8"x12" EXISTING SIGN TO BE RELOCATED TO THE BUILDING, ADJACENT TO THE ORDER WINDOW



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



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



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



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



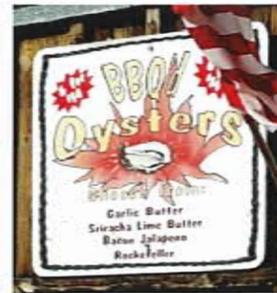
3 18"x24" EXISTING SIGN TO BE RELOCATED TO THE WINDSCREEN ACROSS FROM THE ORDER WINDOW



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



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



19 8 SF - BBQ OYSTERS SIGN AT SOUTH SIDE OF BUILDING



4 8"x12" EXISTING SIGN TO REMAIN ON THE INTERIOR SIDE OF WINDSCREEN IN PATIO DINING AREA



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



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



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



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



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



23 9 SF - LIVE CRAB SIGN AT SOUTH SIDE OF BUILDING



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

SIGNAGE CALCULATIONS

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

Copyright © 2020

All items, designs, drawings and plans shall be prepared by C.P. PARKER ARCHITECT and shall be used and modified for use in, and in accordance with the specific project. None of such items, designs, drawings or plans shall be used by or disclosed to any person, firm or organization for any purpose other than the written permission of C.P. PARKER ARCHITECT.

C. P. PARKER ARCHITECT

CHRISTOPHER P. PARKER ARCHITECT
222 SUINTANA RD. #222
MORRO BAY, CA 93442
(805) 772-8700

STAMPS



City of Morro Bay
Planning Commission Approval
Project #(s) MIN20-003 (UPD-284)
Approved as Submitted
Approved with Changes Reso. 10-20
Approval Date: 5-5-2020
Planner: [Signature]

PROJECT

OVERALL SIGNAGE & ACCESS PLAN
FOR
DEGARIMORE PROPERTY

APN: 066-033-004

1001 FRONT STREET
MORRO BAY, CALIF.
93442

DRAWING PHASE

CONDITIONAL USE PERMIT

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

REVISIONS

SHEET TITLE

SIGNAGE INFORMATION

SHEET NO.

A1.2

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



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



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



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



Front Street building frontage



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



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



Front Street frontage. 6' with 6" letters

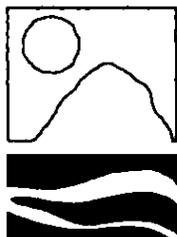


Front Street frontage. 9' with 6" letters

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

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

City of Morro Bay
Planning Commission Approval
Project #(s) MIN 20-003 (WPO-289)
 Approved as Submitted
 Approved with Changes Reso 10-20
Approval Date: 5-5-2020
Planner: [Signature]



City of Morro Bay

Morro Bay, CA 93442

(805) 772-6200

www.morro-bay.ca.us

May 22, 2012

Giovanni DeGarimore
1001 Front Street
San Luis Obispo, CA 93442

SUBJECT: Case No.: UP0-284 (Precise Plan)

SITE: 1001 Front Street

Project Description: Precise Plan approval for new dock system consisting of 134 foot head float and 4 finger docks, gangway and landing installation for access from the existing wharf, retractable awning system over the existing public seating area, and permitting of an existing parking lot. In addition Virg's sport fishing business will be relocated to the docks and the public view area to the north of the existing public seating area will be expanded.

Dear Mr. DeGarimore,

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

The Morro Bay Municipal Code provides for an appeal of the action by the Planning Commission within ten (10) days of adoption and anyone wishing to appeal may do so in writing by delivering such letter to the office of the City Clerk. There is a fee for processing appeals which are not coastal permits.

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

Section 15062 (d) of The California Environmental Quality Act (CEQA) provides: "The filing of a Notice of Exemption and the posting on the list of notices start a 35 day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. If a Notice of Exemption is not filed, a 180 day statute of limitations will apply."

Sincerely,

Rob Livick
Public Services Director/City Engineer

By: *Sierra Davis*

FINANCE
595 Harbor Street

ADMINISTRATION
595 Harbor Street

FIRE DEPT.
715 Harbor Street

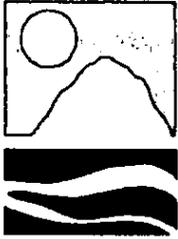
PUBLIC SERVICES
955 Shasta Avenue

HARBOR DEPT.
1275 Embarcadero Road

CITY ATTORNEY
595 Harbor Street

POLICE DEPT.
870 Morro Bay Boulevard

RECREATION & PARKS
1001 Kennedy Way



City of Morro Bay
Morro Bay, CA 93442
(805) 772-6200
www.morro-bay.ca.us

CONDITIONAL USE PERMIT

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

CASE NO: UP0-284 (Precise Plan)

THIS PERMIT IS HEREBY APPROVED AND ISSUED FOR:

SITE ADDRESS: 1001 Front Street

APPLICANT: Giovanni DeGarimore

APN/LEGAL: 066-033-003

DATE APPROVED: May 16, 2012 APPROVED BY: Planning Commission

CEQA DETERMINATION: Mitigated Negative Declaration

DESCRIPTION OF APPROVAL: Precise Plan approval for new dock system consisting of 134 foot head float and 4 finger docks, gangway and landing installation for access from the existing wharf, retractable awning system over the existing public seating area, and permitting of an existing parking lot. In addition Virg's sport fishing business will be relocated to the docks and the public view area to the north of the existing public seating area will be expanded.

Please See Reverse for Effective Date.

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

YOUR PROPERTY IS LOCATED IN THE COASTAL COMMISSION APPEALS JURISDICTION: THE FOLLOWING COASTAL COMMISSION APPEAL PERIOD APPLIES TO YOUR PROJECT: This City decision is appealable to the California Coastal Commission pursuant to the California Public Resource Code, Section 30603. The applicant or any aggrieved person may appeal this decision to the Coastal Commission within TEN (10) *Working days* following Commission receipt of this notice. Appeals must be in writing and should be addressed to: California Coastal Commission, 725 Front Street, Ste. 300, Santa Cruz, CA 95060, Phone: 531-427-4863. If you have any questions, please call the City of Morro Bay Public Services Department, 772-6261.

IF NOT APPEALED, YOUR PERMIT WILL BE EFFECTIVE: Subject to Appeal Period Above

ATTEST: Sierra Daus DATE: May 22, 2012

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

RECEIVED

MAY 24 2012

City of Morro Bay
Public Services Department

**APPLICANT'S ACCEPTANCE
OF
CONDITIONS OF APPROVAL**

CASE NO. UP0-284 (Precise Plan)

SITE LOCATION: 1001 Front Street

APPLICANT NAME: Giovanni DeGarimore

APPROVAL BODY: Planning Commission

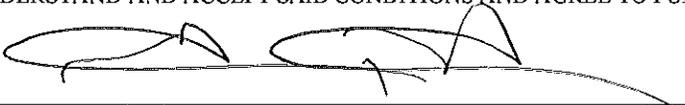
DATE OF ACTION: May 16, 2012

I, Giovanni DeGarimore the undersigned, have read and
(APPLICANT'S NAME - PLEASE PRINT)

reviewed the conditions of approval imposed by the Approval Body in its action

approving Case Number: UP0-284 (Precise Plan)

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



APPLICANT'S SIGNATURE

5/24/12

DATE

PRECISE PLAN FINDINGS

CONDITIONAL USE PERMIT #UP0-284

Site Location: 1001 Front Street and Water Lease Sites 105.1 & 105.2

PROJECT DESCRIPTION: Precise Plan approval for new dock system consisting of 134 foot head float and 4 finger docks, gangway and landing installation for access from the existing wharf, retractable awning system over the existing public seating area, and permitting of an existing parking lot. In addition Virg's sport fishing business will be relocated to the docks and the public view area to the north of the existing public seating area will be expanded.

