

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
(408) 427-4863

**Tu3a****RECORD PACKET COPY  
ADMINISTRATIVE PERMIT NUMBER 3-98-063**

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**Applicant**..... **City of Morro Bay, Harbor Department**

**Project location** ..... East of the Embarcadero between Beach Street and Coleman Drive next to the Duke (former PG&E) power plant, City of Morro Bay.

**Project description** .. Improvements to an existing parking lot: Add 68 parking spaces, install landscape planters, construct a marine recycle area, relocate storage yard area, underground existing utilities, install pedestrian and bicycle paths, parking and pedestrian signage, and other site furniture items (trash receptacles, benches, lights, and bike racks).

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**Executive Director's Determination:** The findings for this determination, and for any special conditions, appear on subsequent pages.

**Note:** Public Resources Code Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs. This permit will be reported to the Commission at the following time and place:

**Tuesday, September 8, 1998 at 10 AM**  
**Eureka Inn**  
**7th & "F" Streets**  
**Eureka, CA**  
**(707) 442-6441**

**IMPORTANT: Before you may proceed with development, the following must occur:** Pursuant to Title 14 of the California Code of Regulations, Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return to our office. Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, if applicable, we will send you a Notice of Administrative Permit Effectiveness. **Before you can obtain any local permits and proceed with development, you must have received both your administrative permit and the notice of permit effectiveness from this office.**

**PETER DOUGLAS**  
Executive Director

A handwritten signature in black ink, appearing to read "Lee Otter".

**By: LEE OTTER**  
District Chief Planner

## STANDARD CONDITIONS

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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. **Compliance.** All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. **Inspections.** The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. **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.
7. **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

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1. **Drainage Plans.** PRIOR TO COMMENCEMENT OF GRADING OR CONSTRUCTION, the permittee shall submit to the Executive Director for review and approval a copy of the final drainage plans which shall incorporate measures to prevent non-point source pollution from entering the waters of the Morro Bay estuary. Such measures shall include, but are not limited to, temporary silt fences and other sediment containment measures during the construction phase; and sediment traps, filter strips, and similar best management practices (BMPs) in the finished project. Specific recommendations may be found in the *California Storm Water Best Management Practice Handbooks* (March, 1993).
2. **Regional Water Quality Control Board.** PRIOR TO COMMENCEMENT OF CONSTRUCTION, the permittee shall submit to the Executive Director a copy of a water quality certification for the proposed drainage system, or waiver of water quality certification, or other evidence of review and approval of the drainage system, from the Regional Water Quality Control Board.

## **EXECUTIVE DIRECTOR'S DETERMINATION**

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The Executive Director hereby determines that the proposed development is a category of development which qualifies for approval by the Executive Director through the issuance of an administrative permit (Public Resources Code Section 30624). Subject to Standard and Special conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, is located seaward of the first through public road and is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act, will not prejudice the ability of the local government to implement its certified Local Coastal Program in conformity with the provisions of Chapter 3, and will not have any significant adverse effects on the environment within the meaning of the California Environmental Quality Act.

## **FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION**

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The project is located in the harbor area of the City of Morro Bay and extends north from the foot of Beach Street to Coleman Drive adjacent to the Duke Energy (former PG&E) power plant property and from the Embarcadero east to the foot of the bluff. This area is essentially that now occupied by an existing parking lot and will be at least partially funded from the City's in-lieu parking fee program, which requires payment of fees for construction of future parking if a site cannot provide its own off-street parking. The City plans to relocate a storage yard for its Harbor Department; add a transit stop/information center/public restroom building, landscaping and street furniture including trees, benches, directional signs, trash receptacles, pedestrian and bicycle paths, etc.; enlarge the parking lot toward the north and at its northeast corner; and reconfigure the parking spaces. The work will increase the number of spaces from 74 to 142. The site is on fill that dates from the 1940's; prior to that time much of the site was tidal mudflats. Because of that the site lies in the Commission's "original" permit jurisdiction.

The work will entail the removal of nine Eucalyptus trees, eight less than 12 inches in diameter at breast height and one 36 inches in diameter at breast height, and a 10 x 10 foot storage shed. Street trees are proposed to be planted according to the requirements of the City's zoning ordinance. The proposal also includes improvement of sidewalks and bicycle paths. The project will improve access to the waterfront by providing additional parking spaces and will improve the appearance of the area.