California Environmental Quality Act (CEQA)

- A. The project qualifies for a CEQA Mitigated Negative Declaration was posted on February 4, 2011. The applicant has agreed to implement the mitigation measures proposed in the Negative Declaration. Thus there are no significant impacts with the implementation of those mitigation measures.

Concept Plan Findings

- A. Modification of standards shall only be approved upon finding that greater than normal public benefits may be achieved by such deviations. Such benefits may include, but are not limited to improved or innovative site and architectural design, greater public or private usable open space and provision of housing for the elderly or low/moderate income families, provision or extraordinary public access, provision for protection environmentally sensitive habitat (ESH) area, but in all cases these provisions shall meet the coastal land use policies. The project as designed and conditioned provides greater than normal public benefits as it provides enhanced public access to the harbor and waterfront which upholds the city policies set forth within the General Plan, Local Coastal Plan and Waterfront Master Plan.

Use Permit Findings

- A. That the project is an allowable use in its zoning district and is also in accordance with the certified Local Coastal Program and the General Plan for the City of Morro Bay based on the analysis and discussion in the attached staff memorandum; and
- B. The establishment, maintenance, or operation of the use applied for will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use as the project will be consistent with all applicable zoning and plan requirements as indicated in the attached staff memorandum; and

- C. The use will not be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the City since the project, as conditioned, will be constructed and developed consistent with all applicable City regulations, as indicated in the attached staff memorandum.

PRECISE PLAN CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT #UP0-284

Site Location: 1001 Front Street and Water Lease Sites 105.1 & 105.2

Revised by Planning Commission on May 16, 2012

PROJECT DESCRIPTION: Precise Plan approval for new dock system consisting of 134 foot head float and 4 finger docks, gangway and landing installation for access from the existing wharf, retractable awning system over the existing public seating area, and permitting of an existing parking lot. In addition Virg's sport fishing business will be relocated to the docks and the public view area to the north of the existing public seating area will be expanded.

STANDARD CONDITIONS

1. This permit is granted for the land described in the staff report dated May 16, 2012, for the project depicted on plans on file with the Public Services Department, as modified by these conditions of approval, and more specifically described as follows:

Site development, including all buildings and other features, shall be located and designed substantially as shown on plans, unless otherwise specified herein.

2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this approval and is diligently pursued thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Said extensions may be granted by the Public Services Director, upon finding that the project complies with all applicable provisions of the Morro Bay Municipal Code, General Plan and Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.
3. Changes: Minor changes to the project description and/or conditions of approval shall be subject to review and approval by the Public Services Director. Any changes to this approved permit determined not to be minor by the Director 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, City of Morro Bay, 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 Morro Bay Municipal Code, and shall be consistent with all programs and policies contained in the certified Coastal Land Use Plan and

General Plan for the City of Morro Bay.

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 that 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 and/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 Public Services Director and/or as authorized by the Planning Commission. Failure to comply with these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the Morro Bay Municipal Code and is a misdemeanor.
7. Compliance with Morro Bay Standards: This projects shall meet all applicable requirements under the Morro Bay Municipal Code, and shall be consistent with all programs and policies contained in the certified Coastal Land Use plan and General Plan for the City of Morro Bay.
8. 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.

PLANNING CONDITIONS

1. State and County Compliance: Prior to the issuance of a building permit applicant shall demonstrate compliance with all State and County regulations and provide documentation to the Public Services Department.
2. Construction Hours: Pursuant to MBMC Section 9.28.030 (I), noise-generating construction related activities shall be limited to the hours of seven a.m. to seven p.m. on weekdays and eight a.m. to 7 p.m. on weekends, unless an exception is granted by the Director of Public Services pursuant to the terms of this regulation.
3. Parking Agreement: The parking lot to be utilized for on-site parking is located on an adjacent site. The applicant shall provide a parking agreement between all properties

owners on which parking lot is located. This agreement shall be submitted and recorded prior to the issuance of any building permit.

4. Live Aboards: Live aboard marine vessels shall not be allowed unless a modification to this permit is obtained and there has not been permitting provided for such use.
5. Parking Circulation: The parking lot shall be restriped to meet all circulation minimum requirements for drive aisle and parking space dimensions. The parking spaces shall be a maximum of 45 degree angled parking and shall only have one way drive aisle.
6. Parking Space Labels: At no time shall equipment, delivery trucks, or marine storage tanks, nor the like be permanently placed in the parking spaces.
7. Exit and Entrance Directional Arrows: Exit and entrance direction arrows shall be marked on the pavement where one-way driveways are used. Pavement signing shall be marked and maintained as required by the city engineer. Entrance signing may be required by the City Engineer whenever conditions warrant. Code requirement.
8. Accessible Parking Space: The van accessible parking space shall meet State and Federal requirements.
9. Curb Stops: Curb stops shall be provided for each parking space that head into a wall, fence, building, or the side of another parking space.
10. Docks: Docks cross water lease lines and an agreement from the City and lease holders shall be secured.
11. Photometric Plan: A photometric plan shall be submitted to the Planning Division prior to issuance of any building permit detailing that the lighting will meet a minimum of 5 foot candle for all dock areas.

FIRE CONDITIONS

1. Standpipe Systems. Marinas and boatyards shall be equipped throughout with Standpipe Systems in accordance with NFPA 303. (CFC 905.3.7) Please submit plans and detail of all required Standpipe System and Hose Cabinets at Building Plan submittal.
2. Water supply for fire protection of piers and wharves shall be in accordance with NFPA 307 (Chapter 7).
3. Fuel Dispensing. Marina Fuel dispensing units for transferring fuels from storage tanks shall be in accordance with NFPA 30-A. (NFPA 303-8.3.10 & CFC 2210.1)

4. Construction and fire protection of marine terminals, piers, and wharves shall be in accordance with NFPA 307 (Chapter 4 Piers and Wharves).
5. Construction of Marine Docks and Gangways shall be in accordance with Morro Bay Municipal Code, Chapter 14.52.
6. Portable Fire Extinguishers. Placement of portable fire extinguishers on piers, bulkheads, and fuel dispensing areas, shall be in accordance with NFPA 10 (Chapter 5). (NFPA 303-6.2.1.1.1 & 6.2.1.1.2.1)
7. Awning Plan. Please provide details of the Awning Plan at Building Plan submittal.
8. Flame propagation performance treatment. Before a permit is granted, the owner or agent shall file with the fire code official a certificate executed by an approved testing laboratory certifying that the proposed canopy is composed of materials meeting the flame propagation performance criteria of NFPA 701, or treated with a flame retardant in an approved manner. (CFC 2404.2)
9. Label. Membrane structures, tents, or canopies shall have a permanently affixed label bearing the identification of size and fabric or material type. (CFC 2404.3)
10. Certification. An affidavit or affirmation shall be submitted to the fire code official and a copy retained on the premises. The affidavit shall attest to the flame propagation performance criteria of the fabric.
11. Anchorage. Tents, canopies or membrane structures and their appurtenances shall be adequately roped, braced, and anchored to withstand the elements of weather and prevent against collapsing. Documentation of structural stability shall be furnished to the fire code official. (CFC 2403.9)
12. Open or exposed flame. Open flame or other devices emitting flame, fire, or heat or any flammable or combustible liquids, gas, charcoal, or other cooking devise or any other unapproved devise shall not be permitted inside or located within 20 feet of the tent, canopy or membrane structures while open to the public unless approved by the fire code official (CFC 2404.7)
13. LP-Gas. The storage, handling and use of LP-gas and LP-gas equipment shall be located outside canopy structures, with safety release valves pointed away. (CFC 2404.16)
14. Fuel-Fired Appliances. The installation of non-portable fuel gas appliance and systems shall comply with California Mechanical Code. All installation shall be made in accordance with the manufacturer's instructions and applicable federal, state, and local rules and regulations. (CFC 603.1)

15. Means of Egress. At least two exits shall be provided in this A-2 occupancy. (CFC 1019)

16. Posting of Occupant Load. Every room or space that is assembly occupancy shall have the occupant load posted in a conspicuous place, near the main exit or exit access doorway from the room or space. (CFC 1004.3)

ENGINEERING CONDITIONS

1. At which time there is a comprehensive redevelopment of the site, the installation of the upgrade of the sidewalk to a minimum of 8 feet in width shall be required. The deferral shall be recorded as an indenture against the property and shall run with the land. (MBMC 17.40 and 14.40). The applicant or successors in interest shall be responsible for all cost and construction of public improvements. All public improvements shall be installed accordance with City standards for the full length of the street frontage(s) of the subject properties.

ENVIRONMENTAL CONDITIONS

Aesthetics

1. The awning system shall be freestanding and shall only be attached at the base of the awning system to the wharf. The awning shall not be attached to the existing windscreen, structures on site nor be attached in a way that would enclose the area in any fashion.
2. The awning system shall maintain a minimum 6 inch height clearance above the top of the windscreen to maintain that the awning system does not enclose the public view area.

Air Quality

The project is subject to standard construction practices, including dust control measures required by the Municipal Code and the Air Pollution Control District to address short-term air quality impacts related to construction.

The standard mitigation measures for reducing nitrogen oxide (NOx), reactive organic gases (ROG), and diesel particulate matter (Diesel PM) emissions from construction equipment are listed below:

- a. Maintain all construction equipment in proper tune according to manufacturer's specifications;
- b. Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- c. Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off road heavy-duty diesel engines, and comply with the State off-Road Regulation;

- d. Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
- e. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;
- f. All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit;
- g. Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- i. Electrify equipment when feasible;
- j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,
- k. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel. With the implementation of the mitigation measures, potential impacts to air quality resulting from the project would be reduced to less than significant levels.

Biological Resources

1. Federal and state permits applicable to the proposed project shall be secured and evidence of permits shall be on file with the Public Services Department prior to the issuance of building permits.
2. Silt screens shall be placed within the area of all in-water construction or disturbance to reduce potential turbidity associated impacts and all construction shall occur within the project footprint.
3. To avoid impacts, all work that disturbs the ocean floor (i.e. installation of pilings) shall be overseen and monitored by the project biologist (Tenera Environmental or equivalent professional biologist approved by the Director of Public Services). The biologist shall be under contract prior to issuance of a building permit. Prior to the final building inspection the biologist shall submit a monitoring report to the Director of Public Services.
4. A pre- and post-construction Eelgrass survey shall be performed and submitted to the Director of Public Services and if necessary, an Eelgrass restoration plan shall be prepared in accordance with the Southern California Eelgrass Mitigation Policy. This Eelgrass restoration plan shall be submitted and approved by the Public Services Department prior to issuance of certificates of occupancy.
5. Prior to the issuance of a building permit, an approved "otter watcher" shall be under contract or otherwise committed to being on the job site at all times during which the

pile driver is in operation. The contract or other written agreement between the applicant and the "otter watcher" shall specifically encourage or empower the "otter watcher" to stop work immediately in the event that a sea otter is detected in the project area. The contract, agreement, work scope or similar document shall further specify that no work shall be resumed until after the marine mammal has left the area. With this mitigation, the project would not have a significant impact of animals, or require a state or federal take permit. The results shall be reported to the Director of Public Services.

6. A Marine Wildlife Contingency Plan should be developed and approved by the NMFS, USFWS, and CDFG prior to the initiation of pile driving activities. This plan should describe specific methods that will be used to reduce pile driving noise and describe on-site marine wildlife monitoring and reporting requirements.
7. Power to the pile driver should be ramped up to allow marine wildlife to detect a lower sound level and depart the area before full power noise levels are produced.
8. If an impact hammer is used the installation of a "pad" between the pile and the pile drive hammer should be investigated and, if feasible, used to reduce impact hammer noise.

Geology/Soils

Applicant shall submit a soil/geological report prior to the issuance of building permits.

Hazards/Hazardous Materials

1. Prior to demolition of the existing structures, asbestos, and lead-based paint surveys shall be conducted. If asbestos containing materials are encountered, the materials will be abated by a certified asbestos abatement contractor in accordance with the regulations and notification requirements of the San Luis Obispo Air Pollution Control District (APCD). If lead-based paint is identified, federal and State construction worker health and safety regulations should be followed during demolition activities. Any loose or peeling lead based paint should be removed by a qualified lead-abatement contractor and disposed of in accordance with existing hazardous waste regulations.
2. The following precautions shall be taken when handling creosote-treated wood:
 - a. Dispose of treated wood by ordinary trash collection or burial.
 - b. Do not burn wood in open fires or in stoves, fireplaces, or residential boilers because toxic chemicals may be produced as part of the smoke and ashes.
 - c. Avoid frequent or prolonged inhalation of sawdust from treated wood.
 - d. Avoid frequent or prolonged skin contact with creosote-treated wood
 - e. When handling the wood, wear long-sleeve shirts and long pants and use gloves impervious to the chemicals.

- f. When power-sawing and machining, wear goggles to protect eyes from flying particles.
 - g. Wash clothes worn while working with creosote-treated materials separately from other household clothing.
3. At minimum one oil only absorbent spill kit for a capacity of 21 gallons or greater shall be provided on the head float dock in case of accidental release of a hazardous material or liquid into the bay.
 4. Signs shall be provided on all finger docks stating the location and hours of operation for all pump out facilities in the Morro Bay Harbor. With the implementation of these mitigation measures the potential impacts of hazardous or hazardous materials that could result from the project would be reduced to less than significant levels.

Hydrology/Water Quality

1. The proposed project shall be incorporated into the City of Morro Bay's existing tsunami warning and evacuation system. Local authorities should be able to evacuate people safely from the proposed project site in the event of a tsunami.
2. Silt screens shall be placed within the area of all in-water construction or disturbance to reduce potential turbidity associated impacts.
3. To reduce the potential of petroleum leakage/spills from equipment used in conjunction with the project the following practices shall be followed:
 - a. A project-specific Oil Spill Response and Recovery Plan that includes methods and procedures for reporting and responding to spills, available onsite equipment and contracted services, and personnel responsibilities should be completed and approved prior to the initiation of construction activities.
 - b. Refueling of onshore equipment should be accomplished within a designated area of the parking lot. The site shall be covered with impervious material, be located away from drains, and have spill recovery material within the immediate vicinity. The area shall be surrounded with a waddle of sorbent material.
 - c. A minimal volume of petroleum product shall be stored onsite and spill containment and recovery equipment should be sufficient to respond to the worse case spill volume.
4. Netting or fencing around and underneath the dock shall be installed to catch and remove debris released during and after de-construction.

Noise

1. Project construction shall be limited to the hours of 7 a.m. to 7 p.m. on Monday through Friday and all large construction equipment will be equipped with "critical" grade noise mufflers. Engines will be tuned to insure lowest possible noise levels. Back up "beepers" will also be tuned to insure lowest possible noise levels. All necessary measures to muffle, shield or enclose construction equipment shall be implemented in order to insure that noise levels at the property line of the nearest parcels do not exceed 70 dBA. Construction timing shall be noted on the grading and construction plans.
2. Power generating and other noise generating machinery used for construction shall be partially or completely surrounded by temporary acoustical shelters if within 300 feet of a sensitive receptor.
3. Refer to section 4, Biology Resources mitigations 6, 7, and 8.