An administrative permit was previously granted for this project, in 1995. That permit has expired. That previous permit application included a new drainage system including two drainage detention and energy dissipater devices capable of retaining hydrocarbons/grease and silt. The current application does not contain details of the drainage. For that reason Special Conditions 1 and 2 are attached to his permit to ensure that best management practices are incorporated in project design and that non-point source pollutants do not enter the waters of the estuary.

As conditioned, the project is consistent with the Coastal Act, including Sections 30210 et seq. (access), 30223 (coastal recreational support), and 30230 et seq. (protection of the marine environment). Additionally, the project is consistent with the City's certified LCP, which in this case is useful for interpretive guidance.

### **California Environmental Quality Act**

Section 13096 of the California Code of Regulations requires that a specific finding be made in

conjunction with coastal development permit applications showing the application to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. The City of Morro Bay adopted a negative declaration for the project. The Executive Director finds that the proposed project, as conditioned to provide additional water quality protection measures, will not have any significant unmitigated adverse effects on the environment.

**ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS**

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

\_\_\_\_\_  
Applicant's signature

\_\_\_\_\_  
Date of signing

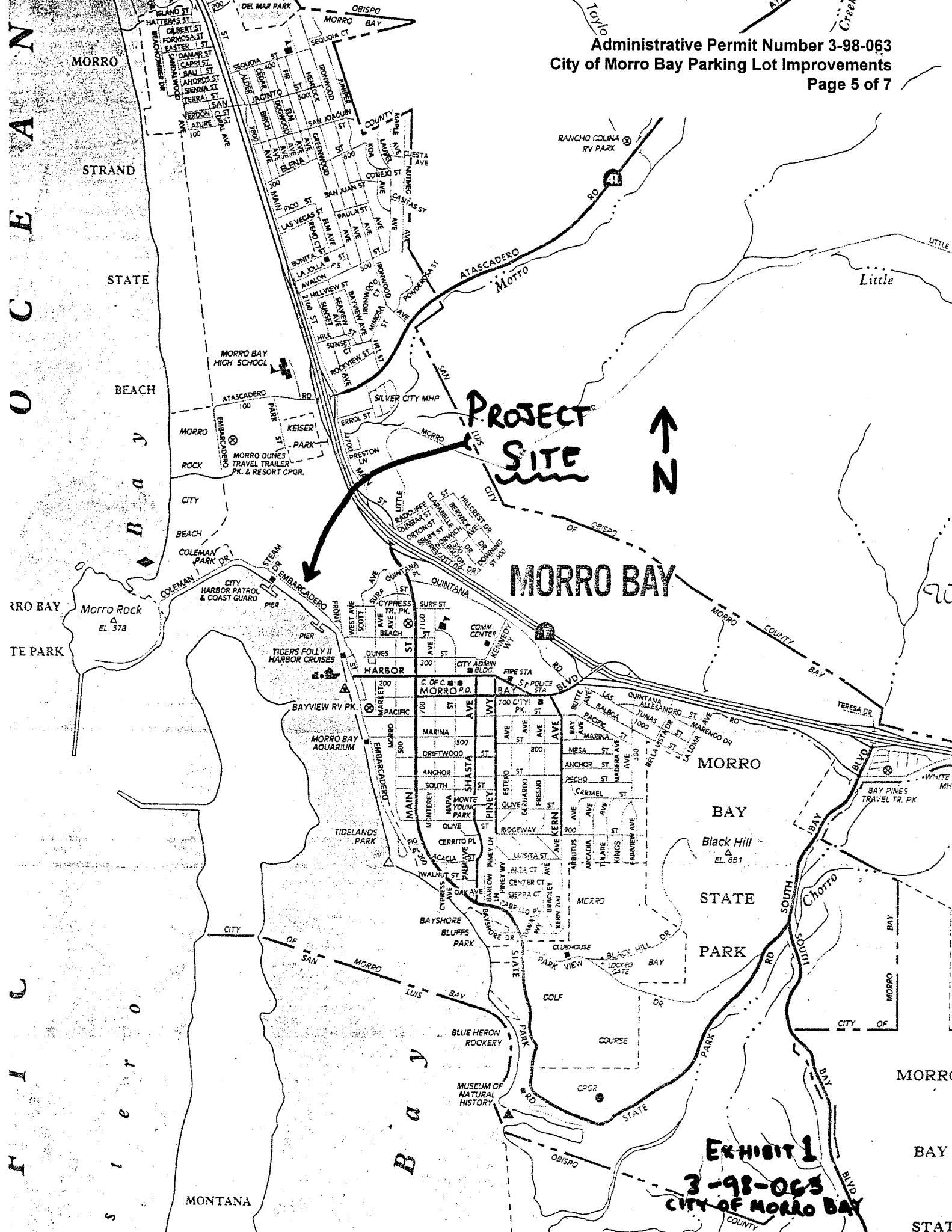
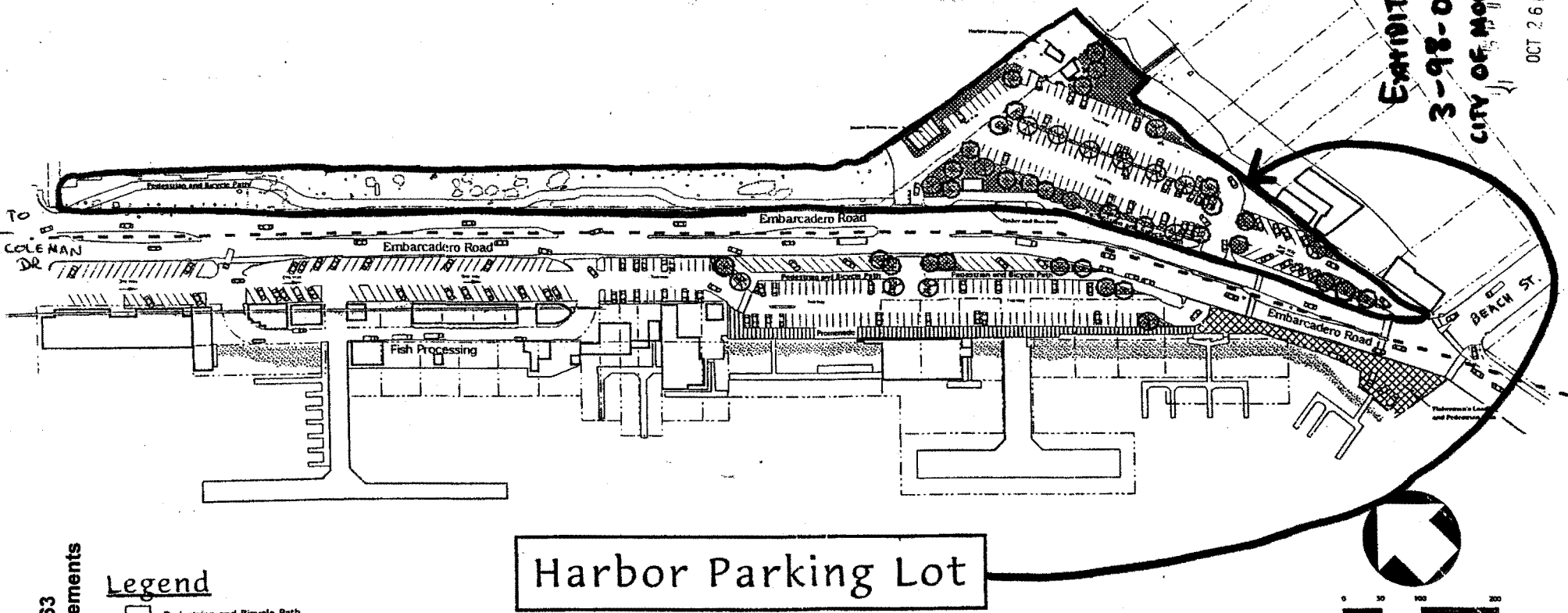