Utilities and Service Systems

Please refer to Hazards/Hazardous Materials section mitigation measure number 4.

CITY COUNCIL AMDENMENTS TO CONCEPT PLAN PROJECT AND CONDITIONS:

1. The City Council grants a credit of 5 parking spaces based on historical data.

HARBOR CONDITIONS

1. Dock Facilities: The applicant shall revise the plans to depict that the head float complies with the southerly lease line or the applicant shall amend the City lease with the Harbor Department to include an alternative access.

PROJECT PHASING

- Phase 1: Installation of floating docks, restriping of the existing parking lot, and the use of the docks for Virg's Sport Fishing Business.
- Phase 2: Provide electrical service to the floating docks. New services is required from PG&E.
- Phase 3: Installation of awning over the patio area. This work shall be done no later than one year from issuance of the building permit for the floating docks.



California Coastal Commission

COASTAL DEVELOPMENT PERMIT

CDP 3-11-031 (Giovanni's)

As amended up to and including CDP amendment 3-11-031-A1

Issue Date: December 12, 2012

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Coastal development permit (CDP) number 3-11-031 was approved by the California Coastal Commission on April 12, 2012 and subsequently amended on October 10, 2012 (CDP amendment number 3-11-031-A1). CDP 3-11-031, as amended, provides to modify the lease and deed restriction requirements in order to incorporate the permit conditions into the City's lease agreement. CDP 3-11-031 provides for the expansion of an existing boat dock, adding an additional 74' x 8' headfloat and four 50' foot long finger docks, supported by 12 new steel pilings; improvement of an existing outdoor public seating patio with a retractable awning and after-the-fact approval for an unpermitted expansion of the seating area; reconfiguration of an existing parking lot and after-the-fact approval for unpermitted paving of the parking lot; and relocation of an existing sportfishing business to the project site, on a property located along the Morro Bay Embarcadero (lease sites 102 and 102W) at 1001 Front Street adjacent to and over Morro Bay in the City of Morro Bay, San Luis Obispo County (all as more specifically described in the Commission's CDP file). CDP 3-11-031, as amended, is subject to certain terms and conditions, including the standard and special conditions beginning on page 2 of this CDP.

As of December 12, 2012, all of the amended CDP's prior to issuance requirements have been met, and the amended CDP can now be issued. Thus, by my signature below, the amended CDP is issued on behalf of the California Coastal Commission:

Madeline Cavalieri, Central Coastal District Manager for Charles F. Lester, Executive Director

Acknowledgement

The undersigned Permittees acknowledge receipt of this amended coastal development permit and agree to abide by all terms and conditions thereof. The undersigned Permittees acknowledge that Government Code Section 818.4 (that states in pertinent part that "a public entity is not liable for injury caused by the issuance of any permit") applies to the issuance of this amended coastal development permit.

Permittee: Giovanni DeGarimore

Date

12/13/12

Please note that this amended coastal development permit is not valid unless and until a copy of it with the signed acknowledgement has been returned to the California Coastal Commission's Central Coast District Office (14 Cal. Admin. Code Section 13158(a)). This amended CDP replaces and supersedes any previously issued CDP.

CDP 3-11-031 (Giovanni's)

As amended up to and including CDP amendment 3-11-031-A1

Issue Date: December 12, 2012

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Standard Conditions

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the Permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the Permittee to bind all future owners and possessors of the subject property to the terms and conditions.

Special Conditions

1. **Revised Final Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit two full size sets of Revised Final Plans to the Executive Director for review and approval. The Revised Final Plans shall be in substantial conformance with the plans submitted to the Coastal Commission (dated received in the Commission's Central Coast District Office on April 25, 2011, and titled New Dock Plans prepared by C.P. Parker Architect) except that they shall be revised and supplemented to comply with the following requirements:
 - a. **Lateral Access and View Deck.** Public lateral access shall be provided and maintained through the site. All structures, such as benches and planters, shall be removed from the lateral access area that surrounds the existing windscreen on the southern portion of the site. The wharf area north of the windscreen, up to the commercial fishing area on the northern portion of the site, shall be maintained as a public view deck (which shall be explicitly identified as such on the plans). In addition, a lateral access way through the commercial fishing area on the northern half of the site shall be established and maintained. This lateral access on the northern half of the site shall be a minimum of five feet wide and shall be located as close to the bayfront as possible, while maintaining continuity and flow. Finally, an alternative public access way that avoids the commercial fishing area and is a minimum of five feet wide shall be identified on the plan, for use when the lateral access through the commercial fishing area is not available. These areas shall be managed and maintained consistent with the Public Access Management Plan required in Special Condition 2, below.



CDP 3-11-031 (Giovanni's)**As amended up to and including CDP amendment 3-11-031-A1****Issue Date: December 12, 2012****Page 3 of 9**

- b. **Wharf.** Benches, planters and other public access amenities, such as table seating, may be installed in the public view deck, consistent with the Public Access Management Plan required in Special Condition 2, below.
- c. **Lighting.** The location, type, and wattage of all light fixtures (including catalog sheets for each fixture) shall be illustrated. All exterior lighting shall be designed and located so that only the intended area is illuminated and off-site glare is prevented. All lighting shall be cutoff style fixtures that are directed downward to prevent glare on adjacent and surrounding areas (i.e., Morro Bay), and shall be limited to the maximum extent feasible while still providing for public safety. Lights shall have solid sides and reflectors to further reduce lighting impacts, and shall be placed on a switch or timer to turn them off when not needed during the late evening. Boat dock lighting shall be redesigned to reduce brightness and prevent off-site glare as required by this condition.
- d. **Public Access Signs.** The plans shall identify in site plan view the public access signs and public access amenities (e.g., benches, landscaping, etc.) to be installed.
- e. **Restaurant Patio.** All existing and newly installed windows shall be frosted, partially-frosted or otherwise treated with visually permeable barriers that are designed to prevent bird strikes. The patio area shall include openings at both the north and south ends of sufficient width to ensure general public accessibility. In addition, the existing restroom, located adjacent to the patio, with an entrance from the exterior of the building, shall be established and maintained for general public use.
- f. **Post Construction Drainage.** Final Plans shall provide for a post-construction drainage system designed to filter and treat (i.e., designed to remove typical urban runoff pollutants) the volume of runoff produced from each and every storm and/or precipitation event up to and including the 85th percentile 24-hour runoff event for volume-based BMPs and/or the 85th percentile, 1-hour runoff event (with an appropriate safety factor) for flow-based BMPs, prior to discharge. All drainage system components shall be consistent with the following:
- i. The drainage system and its individual components (such as drop inlets and filtration mechanisms) shall be sized according to the specifications identified in the California Storm Water Best Management Practice Municipal Handbook (California Storm Water Management Task Force, March 1993).
 - ii. All development shall incorporate Low Impact Development (LID) BMP strategies and techniques (e.g., limiting impervious surfacing, reducing the hydraulic connectivity of impervious surfaces, etc.) as much as possible.
 - iii. The drainage system shall include at least one engineered filtration unit to which all drainage shall be directed prior to any discharge. The engineered filtration unit(s) shall be specifically designed to remove, at a minimum, potential vehicular contaminants, and shall include media designed to remove such contaminants.



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- iv. All drainage system elements shall be permanently operated and maintained. At a minimum: (1) All filtration/treatment components shall be inspected to determine if they need to be cleaned out or repaired at the following minimum frequencies: prior to October 15th each year; prior to April 15th each year; and during each month that it rains between November 1st and April 1st. Clean-out and repairs (if necessary) shall be done as part of these inspections. At a minimum, all filtration/treatment components must be cleaned prior to the onset of the storm season, no later than October 15th of each year; and (2) Debris and other water pollutants removed from filter device(s) during clean-out shall be contained and disposed of in a proper manner.

The Permittee shall undertake development in accordance with the approved Revised Final Plans.

2. **Public Access Management Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit two copies of a public access management plan (Public Access Plan) to the Executive Director for review and approval. The Public Access Plan shall clearly describe the manner in which general public access associated with the approved project is to be provided and managed, with the objective of maximizing public access to the public access areas of the site (including all walkways, the public seating patio and the public view deck) and all related areas and public access amenities (i.e., bench seating, etc.) described in this special condition. The Public Access Plan shall be substantially in conformance with the plans submitted to the Coastal Commission (and referenced in Special Condition 1 above), and shall at a minimum include the following:
- a. **Clear Depiction of Public Access Areas and Amenities.** All public access areas and amenities, including all of the areas and amenities described above, shall be clearly identified as such on the Public Access Plan (including with hatching and closed polygons so that it is clear what areas are available for public access use).
- b. **Lateral Access.** The lateral access around the patio shall remain free of benches, planters and other street furniture. In addition, lateral access shall be established north of the existing patio area, and shall extend through the project site. The lateral access through the commercial fishing area shall remain open for general public use as much as possible, but may be closed during active fish unloading activities that render public lateral access dangerous. Public access closures shall be limited only to periods when active fish unloading activities prohibit safe public access, should be accomplished using temporary ropes, cones or other appropriate barriers, and must include signs informing the public of the expected duration of the closure and directing the public to alternative public access through or around the site. All lateral public access ways shall remain free of unnecessary materials and structures, including portable storage structures and garbage bins that are not intended for use by the public, etc.
- c. **Floating Dock.** All parameters for use for the floating dock shall be clearly identified. The floating dock shall be publicly available for general public pedestrian access and transient boat use (and not as a long-term residential or live-aboard docking area) for general public and/or



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commercial fishing use, and shall be clearly integrated into the overall development (including integrating docking use with overall commercial operations of the site).

- d. **Amenities.** Public access amenities (such as benches, table and chairs, bicycle racks, trash and recycling receptacles, etc.) shall be provided, including at a minimum, benches in the public view deck north of the seating patio.
- e. **Public Access Signs/Materials.** The Public Access Plan shall identify all signs and any other project elements that will be used to facilitate, manage, and provide public access to the approved project, including identification of all public education/interpretation features that will be provided on the site (educational displays, interpretive signage, etc.). Sign details showing the location, materials, design, and text of all public access signs shall be provided. The signs shall be designed so as to provide clear information without impacting public views and site character. At a minimum, public access directional signs shall be placed at both ends of the lateral access across the site, as well as at entrances to the patio, adjacent to the view deck area, and at either end of the commercial fishing wharf. The public view deck and public restrooms shall be conspicuously signed and available for public use, and tables on the public view deck and within the public seating patio shall include signs on them indicating that the public may use the tables for free without any purchase. Public access signage shall include the California Coastal Trail and California Coastal Commission emblems.
- f. **No Public Access Disruption.** Development and uses within the public access areas that disrupt and/or degrade public access (including areas set aside for private uses, barriers to public access (furniture, planters, temporary structures, private use signs, fences, barriers, ropes, etc.), except those allowed on the commercial fishing section of the wharf pursuant to Special Condition 2b, shall be prohibited. The public use areas shall be maintained consistent with the approved Public Access Plan and in a manner that maximizes public use and enjoyment.
- g. **Public Access Use Hours.** All public access areas and amenities shall be available to the general public free of charge during at least daylight hours (i.e., one hour before sunrise to one hour after sunset), and during at least all non-daylight hours when the retail components of the approved project are open.
- h. **Public Access Areas and Amenities Maintained.** The public access components of the project shall be maintained in their approved state in perpetuity.

The Permittee shall undertake development in accordance with the approved Public Access Plan, which shall govern all general public access to the site pursuant to this coastal development permit.

- 3. **Construction Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit two copies of a Construction Plan to the Executive Director for review and approval. The Construction Plan shall, at a minimum, include the following:

- a. **Construction Areas.** The Construction Plan shall identify the specific location of all construction areas, all staging areas, and all construction access corridors in site plan view. All



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such areas within which construction activities and/or staging are to take place shall be minimized to the maximum extent feasible in order to have the least impact on public access and Morro Bay resources, including by using inland areas for staging and storing construction equipment and materials as feasible.

- b. Construction Methods.** The Construction Plan shall specify the construction methods to be used, including all methods to be used to keep the construction areas separated from bay and public recreational use areas (including using unobtrusive fencing (or equivalent measures) to delineate construction areas).
- c. Construction BMPs.** The Construction Plan shall also identify the type and location of all erosion control/water quality best management practices that will be implemented during construction to protect coastal water quality, including the following: (a) silt fences, straw wattles, or equivalent apparatus, shall be installed at the perimeter of the construction site to prevent construction-related runoff and/or sediment from discharging to the bay; (b) equipment washing, refueling, and/or servicing shall take place at least 50 feet from the bay. All construction equipment shall be inspected and maintained at an off-site location to prevent leaks and spills of hazardous materials at the project site; (c) the construction site shall maintain good construction housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep materials covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the site); and (d) all erosion and sediment controls shall be in place prior to the commencement of construction as well as at the end of each work day.
- d. Construction Site Documents.** The Construction Plan shall provide that copies of the signed coastal development permit and the approved Construction Plan be maintained in a conspicuous location at the construction job site at all times, and that such copies are available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of the coastal development permit and the approved Construction Plan, and the public review requirements applicable to them, prior to commencement of construction.
- e. Construction Coordinator.** The Construction Plan shall provide that a construction coordinator be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and that their contact information (i.e., address, phone numbers, etc.) including, at a minimum, a telephone number that will be made available 24 hours a day for the duration of construction, is conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction coordinator shall record the name, phone number, and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.



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- f. **Pilings.** The new pilings and piling sleeve shall be made from steel. Pilings shall be installed using a vibratory hammer. Construction barges shall be floating at all times and shall only operate at tides high enough so that the barge does not rest against the bottom of the bay.
- g. **Notification.** The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office at least 3 working days in advance of commencement of construction, and immediately upon completion of construction.

The Permittee shall undertake construction in accordance with the approved Construction Plan.

- 4. **Biological Monitor.** All work that disturbs the ocean floor (i.e., installation of pilings) shall be monitored by the project biologist to ensure that impacts to marine mammals are avoided. A U.S. Fish and Wildlife Service-approved biological monitor shall be present on site during construction and shall have the authority to stop construction if any individuals of southern sea otter are seen within 100 feet of the project area. Construction will be allowed to resume after sighted otters have left the 100-foot radius of the project area. The monitor will have discretionary authority to temporarily halt the project if it is determined that the otter could be affected by the project even if the otter is beyond the 100-foot boundary. All construction crew employees shall be informed on the requirements of this condition.
- 5. **Eelgrass Monitoring Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit two copies of an eelgrass monitoring plan (EMP) to the Executive Director for review and approval. The EMP shall, at a minimum, provide for the following:
 - a. **Eelgrass Surveys.** Pre- and post-construction surveys shall be performed to identify the location of any existing eelgrass and identify any impacts to existing eelgrass due to construction.
 - b. **Eelgrass Protection.** All eelgrass beds identified in the project area shall be shown on a map in site plan view, and shall be protected as eelgrass habitat in perpetuity.
 - c. **Monitoring.** A monitoring report shall be submitted to the Executive Director for review and approval within three months of completion of construction. The report shall at a minimum include a site plan and written description of the status of eelgrass beds in the project area. If the report identifies a reduction in eelgrass coverage as compared to the existing eelgrass coverage at the time of the pre-construction survey, then the report shall identify remedial measures to offset such reduction within the eelgrass beds in the project area at a 1.2.:1 basis. In such case, reporting shall continue on an annual basis for at least three years or until all such eelgrass beds are supporting eelgrass as documented in two consecutive annual reports, whichever is later.