EXHIBIT 2  
 3-98-063  
 CITY OF MORRO BAY

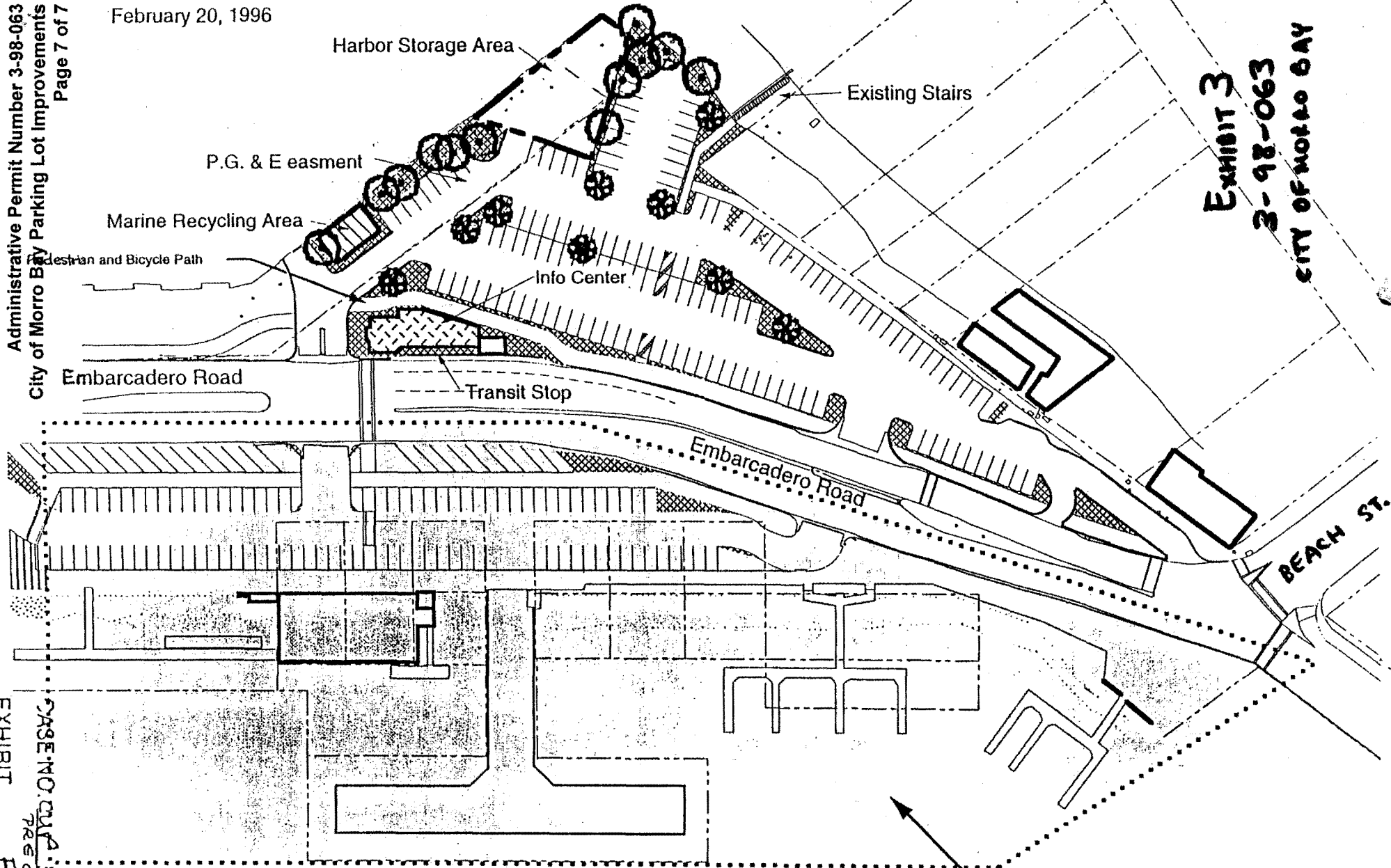
OCT 26 1994



Legend

-  Pedestrian and Bicycle Path
-  Landscape Area
-  Marine Recycling Area
-  Revetment
-  Promenade
-  Fisherman's Loading and Pedestrian Area

Planning and Building Department  
 City of Morro Bay  
 Drawn By Mauricio Argente



**EXHIBIT 3**  
**3-98-063**  
**CITY OF MORRO BAY**

**Harbor Front Parking Lot**  
Phase I Precise Plan

Not a Part of Phase I

EXHIBIT  
CASE NO. CUP 30-94  
PRECISE PLAN