The Permittee shall undertake development in accordance with the approved Eelgrass Monitoring Plan.

- 6. **Parking Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit to the Executive Director for review and approval, either: (1) evidence of payment of an in-lieu parking fee to the City of Morro Bay's parking in-lieu fee fund at the rate of



CDP 3-11-031 (Giovanni's)**As amended up to and including CDP amendment 3-11-031-A1****Issue Date: December 12, 2012****Page 8 of 9**

\$15,000 per parking space for the 16 required spaces; or (2) two copies of a Parking Plan that clearly documents the manner in which the 16 required parking spaces are to be provided for project users for as long as a sportfishing operation of at least the size of Virg's operates at this location. The plan shall clearly identify where and how site users will make use of such parking (including but not limited to contractual agreements with private parking areas, valet service, shuttles, etc.).

The Permittee shall undertake development in accordance with the approved parking plan.

7. **Other Agency Approval.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit to the Executive Director written evidence that all necessary permits, permissions, approvals, and/or authorizations for the approved project have been granted by the City of Morro Bay, the California State Lands Commission, the U.S. Army Corps of Engineers, and the California Department of Fish and Game. Any changes to the approved project required by these agencies shall be reported to the Executive Director. No changes to the approved project shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is necessary.
8. **Boat Slip Parameters.** All boat slips and side-tie docks shall be used for commercial and recreational fishing vessels, commercial passenger vessels, and commercial service vessels only. The use of the docks and slips for long-term private residential, live-aboard, and/or recreational vessels is prohibited.
9. **Assumption of Risk, Waiver of Liability and Indemnity Agreement.** The Permittee acknowledges and agrees, on behalf of itself and all successors and assigns: (i) that the site is subject to coastal hazards including but not limited to episodic and long-term shoreline retreat and coastal erosion, high seas, ocean waves, storms, tsunamis, tidal scour, coastal flooding, and the interaction of same; (ii) to assume the risks to the Permittee and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards; and (v) that any adverse effects to property caused by the permitted project shall be fully the responsibility of the property owner.
10. **Deed Restriction.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit to the Executive Director for review and approval documentation demonstrating that the Permittee has executed and recorded against the parcels identified as APN 066-033-002 and APN 066-033-004 ("Upland Parcels") a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the Upland Parcels, subject to terms and conditions that restrict the use and enjoyment of the Upland Parcels; and (2) imposing the special conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the



CDP 3-11-031 (Giovanni's)**As amended up to and including CDP amendment 3-11-031-A1****Issue Date: December 12, 2012****Page 9 of 9**

Upland Parcels. The deed restriction shall include legal descriptions of the Upland Parcels. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the Upland Parcels so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the Upland Parcels.

- 11. Lease Restriction.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit to the Executive Director for review and approval evidence demonstrating that its lease for the property on which the approved development will take place ("Leased Parcel") has been amended to: (1) include the conditions of this permit as conditions of the lease; and (2) prohibit deletion or amendment of the portion of the lease consisting of the conditions of this permit without the approval of the Executive Director. Further, the Permittee shall submit for Executive Director review and approval evidence that the City of Morro Bay has agreed to include the conditions of this permit in any future leases on the Leased Parcel.
- 12. Incorporation of City Conditions.** All conditions of approval imposed on the project by the City of Morro Bay are incorporated as conditions of this approval. Any of the incorporated City conditions requiring materials to be submitted to the City and/or otherwise requiring City approval (such as Development Director approval), shall also require the same materials to be submitted to, and/or the same approvals granted by, the Executive Director under the same review and approval criteria as specified in the City conditions. For future condition compliance tracking purposes, such incorporated City conditions shall be considered subsections of this Special Condition 12. To the extent any such incorporated City conditions conflict with these conditions (i.e., standard conditions 1 through 5, and special conditions 1 through 10), such conflicts shall be resolved in favor of these conditions.
- 13. Condition Compliance.** WITHIN 180 DAYS OF COMMISSION ACTION ON THIS CDP APPLICATION, or within such additional time as the Executive Director may grant for good cause, the Applicants shall satisfy all requirements specified in the conditions hereto that the Applicants are required to satisfy prior to issuance of the permit. Failure to comply with this requirement may result in the institution of enforcement action under the provisions of Chapter 9 of the Coastal Act.





City of Morro Bay Planning Commission

1001 FRONT ST
#MIN20-003 / UP0-284

UPDATE REPORT ON PROJECT
CONDITION #2

APPLICANT: GIOVANNI
DEGARIMORE

AGENT: CATHY NOVAK CONSULTING

MARCH 1, 2022



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INTRODUCTION

- ▶ The Conditional Use Permit #UP0-284 for 1001 Front St was reviewed by Planning Commission on February 18, 2020 and May 5, 2020 after concerns regarding public access and whether the project was in compliance with its 2012 CUP.
- ▶ The CUP public access conditions include requirements to maintain the Harborwalk pathway, Beach St gate to be open from 730am to dusk but allowed to be closed during active unloading operations.
- ▶ The CDP public access conditions include keeping open the Harborwalk pathway around the windscreen patio area; wharf public view deck with public tables, establish a 5 foot wide lateral access pathway through the commercial fishing area but allowed to close during active unloading operations with identification of alternative public access pathway
- ▶ Minor Modification MIN20-003 was approved on May 5, 2020.



MIN20-003

- ▶ Minor Modification MIN20-003 planning condition #2 requires follow up report on the status of the Beach Street gate:

2. North Public Access Gate Closure. The applicant shall maintain a record of gate closures for a six month period from the date of Planning Commission action on this item. The gate closure record shall be submitted to the Community Development Department for inclusion in a project update staff report that shall come before the Planning Commission no later than January 2021. The report shall include a review of the Beach Street gate, lateral access pathway in the parking lot, and the walk-up order line at Giovanni's Fish Market. The Planning Commission will render a final decision on whether the gate can remain at the meeting where the gate closure records are reviewed.



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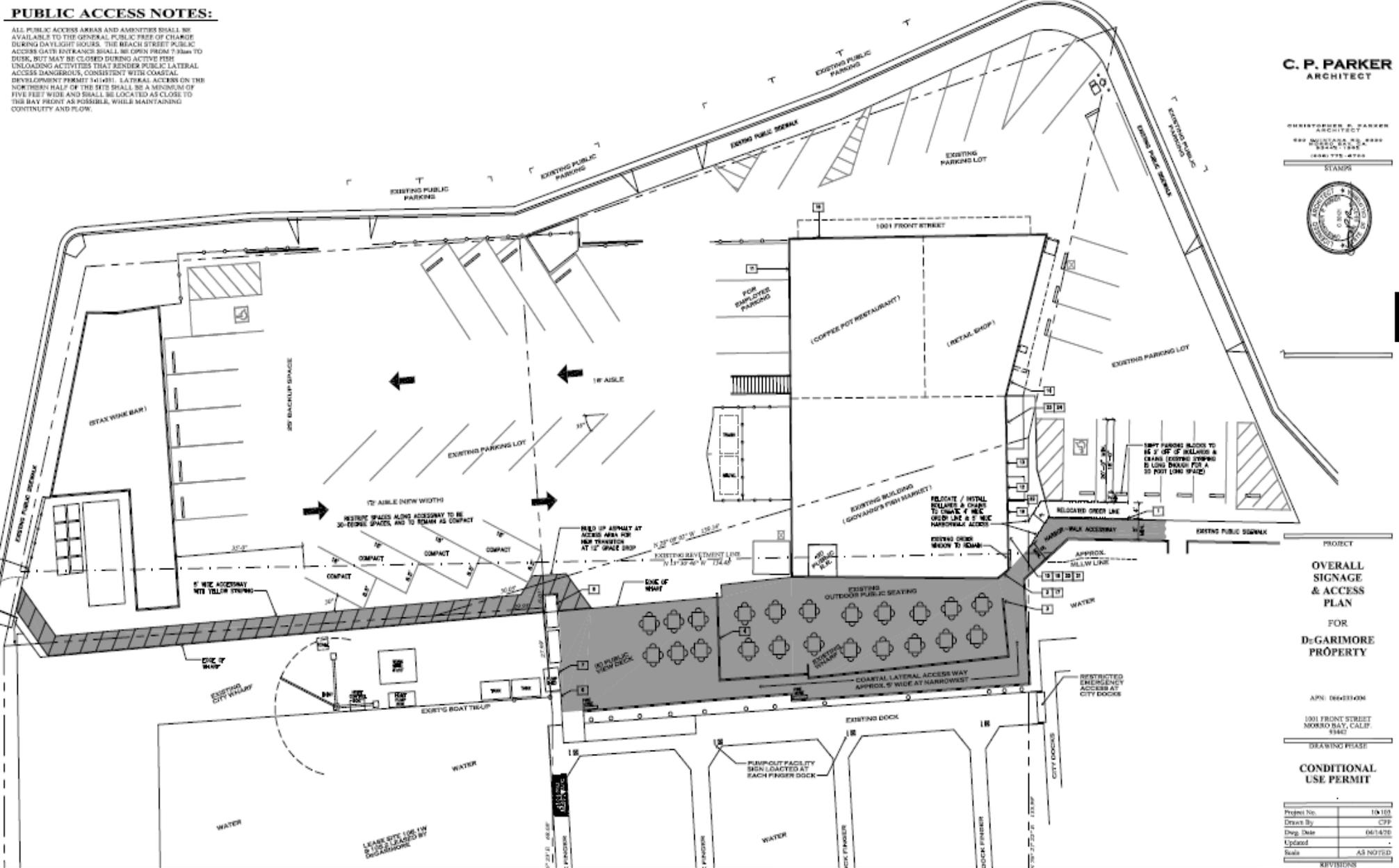
Aerial image of uses



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PUBLIC ACCESS NOTES:

ALL PUBLIC ACCESS AREAS AND ADJACENCIES SHALL BE AVAILABLE TO THE GENERAL PUBLIC FREE OF CHARGE DURING DAYLIGHT HOURS. THE BEACH STREET PUBLIC ACCESS GATE ENTRANCES SHALL BE OPEN FROM 7:00am TO 10:00pm, BUT MAY BE CLOSED DURING ACTIVE FISH UNLOADING ACTIVITIES THAT RENDER PUBLIC LATERAL ACCESS DANGEROUS, CONSISTENT WITH COASTAL DEVELOPMENT PERMIT 1414141. LATERAL ACCESS ON THE NORTHERN HALF OF THE SITE SHALL BE A MINIMUM OF FIVE FEET WIDE AND SHALL BE LOCATED AS CLOSE TO THE BAY FRONT AS POSSIBLE, WHILE MAINTAINING CONTINUITY AND FLOW.



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ARCHITECT

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STAMPS



PROJECT
OVERALL SIGNAGE & ACCESS PLAN
FOR
D. GARIMORE PROPERTY

APN: 06481400
1001 FRONT STREET
MORRO BAY, CALIF. 93402

DRAWING PHASE
CONDITIONAL USE PERMIT

Project No.	10110
Drawn By	CFP
Design Date	04/14/20
Updated	
Scale	AS NOTED



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Approved
CUP
Minor
Modification
MIN20-003

I. Beach Street gate

- ▶ Per the condition of approval, the Applicant has submitted daily gate logs since 2020.
- ▶ The current CUP and CDP approvals allow the gate to be temporarily closed during active fish unloading activities that would render public lateral access dangerous.
- ▶ Wharf area is frequently occupied by commercial fisherman and fishing equipment, including live fish tanks, a scale, and a hoist as well as the only fuel dock on the waterfront and close street proximity which presents inherent safety risks if the gate were permanently removed.
- ▶ Applicant's letter requests the gate be allowed to remain for security and business liability reasons.



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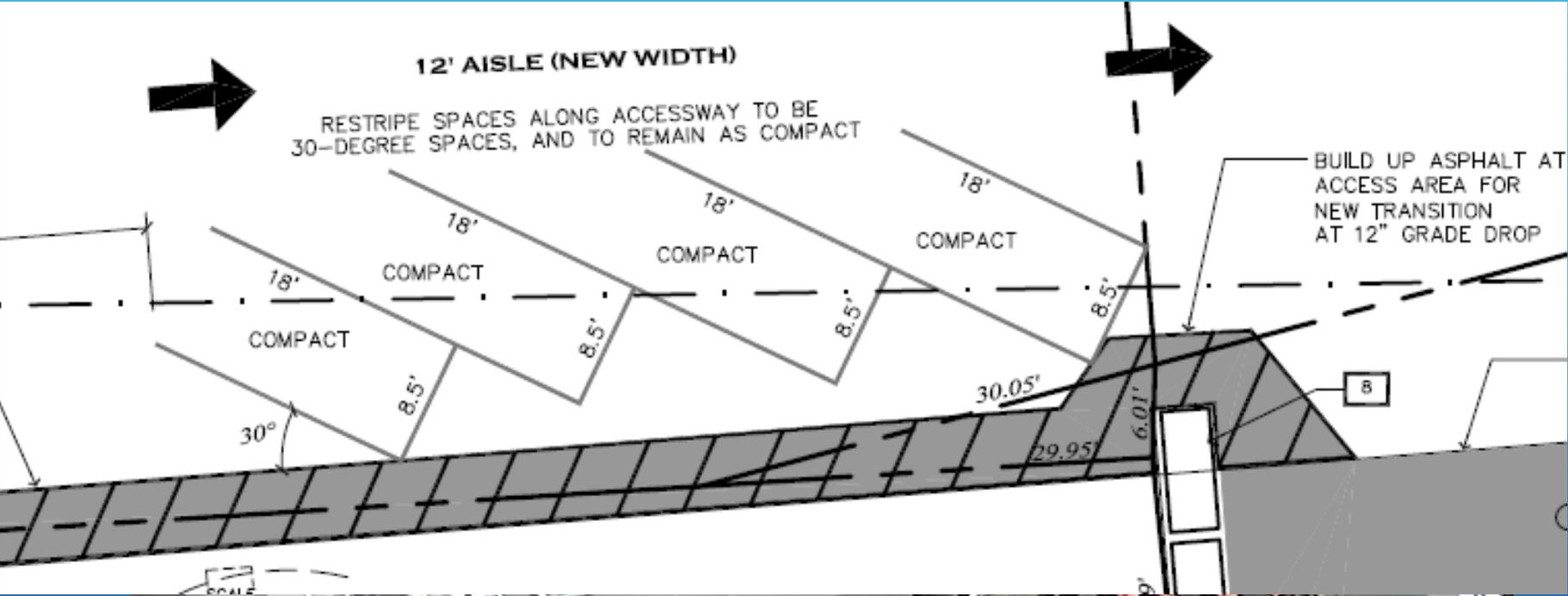
Photo of Beach Street gate with Coastal access signage and path of travel

2. Harborwalk/ public access

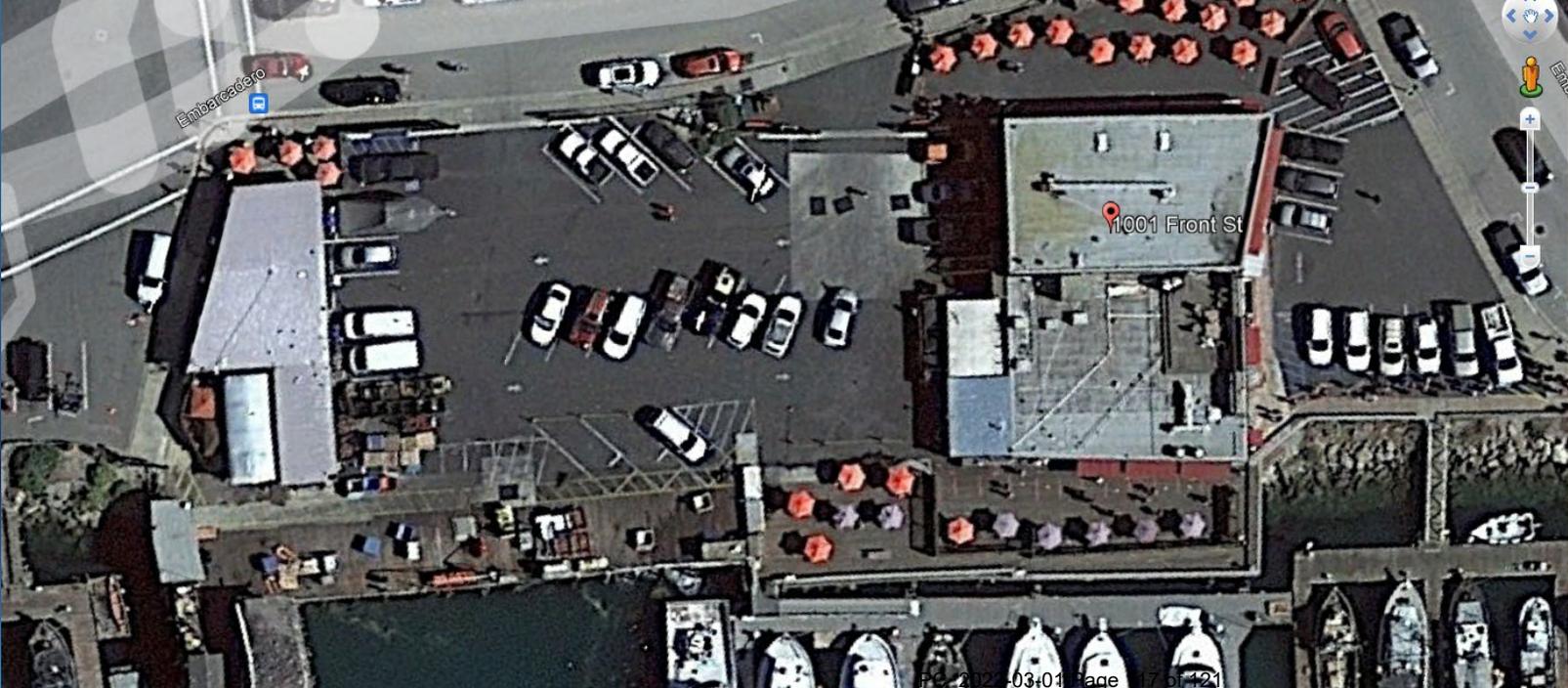
- ▶ Harborwalk access extends through the entirety of the site including through the commercial fishing business area.
- ▶ Previous concerns centered around the lack of public access awareness of this area.
- ▶ The MIN20-003 approval included new signage and refresh of the yellow hatched outline to indicate path of travel.
- ▶ Also, the parking lot was restriped to a 30 degree layout in order to shift parking spaces (wheel stops) to the east to avoid Harborwalk encroachments and provide more room.



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Parking lot
with
Harborwalk
/ public
access
walkway

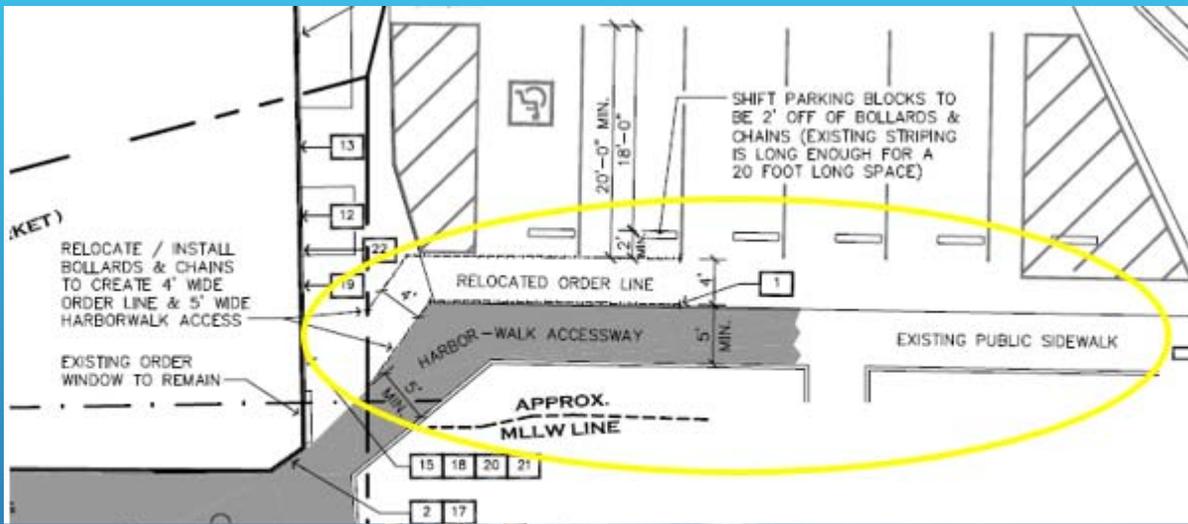


3. Walkup Order Line at Fish Market

- ▶ Previously during busy times, the order line would spill onto the public sidewalk blocking public access
- ▶ The MIN20-003 permit shifted the parking spaces to the east and relocated the food service line to the east of the sidewalk with bollards and a chained area to contain the order line from the public sidewalk.
- ▶ Staff has observed that this has mitigated crowding in addition to the new second walkup window on the east side of the building which has further reduced crowding during busy times.



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Permit modification approved shifting order line east, extend bollards, and add coastal access sign



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Waterfront Market Special Use Permit

#CUP19-15

- ▶ On 12/7/2021, the Planning Commission reviewed a staff update on the Waterfront Market project, a seasonal weekend multi-vendor event that was approved on 1/7/2020 for up to 15 days/year to be located only within the private parking lot.
- ▶ The PC requested that extension of days to the permit be brought back to PC with consideration for improving public access. The public access requirements are conditions on the overall CUP and would not apply to the Special Use Permit beyond the requirement to avoid conflicts with public access conditions.
- ▶ The permittee is requesting 6 additional days that staff requests be allowed as an administrative action. This action would still require an application and noticing.



Conclusion:

Staff recommends PC review the report and consistent with the permit approvals allow for the Beach Street gate to remain as previously conditioned.

In addition, allow for administrative action to 6 days annually to the Waterfront Market special use permit.



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